



SAN MIGUEL COUNTY PLANNING COMMISSION

PLANNING COMMISSION MEETING AGENDA THURSDAY, OCTOBER 14, 2021 – 9:00 AM

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: <http://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply)

1. 9:00 AM CALL TO ORDER

2. APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS

Approval of the September 9, 2021 minutes
[2 CPC Minutes September 9, 2021.pdf](#)

Approval of the August 19, 2021 minutes
[2 CPC Minutes August 19, 2021.pdf](#)

3. 9:15 PUBLIC HEARING; REVIEW OF LAND USE APPLICATION

Applicant: Ben Langenfield, Representative; Skelton Inc.
Location: (Parcel # 429517300003) South of Montrose County line off CR 44ZN
Parcel size: 25-acre
Zone District: Wright's Mesa (WM)
Proposal: Mining Special Use Permit for expansion of United Materials Norwood Gravel Pit/**MOTION**
[3 CPC Staff Report & Packet Materials - United Norwood Mine Pit SUP 10.14.21.pdf](#)

4. DISCUSSION OF MASTER PLAN AMENDMENT FOR AFFORDABLE HOUSING

5. ADJOURNMENT

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information please contact the Planning Department at (970) 728-3083.

If special accommodations are necessary per ADA, contact 970-728-3174, via email bocc@sanmiguelcountyco.gov prior to the meeting.

The official, designate posting place for all meeting notices will be online at <https://www.sanmiguelcountyco.gov/liveagenda>. Use this link to view the live agenda with any last-minute changes. To be automatically notified, please sign up at www.sanmiguelcountyco.gov, sign up for alerts, and follow the prompts.



AGENDA ITEM

TITLE:

Approval of the September 9, 2021 minutes

Presented by:

Time needed:

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[2 CPC Minutes September 9, 2021.pdf](#)

Description:

**SAN MIGUEL COUNTY PLANNING COMMISSION
MINUTES – REGULAR MEETING**

September 9, 2021

On-line Meeting Via Zoom

Present: Lee Taylor, Chair
Pamela Hall, Vice-chair
M.J. Schillaci, Secretary
Ian Bald, Member
Josselin Lifton-Zoline, Member

Absent: Matthew Bayma, Sr. Alternate
Tobin Brown, Jr. Alternate

Planning Staff Present: Kaye Simonson, Planning Director
John Huebner, Senior Planner
Troy Hangen, Senior Planner

County Staff Present: Amy Markwell, County Attorney
Nancy Hrupcin, Legal Assistant, County Attorney's Office
Matt Gonzales, Building Official

Public Present: Terri Lamers
Steve McGee
Steve Snyder
Julia Caulfield, KOTO

9:00 a.m. Chair called the meeting to order.

APPROVAL OF MINUTES

Consideration of the August 19, 2021 Minutes was continued to the next meeting.

PLANNING COMMISSION AND STAFF COMMENTS

- A short review of the new Granicus agenda program linked with the San Miguel County website for ease in accessing the commission packet info was given.
- The Sunnyside project is being framed. It has been annexed and rezoned into the Town of Telluride.
- Genesee Properties is preparing its preliminary PUD application.

9:15 PUBLIC HEARING REVIEW OF LAND USE APPLICATION

Applicant: Snyder Ranches LLC and Outlaw Automotive and Fabrication

Property Owner: Snyder Properties LLC

Address/Location: 38764 State Highway 145

Parcel size: 2.58-acre (Parcel #429517300003)

Zone District: Wright's Mesa (WM)

Proposal: Special Use Permit to establish Automotive Repair Service Shop.

Those who addressed the commission:

Terri Lamers, Applicant

John Huebner, Senior Planner, presented the Special Use Permit application required to establish a commercial automotive repair service shop at 38764 State Highway 145, Norwood, within the Wright's Mesa Zone District. An existing small scale automobile/equipment repair facility, Outlaw Automotive & Fabrication, owned by Sean McGee, operates on site. In February 2021 a complaint was filed regarding a possible zoning violation. On March 19, 2021 and May 17, 2021 letters were issued to Snyder Properties, LLC identifying that a Special Use Permit is required to operate a commercial auto repair shop on the property. In response, an application was submitted. On August 25, 2021 the Planning staff and Building Official conducted a site visit. The Commission had a virtual site visit via photos.

The property is a 2.58-acre site, located just over 2 miles east of the Town of Norwood. There is a single-family residence, metal frame building and assorted agricultural outbuildings on the property. The property is zoned WM-Wright's Mesa, as are the surrounding properties. The property to the east has a single-family residence with the remainder of the surrounding area mostly being agricultural with houses located further away.

The property is served by a residential water tap from Norwood Water District and has an onsite wastewater treatment system (OWTS) that was constructed in the 1970's.

Notice was mailed and published. Referral agencies were notified and comments were received. The metal building is listed as outdoor storage from the Assessor's records, not as a commercial building. When there is a change in use, the building needs to meet any code requirements for life safety issues. Per Matt Gonzales, SMC Building Official, building permits and inspections must be obtained for the auto repair facility to obtain a Certificate of Occupancy if SUP is approved.

The applicant will use an existing steel building for the business. As part of the conditions there shall be a limited number of vehicles. Overnight vehicle parking plan is for 2-4 vehicles inside the facility. The maximum number of vehicles parked outside for the automotive repair use shall be limited to five (5) vehicles. Only short-term customer parking and employee vehicles shall be parked on the south side of the building. All vehicles shall have current registration and shall not be on the property for more than thirty (30) days. Repairs will usually be completed in 1-5 business days.

Staff recommends approval with the listed conditions.

Property owner will be permit holder as the operator is leasing the facility from them. Josselin asked if they could continue with the SUP as long as they own the land. The SUP is issued to the Applicant, Snyder Properties, LLC and does not run with the land.

Terri Lamers, applicant, asked if the motion be amended to state the property owner as Snyder Ranches. LLC rather than Snyder Properties as the applicant of record.

9:32 a.m. Open to Public Comment

9:33 a.m. Closed to Public Comment

The Planning Commission asked the applicant if they foresee additional employees in the future and if they anticipate them using the residence for facilities for employees. There is no plan for additional employees at this time. There will an administrative review of the SUP in one year.

MOTION by Josselin Lifton-Zoline to approve the proposed Snyder ~~Properties~~ **Ranches**, LLC Auto Repair Service Shop Special Use Permit (SUP), and adopt Resolution No 2021-07, based on the finding that the proposed use complies with the standards of Land Use Code (LUC) Sections 5-319 Wrights Mesa (WM) Zone District Purpose, 5-319 K Review Standards for all WM Zone District Special Uses, and 5-1002, Special Uses, and is consistent with the County Master Plan, with the following conditions:

1. The maximum number of vehicles parked outside for the automotive repair use shall be limited to five (5). Only short-term customer parking and employee vehicles shall be parked on the south side of the building. All vehicles shall have current registration and shall not be on the property for more than thirty (30) days.
2. Obtain all necessary inspections for the Repair Facility. If a Certificate of Occupancy or Final Inspection is not obtained within ninety (90) days of the date of this approval, the approval of the auto repair service shall be void. The Planning Director and Building Official may grant an extension and allow more time to meet this condition, provided the applicant is working diligently to complete all work and obtain all inspections.
3. Vegetation and weeds shall be controlled. The site shall be kept clear of trash and debris and maintained in a clean and orderly condition.
4. The use of the site shall be limited to the areas shown on the site plan. There shall be no further development without County Planning approval.
5. A lighting plan shall be submitted prior to installing any exterior lighting. All lighting shall be directed down and meet the requirements of LUC Section 5-710.
6. A sign permit shall be obtained prior to placing any commercial sign.
7. The Special Use Permit is issued to the Applicant, Snyder ~~Properties~~ **Ranch**, LLC, and does not run with the land.
8. All written representations of the applicant, in the original submittal and all supplements, letters and emails, are deemed to be conditions of approval, except to the extent modified by this Motion.

9. There shall be an annual review one (1) year after the date of approval of this SUP approval (September 2022). The CPC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future.

SECONDED by Mary Jo Schillaci. **VOTE PASSED 5-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	<u>Absent</u>
Tobin Brown	<u>Aye</u>	Nay	Abstain	<u>Absent</u>

LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION

Request: To Amend San Miguel County Land Use Code Section 1-10, County Planning Office, regarding Written Interpretations.

Kaye Simonson, Planning Director presented the amendment that was requested by the Planning Department as they have been getting a lot of requests for written interpretations of the Land Use Code and how it applies to a certain property or situation. These reports are very specific, somewhat binding, and take a lot of research and time. The Land Use Code does not provide a specific process for the preparation of interpretations, and when the various references to interpretations are pieced together, the Code is inconsistent and contradictory. "Request for Interpretation" is defined, placing the responsibility for LUC and zoning map interpretations with the County Attorney, upon consultation with the Planning Director. Section 1-1903, Appeal of Planning Director's Administrative Decision, references Land Use Code interpretations as a Director's decision that can be appealed to the BOCC. Section 1-1403 A.I gives the Board of Adjustment the authority to make interpretations of a zoning map.

The proposed amendment eliminates the contradictions and establishes a clear process for requesting and responding to an interpretation, including a timeline. Additionally, minor corrections are made to Section 1-10 so it is accurate and describes intended functions. Finally, Article 6, Definitions, Request for Interpretation, would be amended to conform to the changes. If the Land Use Code amendment is adopted by the BOCC, the Planning Fee Resolution would also be amended to include a \$275.00 administrative fee for the preparation of Written Interpretations. The BOA will retain the responsibility to consider requests for interpretation of zone map boundaries; there is no change to that section (1-14)

The meeting agenda was published in the newspapers and notice was sent to the referral agencies. The County Attorney and County Manager were consulted while the draft was being prepared and their comments have been incorporated into the draft as presented. No public comments were received.

The Commission began by asking if Special Use Permits were recorded. Kaye Simonson, Planning Director answered that the Resolutions for SUP's are recorded.

MJ asked about Article 6, Definitions and the term "legal" and if it assumes the County Attorney is involved in the interpretation and by taking it out would make it clearer that it is an administrative interpretation. It was discussed.

Pam Hall asked if this is a non-binding interpretation and in the future if the Planning Director sees it differently or wants to change the interpretation, could it be modified. In time, if there was new evidence presented or the code is changed, they could be modified. An applicant would have to pay the fee again for a new interpretation. Any amendments to the Land Use Code may supersede any interpretations.

MOTION by Ian Bald to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code Section 1-10, County Planning Office, regarding Written Interpretations, with an associated amendment to Article 6, Definitions, based on finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code and the additional condition of striking the work "legal" from the definitions in Article 6.

SECONDED By Mary Jo Schillaci **VOTE PASSED 5-0**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	<u>Absent</u>
Tobin Brown	<u>Aye</u>	Nay	Abstain	<u>Absent</u>

LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION:

Troy Hangen, Senior Planner presented a Land Use Code Amendment to Section 5-319 K., Wright's Mesa Definitions, "Material Recovery Facility (MRF), to include composting. "Material Recovery Facility" and "Salvage, Junk Yard" are industrial uses allowed with a Two-Step Review Process with County Planning Commission recommendation and approval by the Board of County Commissioners.

This request was initiated by the County Legal Assistant due to a pending grant application by the County seeking to acquire a Recycling Resources Economic Opportunity mini-grant from the Colorado Department of Public Health and Environment. The mini-grant would allow the County to begin a compost facility which will in turn reduce the amount of green waste going to the landfill. A proposed compost facility use would be allowed subject to rezoning of a specific parcel to the Wright's Mesa Rural Agriculture Zone District and would require a Special Use Permit under a Two-Step Review Process with County Planning Commission recommendation and approval by the Board of County Commissioners for the MRF to collect the compost. Kaye Simonson added that she has talked with several entities that are interested in doing compost in the County so this would be applicable beyond just the Norwood Transfer Station.

Public notice was published in the Telluride Daily Planet and the Norwood Post. Referral agencies were also noticed.

Josselin Lifton-Zoline asked for clarity that it would require a Special Use Permit, a two-step process, to make compost. She then inquired as to why this is allowed in the WMRA Zone District and no other zone districts.

Kaye Simonson responded that if a proposal was made in future, for instance in the light industrial zone district, it may be plausible and any impacts could be addressed. It would not be appropriate in the town or residential zoned areas.

MOTION by Josselin Lifton-Zoline, to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code Section 5-319 K. regarding definitions in the Wright's Mesa Zone district, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code.

SECONDED by Pamela Hall. **VOTE PASSED 5-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	Aye	Nay	Abstain	<u>Absent</u>
Tobin Brown	Aye	Nay	Abstain	<u>Absent</u>

WORKSESSION:

Discussion of Affordable Housing as requested by the Board of County Commissioners. Possibly to develop an Affordable Housing Zone district that would not be the 5-step PUD. The idea is to develop workforce housing will be a use by right in the effort to take away some of the barriers to build affordable housing.

11:09 a.m. Adjourned.

Respectfully Submitted,

Nancy Hrupcin, Legal Assistant, County Attorney

Approved on _____, 2021.

SAN MIGUEL COUNTY PLANNING COMMISSION

M.J. Schillaci, Secretary

: \PC Planning Commission\PC Minutes\2021\pc.9.9.minutes.docx]



AGENDA ITEM

TITLE:

Approval of the August 19, 2021 minutes

Presented by:

Time needed:

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[2 CPC Minutes August 19, 2021.pdf](#)

Description:

**SAN MIGUEL COUNTY PLANNING COMMISSION
MINUTES – REGULAR MEETING**

August 19, 2021

Norwood Public Library, 1455 Pinion Street, Norwood, CO 81423

Present: Lee Taylor, Chair
M.J. Schillaci, Secretary
Josselin Lifton-Zoline, Member
Matthew Bayma, Sr. Alternate
Tobin Brown, Jr. Alternate

Absent: Pamela Hall, Vice-chair
Ian Bald, Member

Planning Staff Present: Kaye Simonson, Planning Director
John Huebner, Senior Planner
Troy Hangen, Senior Planner

County Staff Present: Matt Gonzales, Building Official
Amy Markwell, County Attorney
Nancy Hrupcin, Legal Assistant, County Attorney's Office

9:15 AM Site Visit: 7239 County Road 44 ZS, SUP Hunting Lodge

10:15 AM Site Visit: 272 County Road 43 ZS, SUP Warehousing, Affordable Housing

11:00 a.m. Called to Order

PUBLIC HEARING: REVIEW OF LAND USE APPLICATION

Applicant: Jim & Alice Fae Young, Therin Pace

Location: 272 County Road 43 ZS

Parcel size: 3.2 acre (Parcel 429526200010)

Zone District: Heavy Commercial (HC)

Proposal: Amendment to Special Use Permit to establish Warehousing and Affordable Housing for persons employed on site.

Those who addressed the commission:

Jim & Alice Fae Young, Applicant

Jenny Russell, Attorney representing Parker & Dellis

Therin Pace, Applicant

George Parker, neighbor

Tina Dellis, neighbor

Kaye Simonson, Planning Director, presented the land use application submitted by Therin Pace and Jim & Alice Fae Young. On December 10, 2020, a complaint was filed regarding possible zoning violations at 272 and 350 County Road 43ZS, Norwood. The property has Special Use

Permits (SUP) for an auto repair shop, impound yard and contractor shop. On March 25, 2021 the Planning Director and Building Official conducted a site visit and on April 9, 2021, a letter was issued to Therin Pace, business owner/tenant, and Jim Young, property owner identifying areas that needed to be addressed. Specifically, the number of cars stored on the site exceed that allowed by the current SUP; the impound use is no longer occurring; unpermitted warehousing is occurring on site within cargo containers; and there are unpermitted residential uses on the property, in a mobile home on site, in an apartment in the building at the southeast corner of the lot, and in an RV parked on site. The key violations for this property are the number of vehicles parked on site in excess of the number allowed by CPC Resolutions No. 1997-10 and 2004-08; use of the property for warehousing without a special use permit; and the residential uses occurring on the property without a special use permit, development permit or building permit.

In response, an application was submitted by the applicants requesting amendments to the existing SUPs to increase the number of vehicles allowed to be parked on the site, a request to keep the vehicle impound and storage use, to retain the construction shop and yard use, and to add “Warehousing” as an allowed use on the site. Also, to allow the mobile home, which was placed on the site in the late 90s but not permitted, and to authorize the existing apartment in the south end of Building C, which is classified by Planning as a legally non-conforming structure. It was constructed with permits and met the setback requirements in place at the time it was built. There is no evidence that building permits or a certificate of occupancy were issued for the apartment.

The number of vehicles and the duration of their stay should be limited. Based on all the activities occurring on the site, staff does not believe the site can accommodate additional vehicles. Vehicle storage should not exceed 30 days and vehicles should be currently registered and have an active work order.

The impound business is no longer active. If a use is abandoned for 12 months it is no longer valid.

With the addition of warehousing, the use of site is near capacity. The storage containers cannot be placed within the minimum setbacks allowed by zoning regulations; they are considered structures by the Land Use Code. All storage containers should be placed outside of the setbacks at least 50 feet from the property lines. The commission asked if there was some flexibility in regards to the parking of customer and employee vehicles in the setbacks.

Building C is classified as a legally non-conforming structure as it was constructed without permits when it was built. There is no evidence building permits or a certificate of occupancy were issued for the apartment. If the Planning Commission approves the use, the applicant will need to obtain all necessary plumbing, electrical and building permits, as well as verify the size and condition of the Onsite Wastewater Treatment System (OWTS). The apartment shall only be occupied with employees that work on site.

Staff believes the condition of the mobile home building is not habitable. Consideration of the mobile home use was not included in the application because it does not meet setback

requirements; approval of the use of the mobile home would also require approval of a setback variance from the Board of Adjustment. No application has been submitted.

11:51 a.m. Recessed

11:56 a.m. Reconvened

Jim and Alice Fae Young and Therin Pace questioned staff and the commission regarding the original resolutions, OWTS requirements, and the use of the setback area.

12:14 p.m. Public Comment opened.

Jenny Russell, attorney for neighbors George Parker and Tina Dellis, stated on their behalf that they do not object to the proposed zoning or the SUP. They are concerned with the significant number of violations involving law enforcement that has inhibited their enjoyment of their property. There is also concern about the location of the OWTS. It was expressed that if the apartment is approved that there be proof (a W-2) required that the person occupying the space is actually an employee. Also, the shipping containers are located right up against the fence. She stated that the 50 foot setback would protect her client. They also requested that fencing be required on the south & east sides of property to prevent trash from blowing onto their property.

Tina Dellis and George Parker expressed these numerous violations inhibit their use and enjoyment of their property.

12:37 p.m. Public Comment closed.

The Commission asked whose responsibility is the fence. Staff stated it is the applicant's responsibility. They inquired about the size of the apartment and if it is County Deed Restricted.

Staff added that the occupants have vacated the RV campers on site; it is not zoned for a campground. There are two long term classes of work, impound and car restoration business. Also, the outdoor vehicle storage is not a use by right.

The Commission commented that there is clean-up needed on site; the applicant needs to reduce the numbers of cars and the storage containers are placed haphazardly and in the setback. The Commission concluded that due to multiple reasons (in the setback, unlivable, OWTS) the mobile home must be removed. The number of vehicles allowed on site, twenty-four (24) does not include employees' commuter vehicles.

MOTION by Josselin Lifton-Zoline to approve the amendment to the Foreign Cars Special Use Permit, and adopt Resolution No 2021-05, retaining the auto repair business, retaining the contractor's yard and shop, retaining the impound business, adding warehousing as a new use, and adding a residential use that shall be affordable housing for persons employed on the site, based on the finding that the proposed SUP amendment meets the standards of LUC Section 5-308 B, Heavy Commercial, and of 5-1002, Special Uses, with the following conditions *as amended during today's meeting*:

1. All written representations of the applicant, in the original submittal and all supplements, letters and emails, are deemed to be conditions of approval, except to the extent modified by this Motion.
2. This Resolution shall replace all prior SUP resolutions in their entirety, including CPC Resolution No. 1997-10 and CPC Resolution No. 2004-10.
3. Erect an opaque fence to screen the property that is at least 6 feet high along the south and east property lines. The Planning Director may waive this condition if the final settlement with the neighbor otherwise addresses screening.
4. The maximum number of vehicles parked outside for the automotive repair use shall be limited to twenty four (24). All vehicles shall have current registration or work order and shall not be on the property for more than thirty (30) days, per LUC Section 5-308 B.XII.j. Vehicles stored in buildings or containers are not subject to these limits.
5. The impound use is no longer active and shall not be reestablished unless and until a Special Use review is conducted pursuant to the requirements of the Land Use Code.
6. All stored vehicles (those not being actively repaired and/or allowed to be stored outside per the above conditions) shall be located inside buildings or containers.
7. There shall be no more than twenty (20) cargo/storage containers on the site.
8. No storage containers shall be placed or located in the fifty-foot (50') setbacks.
9. Obtain all necessary inspections for the apartment. If a Certificate of Occupancy or Final Inspection is not obtained within ninety (90) days of the date of this approval, the apartment and all plumbing and wiring associated with the kitchen and bathroom shall be removed and approval of the affordable housing use shall be void. The Planning Director and Building Official may grant an extension and allow more time to meet this condition, provided the applicant is working diligently to complete all work and obtain all inspections.
10. The apartment shall only be occupied by person employed on the site. There shall be no more than four (4) people residing in the apartment. The name(s) of the tenants(s) and their position(s) of employment within the SUP shall be provided to the Planning Department no later than January 31 of each year.
11. Provide documentation from an engineer regarding the size, location, and condition of the Onsite Wastewater Treatment System(s) (OWTS) within ninety (90) days of this approval. The engineer shall demonstrate to the satisfaction of the San Miguel County Site Inspector that the OWTS is adequate and functioning and will meet all needs for the site. The Site Inspector may require any modifications to the system(s) deemed necessary for the public health and safety.

12. Comply with all requirements of the Norwood Water District. Within ninety (90) days of this approval, provide San Miguel County Planning Department with verification from the District that their requirements have been met.
13. Vegetation and weeds shall be controlled. The site shall be kept clear of trash and debris and maintained in a clean and orderly condition.
14. The open shed along the east property line shall be removed. Alternately, the applicant and owner may apply for and obtain all necessary permits (development permit, building permit). A complete application shall be submitted within thirty (30) days of this SUP approval. If the open shed is proposed to be retained in its existing location within the setback, the applicant must apply for and receive approval from the Board of Adjustment for a variance to the rear yard setback. Nothing in this SP approval provides any guarantee that the variance or subsequent permits will be granted. If the applicant fails to obtain all necessary approvals and permits within six (6) months of the date of this approval, the open shed shall be removed.
14. 15. The mobile home shall be removed, based on the finding that it is not safe for habitation and cannot be reasonably rehabilitated to a point that a certificate of occupancy can be obtained. It shall not be replaced unless and until all necessary permits and approvals are obtained, including but not limited to an amendment to this SUP to allow an additional dwelling unit on the property.
16. There shall be an annual review one (1) year after the date of approval of this SUP amendment (August 2022). Prior to the annual review by the Planning Commission, notice will be provided to the neighbors and individuals who have commented on this SP application. The CPC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future.

SECONDED by Tobin Brown. **VOTE PASSED 5-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	Aye	Nay	Abstain	<u>Absent</u>
Ian Bald	Aye	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	Absent

2:07 p.m. Recess

2:17 p.m. Reconvened

PUBLIC HEARING: REVIEW OF LAND USE APPLICATION

Applicant: John T Howe, Representative; Jan Scharf, T.L Bar Ranch Partnership

Location: 7239 County Road 44ZS

Parcel size: 75 –acre (Parcel #452735300102)

Zone District: Wrights Mesa (WM)

Proposal: Special Use Permit to establish seasonal Hunting Lodge

Those who addressed the commission:

John T. Howe, Attorney for the applicant

Jan & Jerry Scharf, TL Bar Ranch applicant

Alex Sokolik, neighbor

Abby & Tyrell Thompson, neighbors

John Huebner, Senior Planner, presented the TL Bar Ranch Partnership application for a Hunting Lodge Special Use Permit to house hunters from their hunting operation on their property for approximately four (4) weeks during the hunting season. There will be a maximum of 11 hunters and 8 staff and guides this year hosted in 10 recreational vehicles (“RVs”) that will be located on the property. All meals will be provided, and the residence’s kitchen and dining room will be utilized to prepare and serve meals to hunters and employees. The ten RVs will be sited in a fenced area that was originally designed as an outdoor horse arena. Electrical service is provided to the RVs. Parking for customers and hunting vehicles is also planned in the arena. The property’s existing well is permitted for fire protection, up to three residences, lawn and livestock. It currently serves the existing residence. A commercial onsite wastewater treatment system (OWTS) is proposed to be installed near the arena to serve the RVs. Potable water is planned to be provided to the lodgers from an existing onsite well and from water hauled to the site. The applicant is required to treat the water prior to use in the RVs and kitchen for meal preparation and drinking to insure it meets commercial standards.

All customers’ guns are to be stored in the RV’s each night. No hunting or shooting will occur on the Property. All hunting will take place on other private property owned by the applicant.

Comments from neighbor Jay Scott were received after the packet was distributed. His concerns were addressed by staff prior to the meeting so he did not attend the meeting.

Staff recommend approval as all condition have been met.

The Commission asked if applicant has obtained permission for water from the Town of Norwood as they want to minimize any drawdown from the existing well. A water card has been obtained from the town and they can also haul water from Montrose County. It was commented that no dogs are allowed and that there would be only field dressing on site. Processing would be sent out.

The OWTS will be sized to meet the maximum number of hunters and staff. It was asked if the SUP will run with the land. This SUP will be tied to the actual owners of the property and not run with the land.

John Howe stated on behalf of the applicant stated that the proposed hunting lodge use is low impact, seasonal, with no hunting on the specific property. The applicant is also looking to possibly convert the residential well to a commercial well.

Some comments were received concerning the impact to the water table. With the leach field 90-95% of the water goes back into the system minimizing impacts.

2:56 p.m. Public Comment opened.

Alex Sokolik, neighboring property owner stated concerns regarding water, that commercial status brings more crime, and he would like the property to stay residential only. He is happy there is no gun range on site.

The Commission added that part of the business plan is to mitigate the water issues.

Tyrell & Abby Thompson commented that the gallons of water usage proposed is not even close to agricultural water use. This project will bring more revenue to town. Jan and Jerry are not part of the Gurley HOA and have taken the HOA comments into consideration.

Patti Grafmyer, on behalf of the Water Commission stated that there will be economic benefits to the town and that applicant is able to have a card for the water dock.

3:13 p.m. Public Comment closed.

The Commission asked about adding a condition not to sight and fire weapons. Kaye Simonson said we do not have county shooting zones or regulations. Lee Taylor asked if that is enforceable.

The Commission commented that the applicant has a good reputation and history in San Miguel County and there are no issues with the application.

MOTION by Toby Brown to approve the Special Use Permit (SUP) to the TL Bar Ranch to operate a seasonal Hunting Lodge at 7239 CR 44Z S as presented, and to adopt the corresponding Resolution No. 2021-06 based on the finding that the proposed use complies with the standards of Land Use Code (LUC) Section 5-319 Wrights Mesa (WM) Zone District Purpose, LUC Section 5-319 K Review Standards for all WM Zond District Special Uses, LUC Section 5-407 A, C Wildlife Habitat Areas – Elk Winter Range, LUC Section 5-605 Water Supply, LUC Section 5-10 Special Uses, and is consistent with policies in LUC Section 2-16 Wildlife Protection; and the County Master Plan, with the following conditions:

1. The Applicant shall apply for and obtain a San Miguel County Development Permit prior to making any site improvements.
2. The Applicant shall apply for and obtain a San Miguel County Onsite Wastewater Treatment System (OWTS) Permit for the proposed OWTS to service the RVs for hunters and staff.
3. Approval for the use of a cistern for water storage for RVs shall be obtained from the Board of County Commissioners.
4. Treatment of drinking water that meets CDPHE or County Public Health standards is required.

5. A lighting plan shall be submitted. All lighting shall be directed down and meet the requirements of LUC Section 5-710.
6. Trash and recycling shall be located within wildlife resistant containers or enclosures.
7. A sign permit shall be obtained prior to placing any commercial sign.
8. The use of the site shall be limited to the areas shown on the site plan. There shall be no further development without County Planning approval.
9. All written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this Motion.

SECONDED By Matthew Bayma *with the additional conditions that the applicant will comply with OHV rules and the SUP runs with the applicants only.*

AMENDMENT TO MOTION by Brown and Bayma ACCEPTED.

VOTE PASSED 5-0

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	Aye	Nay	Abstain	<u>Absent</u>
Ian Bald	Aye	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	Absent

APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS:

MOTION by MJ Schillaci to approve the July 8, 2021 Planning Commission minutes as presented. **SECONDED** By Josselin Lifton-Zoline.

VOTE PASSED 5-0

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	Aye	Nay	Abstain	<u>Absent</u>
Ian Bald	Aye	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	Absent

3:28 p.m. Meeting ADJOURNED.

Respectfully Submitted,

Nancy Hrupcin, Legal Assistant, County Attorney

Approved on _____, 2021.

SAN MIGUEL COUNTY PLANNING COMMISSION

M.J. Schillaci, Secretary

[Z:\PC Planning Commission\PC Minutes\2020\pc.8.19.minutes.docx]



AGENDA ITEM

TITLE:

Applicant: Ben Langenfield, Representative; Skelton Inc.

Location: (Parcel # 429517300003) South of Montrose County line off CR 44ZN

Parcel size: 25-acre

Zone District: Wright's Mesa (WM)

Proposal: Mining Special Use Permit for expansion of United Materials Norwood Gravel Pit/**MOTION**

Presented by:

Time needed:

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[3 CPC Staff Report & Packet Materials - United Norwood Mine Pit SUP 10.14.21.pdf](#)

Description:

PUBLIC HEARING RECORD

County Planning Commission

Application: United Companies – Skelton Pit, Mining Special Use Permit, application –
Wright's Mesa Zone District

Date: October 14, 2021

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated October 14, 2021.
4. Application and Supplements submitted by Ben Langenfeld, P.E., Lewicki & Associates dated July 25, 2021 and August 16, 2021.
5. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 and CRS § 24-65.5-103(1) dated October 7, 2021 and October 5, 2021.
6. Emails from Ben Langenfeld, P.E., Lewicki & Associates to County Planning and Road and Bridge staff, dated September 14-29, 2021.
7. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on September 29, 2021, and Meeting Notice on October 6, 2021.

AGENCY COMMENTS

8. Email and Memo from John Huebner, Senior Planner, to Review Agencies dated September 2, 2021.
9. Email from John Bockrath, Norwood Fire Protection District, to John Huebner, Senior Planner, dated September 2, 2021.
10. Email from Patti Grafmyer, Town of Norwood, to County Planning Commission dated September 7, 2021.
11. Email string from Lucas West, Colorado Division of Reclamation, Mining and Safety to John Huebner, Senior Planner, dated September 7, 2021.
12. Email from Matt Gonzales, County Building Official, to John Huebner, Senior Planner, dated September 9, 2021.
13. Email from Greg Powers, Colorado Division of Water Resources, to John Huebner, Senior Planner, dated September 14, 2021.

14. Letter received from Ryan Righetti, County Road and Bridge Director to County Planning Department dated September 24, 2021.
15. Letter received from Mark W. Caddy, Colorado Parks and Wildlife, to John Huebner, Senior Planner, dated October 3, 2021.

PUBLIC COMMENT

16. Email received from Jackson Ordean to County Planning Commission dated September 11, 2021.
17. Letter received from James Fournery, 4Knee Ventures, LLC to County Planning Department dated September 13, 2021.
18. Letter received from Martha P. Whitmore, Esq., on behalf of Ken Crouse, to County Planning Commission dated September 23, 2021.
19. Letter received from Mary Ann Gaston to John Huebner, Senior Planner, dated September 26, 2021.
20. Email string with Madeline Gardner with John Huebner, Senior Planner, dated September 15, 2021.
21. Email from Madeline Gardner to John Huebner, Senior Planner, dated October 6, 2021.
22. Email from Peggy Smelt-Day to John Huebner, Senior Planner, dated October 7, 2021.

OTHER

23. Planning Commission Resolution 1992-11 Approving SUP County Norwood Gravel Pit, dated September 16, 1992.
24. Board of Commissioner Memorandum of Understanding with Skelton regarding 44Z N road reconstruction dated July 7, 1993.
25. San Miguel County Gravel Task Force Recommendations, dated October 27, 1998, pp 1-30.
26. Montrose County Gravel Mining Mitigation Standards, pp. 48-53.

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: John Huebner, Senior Planner
RE: Mining Special Use Permit
 United Companies – Skelton Pit, Mining Special Use Permit, WMZD
DATE: October 14, 2021
 ["Z:\Applications\2021_United Companies_Mining SUP_Skelton Pit\1 Staff Memo(s) and Resolution(s)\CPC Project Report - United Norwood Mine Pit SUP.docx"]

SUMMARY OF REQUEST

Ben Langenfield, Lewicki & Associates on behalf of the United Companies and Skelton Inc., PO Box 125, Norwood, CO 81423 ("Applicant"), has submitted an application seeking a Mining Special Use Permit for the extraction of sand and rock, on a vacant unimproved 25-acre parcel, #429513300013 the ("Property"), zoned Wright's Mesa (WM) located off CR 44Z N just south of the Montrose County line approximately 1.75 miles northeast of the Town of Norwood.

BACKGROUND

The existing United Norwood Gravel Pit, located in Montrose County north of the proposed Skelton Pit expansion parcel, has been an active sand and gravel pit operation since 1989. It produces construction materials, i.e. sand and gravel, road base, ready-mixed concrete, hot mixed asphalt and washed rock for use in projects in western Montrose County and San Miguel County.

The United Norwood Gravel Pit operates under a land use permit from Montrose County and a reclamation permit from the Colorado Division of Reclamation, Mining and Safety. The Colorado Department of Public Health and Environment has issued permits for the control of dust/diesel emissions and for water quality protection.

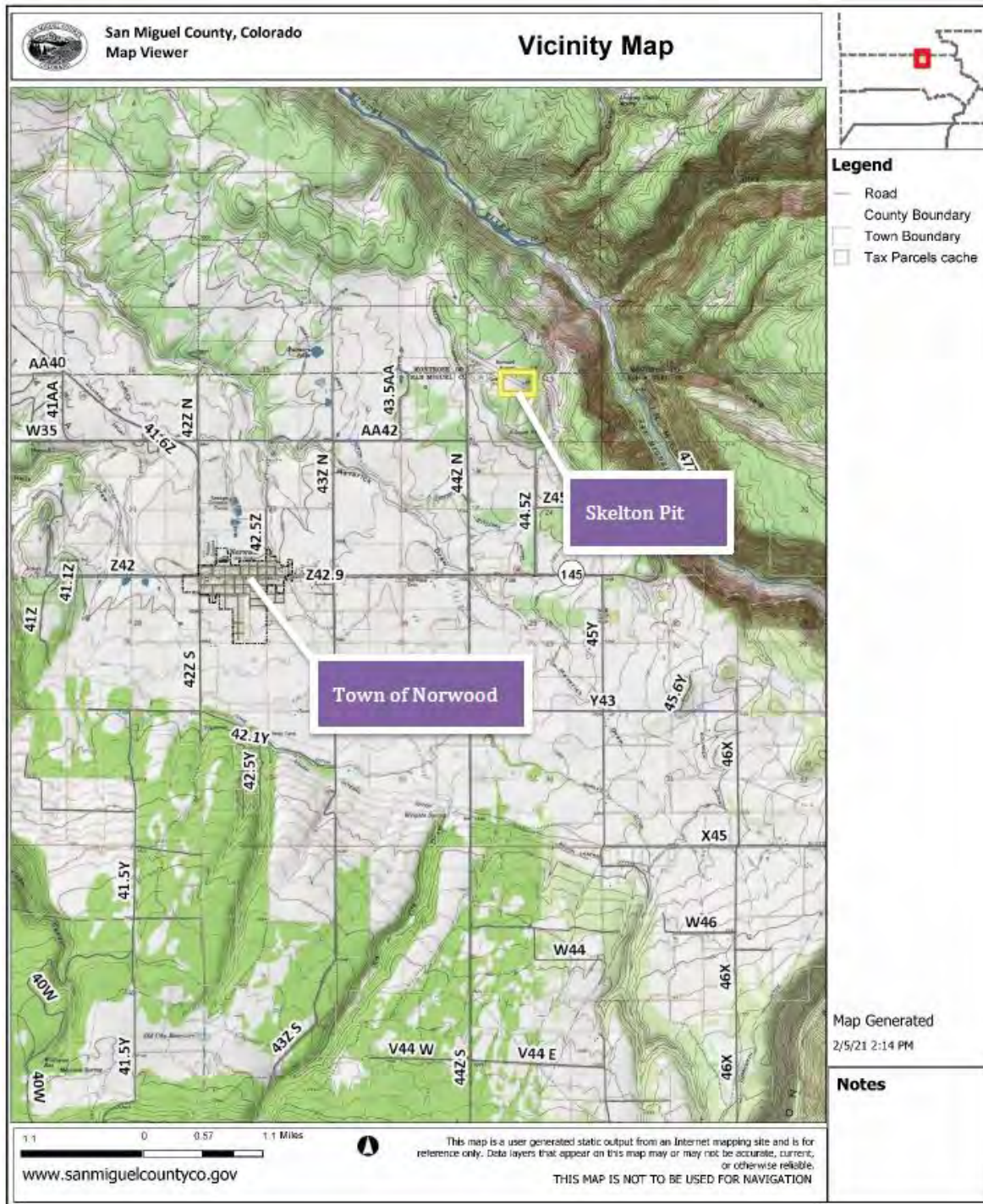
San Miguel County Road and Bridge operates a 19.22-acre parcel gravel pit in San Miguel County under SUP (CPC Resolution 1992-11) located directly south of the existing United Norwood Pit and directly west of the proposed expansion parcel. A 1993 MOU with Skelton and San Miguel dealt with CR 44Z N repairs.

Access to both pits is over a 9.72-acre parcel, owned by the applicant, located in San Miguel County. United Materials has an office and also operates a weigh station for incoming and outgoing gravel trucks on the parcel.

PROPOSAL

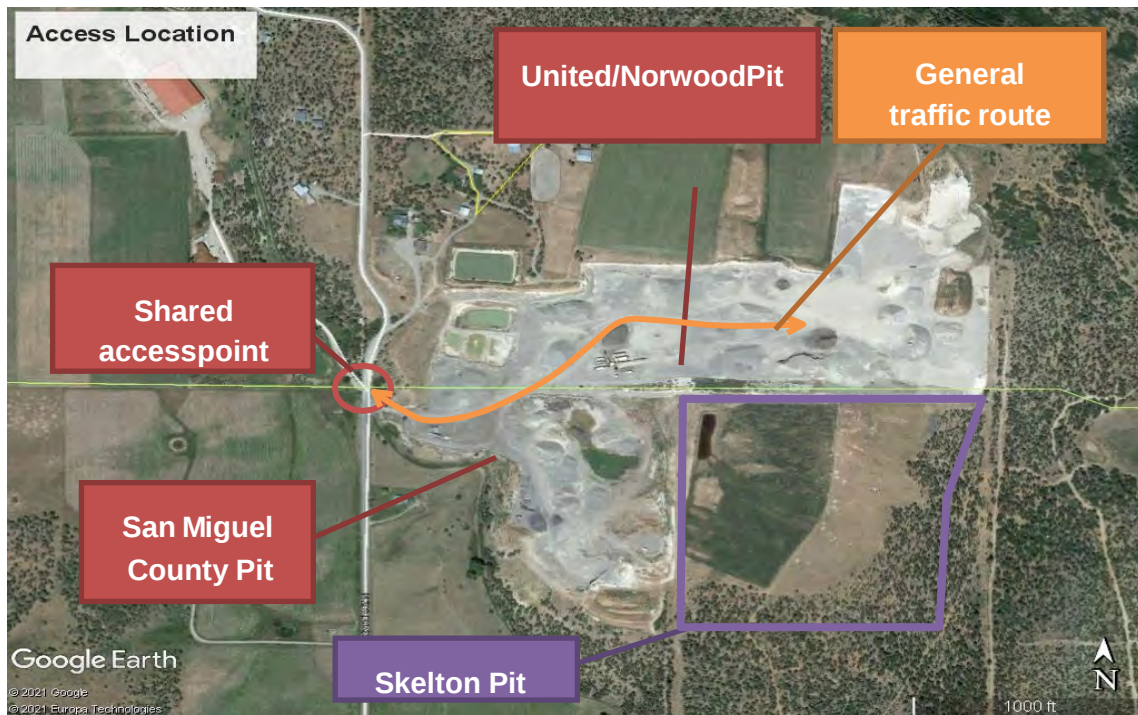
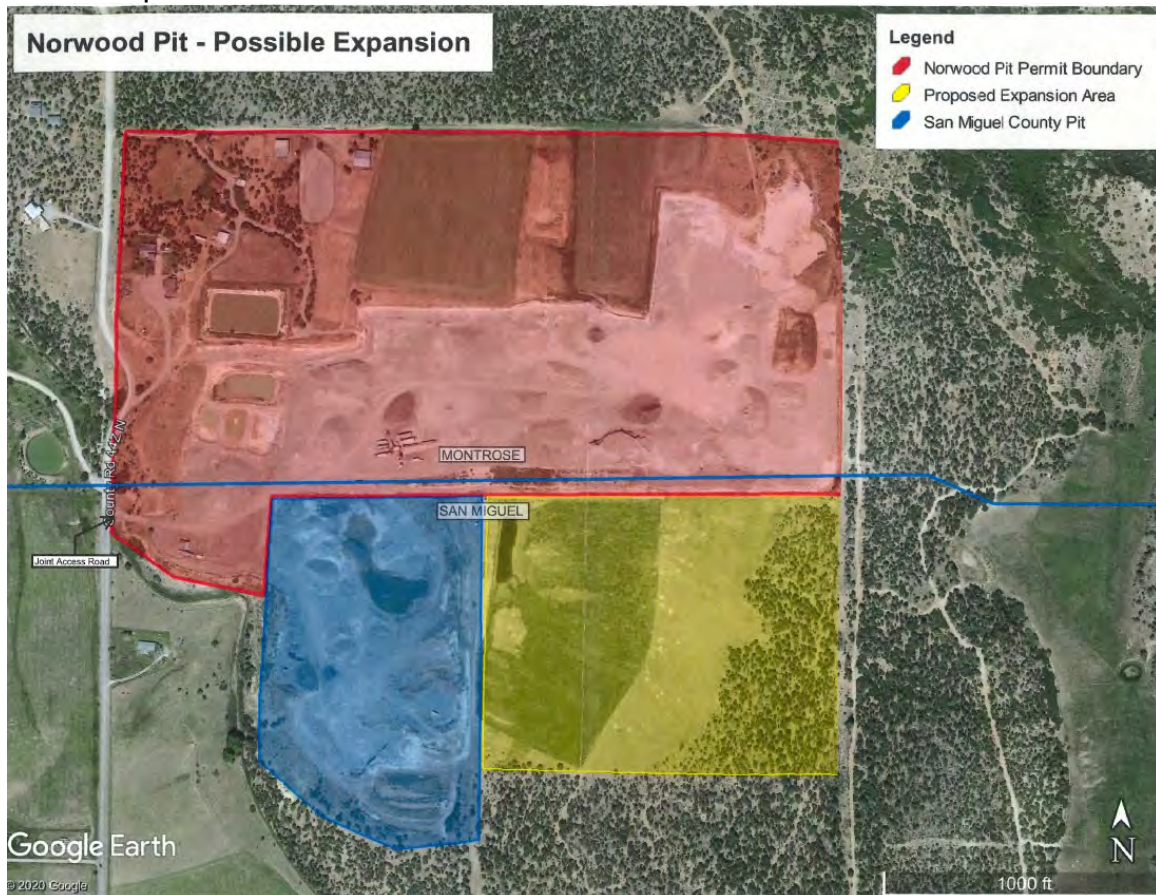
Skelton, Inc. owns the surface and mineral rights for the 25-acre parcel. Skelton has leased the property to United Materials. The applicant proposes to mine the sand and gravel resources on this parcel and haul to the existing United Norwood Pit in Montrose County for processing. The exact commencement date of the mining operation is not known at this time, as the operation would start once the existing site north of the subject property is depleted.

Vicinity Map



The following aerial map on page 3 shows the proposed Skelton Pit (yellow) parcel. It is bordered by the United Norwood Pit (red) to the north; the San Miguel County Gravel Pit (blue) to the west. It borders private forested shrub land to the south and private forested shrub land and irrigated farmland to the east.

Aerial Maps



Access to the parcel is from the United Norwood Pit directly to the north, which has access from County Rd 44Z N to the west. The primary commodity to be mined is sand and gravel for the purpose of producing construction materials. Fill dirt may be incidentally produced during the operation. The duration of the mining activity is dependent on demand, with 25 years of extraction predicted to occur before all the commercially viable materials are removed.

No traffic will go directly from the subject property to the county road. All trucks and equipment related to the gravel extraction will move directly between the subject property and the gravel processing plant. All employees associated with the gravel mining will enter the subject property from the processing plant property.

Anticipated Mining Schedule

Activity	Time
Initial stripping	First months of Year 1
Mining of first 13 acre half of pit	Years 1-13
Mining of second 13 acre half of pit	Years 13-25

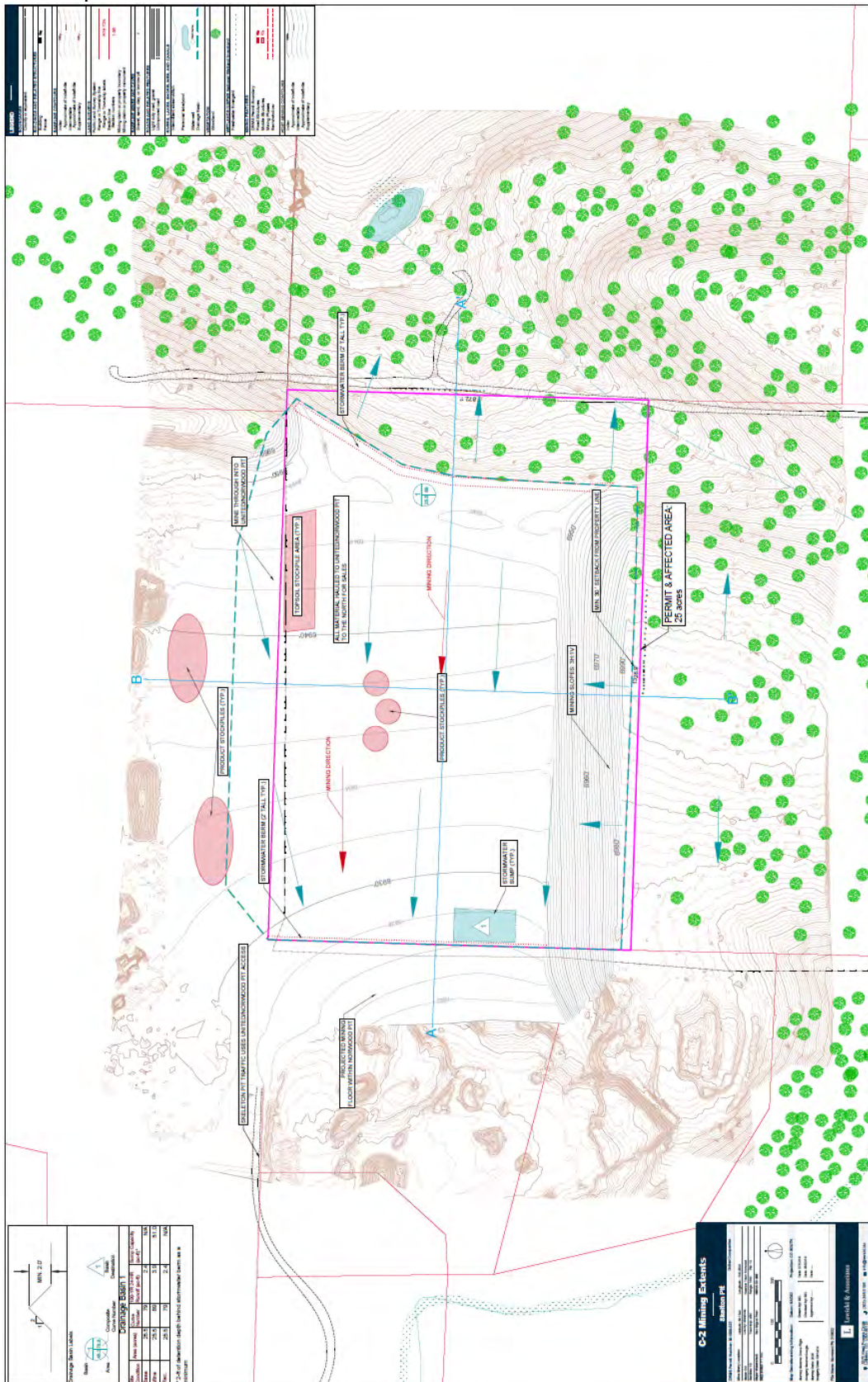
The operation first involves the initial stripping (removal) of topsoil, with its storage occurring on-site through its use as fill in an area on the property. The gravel extraction activity then occurs below ground level, but above the water table, with the gravel removed in a dry state. All of the extracted material is to be transported for processing to the United Norwood Pit to the north that is under the same ownership as the subject parcel. Some material will be stockpiled and stored on site prior to being transported for processing.

The Skelton Pit will be mined using loaders, backhoes, dozers, and off-highway haul trucks. Hours of operation will be 7 am to 7 pm Monday through Saturday.

No blasting will take place at the Skelton Pit. No refuse, acid producing or toxic materials are expected to be encountered in this operation. If these materials are encountered or if groundwater is encountered, at least two feet of inert material will be placed over the area and mining will move to a different area.

The site in general will be mined from northwest to southeast. The gravel extraction would occur initially in a 13 acre portion of the site in support of the existing gravel processing operation located to the north in Montrose County. The following site map shows the configuration of the mine during mining.

Site Map



The applicant proposes to mine to the property line on the west side of the gravel pit. San Miguel County (Road and Bridge Department) would match by mining to the same property line from its side. An Agreement to facilitate this plan would be required between the parties. It has been discussed but has not been agreed to as of the date of this Memorandum.

The applicant has submitted a 112 (c) reclamation permit application for the proposed Skelton Pit to the Colorado Division of Reclamation, Mining and Safety (CDRMS) for a construction materials extraction operation affecting 10 acres or more.

Once the extractable materials have been depleted on the subject property, the site will be remediated. The submitted remediation plan returns the property to rangeland. The site is zoned Wrights Mesa and the applicant or any future owners of the property can pursue future development of the remediated land; such use application would be subject to the applicable LUC review standards.

The mining and reclamation on the parcel is proposed to be done concurrently. Mining will occur to the bottom of the gravel deposit, an average depth of 25-40 feet. The active mining face will be vertical, but the final mining slopes will be the same as the reclaimed slopes at 3H:1V. After about 13 acres are mined out, the mined area will be topsoiled and revegetated according to the reclamation plan. This process will be repeated for the remaining portion of the pit.

Key issues associated with gravel pit applications include visual screening, noise mitigation, truck traffic, and dust control for the gravel extraction operation. Visual impacts to the proposed pit are minimized due to the existing pits to the north and west, and the natural topography and landscape to the south and east.

Noise impacts will occur from gravel mining activities (earth scraping and moving equipment), which will mainly occur over the life of the pit below surface grade. The properties directly surrounding the pit to the north and west are industrial in nature (existing United and County pits). The parcels directly to the east and south are used agriculturally. There are residences located within 1200 ft. to the west and 2000 ft. to the south of the proposed pit.

The United Norwood Pit is geographically well situated to provide asphalt paving services for CDOT and local governments. The expected annual average production is 100,000 tons, which the applicant states is equivalent to the average production over the past five years. Actual production rates will fluctuate based on market conditions.

Traffic at the United Norwood Pit has averaged roughly 30 trucks a day for the past five years based on a 200-day annual operating season. 2020 was a peak traffic year with 46 daily average trucks per day due to the paving of CO State Highway 141. Planning received complaints in 2020 due to the hauling of materials

at night from the United Norwood Pit for the paving of the Hwy 145 Spur road to the Town of Telluride.

Historic Production and Traffic

Row Labels	Annual Production	Average Daily Tons	Daily Avg Trucks
2016	67,762	339	20
2017	105,370	527	31
2018	86,218	431	26
2019	92,139	461	27
2020	155,375	777	46
Average	101,373	507	30

The United Norwood Pit is the destination of all raw materials mined from the Skelton Pit. Processing of material is included in the currently approved United Norwood Pit issued by Montrose County. Gravel crushing and screening activities are regulated via the Colorado Department of Public Health and Environment (CDPHE) Air Permit for dust control. This permit will incorporate the additional disturbance area from proposed Skelton Pit.

A Wright's Mesa (WM) Zone District Mining Special Use Permit (SUP) requires Two-step Planning Commission and Board of County Commissioner Review, per Land Use Code (LUC) Section 5-319 G VII, Commencement and/or expansion of non-chemical mining and mineral processing operations, subject to Section 5-16.

Planning Staff met on site with Tyra Bartuska, Environmental Specialist - United Materials on September 22, 2021.

Aerial View of Property



View from NW corner to east outside fence line



View from NW corner to east inside fence line



View from NW corner to east



View from NW Corner to Southeast



View from NW Corner to South



Review Standards and Policies :

A Wright's Mesa Zone District Mining Special Use Permit (SUP) requires Two-step Planning Commission and Board of County Commissioner Review, per Land Use Code (LUC) Section 5-319 G VII, pursuant to the standards contained in LUC Sections 5-319 K, Review Standards for all WM Zone District Special Uses, 5-1002, Special Uses, and 5-16 Mining; and to policies contained in LUC Sections 2-8, Natural and Man-made Hazard and Resource Areas, 2-11 Erosion, 2-34 Revegetation with Native Species, 2-35 Mining and Mineral Processing Operations.

5-319 K. Review Standards for all WM Zone District Special Uses. All special uses shall:

- I. Be consistent with the County Master Plan, the County Land Use Policies in Article 2 and the purpose of the WM Zone District;
- II. Be consistent with and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses, and/or shall enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development;
- III. Be designed, located and proposed to be operated so that the public health, safety and welfare will be protected;
- IV. Be located, designed and operated to minimize adverse effects, including impacts on scenic quality, pedestrian and vehicular circulation, parking, trash, service delivery, noise, vibration and odor on surrounding properties. (The allowed number of employees or occupants may be limited depending upon potential impacts on surrounding properties);
- V. Provide adequate public facilities and services to serve the special use, including but not limited to roads, adequate water supply in terms of both quality and quantity, sewer, solid waste and fire protection;
- VI. Not substantially adversely affect agriculture or ranching operations, residences or scenic quality of land surrounding State or County roads (including through addition of traffic);
- VII. Comply with setback and height restrictions; however, the County may require greater setbacks to mitigate impacts on neighbors or scenic quality;
- VIII. Be required to shield exterior lighting to prevent direct visibility of light bulbs from off-site. All exterior lighting shall be directed toward the ground or the surface of a building. High-intensity sodium-vapor and similar lighting shall be prohibited;
- XI. Be located to preserve scenic views and blend in with and utilize the natural topography;
- X. Use native or similar horticultural materials for revegetation and reforestation, and provide guarantees that any needed revegetation or reforestation will be completed during the first planting season after construction;
- XI. Only include roads, utilities and associated structures that bear logical relationships to existing topography and minimize cuts and fills;
- XII. Comply with the applicable sign standards in Land Use Code Section 5-704; and
- XIII. Be consistent with the historic rural and agricultural character of Wright's Mesa. The following standards, along with input from neighbors, shall be considered by the County in determining consistency:

(Applicant comments from application in blue italics)

Resource extraction like that planned at the Skelton Pit is identified in the WM zone as an allowed use, as long as it is in accordance with the standards laid out in this section of the County land use code, including avoiding significant adverse impacts to neighbors and avoiding detracting from the rural character of Wright's Mesa. The Skelton Pit, as an addition of reserve to an existing sand and gravel operation and being adjacent to two existing sand and gravel operations, will not lead to significant adverse impacts. Any impacts associated with the Skelton Pit will be of the same type and intensity as those

currently occurring from the existing sand and gravel mines. The net effect is the clustering of mining operations in an area with infrastructure and impact mitigation systems already in place.

(Staff comments are italicized in black)

While the Comprehensive Plan recommends low density rural residential for this area on Wright's Mesa it does not preclude the location of heavy industrial uses on property outside of the Norwood Master Plan Area.

Siting of Buildings

- Locate buildings away from open meadows, visible ridges, and wildlife habitat areas.
- Cluster structures with surrounding open space ("ranch compound" concept).
- Locate buildings to maximize solar access. Roads/Driveways
- Minimize cuts and fills, which should not exceed 2:1 slopes.
- Stabilize cut and fill slopes with erosion-resistant vegetation or material contoured to blend with natural, undisturbed terrain.
- Maintain the natural drainage on the property to the greatest extent possible.
- Encourage shared driveways between buildings.
- Avoid cutting through open meadows.
- Surface driveways with gravel, or employ dust-control.

Parking

- Locate parking areas behind or to the side of buildings.
- Consider parking-surface alternatives, such as gravel and reinforced sod.
- Separate parking areas from buildings with pedestrian ways and planting zones.
- Landscape at least 15 percent of parking areas, and provide one shade tree for each 300 square feet of parking.

Building Materials

- Utilize predominantly natural building materials, such as wood siding and native stone. (Corrugated metal buildings are discouraged, and at minimum should be sited to minimize visibility from roads.)
- Encourage natural earth tones and muted colors to blend with surroundings.
- Paint or anodize exposed metal flashing or trim to reduce reflectivity.
- Encourage composition shingle, metal, slate or other earth toned non-reflective roofing.

Architectural Elements

- Encourage front and side porches.
- Encourage roof slopes that change pitch and peaked roofs with gentle slopes.
- Encourage horizontal building forms (this does not preclude two stories).
- Encourage pitched roofs, and discourage flat, mansard, curved and domed roofs.
- Match roof colors with the darkest colors in the adjacent landscape.
- Encourage reuse, renovation, and/or modification of existing buildings.

Accessory Structures

- Screen mechanical appurtenances, service and storage areas and trash receptacles from public view.
- Utilize the same or similar building materials (forms, colors and textures) for main and accessory structures.
- Mitigate visibility of accessory structures with fences, walls and/or landscaping

(Applicant comments)

The property will be mined in a manner to maintain a 40 foot tall berm between CR 44Z N and the operation until the final years of mining. No structures will be built at the Skelton Pit.

SECTION 5-1002: Standards for All Special Uses Requiring One-step and Two-step Review

All Uses requiring One-step and Two-step Review shall comply with the standards in this section.

5-1002 A. Consistency with Master Plan, Land Use Policies, Zone District and Neighborhood

The Use shall be:

- I. Consistent with the County Master Plan;
- II. Consistent with County Land Use Policies in Article 2;
- III. Consistent with the purpose of the Zone District in which it is proposed to be located;
- IV. Consistent with and Compatible with the Character of the Neighborhood of the Parcel proposed for Development and surrounding land Uses, and may enhance the mixture of complimentary Uses and activities in the Neighborhood of the Parcel proposed for Development;
- V. Necessary for public convenience at the proposed location; and
- VI. Designed, located and proposed to be operated so that the public health, safety and welfare will be protected.

5-1002 B. Impacts on Surrounding Area

Compatibility with the Character of Parcels adjacent to the Parcel shall be expressed in terms of appearance, scale and features, Site design, landscaping, weed seed dispersal, as well as, the control and Minimization of adverse Impacts including Noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, Impacts on pedestrian and traffic congestion, parking, trash, service delivery, or other undesirable or hazardous conditions.

(Applicant comments)

While potential air, water, noise, and visual impacts do exist with a sand and gravel mine like the Skelton Pit, these impacts will be mitigated. No explosives will be used at Skelton Pit, and no processing will take place. Vibration will not be noticeable at the property line due to these limitations. Noise shall not exceed 60 dBA at a lot line that abuts a commercial property or 55 dBA at the property line adjacent to a residential use or where residential uses are allowed by right; Noise levels will not be above the applicable limit at the property line.

(Staff comments)

The proposed use is anticipated to be complimentary to the adjacent United Norwood Pit to the north and San Miguel County Pit to the west. The close proximity of the proposed gravel mine to the existing gravel processing plant to the north will not add to heavy truck traffic on the adjacent county roads, as trucks bringing gravel from the mine to the processing plant on internal drives of the property will not need to utilize county or private roads. This mining use is not anticipated to have a negative impact on the rangeland and agricultural land uses to the east and south. The residences further to the south and west of the property are not anticipated to be negatively impacted because of the distance from the pit, and if adequate water spraying of dust inducing activities at the site, and if berming and seeding efforts take place as proposed help to ameliorate the effects of the use.

5-1002 C. Public Facilities

Adequate public facilities and services shall exist or shall be provided to serve any reviewable Use including, but not limited to, roads, potable water, sewer, solid waste, parks, police, fire protection, emergency medical, hospital and medical, drainage system and schools.

5-1002 D. Bond Requirement

A bond may be required, as a condition of any reviewable Use permit as deemed necessary by the Board of Commissioners or the Planning Commission, sufficient to cover the cost of Site remediation and/or satisfaction of the other conditions and requirements.

(Staff comments)

The applicant, as part of the reclamation permit application process with the Colorado Division of Reclamation, and Mining Safety, is required to post a Financial Warranty that is sufficient to cover the calculated reclamation costs to reclaim the site.

5-1002 E. The following must be addressed as part of any application:

- I. A Site plan including:
 - a. Ownership, Use and zoning of all adjacent Parcels;
 - b. Driveways, streets and right-of-way, Access ways, including points of ingress, egress, parking plan;
 - c. Easements;
 - d. Location and dimensions of Structures and Signs;
 - e. Typical elevations/Heights of such Buildings;
 - f. Landscaping;
 - g. Topography;
 - h. Specific areas proposed for specific types of land Use/the identification of specific land Uses; and
 - i. Information regarding the function and characteristics of any Building or Use proposed, including: days and hours of operation, number of employees, number of students, number of rooms for rent, etc., as applicable;
- II. Lighting plan;
- III. Signs – all Signs must meet Section 5-704 standards;
- IV. Water/sewer plan – must meet state standards and may include verification of a commercial well permit;
- V. Drainage plan;
- VI. Grading plan;
- VII. Dust control plan;
- VIII. Detailed engineered plans and specifications by a registered Colorado Professional Engineer as requested by staff or Referral Agents;
- IX. Weed control plan that must include use of weed free hay or straw;
- X. Fencing Plan; and
- XI. Additional permits as necessary from other agencies.

(Applicant comments)

Night time activity will be restricted to emergency maintenance of the site or equipment. Any lighting needed for this activity will be minimal, and downcast. Security lighting on the office trailer will be flush.

The applicant has submitted a 112 (c) reclamation permit application for the proposed Skelton Pit to the Colorado Division of Reclamation, Mining and Safety (CDRMS) for a construction materials extraction operation affecting 10 acres or more. It has existing Stormwater Management Plans and Air Permits from (CDPHE) for the existing site that would incorporate the proposed pit.

5-1002 F Review of Approved Special Uses

- I. All approved Special Uses subject to either one-step Planning Commission or Board of County Commissioner review or two-step Special Permit Review shall commence within three (3) years of the date of approval. If the owner has not obtained a Development Permit for the approved Special Use and/or commenced the approved use or activity, in accordance with the terms and conditions of the approval, within this three (3) year time period, the Special Use shall be subject to review at a duly noticed Public Hearing by the entity that approved the Special Use. The purpose of this review

is to determine if there has been a change in circumstances since the Special Use Permit was granted and to determine if the Special Use meets or complies with the review standards for Special Uses set forth in Land Use Code Section 5-1002 A. Standards for all Special Uses and Section 5-1002 B. Impacts on Surrounding Area.

Upon or prior to the expiration of the three (3) year period, the owner/applicant may provide a written statement withdrawing the Special Use application and requesting the Special Use approval be terminated. If upon expiration of the three (3) year period the owner/applicant does not provide a written statement withdrawing the application the matter shall be noticed and scheduled for Public Hearing by the County. The applicant is encouraged to provide a written statement, prior to the Public Hearing, indicating why the approved Special Use has not been permitted and/or commenced, identifying any changes that may have occurred in the surrounding land uses and explaining how the proposed Special Use meets the review standards in Land Use Code Sections 5-1002 A. and 5-1002 B.

Review of an approved Special Use shall be conducted in accordance with the applicable provisions of Article 3 Procedures for one-step reviews and shall include posting and sending written notice of the Public Hearing for review of the Special Use to adjacent property owners.

The Planning Commission and/or Board of County Commissioners in reviewing the Special Use Permit, at a duly noticed Public Hearing, may extend the Special Use Permit approval, extend the approval subject to modifications or additional conditions, or they may rescind and terminate the approval if a finding is made that the Special Use does not meet the review standards for Special Uses pursuant to Section 5-10 Special Uses.

- II. If any approved Special Use is discontinued or abandoned for twelve (12) consecutive months, then such Special Use shall be subject to review initiated by the County. The procedures and standards for review of discontinued or abandoned Special Uses are the same as those for Review and Approval of Special Uses set forth in Land Use Code Section 5-1002 F. I. If a Special Use is discontinued or abandoned for twelve (12) consecutive months, and the Special Use is re-established or resumed by the owner, the use shall be subject to review in accordance with the provisions of this section and subject to review by either the Planning Commission and/or Board of County Commissioners, at a duly noticed Public Hearing, where the permitting entity may rescind or terminate, recognize and extend the original approval, or extend subject to additional conditions or modifications. The procedures and standards for review of discontinued Special Uses are the same as those for Review of Approved s set forth in 5- 1002 F. I.

SECTION 5-16: MINING

The standards in this Section are intended to mitigate the impacts of mining and mineral processing, including protecting the health, safety and welfare of persons residing in the vicinity and of persons traveling on roads, streets and highways in San Miguel County utilized for hauling of mined material. This Section also contains provisions to ensure that the environmental impacts of mining and mineral processing are adequately mitigated. Mining and mineral processing operations are also subject to the special use permit provisions of Section 5-10.

5-1601 Applicability

The standards and requirements in this Section 5-16 shall apply to all mining and mineral processing operations required to obtain special use permit approval from the County, including any expansion of existing mining and/or mineral processing operations. Mining and mineral processing operations also are subject to applicable review requirements for Activities of Local and State Interest, as set forth in Section 5-4, and for Wetland Areas, as set forth in Section 5-22.

5-1602 Mitigation of Impacts

All on-site and off-site impacts shall be adequately mitigated to protect the health, safety and welfare of persons in San Miguel County and to protect the integrity and appearance of the natural environment. Consideration shall be given to site-specific environmental assessments and mitigation plans approved by the appropriate Federal agencies and/or the Colorado Division of Minerals and Geology and/or the Colorado Department of Health. However, compliance with such plans, as well as additional mitigation, may be required by the County as part of the special use permit review process. Such mitigation may include, but is not limited to, revegetation, dust control, noise control, visual screening, limitations on hours of operations, truck haul routes and traffic volumes.

(Applicant comments)

The applicant has submitted a 112 (c) reclamation permit application for the proposed Skelton Pit to the Colorado Division of Reclamation, Mining and Safety (CDRMS) for a construction materials extraction operation affecting 10 acres or more. It has a Stormwater Management Plan and Air Permit from (CDPHE) for the existing site that would incorporate the proposed pit.

(Staff comments)

With the traffic, dust and visual mitigation efforts proposed, the use should not create unsafe or unhealthy conditions detrimental to the welfare of San Miguel County citizens.

5-1603 Enforcement of State and Federal Regulations

In the event that the County discovers that applicable state and/or federal regulations pertaining to a specific mining activity in San Miguel County have not been adequately enforced by the appropriate agency or organization, the Board of County Commissioners may require the mining activity to comply with any and all terms of such regulations. If such regulations are not complied with, the Board of County Commissioners may order such mining activity to cease and desist.

5-1604 Traffic Impacts and Highway Access

Mining (including sand and gravel operations) and mineral processing shall be limited to the greatest extent possible to areas where the surrounding road, street and/or highway network can accommodate heavy truck traffic. In no event shall a proposed operation be permitted where the carrying capacity of the surrounding road, street and/or highway network is exceeded by existing traffic volumes, or would be exceeded by projected or proposed traffic volumes.

(Applicant comments)

The proposed pit is located 1.5 miles from State Highway 145 off of CR 44Z N, which is paved. This route is used by gravel truck operators to and from the existing United Norwood Pit, and by San Miguel County Road and Bridge trucks from its pit.

(Staff comments)

The applicant is in discussions with County Road and Bridge on a new road use agreement for its use of CR 44Z N and to share in the cost of maintenance of the road.

5-1605 Additional Notice Requirements

In addition to the notice requirements set forth in Section 3-9, applicants for approval of mining and mineral processing operations shall also be required to provide written notice of a pending application by mailing such notice first class, postage prepaid, no less than 20 days prior to the scheduled

meeting date to all owners of property within 1,500 feet of the subject property, and to all municipalities within 3 miles of the subject property.

(Staff comments)

The applicant provided notice to all property owners within 1,500 of the subject property, and to the Town of Norwood. County staff also required that notice be provided to all owners south of the subject property to those abutting CR 44ZN and Highway 145 to the top of Norwood Hill.

SECTION 2-8: NATURAL AND MAN-MADE HAZARD AND RESOURCE AREAS

It is the policy of San Miguel County to prevent any use and development of land that may:

- 2-801 Unreasonably subject any person, or use, to natural or man-made hazards;
- 2-802 Unreasonably create or contribute to the danger of natural or man-made hazards that might affect lands or the use and development thereof;
- 2-803 Unreasonably subject other persons including the County to the risks and expenses necessary to mitigate hazardous conditions, respond to emergencies created by such conditions, or to rehabilitate any lands or improvements thereof;
- 2-804 Be unduly destructive to the natural resources of the County; or
- 2-805 Constitute a public or private nuisance.

SECTION 2-11: EROSION

It is the policy of the County to prevent the acceleration of the erosion of soil and rock and whenever possible maintain vegetative cover to minimize soil disturbance.

(Applicant comments)

The applicant's CDRMS permits thoroughly address issues of hydrologic protection, slope stability, revegetation, and reclamation. Revegetation at the Skelton Pit will consist of seeding to develop rangeland vegetation to prevent soil erosion. Topsoil stockpiled from the pit will be used in reclamation. Six to 14 inches of topsoil will be replaced on all graded areas for an average depth of nine inches.

SECTION 2-34: REVEGETATION WITH NATIVE SPECIES

It is the policy of the County to prevent weed infestation and to ensure that all surface disturbances, especially of topsoil, are revegetated with native species.

(Applicant comments)

As much as is practical, woody vegetation removed prior and during topsoil stripping will be directly placed in the concurrent reclamation areas to encourage restoration of those species. Revegetation at the Skelton Pit will consist of seeding to develop rangeland vegetation.

SECTION 2-35: MINING AND MINERAL PROCESSING OPERATIONS

It is the policy of the County to permit commencement or expansion of Mining and Mineral Processing operations only in appropriate areas identified pursuant to the County Comprehensive Development Plan, with review, as appropriate, under Land Use Code Section 5-4 and CRS 24-65.1-101 *et. seq.*, "Areas and Activities of State Interest," subject to adequate mitigation of environmental, noise, traffic, and other impacts of such activities.

(Staff comments)

All relevant Land Use Code review standards and requirements are anticipated to be met with this proposal. The proposed development on this site, with the conditions listed in the

following staff's Recommendation can meet the goals and policies of the Wright's Mesa Master Plan and Land Use Code Section.

The applicant is concurrently proceeding with certain State of Colorado applications related to mining and environmental matters.

Public Noticing

The applicant provided notice of this SUP application and today's Planning Commission meeting to all property owners within 1,500 feet of the subject parcel per LUC Section 5-1605. Per Planning staff direction, additional notice was provided to all property owners further south along CR 44Z N to State Highway 145. The applicant also posted a sign on the property and a second sign at the intersection of CR 44ZN with CR AA42 that provided notice concerning this application Planning Commission meeting to be held on-line today, Thursday, October 14, 2021. A legal meeting notice has also been published in the Telluride Daily Planet and Norwood Post on October 6, 2021.

Referral Agencies

The application was referred to the County Manager, County Attorney, County Building Official, County Road and Bridge Director, County Government Affairs and Natural Resources, County Sheriff, County Site Inspector, County Vegetation Manager, Colorado Department of Transportation, Colorado Division of Reclamation Mining and Safety, Colorado Department of Public Health & Environment, Colorado State Patrol, Colorado Division of Water Resources, Colorado Parks and Wildlife, Montrose County Planning Department, Norwood Fire District, and the Town of Norwood for review and comment.

Referral Comments

Matt Gonzales, County Building Official; John Bockrath, Norwood Fire District Chief; and Patti Grafmyer, Town of Norwood Administrator stated they had no issues with the proposed expansion of the Norwood United gravel pit.

Ryan Righetti, County Road and Bridge Director, writes he is primarily concerned with continued and additional impacts to the CR 44ZN road surface from gravel truck use. More information is need for him to recommend conditions of county road usage. He states that a new road agreement with the applicant or an annual hauling permit with associated bond will be required for the use of CR 44Z N.

(Staff comments italicized)

The applicant states it will enter into a new road agreement with county regarding the maintenance of CR 44Z N or obtain the requisite hauling permits from Road and Bridge as needed.

Greg Powers, CDWR Division 4 Well Commissioner, stated the proposed expansion will not be a problem if the new pit area does not intercept groundwater and if water usage does not exceed 3.5 acre feet of water from the Norwood Pit Reservoir No. 1.

The applicant states that no groundwater will be interacted by this operation as it is greater than 100 ft. below the surface. Water application for dust control is anticipated to consume 1.36 acre-feet of water a year.

Lucas West, Colorado Division of Reclamation and Mining and Safety (CDRMS) Environmental Specialist, stated United will need to amend their existing DRMS permit to expand the Norwood Pit. The CDRMS Permit amendment process includes limited property owner noticing, advertised public notice, public comment period, and an adequacy review on the application by CDRMS.

The applicant has submitted a 112(c) permit application for the proposed Skelton Pit dated July 2021 to the Colorado Division of Reclamation, Mining and Safety as required.

Mark Caddy, Colorado Parks and Wildlife (CPW) District Manager, noted that the parcel is located within the elk & mule deer winter range, is a movement corridor for bear and mountain lion, and provides habitat for other wildlife species. He commented the loss of habitat will not have an undue impact on wildlife. CPW suggested that the United Companies consider participating in a habitat improvement project on nearby public lands.

Public Comments

Jackson & Vicki Ordean, 800 CR 44.5Z, Norwood, oppose the proposed expansion of this gravel mining operation for the following reasons: loud nuisance noise levels from mining equipment during permitted gravel operations at the existing Norwood Gravel Pit, and from the use of compression brakes by gravel truck drivers leaving the Pit on CR 44ZN.

Leave Me Alone Ranch LLC (Mary Ann Gaston), 97 CR 44 Z N, stated concerns with consistency of hours of operation, existing visual impacts of pit berms & visibility of the pit office and scale from her parcel, reclamation of pit located in Montrose County, noise from use of compression brakes on CR 44Z N by exiting gravel trucks, increased annual activity of existing United Norwood Pit, and the maintenance of CR 44Z N.

Gaston's property and residence are adjacent to the existing United Norwood Pit and the San Miguel County Pit. Her comments reference the 1998 Gravel Task Force Recommendation to the SMC BOCC, and the Montrose County Land Use Code gravel pit regulations, which are attached to her comments.

The applicant has ordered two (2) NO JAKE BRAKES signs for placement at its existing pit exit and on CR 44Z N. with sign location to be determined with Road and Bridge. Drivers must also acknowledge in writing to United to utilize a limited use of Jake Brakes.

Martha Whitmore, Esq, on behalf of the Crouse Family Trust (Ken Crouse), 600 CR 44.5Z N, does not expect material changes or increases to the expected truck traffic, air impacts, noise impacts, production amounts or changes in pit operation as presented in the application. Any proposed change of access, to CR 44.5 ZN, for the proposed gravel pit operation is strongly opposed.

James Fourney, 4Knee Ventures LLC, Norwood, wrote in favor of the proposed expansion of Norwood Gravel Pit.

Madeline Gardner, 1267 CR 44Z N, is concerned that the proposed expansion of gravel pit will increase road noise (engine brakes) and traffic on CR 44Z N, lengthen the operating season of pit, and increase operational impacts due to cutting of trees at proposed gravel pits. Her perimeter fences near the entrance to pits are damaged by

trucks exiting the pit in colder months, and main irrigation ditch (Nelson & Bolinger) is located adjacent to berms at existing gravel pits entrance.

The Nelson & Bolinger irrigation ditch(es) is located near the south property line of the Skelton property south of the existing pit(s) entrance below the pit berms in San Miguel County. It is located at least 700 feet from proposed pit expansion at closest point.

Peggy Smelt-Day and Charles Day, 485 CR 44.5Z N, is concerned with potential view impacts to the north from their property of Uncompahgre Mesa due to new pit, potential degradation to bluff formations to east of subject property's east property line. The expansion may also affect their property value due to continued noise and the negative impact of the continued operation of the United Norwood Pit. A new multi-use recreational site and trail was suggested for the existing gravel pit in lieu of an expansion.

Recommendation

Planning staff recommends approval of the application, with the findings and conditions contained in the following sample motion:

Sample Motion:

I move to recommend approval of a Mining Special Use Permit (SUP) to the United Companies for the extraction of sand and gravel, on a vacant unimproved 25-acre parcel, #429513300013 the ("Property"), zoned Wright's Mesa (WM) as presented, based on the finding that the proposed use complies with the following Land Use Code (LUC) standards: Section 5-319 G VII, Uses allowed subject to Two-step Planning Commission and Board of Commissioners SUP review; Section 5-319 K, Review Standards for all WM Zone District Special Uses, Section 5-1002, Special Uses, and Section 5-16 Mining; and to the LUC policies contained in Sections 2-8, Natural and Man-made Hazard and Resource Areas, 2-11 Erosion, 2-34 Revegetation with Native Species, 2-35 Mining and Mineral Processing Operations, and subject to the following specific terms and conditions:

General Conditions:

1. This Special Use Permit (SUP) is issued to the applicant and runs with the land.
2. This SUP Approval is subject to all written representations of the applicant, in the original submittal and all supplements, letters and emails, are deemed to be conditions of approval, except to the extent modified by this Motion.

Specific Conditions:

3. The Special Use Permit shall only be valid as long as the applicant holds current State permits (CDPHE Air Quality Permit, CDPHE Stormwater Discharge Permit, and CDRMS Mining and Reclamation Permit) relative to the approved use and complies with all state and county requirements and regulations at all times.
4. The applicant shall enter a new agreement with San Miguel County Road and Bridge for the maintenance of County Road 44Z N, and/or apply for and secure hauling permit from the county, prior to commencing mining activity.
5. The applicant shall enter into a new agreement with San Miguel County Road and Bridge facilitating its plan to mine to the property line adjacent to the San Miguel County gravel pit, prior to commencing mining activity.

6. The applicant is to submit to the Planning Department in a timely manner a copy of all plans and applications submitted to, and permits issued by, the state, county or any other government agency.
7. The permitted hours of operation are 7:00 am to 7:00 pm Monday through Saturday during daylight hours. In the event of an emergency request, the Planning Director may allow the mine to operate outside of the hours and days of 7:00 am and 7:00 pm Monday through Saturday for a limited period of time. Such a request is to be submitted to the Planning Director for review. The Director may require additional information for the analysis of such a request. The Director may approve, approve with conditions, or deny such a request.
8. The following production activities: gravel crushing, concrete mixing, sand screening, road base, hot mixed asphalt, and washed rock are prohibited at the Skeleton Pit. Only the mining of sand and gravel rock is authorized on the site.
9. This Special Use shall commence within three (3) years of this approval. If the extraction activity does not commence in that time frame, this Special Use approval shall be reviewed by the Board of Commissioners and the approval may be rescinded and terminated or extended subject to additional modifications or conditions.

Review Period:

10. There shall be an annual review after the first full calendar year of operations (January 2023). Prior to this annual review by the Planning Commission, notice will be provided to the neighbors and individuals and review who received noticed for this SUP amendment application, prior to the scheduled public meeting so they may make their comments, questions or concerns known to the CPC and BOCC. The CPC shall then make its recommendation to the BOCC as to any recommended changes to the approved SUP, if any.

The BOCC may then take action to allow the SUP to continue as approved, modify or add conditions, or even revoke the SUP for non-compliance with the BOCC Resolution terms and conditions of approval or if there are unintended substantial impacts to neighbors adjacent to the site. As a part of its consideration the BOCC may make a determination in its discretion if there is a need for additional annual reviews, or periodic reviews of the terms and conditions of the SUP in the future or not.

Skelton Pit



San Miguel County Mining Special Use Permit

July 2021

By:

United Companies

Represented by:



Lewicki & Associates

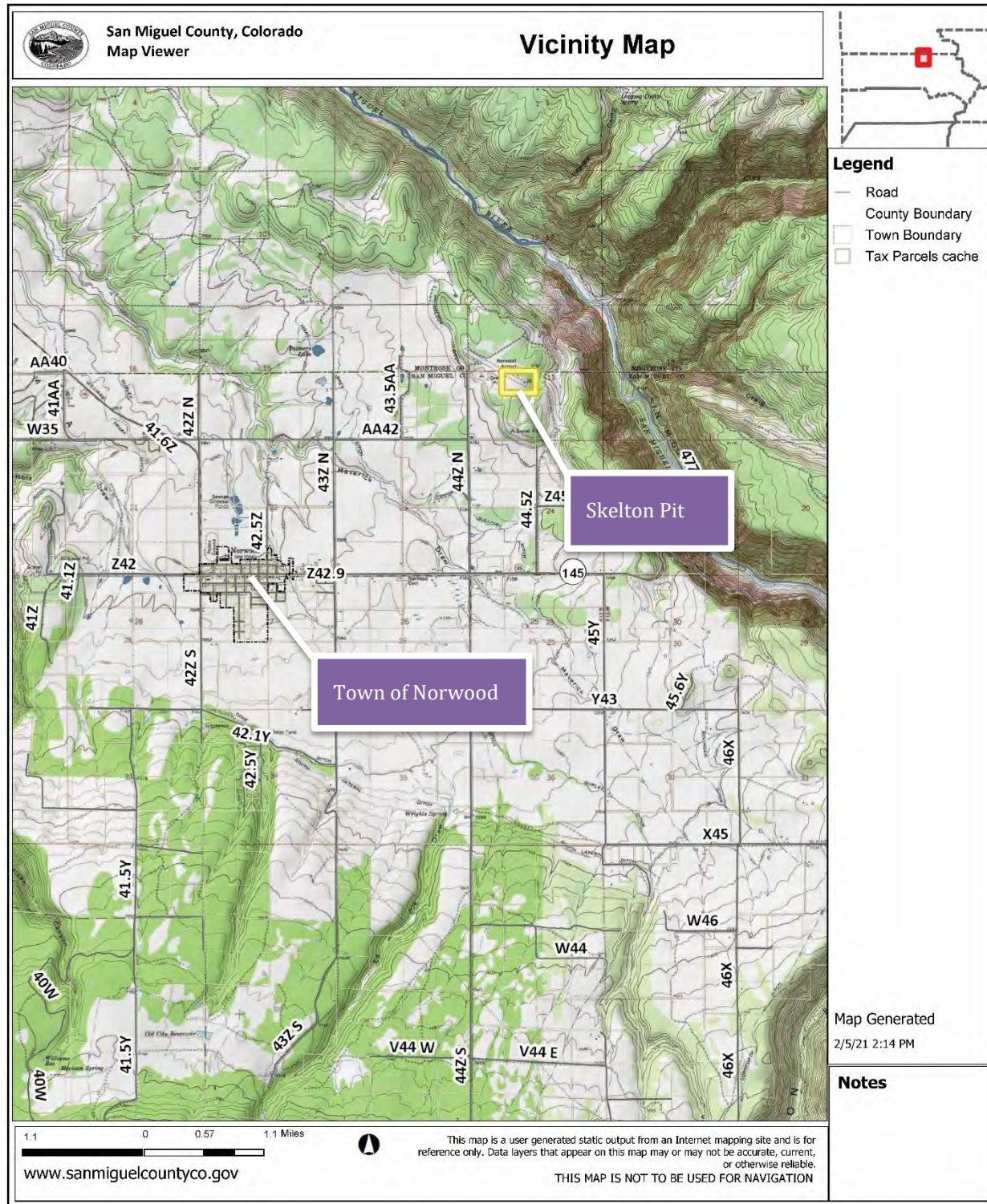
Required Background Information.....	1
Parcel Description.....	2
Disclosure and Proof of Ownership.....	4
Legal Access	5
Standards Report.....	6
Pre-Application Conference Summary Sheet.....	21
Site Plan	22
Revegetation Plan & Weed Control Plan.....	23

DRAFT

Required Background Information

DRAFT

Parcel Description



Property Owner: Skelton Inc

Property Owner Address: PO Box 125, Norwood, CO 81423

Legal Description from San Miguel County Assessor:

N2 NE4 SW4 N2 N2 S2 NE4 SW4 SEC 13 T45 R13 25 ACRES

DRAFT

Disclosure and Proof of Ownership

DRAFT

Legal Access

The Skelton Pit will be accessed via the existing United/Norwood Pit immediately to the north. The direct connection between the pits will facilitate comprehensive access. The United/Norwood Pit shares an access to County Road Z44 with the Norwood Pit operated by San Miguel County (San Miguel pit).

DRAFT

Standards Report

The Skelton Pit is located in the Wright's Mesa subarea of San Miguel County and therefore falls under the Wright's Mesa Master Plan. The master plan for Wright's Mesa has goals for land use balance, orderly growth, economic vitality, character, scenic quality, environmental quality, transportation, utilities, and more. As the Skelton Pit is away from any Town of Norwood development or activity, this document will focus on the applicable rural Wright's Mesa goals.

Skelton Pit will allow existing infrastructure support and construction industry support on Wright's Mesa to be maintained by providing additional reserves to the existing United/Norwood Pit without the creation of new or increased impacts. Mining at the Skelton Pit will mitigate impacts on the environment and community as part of meeting all applicable land use standards. The location of the Skelton Pit will help protect the scenic quality of Wright's Mesa by operating below the surrounding natural topography for the vast majority of the operation's life. Near the end of the mine life, the final berms on the east and west sides of the site will be mined out as part of final site grading and reclamation.

Environmental quality in the area will be best sustained by developing appropriate private property like the Skelton Pit into additional reserve to sustain the existing construction materials supply in the area. Expanding the reserves of existing operations reduces the need to develop new sand and gravel mines on sites otherwise unaffected by mining or industrial activity. Furthermore, water and air quality will be protected by the proper implementation of mining and reclamation plans approved by the Colorado Division of Reclamation, Mining, and Safety, the Colorado Department of Public Health and Environment, and San Miguel County. Detailed discussion of the potential impacts on air and water quality and the associated mitigation measures are discussed in the Impact Management Plan in Appendix 1.

1. County Land Use Standards

The Skelton Pit will comply with all applicable San Miguel County land use standards. According to the San Miguel County land use code, the following standards are applicable:

- Section 5-3 Zone District Standards, subsection 5-319 Wright's Mesa Zone District
- Section 5-10 Special Uses
- Section 5-16 Mining

Each of these sections is address in this Standards Report.

2. Section 5-3 Zone District Standards, Subsection 5-319 Wright's Mesa Zone District

The Skelton Pit is located within the Wright's Mesa Zone District and therefore is under the authority of the standards found within the Wright's Mesa Zone Districts land use code adopted

in March 2020. Within this subarea plan, the Skelton Pit is within the Wright's Mesa Rural Agriculture zone district, as shown in Figure WM1 (see Figure 1) of the subarea plan. This zone district's purpose is described as:

The Wright's Mesa Rural Agricultural district is intended to implement the Wright's Mesa Master Plan by protecting the rural and agricultural character of Wright's Mesa and allow for and encourage ongoing and future agricultural operations outside of the Norwood Master Plan Boundary, while encouraging compatible, diverse economic opportunities that enhance the economic viability of agricultural lands and fit within the rural landscape. The district discourages the type of large-lot sprawl development patterns that are typically created through 35-acre development, by offering alternatives and incentives to cluster buildings, retain open lands, and keep large parcels whole. The PUD process is not applicable in this district. This Section 5-319 includes criteria to guide the siting of and performance of general industrial services and heavy manufacturing within the WMRA district. Industry that would have significant adverse impacts to neighbors or that would detract from the rural character may not be appropriate on Wright's Mesa. These types of uses may be more appropriately considered in the West End (WE) zone district (defined in Section 5-320) in proximity to existing resource extraction, mining and mineral processing, and major oil and gas facilities.

Resource extraction like that planned at the Skelton Pit is identified in the WMRA zone as an allowed use, as long as it is in accordance with the standards laid out in this section of the County land use code, including avoiding significant adverse impacts to neighbors and avoiding detracting from the rural character of Wright's Mesa. The Skelton Pit, as an addition of reserve to an existing sand and gravel operation and being adjacent to two existing sand and gravel operations, will not lead to significant adverse impacts. Any impacts associated with the Skelton Pit will be of the same type and intensity as those currently occurring from the existing sand and gravel mines. The net affect is the clustering of mining operations in an area with infrastructure and impact mitigation systems already in place. Furthermore, within Table 5-319-3 of the subarea plan, mining is listed as a use allowed in the WMRA via a two-step special use review process (S-2).

3. Wright's Mesa Rural Agricultural – Development Standards

The development standards applicable in the WMRA district are those listed under 5-0319 I. and 5-319 F.V.c. In accordance with these standards, the Skelton Pit is:

- Located where land is already impacted by mining
 - *Adjacent to two mining operations*
- Away from Highway 145 on a paved county road
 - *1.5 miles from Highway 145 off of CR Z44, which is paved*
- Where it will minimize visibility and skylining from Highway 145 and county roads
 - *Mined in a manner to maintain a 40 foot tall berm between CR Z44 and the operation until the final years of mining*
- *Not within the Wright's Mesa Source Water Protection Area Overlay*

- *Not within the Gunnison Sage-grouse Habitat Overlay or Elk Winter Range*
- Where prevailing winds will not affect the Town of Norwood or neighborhoods.
 - o *Prevailing winds are oriented SE-NW. The Town of Norwood is SW of the Skelton Pit*
- Minimum lot size of 10 acres
 - o *Skelton Pit is on a parcel of 25 acres*
- A minimum setback of 200 feet from the lot line for an existing dwelling or property zoned for residential use
 - o *No dwelling or residence is located on the property and it is zoned for agriculture*
- Outdoor storage, waste, and refuse facilities, mechanical equipment, loading facilities, and heavy equipment shall be screened with an opaque six foot fence, or landscaping and natural berming (with an approved landscape plan);
 - o *The mining plan will keep all operations behind a 40' rise in topography until the end of mining.*
- Structures shall have a maximum height of 35 feet;
 - o *No structures will be built at the Skelton Pit*
- Vibration shall not be noticeable beyond the lot line;
 - o *No explosives will be used at Skelton Pit, and no processing will take place. Vibration will not be noticeable at the property line due to these limitations.*
- Noise: Noise shall not exceed 60 dBA at a lot line that abuts a commercial property or 55 dBA at the property line adjacent to a residential use or where residential uses are allowed by right;
 - o *Noise levels will not be above the applicable limit at the property line.*
- Hours of Operation: Shall be limited to 7:00 a.m. to 7:00 p.m.;
 - o *Hours of operation will be 7 am to 7 pm Monday through Saturday.*
- Applicant shall submit a plan to address chemicals, waste, disposal methods, potential impacts to air and water (and comply with all other county, state, and federal standards).
 - o *An impact mitigation plan is included as Appendix 1 to the special use permit application.*

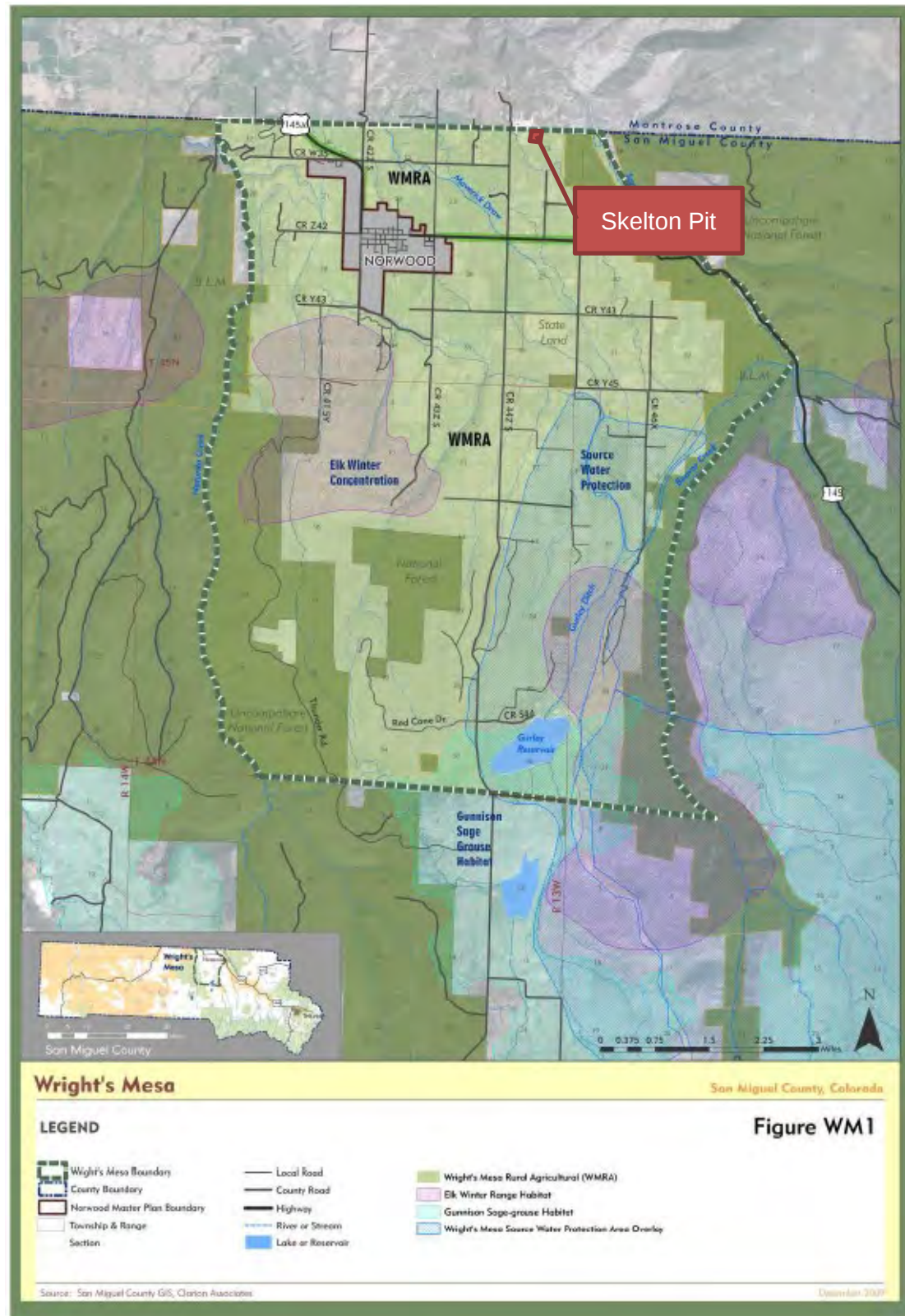


Figure 1 – Wright's Mesa Subarea Plan Zoning Map

4. Section 5-10 Special Uses

As discussed earlier in this application, the Skelton Pit is consistent with the Wright's Mesa Master Plan. The site as planned is also consistent with the San Miguel County Land Use Policies in Article 2 of the Land Use Code. The Skelton Pit is outside of any water source overlays, is not within any known geologic hazard zone, and is not in Gunnison Sage-Grouse habitat or Elk winter range. The operation is designed to protect and preserve the soils, drainage, and scenic quality of the area in which it is located. This is accomplished by the implementation of the DRMS mining and reclamation plan and the site's Stormwater Management Plan (SWMP). By developing the Skelton Pit, United Companies will be able to maintain their presence as a construction company and construction materials supplier in the Norwood area for years to come without having to develop an entirely new site and while taking advantage of the existing infrastructure already presently supporting two sand and gravel mines.

While potential air, water, noise, and visual impacts do exist with a sand and gravel mine like the Skelton Pit, these impacts will be mitigated. The strategies and designs for this end can be found in the Impact Mitigation Plan in Appendix 1.

Bureau of Land Management public lands abut the Skelton Pit to the east. The mining and reclamation plans are designed to minimize potential conflict with these public lands. Mining the site below grade beginning from the north end via the United/Norwood Pit. Berms will be maintained on the east and west ends of the Skelton Pit during the bulk of the mine life to protect sight lines and scenic views from the public lands. The location of the Skelton Pit avoids interfering with access to public lands, as can be seen on DRMS Map C-2.

5. Section 5-16 Mining

The Skelton Pit is an addition of reserves to the currently operating United/Norwood Pit immediately to the north, within Montrose County. The United/Norwood Pit produces construction materials such as screened rock, road base, sand, concrete, asphalt, and more for construction projects in the area. Developing the Skelton Pit will allow the existing operations at United/Norwood to continue into the future at the same intensity they currently operate. The Skelton Pit will not lead to an increase in intensity of activity, demand on public services, or impacts to neighbors or the environment. The mining and reclamation plan for the Skelton Pit has been designed to minimize and mitigate the potential impacts of mining sand and gravel.

The DRMS permit application exhibits in Appendix 1 describe the mining and reclamation plan. DRMS permits thoroughly address issues of hydrologic protection, slope stability, revegetation, and reclamation. However, other potential impacts are associated with sand and gravel mining and construction materials production. Therefore, an impact mitigation plan has been developed to augment the DRMS permit and thoroughly address issues such as visual impacts, noise impacts, air quality impacts, and traffic impacts.

Historical Activity at the United/Norwood Pit

The United/Norwood Pit just north of the Skelton Pit in Montrose County has been an active sand and gravel pit since 1989. Over the years it has produced sand and gravel, concrete, asphalt and other construction materials for the use in projects throughout San Miguel County. Typical operations at the United/Skelton Pit have been in the 70,000-100,000 tons of production each year. Annual production varies year to year, with projects on state highways CO-145 and 141 requiring large production in 2019, 2020, and 2021. It is expected that with the completion of this work the production at United/Norwood will ebb.

The United/Norwood Pit produces concrete, sand, road base, hot mixed asphalt, and washed rock. Each of these production activities takes place under the existing Colorado Division of Reclamation, Mining and Safety reclamation permit for the United/Norwood Pit, as well as Colorado Department of Public Health and Environment permits for dust control, diesel emission control, and water quality protection. The United/Norwood Pit operates under a Montrose County land use permit that has been in place since 1989.

5.1. Impact Mitigation Plan

Construction materials operations like the Skelton Pit excavate material from inert sand and gravel deposits. The material in these deposits is excavated and then crushed and screened to produce various sizes for use in construction. These sorted sizes are either directly used in construction (road base, structural fill, manufactured sand, etc.) or used in higher use products like asphalt and concrete.

The Skelton Pit will provide additional minable reserve to the existing United/Norwood Pit immediately to the north. Production scale and mining intensity will stay the same as it has been historically: roughly 100,000 tons a year

Because the Skelton Pit will not lead to an increase in activity intensity, it will not lead to increases in impacts or risks of impacts from mining activity, with one exception. Mining of additional reserve will disturb new land, and thus may create new visual impacts to be mitigated. Therefore, the impact mitigation plan focuses on the visual impacts at the Skelton Pit. Noise, air quality, and traffic impacts will all continue as they have been at the United/Norwood Pit for years. These topics are also addressed, for completeness.

5.2. Visual Impacts

The Skelton Pit will adequately mitigate off-site visual impacts through the use of topography and mining below the natural grade.

The primary potential visual impact of the Skelton Pit will be the eventual visibility of the mining floor to the east once the mining operations daylight in that direction. The existence of mining activity to the north and west prevents the Skelton Pit from being a source of noticeable visual impact in those directions. As seen in Figure 2 the Skelton Pit is not naturally very visible to the south, and mining activity will be less visible as it will take place below grade throughout the life of the mine. The viewshed for the Skelton Pit is distinctly to the east. Distant observers (>5 miles away) might be able to see the site from portions of the Uncompaghre National Forest, but not from roadways or identified trails in the area. The Skelton Pit is located at roughly 7000 feet in elevation, and the Uncompaghre Forest to the east is at a similar elevation. Therefore there is not site line at that distance that can look down into the pit easily.

The area identified with the greatest visibility of the mine site is the unnamed ridge immediately east. This ridge is across from the mine from a local drainage draw that flows north into the San Miguel River. To mitigate potential visual impacts from this ridge, and the National Forest land across San Miguel River, the natural hillside on the east end of the mining area will be mined last. It will thus function as a natural visual berm, blocking views of mining activity from much of the east. Figure 4 shows a generalized cross section of the berm and the viewpoints that exist to the east. Mining will take place below grade for the bulk of the Skelton Pit's operating life. Initial stripping of topsoil in an area will require equipment to be visible atop the existing natural grade, but this topsoil stripping will only be necessary for roughly a month every two to three years.

There are viewpoints to the south and southeast of the Skelton Pit that could potentially view operations (Figure 3). However, the topography drops off to the south quickly, and the only identified residences in that direction is at least 50 feet below the Skelton Pit's southern edge. As shown on Map C-2 and Figure 5, mining will not daylight to the south, and thus will leave another natural visual berm in that direction.

Viewers from the north and west sides of the site consist of the existing Norwood Pit and San Miguel County Pit, neither of which are considered viewers of concern. Viewers farther out in

these directions already view the existing operations and will not discern a change in their views.

The natural visual berms will successfully mitigate visual impacts of mining from the only viewpoints of concern in the area.

DRAFT

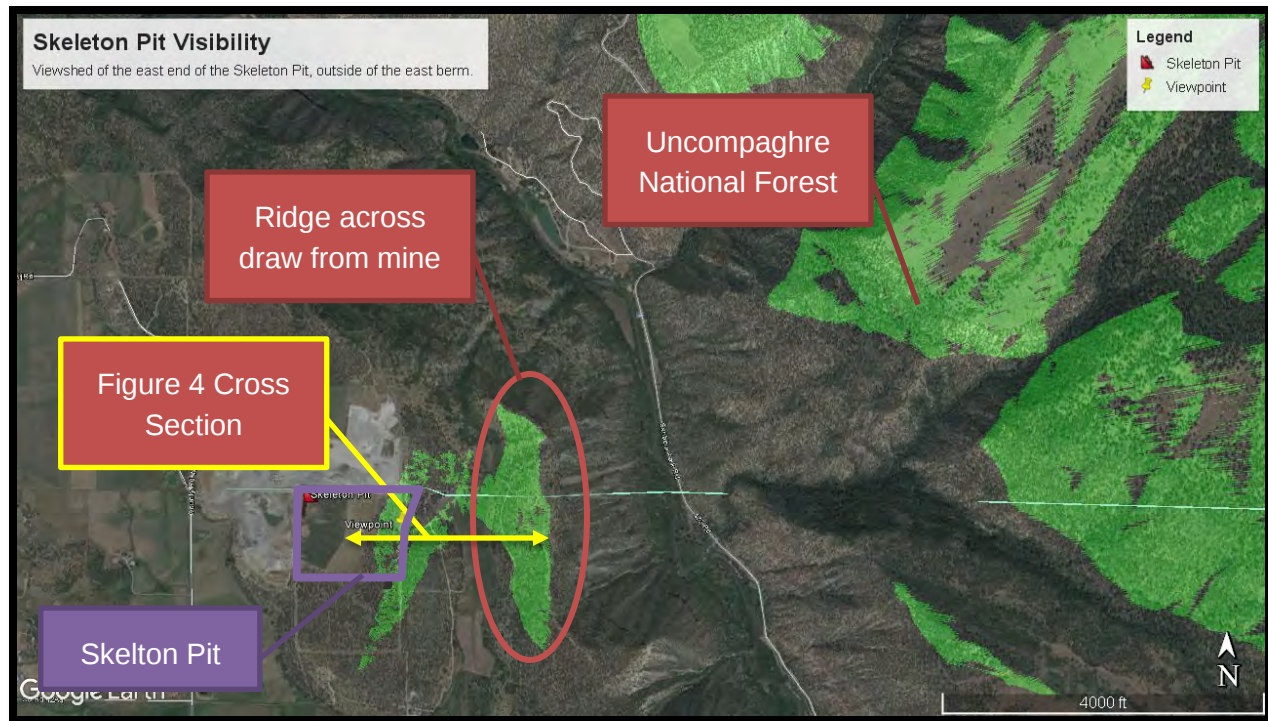


Figure 2. Viewshed of Skelton Pit (Regional)

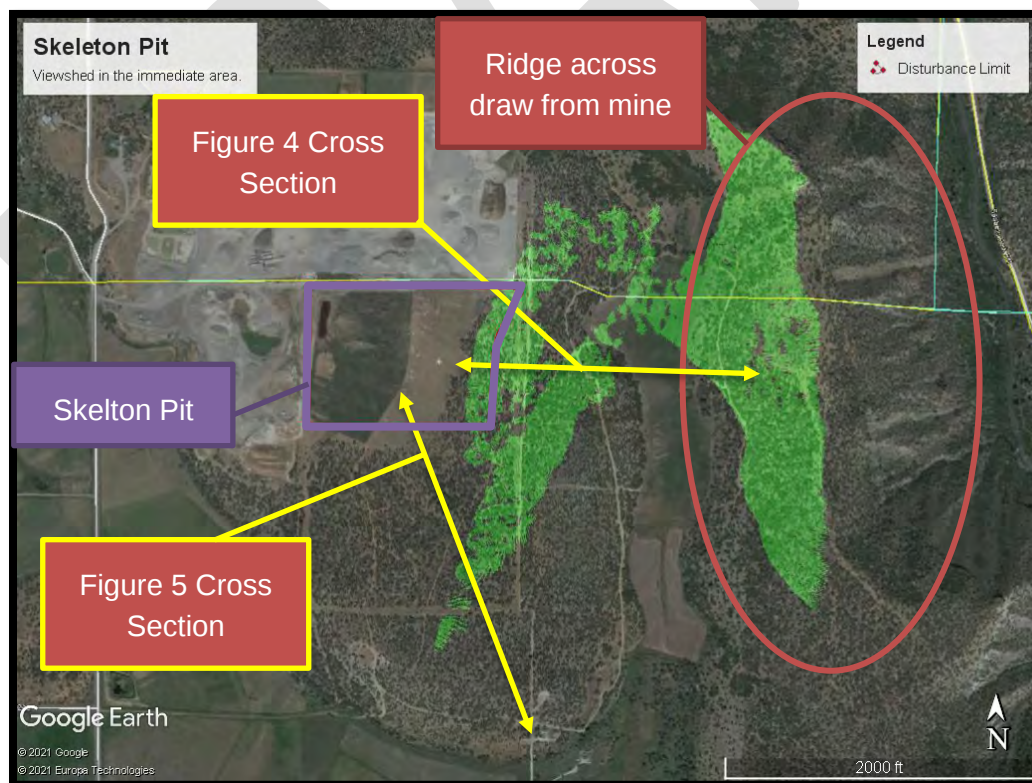


Figure 3. Viewshed of Skelton Pit (Immediate)

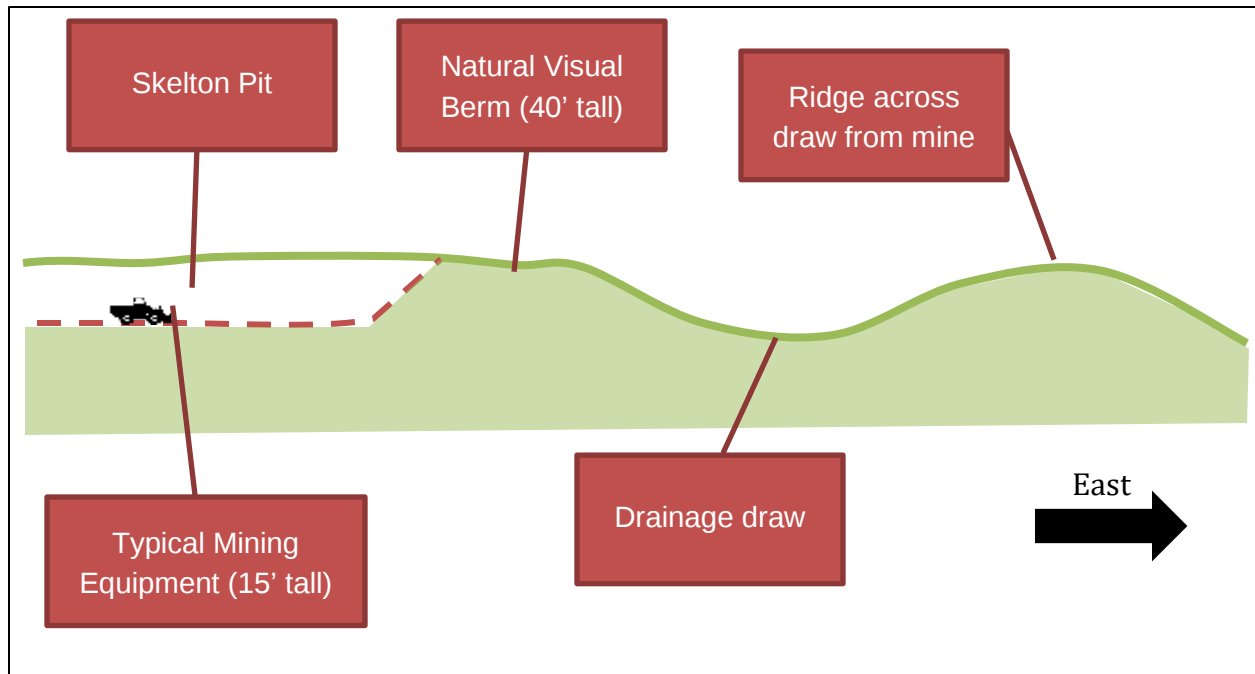


Figure 4. General East-West Cross Section of Skelton Pit & Natural Visual Berm

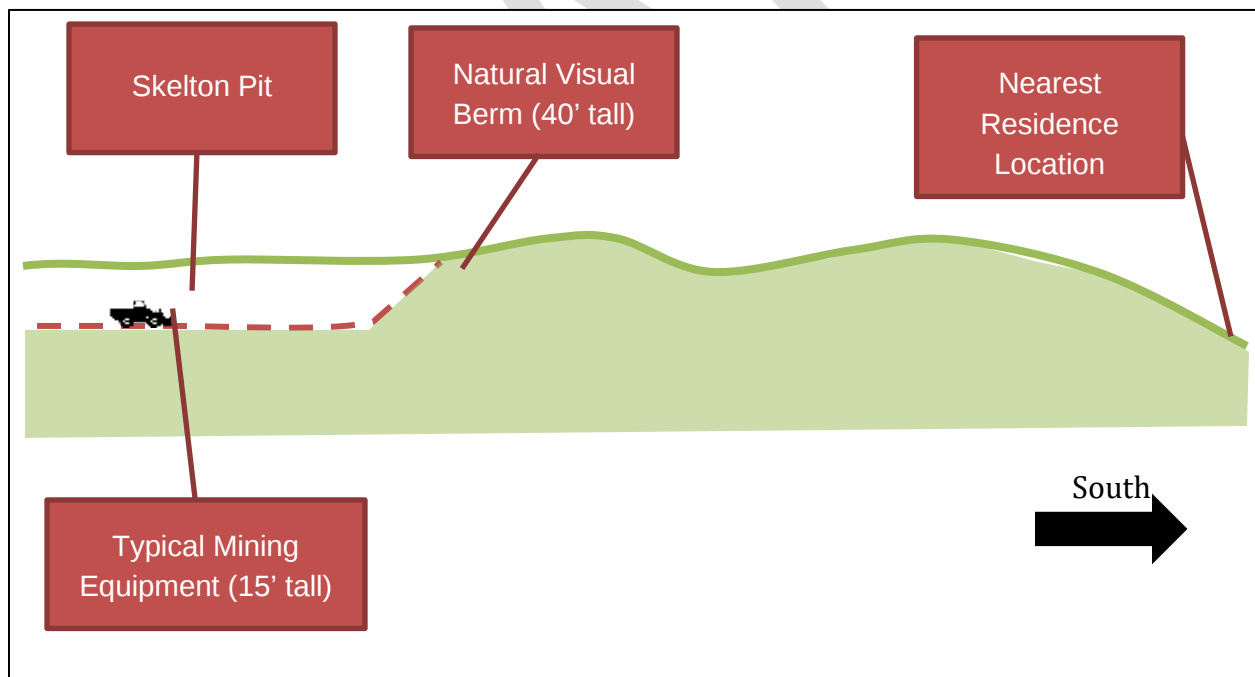


Figure 5. General North-South Cross Section of Skelton Pit & Natural Visual Berm

5.3. Noise Impacts

The Skelton Pit will adequately mitigate off-site noise impacts through distance, topography, and only excavating within its boundaries.

The San Miguel County code requires that mining activities adequately mitigate off-site impacts as related to noise and Colorado State Law limits noise at the property line based on neighboring land uses:

Table 1. Colorado Noise Limits (CRS § 25-12-103)

Zone	7:00 a.m. to next 7:00 p.m.	7:00 p.m. to next 7:00 a.m.
Residential	55 db(A)	50 db(A)
Commercial	60 db(A)	55 db(A)
Light industrial	70 db(A)	65 db(A)
Industrial	80 db(A)	75 db(A)

(1) Every activity to which this article is applicable shall be conducted in a manner so that any noise produced is not objectionable due to intermittence, beat frequency, or shrillness. Sound levels of noise radiating from a property line at a distance of twenty-five feet or more therefrom in excess of the db(A) established for the following time periods and zones shall constitute prima facie evidence that such noise is a public nuisance: [see table]

(2) In the hours between 7:00 a.m. and the next 7:00 p.m., the noise levels permitted in subsection (1) of this section may be increased by ten db(A) for a period of not to exceed fifteen minutes in any one-hour period.

The surrounding land zones are all agricultural in nature. Agricultural zones tend to be considered either light industrial or residential, depending on the intensity of activity and whether the land is the location of a primary residence. There is no residence on any surrounding property. Activity to the north and west of the Skelton Pit consists of active mining and thus these properties can be assumed to be Industrial (75-80 db(A)) in nature and also habituated to mining noise. Neighboring parcels to the south and east are agricultural properties without any residences. These can be assumed to be Light Industrial (65-70 db(A)) in nature.

Since only excavation will take place in the Skelton Pit, the primary sources of noise from a mining operation of this site will be kept well away from the Agricultural land users to the east and south. Noise sources within the Skelton Pit will only consist of earth moving equipment. During most of the mine life, this equipment will be below grade as discussed in the Visual Impact section. Therefore there will be physical barriers between noise sources and the neighboring empty parcels.

Noise levels reduce with distance and topographic barriers (walls, hills, etc.) block noise propagation. It can be safely assumed that the only area residence, to the southeast on the Leslie Ament Trust property, ~1800 feet away, will not be exposed to noise impacts. Therefore, the Skelton Pit clearly adequately mitigates the off-site impacts as related to noise.

5.4. Air Quality Impacts

The Skelton Pit will adequately mitigate off-site noise impacts through limited disturbance area, as-needed watering, chemical stabilization, and revegetation of long term stockpiles and slopes.

The United/Norwood Pit to the north is the destination of all raw materials mined from the Skelton Pit. Therefore the Skelton Pit will not be source of air quality impacts from crushing, screening, concrete production, or asphalt production. Crushing and screening activities are regulated along with site disturbance at the United/Norwood Pit via a Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division (APCD) Fugitive Dust permit. This permit will incorporate the additional disturbance area of the Skelton Pit in a renewal when the Skelton Pit is opened up. Concrete and asphalt production air quality is regulated by separate permits from CDPHE APCD for each plant, since the plants are portable and thus leave the site for other jobs. This is typical operating procedure for control air quality at a construction materials facility.

The Skelton Pit will be adding minable reserve to United's current operations. It will not lead to an increase in intensity or scale of production. This means that all dust generating activities will be similar in the future as they are currently. There have been no issues with the currently approved air permits at the existing United/Norwood Pit and none are anticipated for in the future. The existing controls of limiting active mining disturbance the minimum required, watering as-needed during operations, using chemical stabilizers on high traffic routes, and revegetating long term stockpiles and final slopes are sufficient going forward. These controls ensure that the Skelton Pit will adequately mitigated off-site air-quality impacts.

5.5. Traffic impacts

The Skelton Pit will adequately mitigate off-site traffic impacts by sustaining the same level of usage of its access as it historically has.

The access to San Miguel County Road 44Z is just south of the county line. The access location relative to the existing and proposed mines is shown on Figure 6. Also shown on said figure is the general traffic route for United Companies in and out of the existing United/Norwood Pit. This route will continue to be used by United once the Skelton Pit is opened. The Skelton Pit is only an addition of minable reserve; no increase in production scale or operation intensity is planned. Therefore, traffic patterns are expected to remain the same as they have currently been.

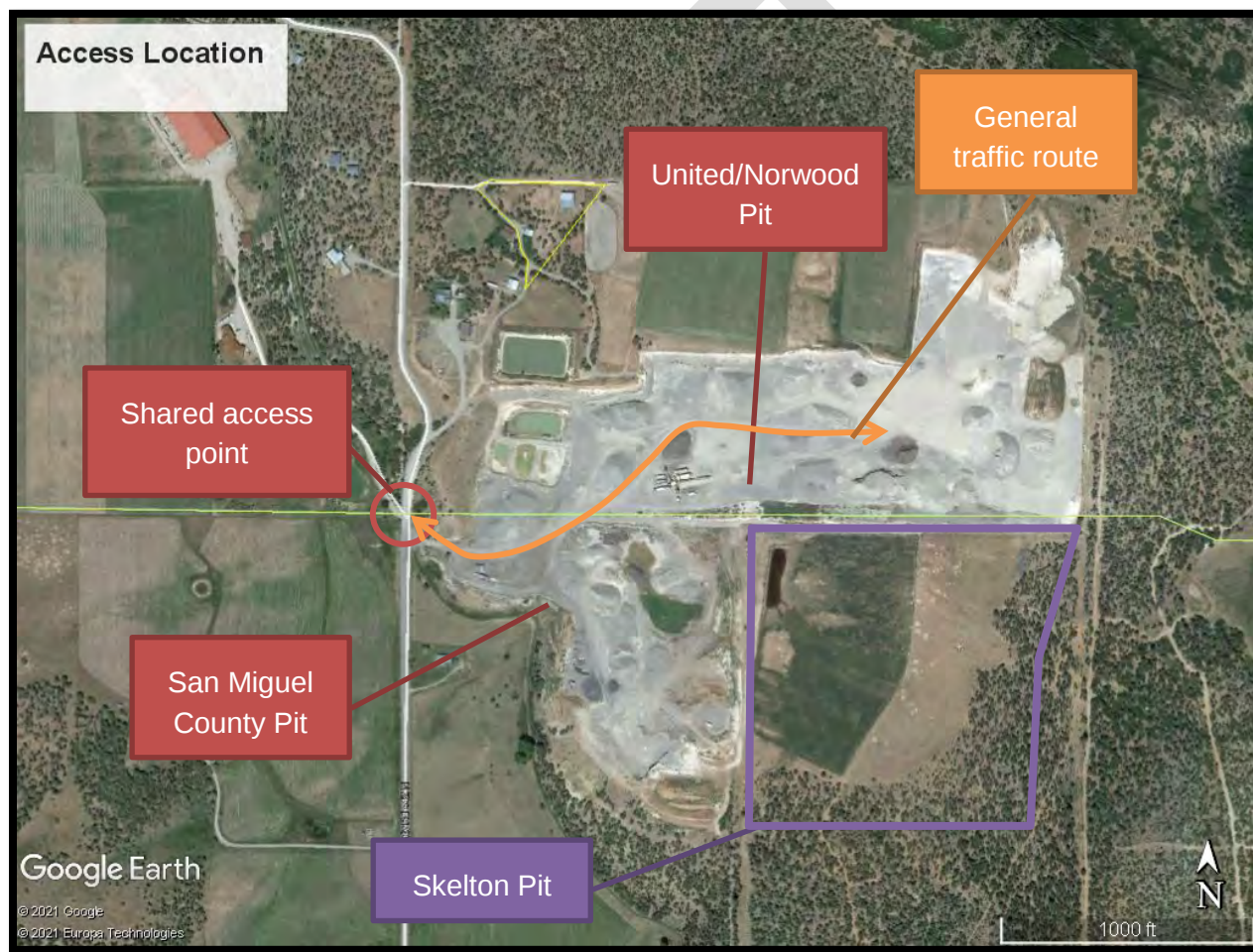


Figure 6. Skelton Pit Access Location

5.5.1. Historic Traffic Patterns

Traffic at the United/Norwood Pit has averaged 20-30 trucks a day, depending on truck size and product sales, for the past five years. Most years are close to this average, although 2020 saw an out of character peak of roughly 40-50 trucks a day. This was due to the greater than typical production needed to support paving of CO State Highway 141. Table 2 shows the breakdown of the production and traffic for the United/Norwood Pit over the past five years. Production is in the 70,000 to 100,000 tons most years. This level of production is anticipated to continue into the future, with the occasional large year to support major CDOT and local roadway projects.

Table 2. Historic Production and Traffic

Row Labels	Annual Production	Average Daily Tons	Daily Avg Trucks
2016	67,762	339	20
2017	105,370	527	31
2018	86,218	431	26
2019	92,139	461	27
2020	155,375	777	46
Average	101,373	507	30

The Average Daily Tons shown in Table 2 is based on a roughly 200-day annual operating season. Daily Average Trucks is the average of truck trips needed to convey the daily tons assuming an even mixture of 13-ton and 24-ton capacity trucks. Truck traffic rises and falls over the construction season and year-to-year in support of different construction projects. In 2020, for example, the CO-141 and CO-145 work took 120,000+ tons of material from the United/Norwood Pit. Peak truck traffic is not anticipated to exceed the 70-100 trucks in a day seen by the CO-145 & CO-141 projects in 2020. Most years of operation at the Skelton Pit and United/Norwood Pit will see less truck traffic than 2020.

Including 2020, production, and thus traffic, varies seasonally with a summer focus. Figure 7 shows this distribution based on average monthly production from the United/Norwood Pit over the past five years. Temperature limits the paving season, so naturally the bulk of work is conducted during warm times of the year. Similarly, longer days in the summer facilitate more work each day, within the approved hours of operation.

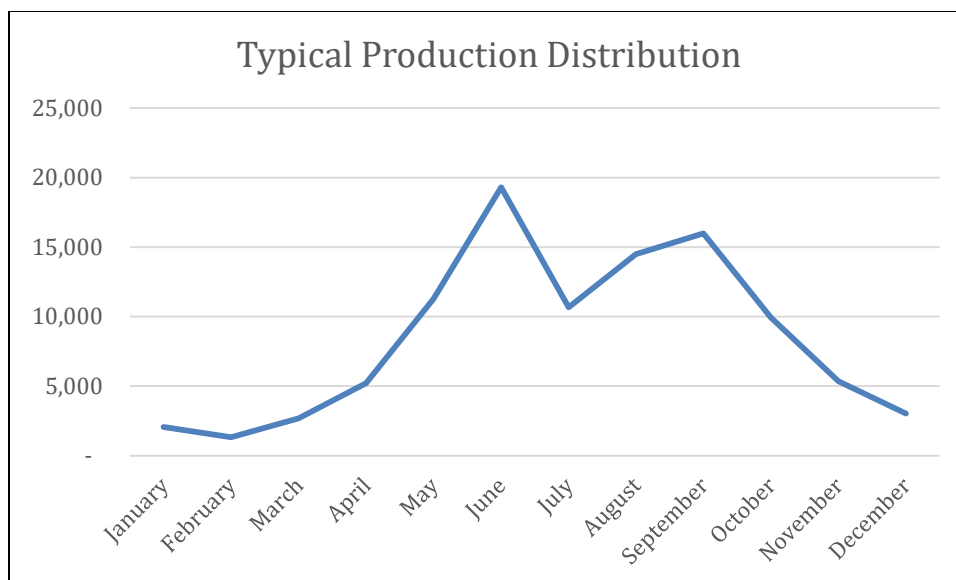


Figure 7. United/Norwood Pit Typical Seasonal Production

The ability of United Companies to provide competitive paving services for CDOT and local governments is based in large part on the fact that the existing pit is geographically well situated. Adding reserve to the United/Norwood Pit with the Skelton Pit will facilitate United continuing to provide a valuable local and regional service.

Pre-Application Conference Summary Sheet

DRAFT

Site Plan

The mining and reclamation plan maps attached in the Colorado Division of Reclamation, Mining, and Safety (DRMS) will serve as the site plan for this special use permit application.

DRAFT

Revegetation Plan & Weed Control Plan

See Exhibit E of the DRMS permit application for a description of the Skelton Pit reclamation plan, including revegetation weed control plans

DRAFT

Appendix 1 – Colorado Division of Reclamation, Mining, and Safety Permit Application Exhibits

Skelton Pit



112(c) Application to the Colorado Division of Reclamation, Mining, and Safety

July 2021

By:

United Companies

Represented by:



Lewicki & Associates

Table of Contents

Introduction

EXHIBIT A	.....	LEGAL DESCRIPTION
EXHIBIT B	.....	LOCATION MAP
EXHIBIT C	.....	PREMINE AND MINE PLAN MAPS
EXHIBIT D	.....	MINING PLAN
EXHIBIT E	.....	RECLAMATION PLAN
EXHIBIT F	.....	RECLAMATION MAPS
EXHIBIT G	.....	WATER INFORMATION
EXHIBIT H	.....	WILDLIFE INFORMATION
EXHIBIT I	.....	SOILS INFORMATION
EXHIBIT J	.....	VEGETATION INFORMATION
EXHIBIT K	.....	CLIMATE INFORMATION
EXHIBIT L	.....	BOND CALCULATION SCENARIO
EXHIBIT M	.....	OTHER PERMITS REQUIRED
EXHIBIT N	.....	RIGHT OF ENTRY
EXHIBIT O	.....	OWNERS OF AFFECTED LAND
	.....	AND MINERAL TO BE MINED
EXHIBIT P	.....	MUNICIPALITIES WITHIN TWO MILES
EXHIBIT Q	.....	PROOF OF MAILING OF NOTICES TO THE BOARD OF COUNTY COMMISSIONERS AND SOIL CONSERVATION DISTRICT
EXHIBIT R	.....	PROOF OF FILING WITH COUNTY CLERK
EXHIBIT S	.....	PERMANENT MAN-MADE STRUCTURES
RULE 1.6.2(1)(B)		
GEOTECHNICAL STABILITY EXHIBIT		

Introduction

The Skelton Pit is located 1.75 to the northeast of Norwood, CO in San Miguel County at an elevation of 7000 ft. The operation will consist of one mining area with access from the old United/Norwood Pit to the north. Construction materials sand and gravel mining will occur on site. Processing will be completed in the United/Norwood Pit to the north of the mining area.

The total permit area is 26.7 acres.

EXHIBIT A

LEGAL DESCRIPTION

The site is northeast of Norwood, CO, approximately 1.75 miles distance from the town limits. It is located between County Rd 447 N to the west, and the San Miguel River to the East. The site is bordered by the United/Norwood Pit to the north; The San Miguel County gravel pit to the west, forest and shrubland to the east; and irrigated farm land to the south. The San Miguel County gravel pit is adjacent to the west of the site. The legal description is shown on Map C-1 included in Exhibit C.

The total permit area is 26.7 acres.

1. Legal Description

Skelton Pit is located in Section 13, T45N, R13W of the New Mexico Principal Meridian. Using the east line of Section 13 as a basis of bearing at N01°08'54"E; beginning from the east quarter corner of Section 13, thence N 87°47'08" W a distance of 2660.7' to the point of beginning;

thence S 01°38'34" W a distance of 872.1';

thence N 88°09'24" W a distance of 1328.9';

thence N 01°40'09" W a distance of 875.5';

thence S 88°00'38" E a distance of 205.97';

which is the point of beginning,

having an area of 25 acres

EXHIBIT B

LOCATION MAP

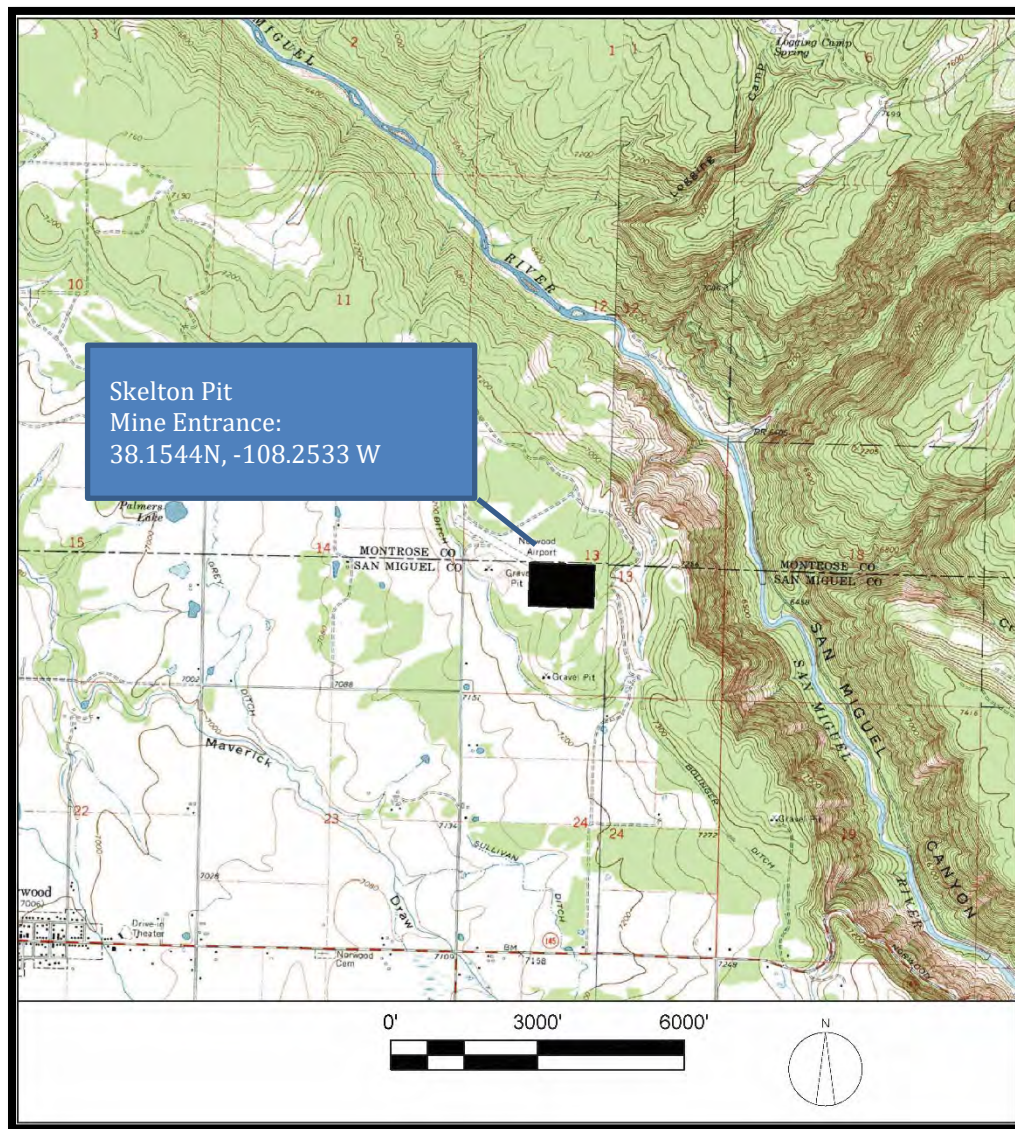


EXHIBIT C PREMINE AND MINE PLAN MAPS

Map C-1 Current Conditions

Map C-2 Mine Plan

Map C-2A Mining Snapshot

Map C-3 Cross Sections

EXHIBIT D

MINING PLAN

1. General Mining Plan

The property boundary has been surveyed on site and the permit area will be surveyed prior to any additional acreage to the site disturbance. Map C-2 shows the mining plan. Map C-2A shows the mining plan at a snapshot in time prior to daylighting the mine flood out to the east. Mine access will be from the United/Norwood Pit located directly north, which has access from County Rd 44Z N to the west. The primary commodity to be mined is sand and gravel for the purpose of producing construction materials. Fill dirt may be incidentally produced during the operation.

The gravel zone varies with an average 25 foot thickness within the alluvial deposit. This zone reaches up to 40 foot depths on the east of the site and thins out to a daylight on the east of the site. The alluvial deposit is overlain by an estimated 50 inches of overburden as well as 4 inches of topsoil.

In general, the site is mined from northwest to southeast. Map C-2 shows the configuration of the site during mining. Map C-2 also shows the configuration of the fully mined out pit. Mined material will be transported for processing to the United/Norwood Pit to the north. Processing of material is included in the currently approved United/Norwood Pit permit.

The mining and reclamation will be done concurrently. Mining will occur to the bottom of the gravel deposit, which is also the final grading for the reclamation plan. After approximately 13 acres of the pit is mined out, the mined area will be topsoiled and revegetated according to the reclamation plan. This will be repeated for the remaining portions of the pit after the second half is mined out.

Mining will be conducted with loaders, hoes, dozers, and off-highway haul trucks. Dozers or scrapers will strip topsoil from the area to be stored in the northeast of the site. Loaders and hoes will then excavate material to be hauled to the United/Norwood Pit for processing. Some product stockpiled will be stored on site prior to processing. No blasting will take place at the Skelton Pit. No refuse, acid or toxic producing materials are expected to be encountered in this operation. If these materials are encountered, at least two feet of inert material will be placed over the area and mining will move to a different area.

The active mining face will be vertical, but the final mining slopes will be the same as the reclaimed slopes at 3H:1V. Map C-3 shows cross sections of the pit with these final slopes.

The expected annual average production is 100,000 tons. Actual production rates will fluctuate based on market conditions. The raw material will be used in producing construction material products at the United/Norwood Pit. A breakdown of the anticipated product tonnages and mined tonnages can be seen in **Table D-1**. A breakdown of the estimated areas is included in **Table D-2**.

No pit dewatering will take place, as the groundwater table is well below the planned bottom of the pit. No groundwater exposure will take place. See Exhibit G for full water information for the operation.

1.1. San Miguel County Property Line Berm Mining

Adjacent to the west is a San Miguel County sand and gravel pit. United Companies will mine to the property line on the west side of the Skelton Pit. This will be matched by San Miguel County mining to the same property line from their side. An agreement facilitating this plan is attached in Exhibit M.

2. Mining Timetable

Table D-1 Mining Timetable

Activity	Time
Initial stripping	First months of Year 1
Mining of first 13 acre half of pit	Years 1-13
Mining of second 13 acre half of pit	Years 13-25

The mining schedule is planned to minimize disturbance by reclaiming areas as additional mining is undertaken. Note: If large contracts are awarded to the site, production could increase to the permit maximum, thereby curtailing the life of the pit. On the other hand, if contracts are less than anticipated, the life of the pit could be extended. This table is based on a reasonable projection of average production rates.

3. Mine Facilities and Operation

The site will contain the following facilities. There are no portable or permanent facilities, as they are located in the United/Norwood Pit. The site will contain the following equipment.

- Front-end loaders
- Bulldozers
- Scrapers
- Haul trucks (off highway)

No structures will be built within the mining area.

Maintenance vehicles will visit the site regularly to provide oil, grease, and perform other minor maintenance on vehicles and equipment. Any major repair work required will be performed off site.

Night time activity will be restricted to emergency maintenance of the site or equipment. Any lighting needed for this activity will be minimal, and downcast. Security lighting on the office trailer will be flush.

Portable toilets and bottled water will be provided for employees at the United/Norwood Pit to the north. All mining structures on site are shown on Map C-2. Upon reclamation, all portable equipment will be removed from the site.

The entire site is surrounded by a perimeter fence and the permit boundary is marked with stakes surveyed on site. No problems are expected with vandalism. It is extremely unlikely that any toxic or acid-producing materials will be encountered during the mining operation since past mining shows that the material is alluvial in nature. However, in the event that such materials are encountered, they will be covered with overburden and topsoil from the stockpiles to a depth of at least two feet and no more mining will occur in this area.

The site will use all existing roads to haul the product to its final destination. It is planned that the material may be used to re-surface existing roads, make concrete aggregate or provide new road base for any new roads within an economic distance to the site.

The only hazardous material kept onsite will be the oils and diesel fuel of the mining equipment themselves. No fuel farm will be placed onsite.

4. Topsoil and Overburden Handling

Topsoil depths are highly variable; it has been noted to be as thin as two inches in areas of the existing United/Norwood Pit and as thick as 60 inches in other areas. It is anticipated, based on taking the top two horizons of soil listed in the NRCS soil survey data for the site as topsoil, that 14 inches of soil can be stripped. Overburden depths are also variable and average over 50 inches, making up the remaining subsoil above the sand and gravel deposit. Topsoil and overburden will be used on site for reclamation of mined areas. Topsoil will be directly placed during reclamation. Stockpiles of these materials will be located to on the northeast of the site. Any topsoil or overburden stockpiles that is to be in place longer than 90 days will be re-vegetated to prevent wind erosion.

Topsoil and overburden that is stockpiled will be placed in the facilities area on the northeast side of the site, as shown on Map C-2. United Companies commits to keeping enough material onsite to be able to reclaim the site. Estimates on reclamation required topsoil and overburden will be calculated on an ongoing basis as reclamation will occur concurrently with mining. Therefore, surplus material estimates will become readily apparent as mining and reclamation progresses from area to area.

Topsoil stockpiled from the pit will be used in reclamation. Topsoil stockpile locations can be seen on Map C-2. This will reduce material moving as well as reduce the maximum area to be reclaimed.

5. Water Information, Rights and Augmentation

All water rights issues such as availability of water for this operation, consumption rates, dust control, etc. is presented in Exhibit G - Water Information.

6. Schedule of Operations

Mining operations will only occur as dictated by demand up to the maximum rates described earlier in the mine plan. Mining, screening and processing will be in the United/Norwood Pit conducted with portable equipment at various times of the year. Product will be sold from this activity throughout the year. The operator will not have night gravel mining operations, although minor truck activity or repairs may occur after hours.

7. San Miguel County Impacts and Environmental Impacts

All county impacts and concerns are addressed in the county special use permit, and the mining operations plan contained therein.

EXHIBIT E

RECLAMATION PLAN

1. General Reclamation Plan

The total disturbed area to be reclaimed under this permit is 26.7 acres. Reclamation plans can be viewed on Map F-1. The post-mining land use will be rangeland. Pre mine land use has been rangeland. The site is zoned as Wrights Mesa Rural Agricultural land, and therefore the post mine land use fits in with local land use plans. No state land plans are known for the site. All slopes will be reclaimed to 3H:1V or shallower. As described in the mining plan, reclamation will occur concurrently with mining.

Topsoil and overburden stockpiled prior to mining will be used to reclaim mined out areas. Six to 14 inches of topsoil will be replaced on all graded areas for an average depth of nine inches. Slopes will be mined to the final reclaimed condition. Concurrent mining will minimize the acreage that is unreclaimed which will make the worst-case reclamation smaller and thus, the bond will be smaller.

2. Reclamation Timetable

The time for reclamation is shown below – Table E-2. Exhibit L: Reclamation Costs describes the worst case bond scenario.

Table E-2 Reclamation Timetable

Activity	Time
Initial stripping to develop first 13 acres	Year 1
Mining first half	Years 1-13
Mining remaining deposit, reclamation of first half	Years 13-25
Final reclamation of site	Years 25-26

3. Topsoil Replacement Plan

Topsoil will be replaced to an average depth of 9 inches in all areas.

Table 2 – Post Mining Land Uses

Post Mining Land Use Acreages	
Rangeland	22.8
Undisturbed	3.9
Total	26.7

Topsoil will be ripped prior to seeding to prevent compaction of the seed bed. The vast majority of the topsoil will be directly placed on ready to reclaim slopes as the mining operation progresses through the site. Topsoil from initial stripping will be used in reclaiming portions of the site as mining nears completion. Seeding of topsoil will take place within 30 days of its placement.

4. Revegetation Plan

Seed will be placed on the rangeland areas of the site as shown on the Map F-1. All of the site that is being revegetated will have the same seed mix.

Revegetation at the Skelton Pit will consist of seeding to develop rangeland vegetation to prevent soil erosion. As much as is practical, woody vegetation removed prior and during topsoil stripping will be directly placed in the concurrent reclamation areas to encourage restoration of those species. Slopes will be ripped and roughed prior to seeding to prevent seedbed compaction. Seeding will be conducted with a drill seeder, broadcast seeder, or via hydroseeding. Broadcast seeding will be at twice the seeding rate as drill seeding. Mulch will be placed at roughly 2000 pounds per acre. Seeding will be conducted principally in the fall prior to snowfall.

Table 3 shows the proposed seed mix for revegetated areas. The same seed mix will be used on topsoil and overburden stockpiles that are in place more than 90 days. These seeding rates are for drill seeding.

Table 3 – Rangeland Seed Mix

Species	Pounds of pure live seed per acre (drilled)
Western wheatgrass	4
Galleta (florete)	4
Small Burnet	3
Indian Ricegrass	3
Bottlebrush	0.5
Rabbitbrush	0.5
Four-winged Saltbrush	0.5
Total	15.5

5. Post-Reclamation Site Drainage

Following reclamation of the site, drainage directions will be mostly east to west. The site is predominantly flat. This will be the reverse of pre mine drainage direction but not overall grade. See the drainage directions shown on Map F-1.

6. Weed Control

The operator will survey the site for county and state listed noxious weeds every April and October. Any weed infestations that are identified will be sprayed within an appropriate herbicide within 120 days of identification. Infestations found during topsoil stripping will be buried in the reclamation topsoiling process. If weed infestations persist following spraying or burial, San Miguel County Weed and Pest Department and the local Natural Resource Conservation Service office will be consulted for additional steps to be taken.

7. Revegetation Success Criteria

These areas will be deemed adequate when vegetation has been established in order to control erosion and noxious weeds are not present in any significant amounts and all of the conditions of Rule 3.1.10 have been met.

8. Monitoring Reclamation Success

Reclamation success will be determined by both the Colorado Division of Reclamation, Mining, and Safety as part of their permit process, and by the San Miguel County Department of Environmental Health. Successful reclamation at the Skelton Pit will be achieved when the rangeland slopes on the south side have sufficient vegetation to prevent erosion and when the site floor is completely graded and graveled.

In the event that the reclamation has failed in an area of the site (ex: vegetation has died off on a section of slope), that area will be re-graded, re-topsoiled, re-graveled, or re-seeded as needed. Since the maximum ongoing disturbance of the site is only 13 acres, it will be in the operator's best interests to succeed at reclaiming areas that have been mined out as the operation progresses.

EXHIBIT F

RECLAMATION MAPS

Map F-1 Reclamation Plan

EXHIBIT G

WATER INFORMATION

1. General

The site is in the alluvial gravel terrace directly west of the San Miguel River. The river is over 3000 feet to the east. The site is currently rangeland. None of the site is within floodplains.

The two principal ways that the gravel pit could affect the water quality of the area downstream are a) through poor sediment control within the site causing increased sedimentation downstream, and b) by fuel leakage from a ruptured tank. Water that is encountered in the pit will not be released from the site. The only water that will be found within the disturbed area is stormwater runoff and water brought to the mining area and used for dust control. All water from the disturbed area will drain to the bermed active pit and cannot leave the site. Fuel leakage is also not a problem since all fuel tanks on site will have secondary containment as well as strict procedures for spill prevention and control. No fuel farm will be located within the Skelton Pit as such services are already available at the United/Norwood Pit.

According to searches on the Division of Water Resources database, there are no wells within 600 feet of the mining area of the Skelton Pit.

2. Surface Water

Surface water flows drain naturally in two directions due to the topography: water on the west side of the permit boundary drains towards an existing sump in the northwest of the site, while water on the east of the site drains to the San Miguel River to the east via the Nelson ditch. Map C-1 shows these drainage directions. During mining, water runoff will be routed to the active mining pit to prevent runoff exiting the site. A berm will be constructed on the east side of the site to contain surface water runoff and prevent any eastward discharge. A berm of the same type will be maintained between the Skelton Pit and the San Miguel County on the west side.

A sump will be installed on the west of the pit for stormwater containment and evaporation. No sediment will be allowed to leave the site and cloud any downstream waters. The site will not affect existing water rights as the pit will not expose groundwater and will not store stormwater for more than 72 hours. Sump locations and drainage directions during mining can be seen on Map C-2. Post mining conditions can be seen on Map F-1. Stormwater berms and sumps will be removed during final reclamation. This will lead to a post mine drainage condition that generally drains to the west.

Based on using an encompassing site berm, the worst-case stormwater scenario to evaluate is at the end of mining. This is when the greatest drainage area for the site exists. Using the Natural Resource Conservation Service T-55 Method, the runoff for the 100-YR 24-HR event was calculated for each sump. This is then compared to the total capacity of that portion of the site to a depth of two feet to determine if there is sufficient storage capacity.

2.1. Sump Capacity

Hydrology Report			
Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc.		Monday, Apr 5 2021	
Skeleton Pit - Mining Conditions			
Hydrograph type	= SCS	Peak discharge (cfs)	= 59.17
Storm frequency (yrs)	= 100	Time interval (min)	= 1
Drainage area (ac)	= 25.500	Curve number (CN)	= 89
Basin Slope (%)	= 2.00	Hydraulic length (ft)	= 1000
Tc method	= Lag	Time of conc. (min)	= 16
Total precip. (in)	= 2.90	Storm Distribution	= Type II
Storm duration (hrs)	= 24	Shape factor	= 484
Hydrograph Volume = 169,606 (cuft); 3.994 (acft)			

The area of the pit that drains to the west sump is 25.5 acres. With a two foot stormwater berm, there is a minimum of 51 acre-ft of storage. This more than sufficient to contain the entire 3.9 acre-ft of runoff that drains to this area.

3. Groundwater

No groundwater will be interacted with by this operation as it is greater than 100 ft below the surface. In the event that groundwater is encountered, mining will cease in the area and the pit will be filled with at least 2 feet of overburden to cover any and all exposed groundwater.

4. Water Consumption for the Operation and Water Rights

Water consumption for the Skelton Pit will exclusively be for dust control. Water supply is available via the United/Norwood Pit to the north.

4.1. Control Dust

Water application for dust control will take place at least four times a day over all disturbed areas. Active stockpiles and others may require additional watering to ensure material stays wet. Alternatively, the operator may apply magnesium chloride to disturbed areas instead of watering.

It is also assumed that additional watering will be needed during very dry windy conditions during mining operations. The facility manager will determine when and where this is needed during operations.

This will consume an anticipated 1.36 ac-ft of water a year.

EXHIBIT H

WILDLIFE INFORMATION

1. Significant Game Resources on Affected Lands

Elk make some use of the site throughout the year. Mule deer habitat is concentrated on and around the site, mostly to the west.

2. Significant Non-Game Resources on Affected Lands

Small mammals such as rabbits, squirrels, and other rodents inhabit the area. Fox and coyote will probably be the most critical non-game resource in the area. Black bear and mountain lions range through the area. With little ground cover and water, the value of the site is low for mammals.

3. Seasonal Use of Affected Lands

No important seasonal use exists.

4. Presence and Estimated Population of Threatened or Endangered Species in the Area.

Bald eagles hunt in the general area, and their nest is located to the south of Norwood, CO.

5. Fish Resources

There is no perennial aquatic habitat onsite to support any fish populations.

6. General Effects of the Operation on the Existing Wildlife of the Area

Gravel extraction and crushing activities will create some disturbance to animals near the site. However, resident wildlife will generally become habituated to these activities as mining operations have been active in the immediate area since the 1980s. Migrating animals will likely avoid the site, but the proposed pit does not block any known migratory routes, and wildlife should be able to move through the area unimpeded. Due to the possibility for animal/vehicle collisions, hauling activities will probably pose the biggest threat to wildlife. Haul trucks should keep to posted speeds and drivers need to remain aware of the potential for collisions.

EXHIBIT I

SOILS INFORMATION

A custom soil survey for the mining area is attached in this exhibit.

<<INSERT SOIL SURVEY>>

EXHIBIT J

VEGETATION INFORMATION

1. Existing Vegetation Community

The pre-mine vegetation community at the Skelton Pit consists mostly of rangeland grasses and forbs. Indian ricegrass, Mutton grass, Bottlebrush squirreltail, and galetta are present. Pinons dominate the eastern 20% of the site, where the pre mine topography quickly drops off. Vegetation cover appears to be between 60-80%.

The site vegetation is divided between an irrigated area covering most of the western portion of the site, un-irrigated rangeland in the central third, and pinon-juniper vegetation on the east third.



Figure J-1 - Aerial Image of the Site



Figure J-2 - Central portion of the site looking to the west.

EXHIBIT K

CLIMATE INFORMATION

1. General Information

The following climate information is presented for Norwood, CO. The elevation of Norwood is approximately 7000 feet above sea level. The Skelton Pit is 1.75 miles northeast of Norwood at roughly the same elevation.

Table K-1 Climate Data

	Average Temperature (F)		Average Precipitation (in)
	Maximum	Minimum	Total precip.
January	39	13	0.84
February	42	17	0.95
March	51	24	1.15
April	59	30	1.17
May	69	38	1.21
June	79	45	0.79
July	84	52	2.01
August	81	51	2.15
September	73	43	2.17
October	62	33	1.67
November	49	22	1.41
December	39	13	0.92
Yearly (avg)	61	32	16.44

EXHIBIT L BOND CALCULATION SCENARIO

The worst-case reclamation scenario at the Skelton Pit will be once the maximum disturbance area of 13 acres has been developed. This will be roughly halfway through the life of the mine. Mining operations will move through the site, staying in the active area. Reclamation consists of regrading, topsoiling, and vegetating as well as removing the stormwater berm and sump. A detailed breakdown of reclamation tasks can be seen below.

Table L-1 Phase 2 Reclamation Task and Cost Estimate

Activity Description	Time (Months)	Quantities	Unit	Unit Cost (\$)	Cost (\$)
Active highwall knockdown using a dozer to create final 3H:1V slope. 900 ft. long highwall (roughly total pit width).	1	125,000	CY	0.50	\$62,500
Topsoiling of all disturbed areas (13 acres) to an average depth of 9 inches.	1	15,730	CY	1.50	\$23,595
Revegetation of disturbed areas. Includes seeding and mulching. Assume 25% seed failure rate (13 acres X 1.25)	6	16	Acres	850	\$13,600
Subtotal	12				\$99,695
DRMS Costs (28% x direct costs)					\$27,915
Total Bond Amount					\$127,610

EXHIBIT M OTHER PERMITS REQUIRED

The following permits are necessary for the full operation of the Skelton Pit:

1. County Special Use – A special use permit from San Miguel County will be needed.
2. APEN – A fugitive air emissions permit will be needed for the operation.

EXHIBIT N

RIGHT OF ENTRY

The surface and mineral owner of the property that will be mined is Skeleton, Inc. A copy of the lease with United Companies (the applicant) is attached to this exhibit as right of entry.

EXHIBIT O

OWNERS OF AFFECTED LAND AND MINERAL TO BE MINED

SKELTON INC
PO BOX 125
NORWOOD CO 814230125

EXHIBIT P MUNICIPALITIES WITHIN TWO MILES

This mining operation is within 1.75 miles of Norwood, CO.

The town mailing information is:

Norwood Town Hall

1670 Naturita St.

P.O. Box 528

Norwood, CO 81423

(970) 327-4288

EXHIBIT Q PROOF OF MAILING OF NOTICES TO THE BOARD OF COUNTY COMMISSIONERS AND SOIL CONSERVATION DISTRICT

<insert BOCC and SOIL notice>

EXHIBIT R PROOF OF FILING WITH COUNTY CLERK

<Insert County Clerk notice>

EXHIBIT S STRUCTURES

PERMANENT MAN-MADE

The following is an inventory of man-made structures within 200 feet of the disturbed area. All of these structures are shown on Map C-1. The landowner boundaries can also be found on Map C-1. Any signed structure agreements are attached to this exhibit. In the event that a structure agreement was unobtainable, see the Geotechnical Stability Exhibit.

1. Buried pipe
2. Fences
3. Dirt road

RULE 1.6.2(1)(B)

Prior to the submittal of the application, a sign was erected at the entrance to the site which contained all the required information regarding Rule 1.6.2(1)(b).

Please see enclosed sign certification.

<insert sign cert>

GEOTECHNICAL STABILITY EXHIBIT

There are no buildings or any structures outside the permit area which could be affected by the excavation. Sufficient buffers will be maintained to neighboring property lines.

From Table 2.5 in the SME Mining Reference Handbook, the backfill is best classified as sand and gravel, mixed grain size. This material has an internal angle of friction of approximately 45 degrees and no cohesion.

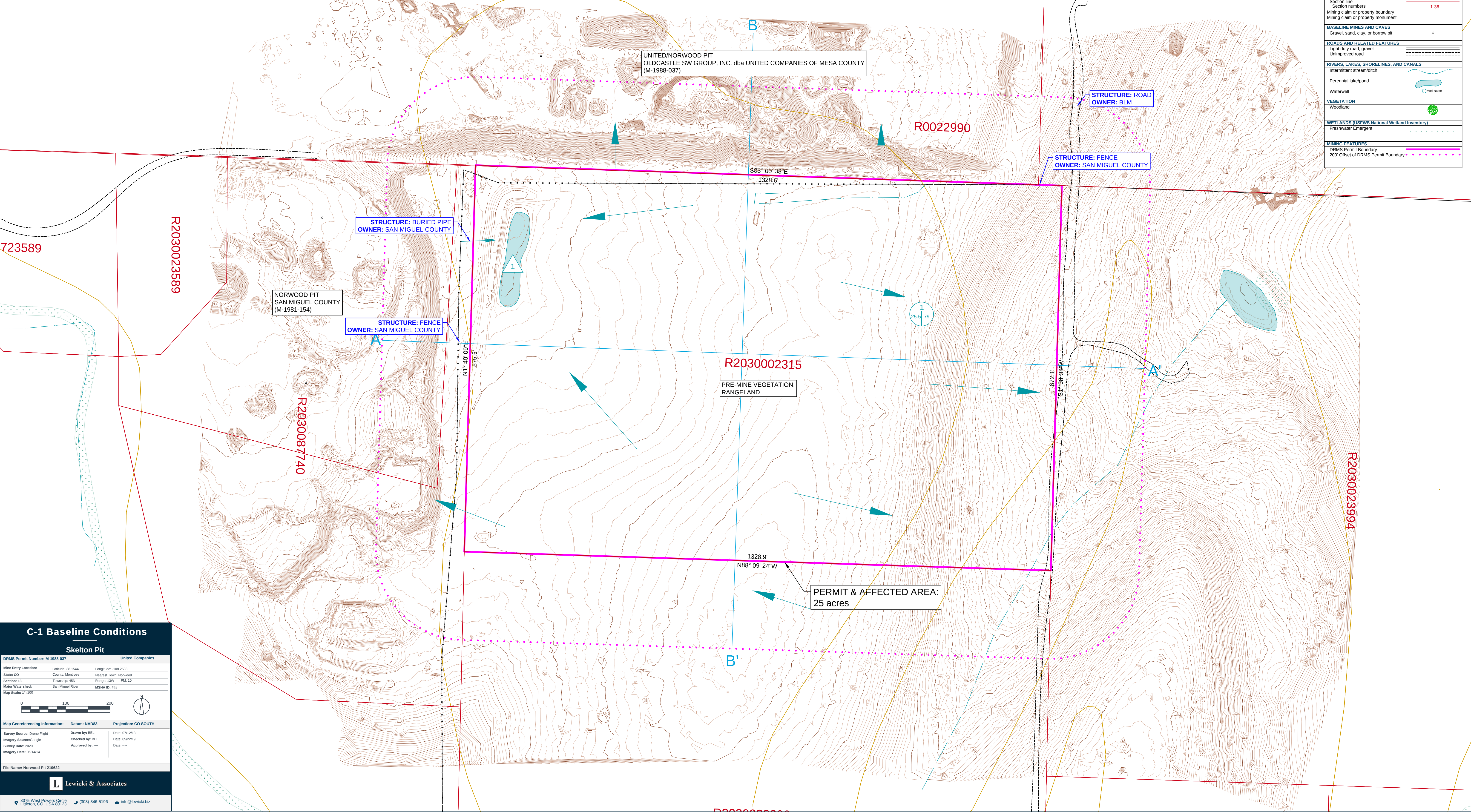
The Factor of Safety (FOS) for sand and gravel with a (3H:1V) 18.4 degree slope in loose sand material with an assumed internal angle of friction of 45 degrees can be approximated by evaluating the internal angle of friction as follows:

$$\text{FOS} = \frac{\text{Tangent of Internal Angle of Friction}}{\text{Tangent of Actual Angle of Failure Surface}}$$

$$\text{FOS} = \frac{\tan 45^\circ}{\tan 18.4^\circ} = \frac{1.0}{0.3326} = 3.0$$

The minimum safety factor in the permanent case is 1.5, therefore the 3H:1V slopes will be safe as the final condition.

PROPERTY OWNERS						
Parcel Number	Account Number	Name	Address	City	State	ZIP
429513200013	R0022990	Skelton Inc	2273 River Road	Grand Junction	CO	81505
404502200900	R0014548	Bureau of Land Management	2465 S Townsend Ave	Montrose	CO	81401
404502200900	R0014548	Bureau of Land Management	2465 S Townsend Ave	Montrose	CO	81401
429513300014	R2030087740	SAN MIGUEL COUNTY	PO BOX 1170	TELLURIDE	CO	81435
429513300003	R2030022990	AMENT LESLIE A TRTEE ET AL	42220 10TH ST WEST STE 101	LANCASTER	CA	93534
429513400006	R2030023994	KOZEY LAUREEN Y	BOX 4	NORWOOD	CO	81423
429513300013	R2030002315	SKELTON INC	PO BOX 125	NORWOOD	CO	81423



LEGEND	
BOUNDARIES	County or equivalent
BUILDINGS AND RELATED STRUCTURES	Building Fence
BASLINE CONTOURS	Index Approximate of indefinite Intermediate Approximate of indefinite Supplementary
LAND SURVEYS	Public Land Survey System Range or Township line Section line Section numbers Mining claim or property boundary Mining claim or property monument
BASLINE MINES AND CAVES	Gravel, sand, clay, or borrow pit
ROADS AND RELATED FEATURES	Light duty road, gravel Unimproved road
RIVERS, LAKES, SHORELINES, AND CANALS	Intermittent stream/ditch Perennial lake/pond Waterwell
VEGETATION	Woodland
WETLANDS (USFWS National Wetland Inventory)	Freshwater Emergent
MINING FEATURES	DRMS Permit Boundary 200' Offset of DRMS Permit Boundary

C-1 Baseline Conditions

Skelton Pit

DRMS Permit Number: M-1988-037 United Companies

Mine Entry Location:	Latitude: 38.1544	Longitude: -108.2933
State: CO	County: Montrose	Nearest Town: Norwood
Section: 13	Township: 49N	Range: 13W PM: 10
Major Watershed:	San Miguel River	MSHA ID: 888

Map Scale: 1"=100'

0 100 200

Map Georeferencing Information: Datum: NAD83 Projection: CO SOUTH

Survey Source: Drone Flight	Drawn by: BEL	Date: 07/12/18
Imagery Source: Google	Checked by: BEL	Date: 05/22/19
Survey Date: 2020	Approved by: ---	Date: ---
Imagery Date: 05/14/14		

File Name: Norwood Pit 210622

Lewicki & Associates

3375 West Powers Circle
Littleton, CO USA 80123

(303)-346-5196

info@lewicki.biz

1

2

MIN. 2.0'

Drainage Basin Labels

Basin

Area

Composite Curve Number

1

Basin Destination

Drainage Basin 1

Site Condition	Area (acres)	Curve Number	100-YR 24-HR Runoff (ac-ft)	Sump Capacity (ac-ft)*
Base	25.5	79	2.4	N/A
Mine	25.5	89	3.9	51.0
Rec.	25.5	79	2.4	N/A

* 2-ft of detention depth behind stormwater berm as a minimum

LEGEND

BOUNDARIES

County or equivalent

BUILDINGS AND RELATED STRUCTURES

Building

Fence

BASELINE CONTOURS

Index

Approximate of indefinite

Intermediate

Approximate of indefinite

Supplementary

LAND SURVEYS

Public Land Survey System

Range or Township line

Range or Township labels

Section line

Section numbers

Mining claim or property boundary

Mining claim or property monument

BASELINE MINES AND CAVES

Gravel, sand, clay, or borrow pit

x

ROADS AND RELATED FEATURES

Light duty road, gravel

Unimproved road

RIVERS, LAKES, SHORELINES, AND CANALS

Intermittent stream/ditch

Perennial lake/pond

Waterwell

Drainage Basin

VEGETATION

Woodland

WETLANDS (USFWS National Wetland Inventory)

Freshwater Emergent

MINING FEATURES

DRMS Permit Boundary

Fixed Structures

Mobile Structures

Mining Phases

Berm/window

POST-MINING CONTOURS

Index

Approximate of indefinite

Intermediate

Approximate of indefinite

Supplementary

C-2 Mining Extents

Skelton Pit

DRMS Permit Number: M-1988-037

United Companies

Mine Entry Location

Latitude: 38.1544

Longitude: -108.2533

State: CO

County: Montrose

Nearest Town: Norwood

Section: 13

Township: 42N

Range: 12W

P4L 10

Major Watershed: San Miguel River

MSHA ID: ###

Map Scale: 1"=100'

0

100

200

N

Map Georeferencing Information:

Datum: NAD83

Projection: CO SOUTH

Survey Source: Drone Flight

Drawn by: BEL

Date: 07/12/18

Imagery Source: Google

Checked by: BEL

Date: 05/22/19

Survey Date: 2020

Approved by: ---

Date: ---

Imagery Date: 09/14/14

File Name: Norwood Pit 210622

L Lewicki & Associates

3375 West Powers Circle

Lafayette, CO USA 80123

(303) 346-5196

info@lewicki.biz

107

1

2

MIN. 2.0'

Drainage Basin Labels

Basin

46.2178.8

1

Area

Composite Curve Number

1

Basin Destination

Drainage Basin 1

Site Condition	Area (acres)	Curve Number	100-YR 24-HR Runoff (ac-ft)	Sump Capacity (ac-ft)*
Base	25.5	79	2.4	N/A
Mine	25.5	89	3.9	51.0
Rec.	25.5	79	2.4	N/A

* 2-ft of detention depth behind stormwater berm as a minimum

This topographic map illustrates the Skelton Pit mining site, showing various features and infrastructure. The map includes contour lines indicating elevation, with labels such as 6930', 6940', 6950', 6960', 6970', 6980', and 6990'. Key features include:

- Product Stockpiles (TYP.):** Indicated by red ovals and circles.
- Topsoil Stockpile Area (TYP.):** A red rectangular area.
- Stormwater Berm (2' Tall TYP.):** Indicated by blue dashed lines.
- Mining Direction:** Indicated by red arrows.
- Projected Mining Floor within Norwood Pit:** A blue dashed line.
- Mine through into United/Norwood Pit:** A blue dashed line.
- Permit & Affected Area:** A pink shaded area, labeled "25 acres".
- Vegetation:** Represented by green tree symbols.
- Infrastructure:** Includes a road labeled "SKELETON PIT TRAFFIC USES UNITED/NORWOOD PIT ACCESS" and a "MINE THROUGH INTO UNITED/NORWOOD PIT".
- Survey Data:** A blue circle with "1" and "25.5 89" is present.
- Angles and Distances:** Various measurements are noted, such as "N1° 40' 09" E 875.5'", "N88° 09' 24" W 1328.9'", and "S1° 36' 34" W 872.1'".
- Slopes:** "MINING SLOPES: 3H:1V" is noted.
- Setback:** "MIN. 30' SETBACK FROM PROPERTY LINE" is indicated.

LEGEND	
BOUNDARIES	
County or equivalent	---
BUILDINGS AND RELATED STRUCTURES	
Building	■
Fence	—+—+—+—+—
BASELINE CONTOURS	
Index	—5880—
Approximate of indefinite	—5880—
Intermediate	—5880—
Approximate of indefinite	—5880—
Supplementary	—5880—
LAND SURVEYS	
Public Land Survey System	---
Range or Township line	---
Range or Township labels	R1E T2N
Section line	---
Section numbers	1-36
Mining claim or property boundary	---
Mining claim or property monument	---
BASELINE MINES AND CAVES	
Gravel, sand, clay, or borrow pit	x
ROADS AND RELATED FEATURES	
Light duty road, gravel	---
Unimproved road	---
RIVERS, LAKES, SHORELINES, AND CANALS	
Intermittent stream/ditch	---
Perennial lake/pond	---
Waterwell	○ Well Name
Drainage Basin	---
VEGETATION	
Woodland	●
WETLANDS (USFWS National Wetland Inventory)	
Freshwater Emergent	---
MINING FEATURES	
DRMS Permit Boundary	---
Fixed Structures	■
Mobile Structures	■
Mining Phases	---
Berm/window	---
POST-MINING CONTOURS	
Index	---
Approximate of indefinite	---
Intermediate	---
Approximate of indefinite	---
Supplementary	---

C-2A Mining Snapshot

Skelton Pit

DRMS Permit Number: M-1988-037

United Companies

Mine Entry Location:

Latitude: 38.1544 Longitude: -108.2533

State: CO County: Montrose Nearest Town: Norwood

Section: 33 Township: 45N Range: 29W P4: 30

Major Watershed: San Miguel River MSHA ID: ###

Map Scale: 1"=100

0 100 200

Map Georeferencing Information:

Datum: NAD83 Projection: CO SOUTH

Survey Source: Drone Flight

Drawn by: BEL

Date: 07/13/18

Imagery Source: Google

Checked by: BEL

Date: 05/22/19

Survey Date: 2020

Approved by: ---

Date: ---

Imagery Date: 06/14/14

File Name: Norwood Pit 210622

L Lewicki & Associates

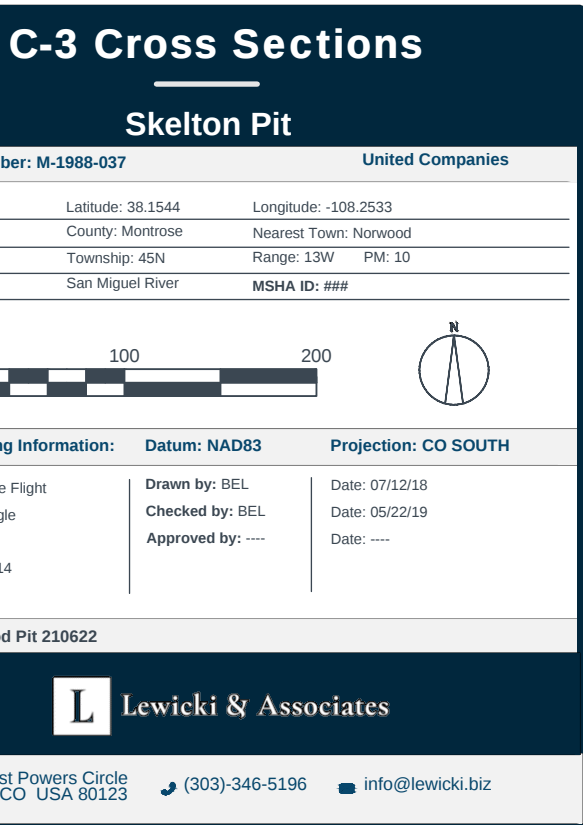
3375 West Powers Circle

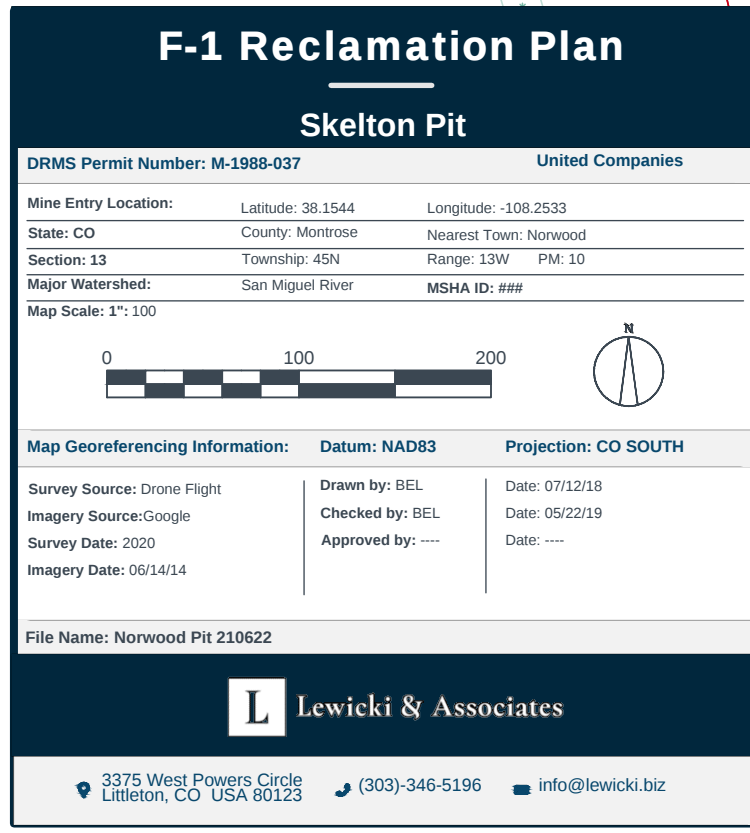
Littleton, CO USA 80123

(303) 346-5196

info@lewicki.biz

108





**APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING
REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9**

Tyra Bartuska, Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

- ☒ Following an examination of the records in the San Miguel County Assessor or under the San Miguel County GIS* mapping program, the Applicant has provided public notice, in compliance with LUC § 3-903C not less than twenty (20) days before the date scheduled for a public meeting or hearing, by First Class mail to every property owner and condominium unit owner within 500 feet of the perimeter of the subject property. **I hereby certify that I have attached a copy of this public notice letter and mailing list to this certification.**

AND

- ☒ Not less than twenty (20) days before the date scheduled for a public meeting or hearing, I hereby certify that, in compliance with LUC § 3-903B, public notice has also been provided by posting a sign in a conspicuous place on the property that is the subject of the land use application.

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the initial public meeting or hearing on a land use application. I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the initial public meeting on a land use application will result in the public meeting or hearing being rescheduled to a later date.

Tyra Bartuska
Name

Skelton Inc. / Ruth Skelton
(Insert Applicant's name if executed by agent)

N2 NE4 SW4 N2 N2 S2 NE4 SW4 SBL13 T45 R13 25 Acres
Physical location of Property and/or legal description

2273 River Road, Grand Junction, CO 81501
Mailing Address (if different from above)

Date: 10/7/2021

Signature: [Signature]

[text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.

Please publish the following Legal **PUBLIC MEETING NOTICE** in the:

NORWOOD POST and TELLURIDE DAILY PLANET on WEDNESDAY, SEPTEMBER 29, 2021

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

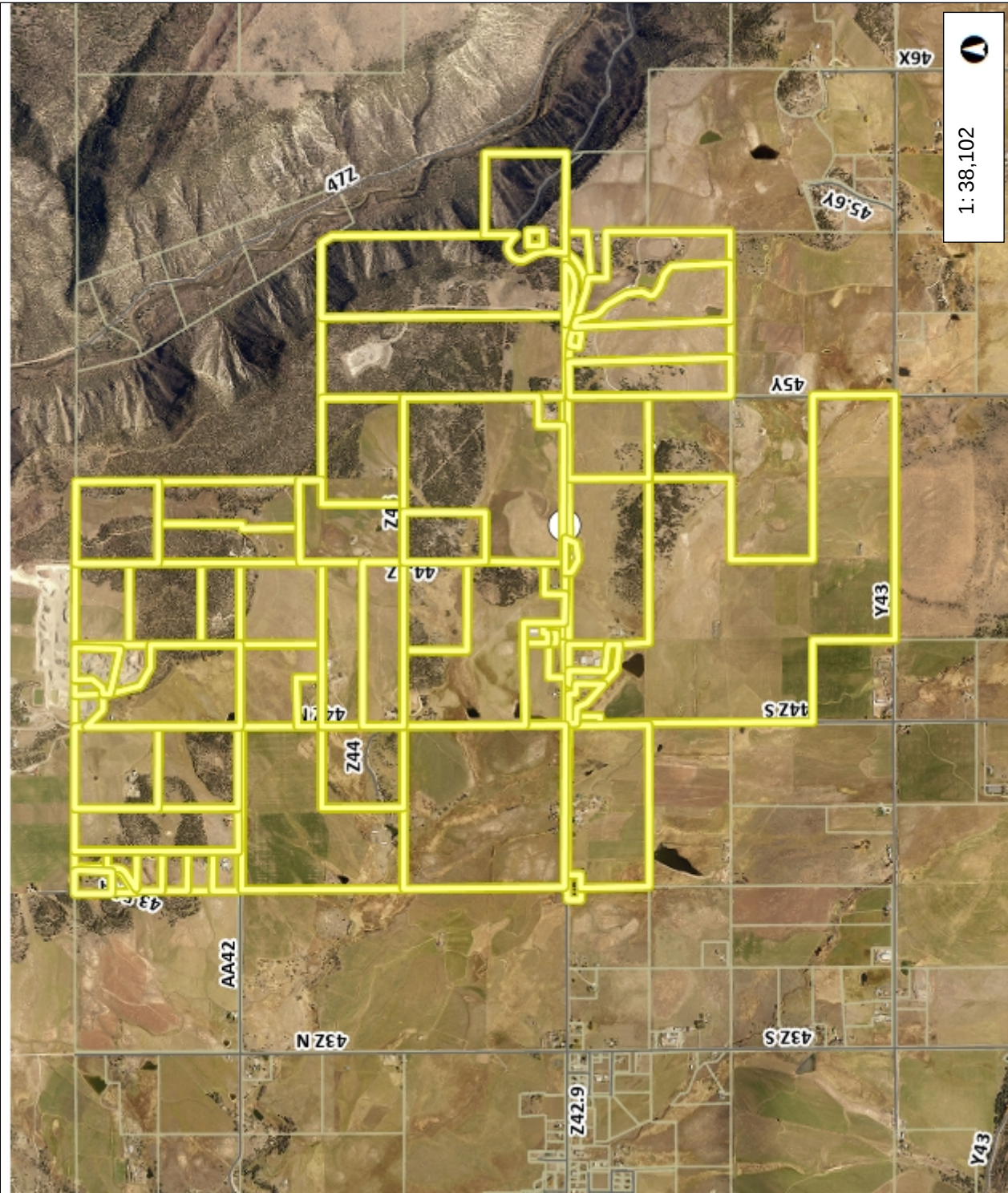
PUBLIC MEETING NOTICE

The San Miguel County Planning Commission has been asked to consider an application submitted by Ben Langenfeld, Lewicki and Associates, 3375 W Powers Circle, Littleton, CO 80123. The applicant seeks a Mining Special Use Permit for a proposed expansion of the Norwood Gravel Pit operation by CRH American Materials onto a 25-acre property owned by Skelton Inc (PIN# 429513300013) located off CR 44Z N (near the Montrose County line) in Wrights Mesa (WM) zone district, San Miguel County. A Mining Special Use Permit application in the WM zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. Thursday, October 14, 2021. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online due to COVID-19 virus protocols. To provide comment or ask questions regarding the proposal, please join the meeting: <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not receive complete consideration if not received by September 24, 2021. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountycogov

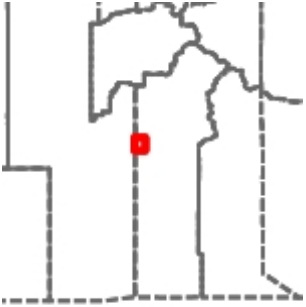
NAME1	NAME2	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE
SNYDER PROPERTIES LLC A COLL			PO BOX 363	NORWOOD	CO	81423
NORWOOD CEMETERY ASSOC			BOXHOLDER	NORWOOD	CO	81423
SPOR PETE T JR AND LOREE L AND JERRY D AND	LOESCH LINDA S AND SPOR JOSEPH D		PO BOX 537	NORWOOD	CO	814230537
NILSSON EATON CHARLES AND	ENO MEGAN ELIZABETH		PO BOX 141	NORWOOD	CO	814230141
HELDMAN KENNETH MARVIN			PO BOX 565	NUCLA	CO	814240565
SADLER JOHN B JR TRUST UNDER	TRUST AGREEMENT DTD 12 7 88	ATTN JOHN B SADLER JR	314 WILMETTE AVE	GLENVIEW	IL	600253337
WALEIS TIMOTHY FAMILY TRUST			PO BOX 664	NORWOOD	CO	814230664
BOULLI INC			PO BOX 2068	TELLURIDE	CO	814352068
DAY CHARLES MICHAEL AND	DAY PEGGY SMELT AS JT		PO BOX 971	NORWOOD	CO	814230971
PARKINSON BRAD E AND CARLA R			PO BOX 412	CO	814230412	
TELLURIDE BRAND LLC A CO LLC			PO BOX 809	NORWOOD	CO	814230809
LEADHOLM JESSE			PO BOX 64	NORWOOD	CO	81423
OWENS JAMES K			PO BOX 454	NORWOOD	CO	814230454
PARKER VICTORIA LYNN			PO BOX 572	NORWOOD	CO	814230572
DITTON WALTER LEROY AND PATRICIA ANN	JOINT LIVING TRUST DTD JULY 16 2012		PO BOX 587	NORWOOD	CO	81423
SHAFFER MAGARETTA A			PO BOX 495	NORWOOD	CO	814230495
PROPERTY OWNER			PO BOX 1972	TELLURIDE	CO	814351972
NILSSON EATON CHARLES AND	ENO MEGAN ELIZABETH		PO BOX 141	NORWOOD	CO	814230141
ODLE JOHN AND CHRISTINE			PO BOX 497	NORWOOD	CO	814230497
HELDMAN JERRY TRUST			PO BOX 305	NORWOOD	CO	814230305
FOURNEY JAMES J			PO BOX 658	NORWOOD	CO	814230658
SPOR JERRY S AND	SPOR JANINE L AS JT		PO BOX 642	NORWOOD	CO	814230642
JENSEN CHARLENE KAY			PO BOX 367	NORWOOD	CO	814230123
VANDENBERG MARK A TRUST			PO BOX 392	NORWOOD	CO	814230392
AMENT LESUE A TRTEE ET AL			42220 10TH ST WEST STE 101	LANCASTER	CA	93534
LOESCH ERIC A AND LINDA S			PO BOX 748	NORWOOD	CO	814230748
DOMINGUEZ ARNULFO AND TERESA JT			PO BOX 93	NORWOOD	CO	81423
MEEHAN TRUST DATED FEB 25 2015			PO BOX 332	NORWOOD	CO	814230332
ALEXANDER RANCH LLLP			PO BOX 374	NORWOOD	CO	814230374
WILLIAMS JOHN A AND REBECCA L JT			PO BOX 381	NORWOOD	CO	814230381
LANE LULA MAE		ATTN DALE COX	883 PETTITS CIRCLE	PAGOSA SPRINGS	CO	81147
NSW LLC A CO LLC			PO BOX 803	NORWOOD	CO	81423
BRITT LORY LEE			PO BOX 655	NORWOOD	CO	81423
MC GEE BILLY SHANE AND	MC GEE SANDRA SHAFFER JT		8485 W DOVE ROOST RD	QUEEN CREEK	AZ	85142
ORDEAN VICKI RUTH AND	ORDEAN JACKSON, HUSBAND AND WIFE JTWROS		PO BOX 635	NORWOOD	CO	81423
SKELTON INC			PO BOX 125	NORWOOD	CO	814230125
SAN MIGUEL COUNTY			PO BOX 1170	TELLURIDE	CO	814351170
NSW LLC			PO BOX 803	NORWOOD	CO	81423
FITZMORRIS JAMES P AND CAROL A			PO BOX 871	NORWOOD	CO	81423
CROUSE FAMILY TRUST DTD 3 10 00			1478 LACHMAN LN	PACIFIC PALISADES	CA	90272
HAIGHT EMILY S TRUST			PO BOX 574	NORWOOD	CO	81423
HEBERT JEFFREY G			PO BOX 206	NORWOOD	CO	814230206
KOZEY LAUREN Y			BOX 4	NORWOOD	CO	814230004
GARDNER MADELINE S			PO BOX 569	NORWOOD	CO	814230569
LEAVE ME ALONE RANCH LLC			PO BOX 191	NORWOOD	CO	814230191
FALK DAVID AND LANCY D			PO BOX 406	NORWOOD	CO	81423
WOLF HAWK TRUST			1478 LACHMAN LANE	PACIFIC PALISADES	CA	90272
COLORADO DEPARTMENT OF TRANSPORTATION			4201 E ARKANSAS AVE	DENVER	CO	802223406



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

www.sanniguelfcountycgo.gov



Legend

San Miguel Road Label

— Road

☐ Tax Parcels cache

Tax Parcel

Map Generated
9/2/21 11:43 AM

Notes

**APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING
REQUIREMENTS OF C.R.S. § 24-65.5-103(1)**

Benjamin Langenfeld Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of an application for development that is in anticipation of new surface development on the subject property. Applicant recognizes that the provisions of C.R.S. § 24-65.5-103(1) require public notice, at Applicant's expense and not less than thirty (30) days before the date scheduled for a public meeting or hearing, to all owners and lessees of a mineral interest of record on the subject property of the pending application.

Applicant or Applicant's agent(s) have examined the records in the Office of the San Miguel County Clerk and Recorder to determine the Mineral Estate Owner, as that term is defined in C.R.S. § 24-65.5-102(5). Applicant or Applicant's agent(s) hereby certifies that: (Check One)

☒ Following an examination of the records in the Office of the San Miguel County Clerk and Recorder, no separate Mineral Estate Owner(s) of record have been identified on the subject property of the pending application, and Applicant owns all of the mineral rights on the subject property.

OR

☐ Following an examination of the records in the Office of the San Miguel County Clerk and Recorder, public notice by first class mail has been provided to the owner(s) of record of the Mineral Estate (including owner(s) and lessee(s) of the Mineral Estate) on the subject property of the pending application for development. Such notice contained the time and place of the public meeting or hearing, the nature of the public meeting or hearing, the location of the property that is the subject of the meeting or hearing, the name of the applicant, the local government considering the application for development and the name and address of the Mineral Estate owner(s). **I hereby certify that I have attached a copy of this Mineral Estate owner(s) and lessee(s) list and the letter sent to them to this Certification.**

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the public meeting or hearing on a land use application in anticipation of new surface development if such applications are subject to the noticing requirements of C.R.S. § 24-65.5-103(1). I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the public meeting or hearing on a land use application will result in the public meeting or hearing being rescheduled to a later date.

Benjamin E. Langenfeld
Name

Skelton Inc.
Ruth Skelton % Ruth Skelton
(Insert Applicant's name if executed by agent)

N2 NE4 SW4 N2 N2 S2 NE4 SW4 SEC 13 T4S R1S
Physical location of Property and/or legal description

PO Box 125, Norwood, CO 81423
Mailing Address (if different from above)

Date: 10/05/21

Signature: [Signature]

[text/luc/certification.mineral.owner]



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

Ben Langenfeld <benl@lewicki.biz>

Wed, Sep 29, 2021 at 1:08 PM

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: "Burkey, Jason (CRH Americas Materials)" <jason.burkey@na.crh.com>, Tyra Bartuska <tyra.monger@unitedco.com>

John

United Companies will either enter into a new agreement with San Miguel Road and Bridge on the maintenance of County Road 44ZN or apply for and secure hauling permits from the county as needed. The details of any agreement or hauling permit will be negotiated and addressed outside of the special use permit process.

-Ben Langenfeld
303 960 5613

From: John Huebner <johnh@sanmiguelcountyco.gov>

Sent: Monday, September 27, 2021 1:02:47 PM

To: Ben Langenfeld <benl@lewicki.biz>

Subject: Fwd: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

forwarded comments

Best regards,
John

John Huebner

Senior Planner

San Miguel County

P:970-728-3083

333 W Colorado Ave, 3rd Flr

Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

----- Forwarded message -----

From: Ryan Righetti <ryanr@sanmiguelcountyco.gov>

Date: Fri, Sep 24, 2021 at 1:14 PM

Subject: Re: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Kaye Simonson

<kayes@sanmiguelcountyco.gov>

John,

Please see attached Road and Bridge Comments for the Skelton Pit Expansion.

Ryan Righetti

Director, Road and Bridge

San Miguel County, Colorado

970.327.4835 Office

970.327.4090 Fax



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Norwood Pit extension request

1 message

Ryan Righetti <ryanr@sanmiguelcountyco.gov>

Mon, Sep 27, 2021 at 2:26 PM

To: "Burkey, Jason K (CRH Americas Materials)" <jason.burkey@na.crh.com>

Cc: John Huebner <johnh@sanmiguelcountyco.gov>, Ben Langenfeld <benl@lewicki.biz>, "Bartuska, Tyra L (United Companies)" <tyra.monger@unitedco.com>

Jason,

If you could let me know the location where you would like to post the sign on 44ZN, I would appreciate it.

Thanks

Ryan Righetti
Director, Road and Bridge
San Miguel County, Colorado970.327.4835 Office
970.327.4090 Fax

On Wed, Sep 22, 2021 at 7:55 AM Burkey, Jason K (CRH Americas Materials) <jason.burkey@na.crh.com> wrote:

Ryan,

We've had a number of local residents comment about the over use of jake brakes at or near the site. We've ordered a couple of NO JAKE BRAKE signs for the site. One of the signs will be posted to remind truckers as they leave the site and we would like to post the other sign on CR 44ZN if that's OK with the County. In addition, we have a sign off sheet for each driver to acknowledge that they understand the plan to only use jake brakes when it's absolutely necessary. Let us know if it's OK to post a sign on 44ZN.

Thanks,

Jason



John Huebner <johnh@sanmiguelcountyco.gov>

Norwood Pit extension request

1 message

Burkey, Jason K (CRH Americas Materials) <jason.burkey@na.crh.com>

Wed, Sep 22, 2021 at 7:55 AM

To: "ryanr@sanmiguelcountyco.gov" <ryanr@sanmiguelcountyco.gov>

Cc: John Huebner <johnh@sanmiguelcountyco.gov>, Ben Langenfeld <benl@lewicki.biz>, "Bartuska, Tyra L (United Companies)" <tyra.monger@unitedco.com>

Ryan,

We've had a number of local residents comment about the over use of jake brakes at or near the site. We've ordered a couple of NO JAKE BRAKE signs for the site. One of the signs will be posted to remind truckers as they leave the site and we would like to post the other sign on CR 44ZN if that's OK with the County. In addition, we have a sign off sheet for each driver to acknowledge that they understand the plan to only use jake brakes when it's absolutely necessary. Let us know if it's OK to post a sign on 44ZN.

Thanks,

Jason



John Huebner <johnh@sanmiguelcountyco.gov>

FW: [EXT] Norwood Pit

1 message

Ben Langenfeld <benl@lewicki.biz>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Tue, Sep 14, 2021 at 9:47 AM

John

I wanted to share with you some of United's outreach with regards to Skelton Pit. See Jason's email to Mr. Ordean, below.

Ben Langenfeld, P.E.

Lewicki & Associates

benl@lewicki.biz

Office: (720) 842-5321

Cell: (303) 960-5613

From: Burkey, Jason K (CRH Americas Materials) <jason.burkey@na.crh.com>
Sent: Tuesday, September 14, 2021 9:31 AM
To: Ben Langenfeld <benl@lewicki.biz>
Cc: Bartuska, Tyra L (United Companies) <tyra.monger@unitedco.com>
Subject: FW: [EXT] Norwood Pit

Please forward to John for his records.

From: Burkey, Jason K (CRH Americas Materials)
Sent: Tuesday, September 14, 2021 9:30 AM
To: jaksno@gmail.com
Subject: FW: [EXT] Norwood Pit

J. Ordean,

United Companies appreciates the feedback on our Norwood area operations from our neighbors and other community members. We are taking this feedback to heart and reviewing our mine operations to ensure that they are not burdening the community with nuisance. United is committed to being a good neighbor and is taking this opportunity to ensure that we are mitigating all impacts from our operations to the best of our ability. Feel free to contact me to discuss your concerns.

Sincerely,

Jason Burkey

Environmental / Resource Mgr.

Oldcastle SW Group, Inc. dba United Companies

Please publish the following Legal **PUBLIC MEETING NOTICE** in the:

NORWOOD POST and TELLURIDE DAILY PLANET on WEDNESDAY, SEPTEMBER 29, 2021

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

PUBLIC MEETING NOTICE

The San Miguel County Planning Commission has been asked to consider an application submitted by Ben Langenfeld, Lewicki and Associates, 3375 W Powers Circle, Littleton, CO 80123. The applicant seeks a Mining Special Use Permit for a proposed expansion of the Norwood Gravel Pit operation by CRH American Materials onto a 25-acre property owned by Skelton Inc (PIN# 429513300013) located off CR 44Z N (near the Montrose County line) in Wrights Mesa (WM) zone district, San Miguel County. A Mining Special Use Permit application in the WM zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. Thursday, October 14, 2021. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online due to COVID-19 virus protocols. To provide comment or ask questions regarding the proposal, please join the meeting: <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not receive complete consideration if not received by September 24, 2021. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

Legal Notices

Parcel: 479902300005
10 ACRES IN SE4SW4 SEC 2 T42 R19 LYING SE OF HWY 80 NOW HWY 141 LESS 2 ACRES TO SMC AKA PARCEL A FOR EG-NAR WATER TANK IN PLAT BK 1 PG 1199 AND BK 484 PG 472 THRU 3 CONT 8.66 ACRES COAL AND OTHER MIN RESERVED HIGHWAY 141 EGNAR 813250000
Total Due: \$232.90

Tax Sale # 84 R0004327 PREBLE KEVIN C AND
Parcel: 478107305055
LOT 55 FILING 5 WILSON MESA RANCH CO CONT 10.36 AC 654 WOODS RD PLACERVILLE 814300000
Total Due: \$2,232.26

Tax Sale # 85 R0002231 REARDON DANIEL P AND
Parcel: 455727400030
SW4 EXCEPT THAT PORTION OF THE NW4 OF THE SW4 LYING NORTH OF THE COUNTY ROAD SEC 26 T43N R13W AND ALL PORTIONS OF THE SW4SW4 E2SE4 SE4SW4 AND THE SW4SE4 LYING SOUTHERLY OF THE COUNTY ROAD SEC 27 T43N R13W CONTAINING 208.7 AC MOL IMPROVMENT SURVEY 650 BOOK SUR1 PAGE 779
NORWOOD 814230000
Total Due: \$132.58

Tax Sale # 86 R0001385 REARDON DANIEL P AND
Parcel: 455734000044
S2 NE4 S2NW4 AND ALL PORTIONS OF THE NE4NW4 AND THE NW4NW4 LYING SOUTHERLY OF THE COUNTY ROAD SEC 34 T43N R13W CONT 640 AC W2 SEC 35 T43N R13W CONT 320 AC TOTAL AC 960 MOL IMPROVMENT SURVEY 650 BOOK SUR1 PAGE 779
NORWOOD 814230000
Total Due: \$353.70

Tax Sale # 87 R0006767 SALLOWAY MICHAEL M
Parcel: 477903113044
UNIT E5 CLUB TELLURIDE CONDOS PHASE II ACC TO 2ND AMENDMENT AND SUPPLEMENT TO THE MAP FOR CLUB TEL-LURIDE CONDOS A CONDOMINIUM COMMON INTEREST COM-MUNITY
567 MOUNTAIN VILLAGE BLVD #E5 MOUNTAIN VILLAGE 814359522
Total Due: \$902.04

Tax Sale # 88 R0010368 SAN JUAN LANDSCAPES LLC A CO LLC
Parcel: 456531201009
LOT 417 ILIUM VALLEY P9 ACC PLAT BK 1 PG 1891 THRU 1900 CONT 0.201 AC 7 14 95 AKA UNIT 417 TELECAM ILIUM PARK LAWSOON HILL PUD ACC TO REPLAT REC 6 19 96 IN PLAT BK 1 PG 2058 THRU 2067 AND PLAT BK 1 PG 2548 5 10 99 LAWSOON HILL IS A COMMON INTEREST COMMUNITY IN WHICH EVERY OWNER HAS AN EQUAL INTEREST IN THE COMMON ELEMENTS SOUTH PARK RD TELLURIDE 814350000
Total Due: \$2,165.30

Tax Sale # 89 R0009622 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 429935400014
PART OF SEC 2 AND 7 14 95 AKA UNIT 417 TELECAM ILIUM PARK LAWSOON HILL PUD ACC TO REPLAT REC 6 19 96 IN PLAT BK 1 PG 1580 11 1 93 TOGETHER WITH NON EXCLUSIVE EASE-MENT IN ROAD A AND EASEMENT NO 1 AND IN ROAD B AS SHOWN ON SD SURVEY CONT 422.58 AC AKA PARCEL A EAST CREEK RANCH
Total Due: \$244.78

Tax Sale # 90 R0000688 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 429935400015
PART OF SEC 2 AND 11 T44N R11W NMPM AND SEC 35 AND 36 T45N R11W NMPM DESIGNATED AS PARCEL A ON SURVEY BK 1 PG 1580 11 1 93 TOGETHER WITH NON EXCLUSIVE EASE-MENT IN ROAD A AND EASEMENT NO 1 AND IN ROAD B AS SHOWN ON SD SURVEY CONT 231.16 ACRES AKA PARCEL B EAST CREEK RANCH
1250 MCKENZIE SPRINGS RD PLACERVILLE 814300000
Total Due: \$3,321.13

Tax Sale # 91 R0010912 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 456532414005
LOT 5 TELLURIDE MOUNTAIN VILLAGE REPLAT FILING 14 ACC TO PLAT BK 1 PG 1030 AND 1 AND REPLAT BK 1 PG 1126 AND ADAMS RANCH COMMUNITY PLAT MAP AMEND BK 1 PG 2573 6 1 99 CONT 0.655 ACRES
MOUNTAIN VILLAGE 814359522
Total Due: \$1,486.49

Tax Sale # 92 R0008164 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 456532435006
LOT AR 6 TELLURIDE MOUNTAIN VILLAGE FILING 35 ACC TO THE PLAT RECORDED 10 7 94 IN PLAT BK 1 AT PG 1757 1760 AND ADAMS RANCH COMMUNITY PLAT MAP AMENDED BK 1 PG 2573 6 1 99
121 LAWSOON PT MOUNTAIN VILLAGE 814359522
Total Due: \$8,632.14

Tax Sale # 93 R0010020 SMETHURST FRANK
Parcel: 456531420017
UNIT TR12 TWO RIVERS AND LCE PARKING LOT P LAWSOON HILL PHASE 9 ACC TO PLAT REC 9 23 96 IN PLAT BK 1 PG 2120 AND 2121 DECS REC 9 24 96 IN BK 568 PG 76 AS AMENDED OR SUPPLEMENTED SAN MIGUEL COUNTY CO LAWSOON HILL IS A COMMON INTEREST COMMUNITY IN WHICH EVERY OWNER HAS AN EQUAL INTEREST IN THE COMMON ELEMENTS
919 TWO RIVERS DR TELLURIDE 814350000
Total Due: \$42.59

Tax Sale # 94 R0000157 SOGGY DOLLAR RANCH LLC A DE LLC
Parcel: 456322101015
LOT 15AR GRAY HEAD AT TELLURIDE ACC TO THE COMMON IN-TEREST COMMUNITY MAP THERETO RECORDED 5 11 1999 IN PL BK 1 PG 2562 THE 1ST SUPP THERETO RECORDED 2 1 2000 IN PL BK 1 PG 2681 THE 2ND SUPP THERETO RECORDED 6 15 2000 IN PL BK 1 AT PG 2737 AND THE 3RD SUPP THERE TO RECORDED 6 20 2000 IN PL BK 1 AT PG 2738 LOCATED WITHIN SEC 22 AND 23 T43 R10W OF NMPM CONT 37 05 AC INCLUDES 4.55 PERCENT INT IN COMMON ELEMENTS
7419 COUNTY ROAD 160 TELLURIDE 814350000
Total Due: \$9,809.76

Tax Sale # 95 R0000829 SPECIE WELLNESS LLC A CO LLC
Parcel: 456116405003
TRACT 4 NO 3 SPECIE MESA RANCH CONT 79.31 AC
PLACERVILLE 814300000
Total Due: \$74.39

Tax Sale # 96 R0004592 STARLING RUPERT G
Parcel: 429317300018
ONE THIRD INTEREST IN W2 SW4 SEC 17 T45 R14 80 AC SE4 SE4 SEC 18 T45 R14 40 AC E2 NE4 SEC 19 T45 R14 80 AC TOTAL ACRES 200 TOTAL ASSESSED ACRES 66.7 SEE SCHEDULE 2040026280 FOR OTHER TWO THIRD INTEREST
Total Due: \$2,754.85

Tax Sale # 97 R0007023 STELLAR FARMS LLC
Parcel: 429731300015
LOT 3 AKA THE NW4SW4 SEC 31 TOWNSHIP 45 NORTH RANGE 12 WEST NMPM WITH ALL IMPROVEMENTS LOCATED THEREON PERSONAL RESIDENCE TRUST FOR MARY E SUNDQUIST AND QUALIFIED PERSONAL RESIDENCE TRUST FOR RICHARD B SUN-DQUIST DATED SEPT 21 2000
1700 COUNTY ROAD 45Y NORWOOD 814230000
Total Due: \$2,438.11

Tax Sale # 98 R0009729 SUSAN'S HOUSE LLC
Parcel: 482515204030
LOT 30 HIDDEN LAKE ESTATES INCLUDES 1/44 PERCENT IN-TEREST IN COMMON ELEMENTS
3400 HOPE LAKE RD OPHIR 814260000
Total Due: \$2,054.64

Tax Sale # 99 R0013118 SWCO LLC A DE LLC
Parcel: 477901138122

UNIT 102 SJH TELLURIDE TRANSFER CONDOMINIUMS S W C ACCORDING TO THE CONDO MAP REC 03 06 2017 IN PLAT BOOK 1 PAGE 4904 AMENDED BY THE MAP REC 12 12 2019 REC NO 461336 AND DECS REC 03 06 2017 REC NO 446851 AMENDED IN 03 15 2019 REC NO 457699 AMENDED 12 12 2019 REC NO 461337 COUNTY OF SAN MIGUEL STATE OF COLORADO LOT 7R BLK 17 TOT
215 SAN JUAN #102SIH 81435
Total Due: \$13,915.76

Tax Sale # 100 R0007978 TAYLOR VANESSA AND
Parcel: 456534403421
UNIT 421 TELLURIDE RESORT AND SPA ACC TO THE SECOND AMENDMENT TO CONDO PLAT FOR DORAL TELLURIDE RESORT AND SPA LOCATED ON LOT 128 TMV REC 03 14 2011 IN PLAT BK 1 PG 4441-4452 AND FIRST AMENDMENT TO DECS AT 416901
136 COUNTRY CLUB DR #421 MOUNTAIN VILLAGE 814350000
Total Due: \$762.38

Tax Sale # 101 R0011451 TELCO PROPERTIES LLC
Parcel: 477901134005
UNIT 3 MUSCATEL FLATS CONDOS AND GCE GARAGE PARKING LOTS 6 AND 8 AND 10 BLK 35 TELL
200 S WILLOW ST #3 TELLURIDE 814350000
Total Due: \$1,893.07

Tax Sale # 102 R0008367 TELLES NORMA JEAN
Parcel: 454311000005
S2N2 SEC 13 T43N R20W NMPM 160 AC MOL INCLUDING A ONE FIFTH OF ONE HALF INT IN OIL GAS AND OTHER MINERALS T43N R20W SEC11 E2 SEC13 S2N2 N2S2 SEC14 LOT 4 SEC23 LOT 1 AND NE4 SEC24 N2NW4 SW4NW4
Total Due: \$613.54

Tax Sale # 103 R0000478 TELLURIDE 55 PROJECT ONE LLC A CO LLC
Parcel: 477901115010
PARCEL B ACC TO THE REPLAT OF LOT 10 AND THE S 15 FT LOT 12 BLK 36 TOWN OF TELLURIDE RECORDED IN PLAT BOOK 1 PAGE 275
218 N WILLOW ST TELLURIDE 814350000
Total Due: \$5,712.69

Tax Sale # 104 R0000582 TELLURIDE FOUNDATION A CO NON-PROFIT CORP
Parcel: 477901124014
CONDO UNIT 104 NEW SAN JUAN BLDG LOT 84A BLOCK 10 TOT AND LLC PARKING P-4 ACC TO FOURTH AMENDED AND RESTATED CONDO MAP FOR NEW SAN JUAN BLDG CONDO REC 06-15-2010 IN PLAT BK 1 PG 4338-4343 AND FIFTH AMEND-MENT TO DECS AT 412850
220 E COLORADO AVE #104 TELLURIDE 814350000
Total Due: \$4,032.58

Tax Sale # 105 R0000976 THRIVE INVESTMENT GROUP LLC A CO LLC
Parcel: 429527106002
TRACT IN NW1 4NE1 4 SEC 27 T45 R13 BEG AT N1 4 COR OF SEC 27 AND TH N892316 W 600 FT TH S00 3644 E 30 FT TO POB TH S00 36 44 E 150 TH S 89 DEG 2316 E 205 TH N 62 12 53 W 168.61 TH N 89 23 16 W 128 TO POB LESS 8010 SQ FT FOR ROW CONT .57 AC
1840 GRAND AVE NORWOOD 814230000
Total Due: \$6,209.62

Tax Sale # 106 R0009953 TITONE MARIO
Parcel: 477716200012
UND 1 4 CRESSSENT LODE 2592 10.33 A TOTAL ASSESSED ACRES 2.58
TELLURIDE 814350000
Total Due: \$104.01

Tax Sale # 107 R0007066 TOWNSEND KYLE LAMAR
Parcel: 452701305009
LOT W 1B REED SUBD EXEMP SUBD OF LOT W 1 LOCATED SEC 1 T44N R13W NMPM SAN MIGUEL CO COLO ACC TO PLAT REC APR 9 2001 BK 1 PG 2877 CONT 36.23 AC
COUNTY ROAD 44Z S NORWOOD 814230000
Total Due: \$1,541.30

Tax Sale # 108 R0003607 TWO STONEGATE LLC A CO LLC
Parcel: 477903402002
LOT 166 AR2 2 TELLURIDE MOUNTAIN VILLAGE A REPLAT OF LOT 166 AR2 1 THROUGH 166 AR2 15 AND TRACT OS166R AND OS-P51RA AND OSP 51RB AND PARCEL A LOCATED IN SEC 3 AND 10 T42N R9W NMPM TOWN OF MOUNTAIN VILLAGE COUNTY OF SAN MIGUEL COLORADO
MOUNTAIN VILLAGE 814359522
Total Due: \$3,969.38

Tax Sale # 109 R0000770 TYSON ARDENT DEREK AND
Parcel: 452119403003
LOT 128 TELLURIDE PINES FILING 1 ACC TO PLAT FILED 8 17 87 IN PLAT BK 1 PG 735 AND ACC TO SUBDIVISION EXEMP-TION FOR A LOT LINE ADJUSTMENT LOTS 127 AND 128 PLAT BK 1 PG 1876
1190 GREEN MEADOWS LN PLACERVILLE 814300000
Total Due: \$1,714.27

Tax Sale # 110 R0009063 UMWELT DEVELOPMENT LP A TX LP
Parcel: 477903211069
UNIT 105 BLDG 4 THE LODGE AT MOUNTAIN VILLAGE ACC TO CONDO MAP REC 12 6 99 AT BK 1 PG 2651 AND AMENDED AND RESTATED COMMON INTEREST DECS AT RECPT 331049 332523 332587 AND 332701 FILED 2 00 AS IT MAY BE AMENDED AND SUPPLEMENTED LOCATED ON LOT 1006R TEL-LURIDE MOUNTAIN VILLAGE SAN MIGUEL COUNTY CO AKA UNIT 4010 4012
457 MOUNTAIN VILLAGE BLVD #105-4 MOUNTAIN VILLAGE 814359522
Total Due: \$1,798.20

Tax Sale # 111 R0011342 WALKER WESLEY CLARKE
Parcel: 429330100014
SE4NE4 E2SE4 SEC 30 T45 R14 120 ACRES NE4NE4 SEC 31 T45 R14 40 AC TOTAL ACRES 160 AC
Total Due: \$4,995.09

Tax Sale # 112 R0013113 WATKINS ROYALTIES LP A TX LP
Parcel: 477901126065
UNIT C-1 SOUTH SPRUCE STREET PENTHOUSES A COLORADO CONDOMINIUM COMMON INTEREST COMMUNITY ACC TO THE DECS AT 459873 AND PLAT AT 459872 REC 09 04 19 COM-MERCIAL PARKING P-3 PARCEL X OF REPLAT OF LOTS 1&3, BLK 8, T.O.T
123 S SPRUCE #C-1 TELLURIDE
Total Due: \$9,293.66

Tax Sale # 113 R0011142 WEBB RESOURCES ATTN BLUE DUNN LLC
Parcel: 454514400001
MIN RTS ON SW4 W2SE4 SEC 14 T43 R19 E2SE4 SEC 15 T43 R19 E2 N2NW4 SEC 22 T43 R19 W2NW4 SW4 SEC 23 T43 R19 960A SURFACE RIGHTS IN PEHERSON RANCH TRACTS
EGNAR 813250000
Total Due: \$128.58

Tax Sale # 114 R0008288 WELCH J MICHAEL REVOCABLE TRUST
Parcel: 477903106012
PARKING UNIT TWO PARCEL 1 BELVEDERE PARK CONDOS A CO COMMON INTEREST COMMUNITY ACC TO PL BK 1 PG 3498 THRU 3435 RECORDED AUG 1 2005 AT RECEPT 376604 LO-CATED ON LOT 27A TMV SMC CO
#P2 MOUNTAIN VILLAGE 814359522
Total Due: \$855.11

Tax Sale # 115 R0007156 WETTELAND JEFF
Parcel: 452113401010
LOT 78 SAN JUAN VISTA SUB FILING 1 6.78 AC
4100 SAN JUAN VISTA RD PLACERVILLE 814300000
Total Due: \$1,725.68

Tax Sale # 116 R0003147 WICK MYRON ARMS IV

Parcel: 452325300043
PARCEL A HODGES PARCELS ACC TO PLAT OF SURVEY 9 22 95 IN BK 1 PG 188 DESC THEREIN CONT 48.78 ACRES MOL LO-CATED IN NW4 SE4 AND NE4 SW4 25 44 11
1725 HARCOURT TRAIL PLACERVILLE 814300000
Total Due: \$2,293.91

Tax Sale # 117 R0003148 WICK MYRON ARMS IV
Parcel: 452325400044
PARCEL B HODGES PARCELS ACC TO PLAT OF SURVEY REC 9 22 95 IN SURVEY BK 1 AT PG 188 AND FURTHER DESCRIBED THEREIN CONT 35.25 ACRES MOL
PLACERVILLE 814300000
Total Due: \$52.78

Tax Sale # 118 R0006371 WILLIAMS DAVID
UND TWENTY FOURTH INT IN OIL GAS AND OTHER MIN ON W2 SEC 15 T43 R17 320A NE4NE4 SEC 16 T43 R17 40A TOTAL ACRES 360 ASSESSED ACRES 15 UND TWENTY FOURTH INT IN OIL GAS AND OTHER MIN ON SW4SE4 SE4SW4 SEC 23 T43 R17 80A NE4NE4 SEC 33 T43 R17 40A NE4 E2NW4 NW4NW4 SEC 34 T43 R17 280A TOTAL ACRES 400 ASSESSED ACRE 16.67 TOTAL ASSESSED 32
Total Due: \$43.46

Tax Sale # 119 R0009201 WILLIAMS DAVID
UND ONE FOURTH INT IN MINERALS ON SEC 10 T44 R10 AND SEC 15 T44 R10 TOTAL ACRES 480 ASSESSED ACRES 120
Total Due: \$46.68

Tax Sale # 120 R0000991 WILLIAMS LEWIS A
Parcel: 429527209005
OLIVER TRAILER PARK A PLAT AMENDMENT TO VACATE LOT LINES OF LOTS 14 15 16 17 AND 18 BLK 1 STEPHENS ADDI-TION TO THE TOWN OF NORWOOD SITUATED WITHIN THE NW4 SEC 27 T45N R13W NMPM PLAT BK 1 PG 2477 12 17 98 1220 NATURITA ST NORWOOD 814230000
Total Due: \$660.07

Tax Sale # 121 R0009745 WILLIAMS LILA AND WILLIAMS DAVID TC
UND ONE SIXTH INT IN OIL GAS AND MIN INT ON W2SE4 SW4NE4 SE4NW4 AND NE4SW4 12 44 10 TOTAL ACRES 200 TOTAL ASSESSED ACRES 33.33
Total Due: \$43.52

Tax Sale # 122 R0011339 WORMINGTON MARK S
Parcel: 452703300093
LOT A SW4SW4 SECTION 3 T44N R13W EXCEPTING THERE-FROM A TRACT OF LAND DESCRIBED IN LOT LINE ADJUSTMENT REC 12 6 07 IN PLAT BK 1 PG 3906 35.10 AC MOL TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS ALONG THE S 30 FT OF THE SE4 SEC 4 T44N R13W NMPM RECEIPT 335938 08 2000
NORWOOD 814230000
Total Due: \$1,607.23

Tax Sale # 123 R0000222 XYZ SUBDIVISION LAND COMPANY LLC
Parcel: 477901213003
LOT 1A XYZ SUB WEST TELLURIDE REPLAT OF LOTS 1 AND 2 XYZ SUB RECORDED IN PLAT BK 1 PG 2035 DECS BK 560 PG 336 4 17 96 CASCADE CONDO'S FEB 22 06 PLAT BK 1 PG 3625 BLDG B C D E F G H AND PARKING 11 27 07 PLAT BK 1 PG 3897-3899 TO CREATE TRACT C FROM BLDG B C D E F G H AND PARKING
368 S DAVIS ST TELLURIDE 814350000
Total Due: \$48.03

Tax Sale # 124 R0013036 YATER JAMES LYNN
Parcel: 453533400019
S2S2 SEC 33 T44 R17 160A TOTAL ASSESSED ACRES
Total Due: \$66.17

Tax Sale # 125 R0011333 YOUNG JAMES M FAMILY TRUST
DTD 11/28/16

Parcel: 429526200010
A TRACT OF LAND IN THE SW4NW4 SEC 26 T45N R13W DESC AS FOL BEG AT A PT 120 FT S FROM THE NW COR OF SD SW4NW4 TH E 352.84 FT TH S 400 FT TH W 350 FT TH N FOO FT TO POB BETTER DESC IN PLAT BK 1 PG 4476
272 & 350 COUNTY ROAD 43Z S NORWOOD 814230000
Total Due: \$4,922.03

END OF LIST

PUBLIC MEETING NOTICE

The San Miguel County Planning Commission has been asked to consider an application submitted by Ben Langen-feld, Lewicki and Associates, 3375 W Powers Circle, Littleton, CO 80123. The applicant seeks a Mining Special Use Permit for a proposed expansion of the Norwood Gravel Pit operation by CRH American Materials onto a 25-acre property owned by Skelton Inc (PIN# 429513300013) located off CR 44Z N (near the Montrose County line) in Wrights Mesa (WM) zone district, San Miguel County. A Mining Special Use Permit application in the WM zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. Thursday, October 14, 2021. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online due to COVID-19 virus protocols. To provide comment or ask questions regarding the proposal, please join the meeting: <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not re-ceive complete consideration if not received by September 24, 2021. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

The Farmers' Water Development Company (FWDC) has re-ceived written request to replace a lost, destroyed or wrongfully taken share certificate #1133 currently issued in the name of Bruce McKinney. Unless written notice of objection to the issuance of a replacement share certificate is filed with FWDC, PO Box 10, Norwood, CO 81423 within 30 days of the last date of publication in the Norwood Post, a replacement share certificate will be issued to the shareholder and the original share certificate will be permanently cancelled on the records of FWDC.

PLACE A
LEGAL?
Call
Telluride Local Media
TODAY!
Dial 728-9788
to find out more!



THE SHERIFF’S OFFICE
IS HIRING
DEPUTY SHERIFFS
FOR
COMMUNICATIONS,
COURT SECURITY
AND
CORRECTIONS



\$25/HR – 18 OR OLDER
NO EXPERIENCE REQUIRED



PLEASE CALL
LT. PETRANOVICH AT 970-708-8929
OR SMSO DISPATCH AT 970-728-1911

Smart
Relevant
Creative
graphic
design

partners by design
graphic communications

partners-by-design.com
info@partners-by-design.com
434.953.9938 (c)

“The man who
stops advertising
to save money
is like a man
who stops
the clock to
save time.”
-Henry Ford

Please publish the following Legal Ad in the:

NORWOOD POST AND TELLURIDE DAILY PLANET on WEDNESDAY October 6, 2021

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435



COUNTY PLANNING COMMISSION

OCTOBER 14, 2021
Online Meeting

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply)

1. **9:00 AM CALL TO ORDER.**
2. **APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS**
3. **9:15 AM PUBLIC HEARING: REVIEW OF LAND USE APPLICATION**

Applicant: Ben Langenfield, Representative; Skelton Inc.

Location: (Parcel # 429517300003) South of Montrose County line off CR 44Z N

Parcel size: 25-acre

Zone District: Wright's Mesa (WM)

Proposal: Mining Special Use Permit for expansion of United Materials Norwood Gravel Pit. MOTION

4. **ADJOURN**

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information contact Planning Department at (970) 728-3083.

The official, designated posting place for all CPC notices, agendas is online at <https://www.sanmiguelcountycogov/AgendaCenter>. Use this link to view the agenda with any last-minute changes. To be automatically notified please sign up at www.sanmiguelcountycogov, signup for alerts, and follow the prompts.

Legal Notices

UNIT E THE SMUGGLER LOT 38 BACKMAN VILLAGE INCL AS-SIGNED PARKING GARAGE UNIT
762 SMUGGLER AVE #E TELLURIDE 814350000
Total Due: \$3,397.85

Tax Sale # 48 R0004513 HILLS MYRON J
UND QUARTER INT IN OIL GAS AND OTHER MINERALS ON THAT PT OF NW4NW4 SEC 33 T45 R13 DES AS FOLLOWS BEG AT NE COR NW4NW4 SEC 33 TH S 390 FT TH W 290 FT TH N 390 FT TH E 290 FT TO PT OF BEG 2.596A TOTAL ASSESSED ACRES .649A
NORWOOD 814230000
Total Due: \$45.99

Tax Sale # 49 R0005336 HILTON GROUP THE LLC A CO LLC
Parcel: 477901207055
UNIT 202 BLDG 200 COONSKIN CONDOS BK 1 PGS 1815 THRU 1824 DECS 4 12 95 BK 544 PG 465 LOT 7 BLK 18 W TELLURIDE
333 S DAVIS ST #202 TELLURIDE 814350000
Total Due: \$629.31

Tax Sale # 50 R0009992 HOFER LINDA LEE AND RICHARD ALAN JT
Parcel: 456529220098
LOT 98 ALDASORO RANCH FILING 2 ACC TO PLAT BK 1 PG 1406 JAN 1993 DECS BK 480 PG 817 8 5 91 AMENDS DECS BK 505 PG 322 THRU 349 BK 505 PG 370 THRU 375 RESERVING RIGHTS TO MINERALS OIL AND GAS HYDROCARBONS
TELLURIDE 814350000
Total Due: \$5,850.44

Tax Sale # 51 R0002580 HOLMEN DOUGLAS AND VICTORIA G JT
Parcel: 477917106013
LOT 13 ELK RUN SUBDIVISION ACC TO THE REPLAT OF PORTIONS OF SEC 8 AND 17 42 9 PLAT BOOK 1 PAGE 656 THRU 659 REPLAT REC 10 12 90 BK 1 PG 1074 INSUBSTANTIAL AMEND 6 17 97 PLAT BK 1 PG 2255 BUILDING SITE MOVED CONTAINING 5.985 ACRES ET AL G HOLMEN AND JOHNSON GEORGE RA TRTEES OF THE VICTORIA G HOLMEN QUALIFIED PERSONAL RESIDENCE TRT UNDER AGREEMENT DTD NOV 2 2005 UND 86.67 PER INT
1382 ELK RUN RD TELLURIDE 814350000
Total Due: \$7,117.77

Tax Sale # 52 R0001408 HOLMES DONALD L GENE W AND
Parcel:
OIL GAS AND OTHER MIN ON SE4SW4 SW4SE4 SEC 3 T43 R18 80A
EGNAR 813250000
Total Due: \$52.84

Tax Sale # 53 R0001526 HOMESTEAD, LLC
Parcel: 429527221020
PARCEL B DRAINAGE DETENTION HOMESTEAD OF THE SHINING MOUNTAINS A COMMON INTEREST PLANNED COMMUNITY LOCATED PARCEL B DRAINAGE DETENTION THE HOMESTEAD SUBDIVISION FILING 1 PART OF THE SE4NW4 SEC 27 T45N R13W NMPM TOWN OF NORWOOD SAN MIGUEL COUNTY CO ACC TO PLAT BK 1 PG 3018 AND HOMESTEAD DEVELOPMENT AND SUBD IMPROVEMENTS AGREEMENT AT 348592 REC APRIL 23 2002 UND REC DEC 12 2002 PLAT BK 1 PG 3086 AND DECS AT 353725
PARADOX ST NORWOOD 814230000
Total Due: \$46.63

Tax Sale # 54 R0003900 HORNACK TIMOTHY JAMES
Parcel: 477901212022
CONDOMINIUM UNIT 304 BUILDING A VIKING LODGE CONDOMINIUM ACC TO THE CONDOMINIUM MAP PG 2386 THRU 2388 THEREOF FILED FOR RECORD ACC AND SUBJECT TO THE CONDOMINIUM DECLARATION RECPT 319113 REC 5 28 98 PARKING GCE IN THE RECORDS OF THE SAN MIGUEL COUNTY CLERK AND RECORDER SAN MIGUEL COUNTY COLORADO 651 W PACIFIC AVE #A304 TELLURIDE 814350000
Total Due: \$1,251.75

Tax Sale # 55 R0010335 HOUSEAL BARRY L AND
Parcel: 456528319006
LOT 6 THE ALDASORO RANCH CONT 3.32 ACRES ACC TO PLAT BK 1 PG 1153 THRU 57 *A CO CORP UND INT OF 80.7656 AND 19.2434 RESPECTIVELY
TELLURIDE 814350000
Total Due: \$5,850.44

Tax Sale # 56 R0010224 JDM REALTY BALLARD LLC
Parcel: 477901136097
CONDO UNIT 203S AND PARKING UNIT P9 BALLARD HOUSE SOUTH A CONDO COMMON INTEREST COMMUNITY IN ACC WITH DECS RECORDED 1 14 99 AT REC NO 323680 AND CONDO MAP AT PLAT BK 1 PG 2488 SAN MIGUEL COUNTY CO
250 S PINE ST #203S TELLURIDE 814350000
Total Due: \$2,056.61

Tax Sale # 57 R0006587 JOHNSON JOSHUA AND
Parcel: 456731305202
LOT 2R GOLD RUN SUBD TOT ACC TO LOT 1R, LOT 2R, PARCEL AR, AND PARCEL D GOLD RUN SUBD A REPLAT OF LOT 1, LOT 2, AND PARCEL A, GOLD RUN SUBD
1009 E COLORADO AVE TELLURIDE 814350000
Total Due: \$680.42

Tax Sale # 58 R0004096 JUSTIS TRUST DATED 8/19/15
Parcel: 477901106006
UNITS 1 AND 2 NORTH MAPLE CONDOS LOCATED ON PARCEL A ACC TO REPLAT OF LOTS 1 2 AND 3 BLK 17 EAST TELLURIDE 503 E COLUMBIA AVE #1 2 TELLURIDE 814350000
Total Due: \$3,324.13

Tax Sale # 59 R0002283 KEMPF ROBIN JEANINE AND KEMPF UND ONE THIRD OF ONE EIGHTH INT AKA 1 24TH INT IN OIL AND GAS ON SW4 SEC 4 T44N R13W 160 AC TOTAL ASSESSED ACRES 6.67
NORWOOD 814230000
Total Due: \$41.41

Tax Sale # 60 R0007304 LATCHAM PATRICK GEORGE AND AL-EXANDER KEN AS JT
Parcel: 456533433026
LOT 640BR 4 TIMBERVIEW ACC TO PLAT BK 1 PG 2398 AND DECS AT 319897 LOCATED WITHIN TELLURIDE MOUNTAIN VIL-LAGE FILING 33 SEC 33 T43N R9W NMPM SAN MIGUEL COUNTY CO ET AL E JT UND 50 PER INT INCLUDES 12.5 PERCENT INTER-EST IN COMMON ELEMENTS
#4 MOUNTAIN VILLAGE 814359522
Total Due: \$1,430.12

Tax Sale # 61 R0011753 LAVESON MARC
Parcel: 452132412029
NE4SE4 SEC 32 T44 R10 AKA TRACT 9 RUNNING HORSE RANCH CONT 35 AC ACC TO REPLAT PLAT BK 1 PG 446 INT IN ALL GAS OIL AND MINERAL RIGHTS AND ACC TO LOT LINE ADJUSTMENT PLAT REC 09 07 2006 PL BK 1 PG 3716 CONT 35.25 AC
305 KATRINA SPRINGS TRL PLACERVILLE 814300000
Total Due: \$915.33

Tax Sale # 62 R0004749 LOT 600A LIMITED LIABILITY CO A CO LLC
Parcel: 477901208018
LOT OS PRIVATE OPEN SPACE DEPOT PUD PLAN SUBDIVISION ACC TO PLAT BK 1 PG 1093 AND REPLAT BK 1 PG 1166
DEPOT AVE TELLURIDE 814350000
Total Due: \$48.97

Tax Sale # 63 R0012059 LYONS JOANNA
Parcel: 456533423010
UNIT 10 THE BUILDERS AT MOUNTAIN VILLAGE LOCATED ON LOT 649R TOWN OF MOUNTAIN VILLAGESAN MIGUEL COUNTY COLORADO ACC TO THE COMMON INTEREST COMMUNITY MAP REC PLAT BK 1 PG 3096 AND DECS AT 354564 REC JAN 24 2003 ALONG WITH ACCESS AND UTILITY EASEMENT AT 354565 AND UTILITY EASEMENT AT 354566
MOUNTAIN VILLAGE 814359522
Total Due: \$1,543.76

Tax Sale # 64 R0005067 MALONEY LINDSAY I AS TTEE OF THE PARCEL: 456318303031
LOT 38 FALL CREEK SUB 2 A PART OF THE NE4 SEC 13 T43N R11W NMPM SMC CO ACC TO IMP SURVEY REC MAY 5 2004 AT

BK 1 PG 512 CONT .45 ACRES
163 RIVER TRAIL PLACERVILLE 814300000
Total Due: \$2,212.41

Tax Sale # 65 R0012509 MCGINNIS PERRY AND VALDA UND ONE HALF INT IN OIL GAS AND OTHER MINERALS ON W2SE4 11 43 13 80.00 ACRES TOTAL ASSESSED ACRES 40.00 ACRES
Total Due: \$44.40

Tax Sale # 66 R0013107 MCKAY THERESSA RUTH UNDIVIDED 1/3 OF ALL OIL, GAS AND OTHER MINERAL IN S2S2 OF SEC33 T44N R17 NMPM 06 15 2018 453692
Total Due: \$45.64

Tax Sale # 67 R0003674 METZ JEFFREY W REVOCABLE TRUST
Parcel: 477903405010
UNIT 8 CORTINA LAND CONDOMINIUMS ACC TO THE MAP OF THE CORTINA LAND CONDOMINIUMS A COLORADO COMMON INTEREST COMMUNITY LOT 165 TOWN OF MOUNTAIN VILLAGE REC NOV 30 2004 PL 1 PG 3400 THRU 3401 AND ALSO ACC TO THE DECLARATION REC NOV 30 2004 AT REC NUM 370697 180 CORTINA DR MOUNTAIN VILLAGE 814350000
Total Due: \$4,438.39

Tax Sale # 68 R0009424 MOGEL PARTNERS A COLORADO
Parcel: 477901119002
LOT 59 BLK 5 TELLURIDE
101 W COLORADO AVE TELLURIDE 814350000
Total Due: \$10,087.09

Tax Sale # 69 R0007024 MRK LIMITED PARTNERSHIP RLLLP
Parcel: 429731200016
LOT 2 AKA THE SW4NW4 SE4NW4 NE4SW4 SW4SE4 S2SW4 ALL IN SEC 31 T45N 412W 240 ACRES
NORWOOD 814230000
Total Due: \$869.02

Tax Sale # 70 R0012568 MV HOLDINGS LLC A WY LLC
Parcel: 456534301032
LOT 126R OSP 118 AND OSP 126 ACC TO REPLAT OF LOTS 118 126 130 152A 152B 152C AND TRACT OS-1 TOWN OF MOUNTAIN VILLAGE REC 10 12 07 PLAT BK 1 PG 3869-3872 RECEPT 397455 4.02 AC MOL
MOUNTAIN VILLAGE 814350000
Total Due: \$86,610.75

Tax Sale # 71 R0009289 NEELY PATRICK M AND NICHEL JA-NET JT
Parcel: 452113101005
LOT 80 FILING 1 SAN JUAN VISTA SUB
PLACERVILLE 814300000
Total Due: \$1,531.24

Tax Sale # 72 R0011208 NIX JERRY MERLAND UND ONE SIXTH INT IN OIL GAS AND MINERALS ON THE FOL-LOWING SW4SE4 SEC 5 T43 R12 SE4 E2SW4 SEC 6 T43 R12 E2NW4 W2NE4 NE4 SW4 NW4SE4 SE4NE4 SEC 7 T43 R12 W2NW4 W2NE4 NE4NW4 SE4NW4 SW4SE4 N2SE4 E2SW4 SEC 8 T43 R12 N2NE4 NE4NW4 SEC 17 T43 R12
Total Due: \$77.56

Tax Sale # 73 R0012489 NIX JERRY MERLAND UND ONE SIXTH INT IN OIL GAS ANDOTHER MINERALS ON THE FOL W2 SEC 23 T45 R13 CONT 320 AC ASSESSED AC 53.33
NORWOOD 814230000
Total Due: \$50.17

Tax Sale # 74 R0010803 NORDSTROM EXEMPT QTIP TRUST
Parcel: 477903306171
UNIT D201 CASSIDY RIDGE CONDOMINIUMS FIRST AMD TO CONDO MAP FOR CASSIDY RIDGE LOCATED ON LOT SS165AB-R TMV SMC CO PL BK 1 PG 4867 445661 DEC 27 2016 AND THIRD AMD TO CONDO DECS 445660 DEC 27 2016 LCE PARK-ING SPACE 06
136 SAN JOAQUIN RD #D201 MOUNTAIN VILLAGE 814350000
Total Due: \$2,340.73

Tax Sale # 75 R0008069 NORTHERN TRUST NA AS TTEE OF
Parcel: 47790334384
LOT 384 TELLURIDE MOUNTAIN VILLAGE FILING 34 ACC TO PLAT BK 1 PG 1530 AND 1531 REC 8 2 93 CONT 8.848 AC
110 SUNDANCE LANE MOUNTAIN VILLAGE 814359522
Total Due: \$116,633.41

Tax Sale # 76 R0012321 NORTON EVELYN KEETON VIRGINIA AND
UND HALF INT IN OIL GAS AND OTHER MIN RIGHTS IN SE4NW4 SEC 26 T43 R13
Total Due: \$42.56

Tax Sale # 77 R0006307 PACE THERIN THOMAS
Parcel: 452701200004
LOT T1 TICE WARREN SUBD EXEMPTION A SUBD EXEMPTION FOR LOT LINE ADJUSTMENT OF PARCELS LOCATED WITHIN LOT 2 SEC 1 T44N R13W NMPM SAN MIGUEL COUNTY CO PLAT BK P1 PG 2846 RECORDED 1 5 01 CONT 11.14 AC
NORWOOD 814230000
Total Due: \$982.91

Tax Sale # 78 R0011206 PARADOX MIDSTREAM LLC IMPROVEMENTS ONLY ON SEC 16 T44 R15 LAND OWNER SCHEDULE R2040092584 (PATARA OFFICES AND STORAGE)
EGNAR
Total Due: \$4,027.44

Tax Sale # 79 R0011297 PARADOX MIDSTREAM LLC
Parcel: 453328100032
A TRACT IN SW4 NE4 SEC 28 T44N R16W ACC TO SUBD EXEMP PLAT REC SEPT 17 2001 AT BK 1 PG 2914 CONT 5.96 AC BASIN ROUTE REDVALE 814310000
Total Due: \$4,607.79

Tax Sale # 80 R0009325 PARADOX MIDSTREAM LLC
Parcel: 453328200031
A 4.5 AC TRACT OF LAND SITUATED IN THE WEST HALF OF THE NORTHWEST QUARTER SECTION 28 T44N R16W NMPM SAN MIGUEL COUNTY COLORADO AS DESCRIBED AT CORRECTION QUIT CLAIM DEED RECEPTION NO 345772 RECORDED 12 17 2001.UPDATED AT PLAT BK 1 PG 2980 1 17 2002
COUNTY ROAD 25R BASIN 0
Total Due: \$2,644.12

Tax Sale # 81 R0004485 PARADOX MIDSTREAM LLC A DE LLC IMPROVEMENTS ONLY ON SEC 36 T45 R15 LAND OWNER STATE OF COLORADO (PATARA BUILDINGS AT HAMILTON CREEK PLANT)
Total Due: \$1,407.97

Tax Sale # 82 R0002107 POLLARD W LEE II AND WILLIAM A AND
Parcel: 479902300004
TRACT OF LAND DES AS FOL BEG AT A PT 775 FT N OF SE COR SEC 2 T42 R19 TH N 293 FT TH SW 50 37 TO A PT DUE W OF PT OF BEG LESS .663A TO ST FOR ROW 1.09A
HIGHWAY 141 EGNAR 813250000
Total Due: \$117.68

Tax Sale # 83 R0007712 POLLARD W LEE II AND WILLIAM A AND
Parcel: 479902300005
10 ACRES IN SE4SW4 SEC 2 T42 R19 LYING SE OF HWY 80 NOW HWY 141 LESS 2 ACRES TO SMC AKA PARCEL A FOR EGNAR WATER TANK IN PLAT BK 1 PG 1199 AND BK 484 PG 472 THRU 3 CONT 8.66 ACRES COAL AND OTHER MIN RESERVED
HIGHWAY 141 EGNAR 813250000
Total Due: \$232.90

Tax Sale # 84 R0004327 PREBLE KEVIN C AND
Parcel: 478107305055
LOT 55 FILING 5 WILSON MESA RANCH CO CONT 10.36 AC 654 WOODS RD PLACERVILLE 814300000
Total Due: \$2,232.26

Tax Sale # 85 R0002231 REARDON DANIEL P AND
Parcel: 455727400030
SW4 EXCEPT THAT PORTION OF THE NW4 OF THE SW4 LYING NORTH OF THE COUNTY ROAD SEC 26 T43N R13W AND ALL PORTIONS OF THE SW4SW4 E2SE4 SE4SW4 AND THE SW4SE4

LYING SOUTHERLY OF THE COUNTY ROAD SEC 27 T43N R13W CONTAINING 208.7 AC MOL IMPROVMENT SURVEY 650 BOOK SUR1 PAGE 779
NORWOOD 814230000
Total Due: \$132.58

Tax Sale # 86 R0001385 REARDON DANIEL P AND
Parcel: 455734000044
S2 NE4 S2NW4 AND ALL PORTIONS OF THE NE4NW4 AND THE NW4NW4 LYING SOUTHERLY OF THE COUNTY ROAD SEC 34 T43N R13W CONT 640 AC W2 SEC 35 T43N R13W CONT 320 AC TOTAL AC 960 MOL IMPROVMENT SURVEY 650 BOOK SUR1 PAGE 779
NORWOOD 814230000
Total Due: \$353.70

Tax Sale # 87 R0006767 SALLOWAY MICHAEL M
Parcel: 477903113044
UNIT E5 CLUB TELLURIDE CONDOS PHASE II ACC TO 2ND AMENDMENT AND SUPPLEMENT TO THE MAP FOR CLUB TEL-LURIDE CONDOS A CONDOMINIUM COMMON INTEREST COM-MUNITY
567 MOUNTAIN VILLAGE BLVD #E5 MOUNTAIN VILLAGE 814359522
Total Due: \$902.04

Tax Sale # 88 R0010368 SAN JUAN LANDSCAPES LLC A CO LLC
Parcel: 456531201009
LOT 417 ILLIUM VALLEY P9 ACC PLAT BK 1 PG 1891 THRU 1900 CONT 0.201 AC 7 14 95 AKA UNIT 417 TELECAM ILLIUM PARK LAWSON HILL PUD ACC TO REPLAT REC 6 19 96 IN PLAT BK 1 PG 2058 THRU 2067 AND PLAT BK 1 PG 2548 5 10 99 LAWSON HILL IS A COMMON INTEREST COMMUNITY IN WHICH EVERY OWNER HAS AN EQUAL INTEREST IN THE COMMON ELEMENTS SOUTH PARK RD TELLURIDE 814350000
Total Due: \$2,165.30

Tax Sale # 89 R0009622 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 429935400014
PART OF SEC 2 AND 11 T44N R11W NMPM AND SEC 35 AND 36 T45N R11W NMPM DESIGNATED AS PARCEL A ON SURVEY BK 1 PG 1580 11 1 93 TOGETHER WITH NON EXCLUSIVE EASEMENT IN ROAD A AND EASEMENT NO 1 AND IN ROAD B AS SHOWN ON SD SURVEY CONT 422.58 AC AKA PARCEL A EAST CREEK RANCH
Total Due: \$244.78

Tax Sale # 90 R0000688 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 429935400015
PART OF SEC 2 AND 11 T44N R11W NMPM AND SEC 35 AND 36 T45N R11W NMPM DESIGNATED AS PARCEL B ON SURVEY BK 1 PG 1580 11 1 93 TOGETHER WITH NON EXCLUSIVE EASE-MENT IN ROAD A AND EASEMENT NO 1 AND IN ROAD B AS SHOWN ON SD SURVEY CONT 231.16 ACRES AKA PARCEL B EAST CREEK RANCH
1250 MCKENZIE SPRINGS RD PLACERVILLE 814300000
Total Due: \$3,321.13

Tax Sale # 91 R0010912 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 456532414005
LOT 5 TELLURIDE MOUNTAIN VILLAGE REPLAT FILING 14 ACC TO PLAT BK 1 PG 1030 AND 1 AND REPLAT BK 1 PG 1126 AND ADAMS RANCH COMMUNITY PLAT MAP AMEND BK 1 PG 2573 6 1 99 CONT 0.655 ACRES
MOUNTAIN VILLAGE 814359522
Total Due: \$1,486.49

Tax Sale # 92 R0008164 SCURCI JOHN S AND OGORZALY TAMARA A JT
Parcel: 456532435006
LOT AR 6 TELLURIDE MOUNTAIN VILLAGE FILING 35 ACC TO THE PLAT RECORDED 10 7 94 IN PLAT BK 1 AT PG 1757 1760 AND ADAMS RANCH COMMUNITY PLAT MAP AMENDED BK 1 PG 2573 6 1 99
121 LAWSON PT MOUNTAIN VILLAGE 814359522
Total Due: \$8,632.14

Tax Sale # 93 R0010020 SMETHURST FRANK
Parcel: 456531420017
UNIT TR12 TWO RIVERS AND LCE PARKING LOT P LAWSON HILL PHASE 9 ACC TO PLAT REC 9 23 96 IN PLAT BK 1 PG 2120 AND 2121 DECS REC 9 24 96 IN BK 568 PG 76 AS AMENDED OR SUPPLEMENTED SAN MIGUEL COUNTY CO LAWSON HILL IS A COMMON INTEREST COMMUNITY IN WHICH EVERY OWNER HAS AN EQUAL INTEREST IN THE COMMON ELEMENTS
919 TWO RIVERS DR TELLURIDE 814350000
Total Due: \$42.59

Tax Sale # 94 R0000157 SOGGY DOLLAR RANCH LLC A DE LLC
Parcel: 456322101015
LOT 15AR GRAY HEAD AT TELLURIDE ACC TO THE COMMON IN-TEREST COMMUNITY MAP THERETO RECORDED 5 11 1999 IN PL BK 1 PG 2562 THE 1ST SUPP THERETO RECORDED 2 1 2000 IN PL BK 1 PG 2681 THE 2ND SUPP THERETO RECORDED 6 15 2000 IN PL BK 1 AT PG 2737 AND THE 3RD SUPP THERE TO RECORDED 6 20 2000 IN PL BK 1 AT PG 2738 LOCATED WITHIN SEC 22 AND 23 T43 R10W OF NMPM CONT 37 05 AC INCLUDES 4.55 PERCENT INT IN COMMON ELEMENTS
7419 COUNTY ROAD T60 TELLURIDE 814350000
Total Due: \$9,809.76

Tax Sale # 95 R0000829 SPECIE WELLNESS LLC A CO LLC
Parcel: 456116405003
TRACT 4 NO 3 SPECIE MESA RANCH CONT 79.31 AC
PLACERVILLE 814300000
Total Due: \$74.39

Tax Sale # 96 R0004592 STARLING RUPERT G
Parcel: 429317300018
ONE THIRD INTEREST IN W2 SW4 SEC 17 T45 R14 80 AC SE4 SE4 SEC 18 T45 R14 40 AC E2 NE4 SEC 19 T45 R14 80 AC TOTAL ACRES 200 TOTAL ASSESSED ACRES 66.7 SEE SCHEDULE 2040026280 FOR OTHER TWO THIRD INTEREST
Total Due: \$2,754.85

Tax Sale # 97 R0007023 STELLAR FARMS LLC
Parcel: 429731300015
LOT 3 AKA THE NW4SW4 SEC 31 TOWNSHIP 45 NORTH RANGE 12 WEST NMPM WITH ALL IMPROVEMENTS LOCATED THEREON PERSONAL RESIDENCE TRUST FOR MARY E SUNDQUIST AND QUALIFIED PERSONAL RESIDENCE TRUST FOR RICHARD B SUND-QUIST DATED SEPT 21 2000
1700 COUNTY ROAD 45Y NORWOOD 814230000
Total Due: \$2,438.11

Tax Sale # 98 R0009729 SUSAN'S HOUSE LLC
Parcel: 482515204030
LOT 30 HIDDEN LAKE ESTATES INCLUDES 1/44 PERCENT IN-TEREST IN COMMON ELEMENTS
3400 HOPE LAKE RD OPHIR 814260000
Total Due: \$2,054.64

Tax Sale # 99 R0013118 SWCO LLC A DE LLC
Parcel: 477901138122
UNIT 102 SJH TELLURIDE TRANSFER CONDOMINIUMS S W C ACCORDING TO THE CONDO MAP REC 03 06 2017 IN PLAT BOOK 1 PAGE 4904 AMENDED BY THE MAP REC 12 12 2019 REC NO 461336 AND DECS REC 03 06 2017 REC NO 446851 AMENDED IN 03 15 2019 REC NO 457699 AMENDED 12 12 2019 REC NO 461337 COUNTY OF SAN MIGUEL STATE OF COLORADO LOT 7R BLK 17 TOT
215 SAN JUAN #102SJH 81435
Total Due: \$13,915.76

Tax Sale # 100 R0007978 TAYLOR VANESSA AND
Parcel: 456534403421
UNIT 421 TELLURIDE RESORT AND SPA ACC TO THE SECOND AMENDMENT TO CONDO PLAT FOR DORAL TELLURIDE RESORT AND SPA LOCATED ON LOT 128 TMV REC 03 14 2011 IN PLAT BK 1 PG 4441-4452 AND FIRST AMENDMENT TO DECS AT 416901
136 COUNTRY CLUB DR #421 MOUNTAIN VILLAGE 814350000
Total Due: \$762.38

Tax Sale # 101 R0011451 TELCO PROPERTIES LLC
Parcel: 477901134005
UNIT 3 MUSCATIEL FLATS CONDOS AND GCE GARAGE PARKING

LOTS 6 AND 8 AND 10 BLK 35 TELL
200 S WILLOW ST #3 TELLURIDE 814350000
Total Due: \$1,893.07

Tax Sale # 102 R0008367 TELLES NORMA JEAN
Parcel: 454311000005
S2N2 SEC 13 T43N R20W NMPM 160 AC MOL INCLUDING A ONE FIFTH OF ONE HALF INT IN OIL GAS AND OTHER MINERALS T43N R20W SEC11 E2 SEC13 S2N2 N2S2 SEC14 LOT 4 SEC23 LOT 1 AND NE4 SEC24 N2NW4 SW4NW4
Total Due: \$613.54

Tax Sale # 103 R0000478 TELLURIDE 55 PROJECT ONE LLC A CO LLC
Parcel: 477901115010
PARCEL B ACC TO THE REPLAT OF LOT 10 AND THE S 15 FT LOT 12 BLK 36 TOWN OF TELLURIDE RECORDED IN PLAT BOOK 1 PAGE 275
218 N WILLOW ST TELLURIDE 814350000
Total Due: \$5,712.69

Tax Sale # 104 R0000582 TELLURIDE FOUNDATION A CO NON-PROFIT CORP
Parcel: 477901124014
CONDO UNIT 104 NEW SAN JUAN BLDG LOT 84A BLOCK 10 TOT AND LLC PARKING P-4 ACC TO FOURTH AMENDED AND RESTATED CONDO MAP FOR NEW SAN JUAN BLDG CONDO REC 06-15-2010 IN PLAT BK 1 PG 4338-4343 AND FIFTH AMEND-MENT TO DECS AT 412850
220 E COLORADO AVE #104 TELLURIDE 814350000
Total Due: \$4,032.58

Tax Sale # 105 R0000976 THRIVE INVESTMENT GROUP LLC A CO LLC
Parcel: 429527106002
TRACT IN NW1 4NE1 4 SEC 27 T45 R13 BEG AT N1 4 COR OF SEC 27 AND TH N892316 W 600 FT TH S00 3644 E 30 FT TO POB TH S00 36 44 E 150 TH S 89 DEG 2316 E 205 TH N 62 12 53 W 168.61 TH N 89 23 16 W 128 TO POB LESS 8010 SQ FT FOR ROW CONT .57 AC
1840 GRAND AVE NORWOOD 814230000
Total Due: \$6,209.62

Tax Sale # 106 R0009953 TITONE MARIO
Parcel: 477716200012
UND 1 4 CRESSENT LOD 2592 10.33 A TOTAL ASSESSED ACRES 2.58
TELLURIDE 814350000
Total Due: \$104.01

Tax Sale # 107 R0007066 TOWNSEND KYLE LAMAR
Parcel: 452701305009
LOT W 1B REED SUBD EXEMP SUBD OF LOT W 1 LOCATED SEC 1 T44N R13W NMPM SAN MIGUEL CO COLO ACC TO PLAT REC APR 9 2001 BK 1 PG 2877 CONT 36.23 AC
COUNTY ROAD 44Z S NORWOOD 814230000
Total Due: \$1,541.30

Tax Sale # 108 R0003607 TWO STONEGATE LLC A CO LLC
Parcel: 477903402002
LOT 166 AR2 2 TELLURIDE MOUNTAIN VILLAGE A REPLAT OF LOT 166 AR2 1 THROUGH 166 AR2 15 AND TRACT OS166R AND OS-P51RA AND OSP 51RB AND PARCEL A LOCATED IN SEC 3 AND 10 T42N R9W NMPM TOWN OF MOUNTAIN VILLAGE COUNTY OF SAN MIGUEL COLORADO
MOUNTAIN VILLAGE 814359522
Total Due: \$3,969.38

Tax Sale # 109 R0000770 TYSON ARDENT DEREK AND
Parcel: 452119403003
LOT 128 TELLURIDE PINES FILING 1 ACC TO PLAT FILED 8 17 87 IN PLAT BK 1 PG 735 AND ACC TO SUBDIVISION EXEMPT-ION FOR A LOT LINE ADJUSTMENT LOTS 127 AND 128 PLAT BK 1 PG 1876
1190 GREEN MEADOWS LN PLACERVILLE 814300000
Total Due: \$1,714.27

Tax Sale # 110 R0009063 UMWELT DEVELOPMENT LP A TX LP
Parcel: 477903211069
UNIT 105 BLDG 4 THE LODGE AT MOUNTAIN VILLAGE ACC TO CONDO MAP REC 12 6 99 AT BK 1 PG 2651 AND AMENDED AND RESTATED COMMON INTEREST DECS AT RECPT 331049 332523 332587 AND 332701 FILED 2 00 AS IT MAY BE AMENDED AND SUPPLEMENTED LOCATED ON LOT 1006R TEL-LURIDE MOUNTAIN VILLAGE SAN MIGUEL COUNTY CO AKA UNIT 4010 4012
457 MOUNTAIN VILLAGE BLVD #105-4 MOUNTAIN VILLAGE 814359522
Total Due: \$1,798.20

Tax Sale # 111 R0011342 WALKER WESLEY CLARKE
Parcel: 429330100014
SE4NE4 E2SE4 SEC 30 T45 R14 120 ACRES NE4NE4 SEC 31 T45 R14 40 AC TOTAL ACRES 160 AC
Total Due: \$4,995.09

Tax Sale # 112 R0013113 WATKINS ROYALTIES LP A TX LP
Parcel: 477901126065
UNIT C-1 SOUTH SPRUCE STREET PENTHOUSES A COLORADO CONDOMINIUM COMMON INTEREST COMMUNITY ACC TO THE DECS AT 459873 AND PLAT AT 459872 REC 09 04 19 COM-MERCIAL PARKING P-3 PARCEL X OF REPLAT OF LOTS 183, BLK 8, T.O.T
123 S SPRUCE #C-1 TELLURIDE
Total Due: \$9,293.66



PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

MEMORANDUM

TO: Mike Bordogna, County Administrator
 Amy Markwell, County Attorney
 Matt Gonzales, County Building Official
 Ryan Righetti, County Road and Bridge Director
 Starr Jamison, County Government Affairs and Natural Resources
 Bill Masters, County Sheriff
 Lisa Garrett, County Site Inspector
 Randee Reider, Colorado Department of Transportation
 Lucas West, Colorado Division of Reclamation, Mining and Safety
 Mike Cosby, Colorado Department of Public Health & Environment
 Major Rob Marone, District 5 Commander Colorado State Patrol
 Greg Powers, Colorado Division of Water Resources
 Mark Caddy, Colorado Parks and Wildlife
 Steve White, Montrose County Planning Director
 Jim Bockrath, Norwood Fire Protection District
 Patti Grafmyer, Town of Norwood

FROM: John Huebner, Senior Planner

RE: Mining Special Use Permit- United Norwood Gravel Pit expansion

APPLICANT: Ben Langenfeld, Lewicki & Associates

DATE: September 2, 2021

Please find the attached application submitted by the Ben Langenfeld for your review and comment. The County Planning Commission meeting date is Thursday, October 14, 2021. Please provide your review comments by September 24, 2021 to John Huebner, Senior Planner, johnh@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.



John Huebner <johnh@sanmiguelcountyco.gov>

Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

John Huebner <johnh@sanmiguelcountyco.gov>

Thu, Sep 2, 2021 at 12:37 PM

To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Matt Gonzales <mattg@sanmiguelcountyco.gov>, Ryan Righetti <ryanr@sanmiguelcountyco.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Bill Masters <billm@sanmiguelsheriff.org>, Lisa Garrett <lisag@sanmiguelcountyco.gov>, "Reider - CDOT, Randee" <randee.reider@state.co.us>, Lucas West - DNR <lucas.west@state.co.us>, Gregory Powers - DNR <gregory.powers@state.co.us>, Mark Caddy <mark.caddy@state.co.us>, John Bockrath <norwoodchief@gmail.com>, Patti Grafmeyer <grafmyer@norwoodtown.com>
Cc: Kaye Simonson <kayes@sanmiguelcountyco.gov>

All,
Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
333 W Colorado Ave, 3rd Flr
Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

REFFERAL SkeltonPit.Mining.SPU.WM.pdf
6238K



John Huebner <johnh@sanmiguelcountyco.gov>

Fwd: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

John Huebner <johnh@sanmiguelcountyco.gov>
To: Julie Kolb <juliek@sanmiguelcountyco.gov>

Mon, Sep 13, 2021 at 4:26 PM

Julie,
I was reviewing our referral list today and realized you should be on it. I hope this gives you adequate time for your review process.
Please let me know if you have any questions.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
333 W Colorado Ave, 3rd Flr
Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

----- Forwarded message -----

From: **John Huebner** <johnh@sanmiguelcountyco.gov>
Date: Thu, Sep 2, 2021 at 12:37 PM
Subject: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion
To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Matt Gonzales <mattg@sanmiguelcountyco.gov>, Ryan Righetti <ryanr@sanmiguelcountyco.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Bill Masters <billm@sanmiguelsheriff.org>, Lisa Garrett <lisag@sanmiguelcountyco.gov>, Reider - CDOT, Randee <randee.reider@state.co.us>, Lucas West - DNR <lucas.west@state.co.us>, Gregory Powers - DNR <gregory.powers@state.co.us>, Mark Caddy <mark.caddy@state.co.us>, John Bockrath <norwoodchief@gmail.com>, Patti Grafmeyer <grafmyer@norwoodtown.com>
Cc: Kaye Simonson <kayes@sanmiguelcountyco.gov>

All,
Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
333 W Colorado Ave, 3rd Flr
Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

 **REFFERAL SkeltonPit.Mining.SPU.WM.pdf**
6238K



John Huebner <johnh@sanmiguelcountyco.gov>

RE: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

Steve White <swhite@montrosecounty.net>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Tue, Sep 28, 2021 at 4:50 PM

John, thanks. I will review and get back to you with any comments – ASAP.

Steve White

Planning and Development Director

63160 LaSalle Road, Montrose CO 81401

Direct - 970-252-4550

Office – 970-249-6688

swhite@montrosecounty.net



From: John Huebner <johnh@sanmiguelcountyco.gov>
Sent: Tuesday, September 28, 2021 4:43 PM
To: swhite@montrosecounty.net
Cc: Kaye Simonson <kayes@sanmiguelcountyco.gov>
Subject: Fwd: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

Steve,

I recently was made aware that you had not received a referral copy of the proposed United Materials mining expansion in San Miguel County. I apologize for this late notice. You were listed as a referral agent but not included in my email. Please let me know if you have any questions or concerns.

Best regards,

John

John Huebner

Senior Planner

San Miguel County
P:970-728-3083

[333 W Colorado Ave, 3rd Flr](#)

[Telluride, CO 81435](#)



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

John J. Bockrath <norwoodchief@gmail.com>

Thu, Sep 2, 2021 at 4:22 PM

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Matt Gonzales <mattg@sanmiguelcountyco.gov>, Ryan Righetti <ryanr@sanmiguelcountyco.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Bill Masters <billm@sanmiguelsheriff.org>, Lisa Garrett <lisag@sanmiguelcountyco.gov>, "Reider - CDOT, Randee" <randee.reider@state.co.us>, Lucas West - DNR <lucas.west@state.co.us>, Gregory Powers - DNR <gregory.powers@state.co.us>, Mark Caddy <mark.caddy@state.co.us>, Patti Grafmeyer <grafmyer@norwoodtown.com>, Kaye Simonson <kayes@sanmiguelcountyco.gov>

Hi John,

After reviewing the Skelton Pit plan, the Norwood Fire Protection district has no issues with the expansion of the quarry.

Respectfully,

John

John J. Bockrath, District Chief
Norwood Fire Protection District

On Thu, Sep 2, 2021 at 12:37 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,

Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.

Best regards,

John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](mailto:johnh@sanmiguelcountyco.gov)
[Telluride, CO 81435](mailto:johnh@sanmiguelcountyco.gov)

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

--

John J. Bockrath, District Chief
Norwood Fire Protection District

Office: 970-327-4800
Cell: 970-729-0934

CONFIDENTIALITY NOTICE -- This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.



John Huebner <johnh@sanmiguelcountyco.gov>

RE: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

Patti <grafmyer@norwoodtown.com>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Tue, Sep 7, 2021 at 9:13 AM

To Whom It May Concern:

The Town of Norwood has no objections on the application for a Special Use Permit for the CRH American Materials expansion of the Norwood United gravel pit.

Regards,

Patti Grafmyer, Administrator

Town of Norwood

From: John Huebner [mailto:johnh@sanmiguelcountyco.gov]

Sent: Thursday, September 2, 2021 12:37 PM

To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>; Amy Markwell <amym@sanmiguelcountyco.gov>; Matt Gonzales <mattg@sanmiguelcountyco.gov>; Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Starr Jamison <starrj@sanmiguelcountyco.gov>; Bill Masters <billm@sanmiguelsheriff.org>; Lisa Garrett <lisag@sanmiguelcountyco.gov>; Reider - CDOT, Randee <randee.reider@state.co.us>; Lucas West - DNR <lucas.west@state.co.us>; Gregory Powers - DNR <gregory.powers@state.co.us>; Mark Caddy <mark.caddy@state.co.us>; John Bockrath <norwoodchief@gmail.com>; Patti Grafmyer <grafmyer@norwoodtown.com>

Cc: Kaye Simonson <kayes@sanmiguelcountyco.gov>

Subject: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

All,

Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.

Best regards,

John

John Huebner

Senior Planner

San Miguel County
P:970-728-3083

333 W Colorado Ave, 3rd Flr

Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

West - DNR, Lucas <lucas.west@state.co.us>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Tue, Sep 7, 2021 at 12:48 PM

Excellent that sounds good, one point of clarification, since the main body of the pit is located in Montrose County and the expansion in San Miguel, the Amendment will likely be handled by Dustin Czapla in our office, he's the specialist with oversight of Montrose County.

Lucas West
Environmental Protection Specialist
Minerals Program, Grand Junction Field Office



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 Ext. 8187 | F 970.241.1516 | C 303.919.2997

101 S. 3rd St., Suite 301, Grand Junction, CO 81501

lucas.west@state.co.us | <https://drms.colorado.gov/>

On Tue, Sep 7, 2021 at 12:25 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

Lucas,
Thank you for your very detailed helpful explanation of this process. As a matter of course any approval by San Miguel County will be conditioned on the applicant obtaining the necessary permits and approvals from DRMS and related agencies.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](https://www.sanmiguelcountyco.gov)
[Telluride, CO 81435](https://www.sanmiguelcountyco.gov)
www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

On Tue, Sep 7, 2021 at 11:51 AM West - DNR, Lucas <lucas.west@state.co.us> wrote:

Absolutely, they are the exact same as filing for a new permit. the Operator (or consultant) will complete the permit application with all necessary exhibits and attachments and submit that to the Division. Once the application is considered complete and filed, we will send notices to all relevant sister agencies, the Operator will send notices to all appropriate parties, including the landowner, mineral rights owner and any owners within 200 feet of the affected lands. They will also publish notice in the newspaper, once a week for four consecutive weeks, and the public comment period will run 20 days after the last date of publication. During that time, the Division conducts an adequacy review on the application and requests any additional information needed to address the Act and the Rules. We also field any comments or objections that may come in. Once the application has met the requirements of the Act and the Rules, we calculate the reclamation costs to reclaim the site, and the Operator posts the Financial Warranty, we can approve the application if no objections are filed. If objections are filed that cannot be resolved during the adequacy review period, the application is set to appear before the Mined Land Reclamation Board, where the Operator and Objectors can present before the board and they will decide whether to approve or not.

That's the quick and dirty explanation but I can expand if you have any specific questions just let me know! Thanks,
Lucas

Lucas West
Environmental Protection Specialist
Minerals Program, Grand Junction Field Office



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 Ext. 8187 | F 970.241.1516 | C 303.919.2997

101 S. 3rd St., Suite 301, Grand Junction, CO 81501

lucas.west@state.co.us | <https://drms.colorado.gov/>

On Tue, Sep 7, 2021 at 11:41 AM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

Lucas,
Would you please let me know the basics of the DRMS amendment process for United to expand the pit reserves.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](https://www.sanmiguelcountyco.gov)
Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

On Tue, Sep 7, 2021 at 10:10 AM West - DNR, Lucas <lucas.west@state.co.us> wrote:

Good Morning John,
After reviewing the application, DRMS has not comments on the Special Use Permit, I will be reaching out to Ben Langenfield to discuss the Permit Amendment Process required to expand the DRMS Permit. If you have any questions about our process please don't hesitate to contact me. Thanks,
Lucas

Lucas West
Environmental Protection Specialist
Minerals Program, Grand Junction Field Office



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 Ext. 8187 | F 970.241.1516 | C 303.919.2997

101 S. 3rd St., Suite 301, Grand Junction, CO 81501

lucas.west@state.co.us | <https://drms.colorado.gov/>

On Thu, Sep 2, 2021 at 12:57 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,
Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](https://www.sanmiguelcountyco.gov)



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

Matt Gonzales <mattg@sanmiguelcountyco.gov>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Thu, Sep 9, 2021 at 6:25 PM

Then Building has no comments for the project as proposed.

Thanks,

Matt Gonzales

Building Official
San Miguel County, CO
970-369-5440 (o)
970-708-8821 (c)



For view only access to codes: <https://codes.iccsafe.org/public/collections/I-Codes>

On Thu, Sep 9, 2021 at 12:02 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

Matt,
That is correct. The office would remain on other property associated with the gravel pit.
Best regards,
John

John Huebner

Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](https://www.sanmiguelcountyco.gov)
[Telluride, CO 81435](https://www.sanmiguelcountyco.gov)
www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

On Wed, Sep 8, 2021 at 3:34 PM Matt Gonzales <mattg@sanmiguelcountyco.gov> wrote:

John,

It looked like no occupiable structures (offices, storage) would be constructed or placed on site. Is that correct?

-Matt G.

On Thu, Sep 2, 2021 at 12:37 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,
Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.
Best regards,
John

John Huebner

Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](https://www.sanmiguelcountyco.gov)
[Telluride, CO 81435](https://www.sanmiguelcountyco.gov)
www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

--

Thanks,

Matt Gonzales

Building Official

San Miguel County, CO

970-369-5440 (o)

970-708-8821 (c)



For view only access to codes: <https://codes.iccsafe.org/public/collections/I-Codes>



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: Mining SUP, Skelton Inc., Norwood Gravel Pit expansion

1 message

Powers - DNR, Gregory <gregory.powers@state.co.us>

Tue, Sep 14, 2021 at 9:19 AM

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Matt Gonzales <mattg@sanmiguelcountyco.gov>, Ryan Righetti <ryanr@sanmiguelcountyco.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Bill Masters <billm@sanmiguelsheriff.org>, Lisa Garrett <lisag@sanmiguelcountyco.gov>, "Reider - CDOT, Randee" <randee.reider@state.co.us>, Lucas West - DNR <lucas.west@state.co.us>, Mark Caddy <mark.caddy@state.co.us>, John Bockrath <norwoodchief@gmail.com>, Patti Grafmeyer <grafmyer@norwoodtown.com>, Kaye Simonson <kayes@sanmiguelcountyco.gov>

Good Morning.

So long as the gravel pit does not intercept groundwater, and the application indicates it will not, and the total volume of water used from the Norwood Pit Reservoir No. 1 does not exceed the 3.5 acre feet of water it is decreed for in case 04CW145, there should be no problem a Division of Water Resources perspective.

Regards,

On Mon, Sep 13, 2021 at 4:25 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,

I am checking to see if any of the referral agencies contacted have any questions, concerns, or need any additional documents regarding this application? As a reminder comments are requested by Friday, September 24th.

Best regards,

John

John Huebner

Senior Planner

San Miguel County

P:970-728-3083

333 W Colorado Ave, 3rd Flr

Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

On Thu, Sep 2, 2021 at 12:37 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,

Attached for your review and comment is an Application received for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44Z S, owned by Skelton Inc. (PIN# 429513300013). Please provide comments by September 24, 2021 and let me know if you have any questions.

Best regards,

John

John Huebner

Senior Planner

San Miguel County

P:970-728-3083

333 W Colorado Ave, 3rd Flr

Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

Greg Powers
Well Commissioner
Division 4



970-249-6622 x4109
1541 Oxbow Drive, Suite 1625, Montrose, CO 81401
Gregory.Powers@state.co.us | <https://dwr.colorado.gov/>



ROAD & BRIDGE DEPARTMENT

RYAN RIGHETTI, ROAD SUPERINTENDENT

09/24/2021

To: San Miguel County Planning Department
From: San Miguel County Road and Bridge; Ryan Righetti 
Re: Skelton Pit Expansion, CR 44ZN Continued use and Impacts, Road and Bridge Comments

Road and Bridge has reviewed the application for a Special Use Permit for the proposed CRH American Materials expansion of the United Norwood gravel pit into San Miguel County on a 25-acre property, off SM County Road 44ZN, owned by Skelton Inc. (PIN# 429513300013).

At the time of these comments, Road and Bridge is still waiting for additional information and answers to several questions that will assist in recommending conditions related to road use within SMC.

Primary interest from Road and Bridge will be in relation to continued and additional road impacts. Over the years while the Skelton Pit has been in operation, CR 44ZN accessing the site has been improved from a gravel surface to the current asphalt surface. Some of these improvements were completed through memorandums of understanding and in with cooperation of the operators of the Skelton Pit.

Moving forward in a similar nature, Road and Bridge will need to ensure that agreements are on file to cover the road surface in the event that repairs are needed due to damage from additional and beyond normal use. And, if no agreements can be made, Road and Bridge will require an annual hauling permit for the use of CR 44ZN with an associated bond on file for the duration of the continued operation of the site.



COLORADO

Parks and Wildlife

Department of Natural Resources

Montrose Service Center
2300 South Townsend Avenue
Montrose, Colorado 81401
P 970.252.6000 | F 970.252.6053

October 3, 2021

John Huebner, Senior Planner
johnh@sanmiguelcountyco.gov
P.O. Box 548
Telluride, CO 81435

RE: Norwood Gravel Pit expansion (Skelton Pit)

Mr. Huebner,

Colorado Parks and Wildlife has reviewed the application for the extension of the Norwood Gravel Pit onto an additional 25 acres of private land owned by Skelton Incorporated. The area is not within Gunnison Sage Grouse habitat, however the property is in an area that provides winter range for elk and mule deer. The area is also a movement corridor for bears and mountain lions as well as habitat for numerous other wildlife species.

The loss of wildlife habitat is the primary factor in the population reduction in many wildlife species, and CPW wishes to acknowledge the cumulative impacts of this loss. However, CPW also understands the need for production of certain raw materials locally. CPW believes that the loss of habitat will not have an overwhelming impact on the local wildlife with the assumption that the property will be reclaimed as described in the mine application. Based upon the pit's close association with Bureau of Land Management property, CPW would suggest that United Companies consider working with BLM to help fund or perform a habitat improvement project on nearby public lands that would help mitigate the temporary loss during the pit's production time.

Thank you for the opportunity to comment on this land use change in San Miguel County. If you have any questions, please feel free to contact District Wildlife Manager Mark Caddy at 970-209-2368.

Sincerely,

Mark W. Caddy
District Wildlife Manager, Norwood District
P.O. Box 532
Norwood, CO 81423





Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com>

Sat, Sep 11, 2021 at 4:00 PM

Reply-To: jaksno@gmail.com

To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Mining Special Use Permit application in the WM zone district
First Name	Jackson
Last Name	Ordean
Email address	jaksno@gmail.com
Please enter your comments	Ben Langenfeld, Lewicki and Associates sent a notice dated 09/03/2021 'Notice to Property Owners' indicating a first step Public Meeting 9:15 am Thursday, 10/14/2021 which will be a Zoom meeting for the public. We live a mile at most from the Skelton Inc Gravel Pit identified in the above notice. We, my wife, Vicki Ruth Ordean, and I have owned our house here since 1999. I've lived on Wright's Mesa since 1981. I'm a retired Norwood Public School teacher and am just finishing an 8 year term as an officer on the Norwood School Board. We are against expansion of this gravel mining operation for, but not limited to, the following reasons, questions, and concerns: 1) We just barely put up with current operations. Just days ago, before 6 am, very loud equipment/gravel operations were being carried out. We have not yet formally complained, but this is recent history as well as past history of complete disregard for neighbors quality of life. We put up with the current level of disregard for the sake of long term residents' business. We have no desire to transfer that consideration to a corporation and its lawyers, nor their possible expansion of nuisance. 2) Early morning gravel trucks proceed south on CR 44ZN Road, and, also having no regard for neighbors' quality of life, flagrantly use their compression brakes, aka, 'Jake' brakes, that are extremely loud for those that live on that road as well as to us who live 1/2 mile east. This greatly disturbs the resident Elk herd in the area as well. Nothing even close to this would be allowed around Telluride, let alone on the Valley Floor where that Elk herd lives. The drivers and their companies know this is wrong. We request a 'NO JAKE BRAKES' sign be permanently placed at the top and bottom of that road no matter the outcome of this application. 3) What public, if any, benefit derives from the potential expansion of the Norwood Gravel Pit operation? Williams' Pit is

more ideally located to cause less nuisance, for sure, if any potential public benefit is offered by LL&A. Page 122 of 168

4) We have no desire to deal with a corporation whose representatives are located way out in Littleton, CO. We are saddened to learn that this is the case and we hereby request protection by SMCPD for relief from this potential increased nuisance.

Thank you for this opportunity to offer our input.

Email not displaying correctly? [View it in your browser.](#)



4Knee Ventures, LLC

JIM FOURNEY
NORWOOD, CO 81423
970.327.4060

September 13, 2021

San Miguel County Planning Department
P O Box 548
Telluride CO 81435

Re: Ben Langenfeld, Lewicki and Associates

SMCPD,

This is my written comment for the Mining Special Use Permit on the proposed expansion of the Norwood Gravel Pit, I am in **favor**.

Sincerely,

A handwritten signature in cursive script that reads "James Fourney". The signature is written in dark ink and is positioned above the printed name and title.

James Fourney
Managing Member
4Knee Ventures, LLC
54 Crane Service, LLC



HOCKERSMITH & WHITMORE, LLC
ATTORNEYS & COUNSELORS at LAW

Alpine Bank Building
917 Main Street (2nd Floor)
Post Office Box 646
Ouray, CO 81427-0646

t: 970.325.4414
f: 970.325.7333
marti@ouraylaw.com

Martha P. Whitmore

September 23, 2021

Via email: johnh@sanmiguelcountyco.gov
kayes@sanmiguelcountyco.gov

Planning Commission
San Miguel County

Re: Norwood Gravel Pit (Skelton) Special Use Application

Dear Members of the Planning Commission:

We represent Ken Crouse, a neighbor of the proposed Skelton Pit, and are submitting these comments on his behalf.

It appears from the application that the intent of the permit is to continue gravel mining operations as they have been conducted in the past, with a change in location to expand the mining operation to the south of the current active mining. As we understand the application, there are no proposed material changes to production amounts or increases in expected truck traffic, air impacts, noise impacts or other material changes in operations. If that is a correct understanding, the current conditions imposed upon the gravel pit, and as proposed in the application should be sufficient to address the concerns of Mr. Crouse. His main concern and objection would be to any change in access for the gravel pit operations. The access is stated in the application as CR 44ZN. This is acceptable to Mr. Crouse. He would strongly object to a change in the access to CR 44.5 ZN.

Best regards,

HOCKERSMITH & WHITMORE, LLC
By:

A handwritten signature in blue ink that reads "Martha P. Whitmore".
Martha P. Whitmore



John Huebner <johnh@sanmiguelcountyco.gov>

RE: Comments - Skelton Gravel Pit

1 message

Martha Whitmore <marti@ouraylaw.com>

Thu, Sep 23, 2021 at 12:28 PM

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: Kaye Simonson <kayes@sanmiguelcountyco.gov>, Krista Ficco <krista@ouraylaw.com>, "wolfhawk1@earthlink.net" <wolfhawk1@earthlink.net>

John,

Just for clarification, our client's properties are as follows: 2 parcels of land on CR [44.5ZN: #1](#) - Crouse Family Trust #429524100074 House, Barn 40 acres

#2- Wolfhawk Trust #429524100077 Agricultural Land 23 acres mol.

Thanks,

Marti Whitmore



Alpine Bank Building
917 Main Street (2nd Floor)
Post Office Box 646
Ouray, Colorado 81427
(970) 325-4414
(970) 325-7333 facsimile

www.ouraylaw.com

Pay your bill online anytime.

CIRCULAR 230 DISCLOSURE: Pursuant to Regulations Governing Practice Before the Internal Revenue Service, any tax advice contained herein is not intended or written to be used and cannot be used by a taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer.

TO: John Hueber, San Miguel County Planning Department
 FROM: Mary Ann Gaston 1280 CR 44ZN
 DATE: September 26, 2021
 RE: Comment Letter on Skelton/United 25 Acre Expansion in San Miguel County

I own property and reside adjacent to the Norwood United/Skelton Gravel Pit and the San Miguel County Gravel Pit. Although I'm not adjacent to the proposed 25 acre expansion, the entire Gravel Pit in San Miguel and Montrose County is a concern.

1. The operating hours need to be consistent in Montrose and San Miguel Counties. The current hours in Montrose County are 7 a.m. to 6 p.m. Monday thru Friday. The Application states operating Monday thru Friday from 7 a.m. to 7 p.m. Any out of hours operation needs to be approved in writing and nearby residents notified.
2. When United/Skelton went from 110 Permit (10 Acres) to 112 Permit (unlimited acres), United agreed to move the Office and scale into an area where the material has been exhausted. I believe United/Skelton received their 112 permit in 1997. I moved up to my 55 acre parcel in 2003. When I called United to remind them of the agreement, they told me "WE DIDN'T SAY WHEN" It is now September 2021 and the office and scale still hasn't moved. It has been about 25 years. PLEASE have United execute the agreement. And make sure any agreements must have a date to complete and the County should follow up for the implementation of agreements.
3. United/Skelton was to implement Reclamation where the gravel material is exhausted. I'm not aware of any reclamation.
4. The trucks traveling on CR 44ZN use Jake Brakes and the noise is extremely disturbing. Most of the trucks even apply the Jake Brake uphill! The Jake Brake regulation should probably be extended to the top of Norwood Hill and west through the Town of Norwood on Highway 145.
5. My property is impacted by the lack of visual mitigation. The application talks about 40' berms and concerns about aesthetic visual impacts. The only berm that I'm aware of is located in Montrose County along CR 44ZN. There is no visual mitigation from my property. The operation is also visible from HWY 145 and CR 44ZN..
6. Is there a need to expand the United Pit? When does United expect to start mining the expansion? Has the existing Skelton/United pit area been exhausted. The application states United expects the tons of material demand will be decreasing. I believe demand will increase because the demand has increased every year. There are no public gravel pits in the Telluride area. The old Pathfinder pit near Matterhorn has been purchased by the County. Please look at the 1998 Gravel Task Force Report that recommends gravel be obtained close to the end use with either temporary or permanent operations.
7. The wear and tear of County and State roads is considerable from gravel being moved from Norwood area pits to the Telluride region. The expense to maintain these roads should be passed onto the pit operations.

Thank you for letting me comment on the Application and I hope Planning and BOCC will address my concerns.



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Norwood Gravel Pit Expansion

1 message

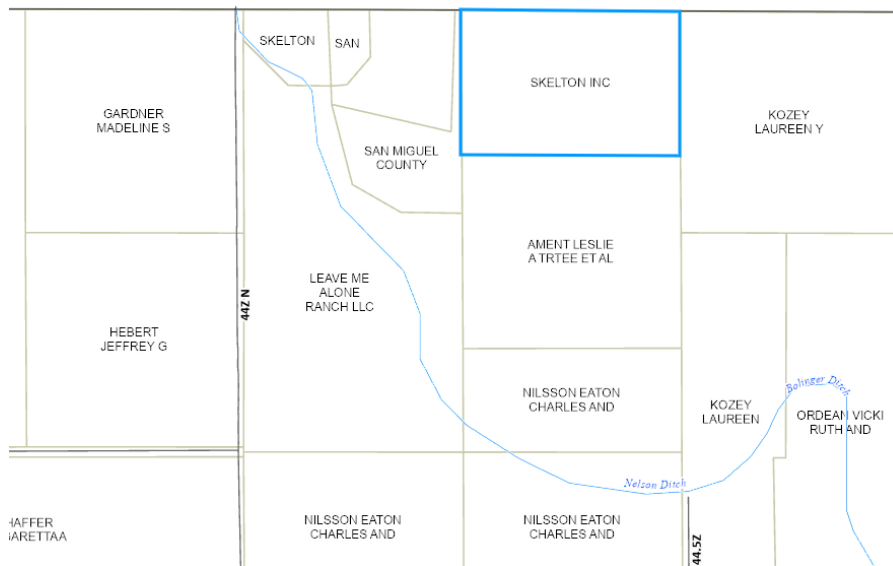
John Huebner <johnh@sanmiguelcountyco.gov>
To: madeline gardner <madeline.s.gardner@gmail.com>

Wed, Sep 15, 2021 at 10:04 AM

Madeline,

Thank you for your question! The gravel pit expansion is proposed on the 25-acre parcel outlined in blue below. It appears the Nelson / Bollinger ditch is not impacted by this project. The proposal increases the potential gravel reserves of the Norwood Gravel Pit but the applicant states it does not expect to increase the number of projects the pit anticipates servicing. I hope this helps. If you would like to submit comments regarding this application, please let me know if you have any questions.

John



Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
333 W Colorado Ave, 3rd Flr
Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

On Tue, Sep 14, 2021 at 9:48 AM madeline gardner <madeline.s.gardner@gmail.com> wrote:

Hi John,

I am a resident on 44 ZN and received the San Miguel County planning department letter regarding the proposed expansion of the Norwood Gravel Pit. I was hoping to get some more information on the expansion, such as the location of the area they are expanding, is the property located on the agricultural Bollinger ditch? Does the proposal include increasing number of projects per year? I am looking for any information you can provide to understand what they are proposing.

Thank you for your help,
Madeline Gardner



Gravel Pit Expansion Concerns

1 message

madeline gardner <madeline.s.gardner@gmail.com>
To: planning@sanmiguelcountyco.gov

Wed, Oct 6, 2021 at 7:53 AM

Hello,

I am the resident and owner of 1267 CR 44 ZN and am worried about the proposed expansion to the gravel pit for many reasons:

- The increased noise and road traffic (i.e. engine brakes up and down the street all day)
- Increased water usage
- The effects on the agricultural ditch
- The cutting down of trees that are a barrier between the gravel pit and the road/ neighbors that helps deter noise, dust and the smell of asphalt. The expansion may also come with more running of chainsaws, grinders, belts, etc. closer to our house to clear land and build up reserves.
- Longer pit operating season with expansion. If they expand the gravel pit will it extend the season into colder months? Our fences at the entrance of the pit have been damaged from trucks pulling out during colder months.
- They say they will be operating at the same rate and that the expansion is for gravel reserves, is this something that is monitored? Is there a limit of the number of loads/day that the gravel pit is allowed to operate? Is there a maximum size the gravel pit can expand to?
- Do they have set operating hours they must abide by? In the summer months, we have heard the pit begin to run at 5am to after 8pm with trucks coming up and down the street outside of that 15 hour day.
- They own land back to the edge of the canyon, why do they not expand that way further from residential neighbors?

I am very worried about this expansion for the quality of living on 44 ZN, and hope you will consider rejecting their expansion proposal to keep the gravel pit the size it is. I understand the importance of the gravel pit in providing our community with the resources to repair and replace roads, for residential projects, etc., but hope that if the expansion goes through that it will implement certain practices that would be more respectful of the neighborhood and the land around them. The current size allows for this residential-agricultural area to be a nice place for my family to live, farm and work without more intrusion than we already experience from the pit.

Thank you for your time,
Madeline Gardner

John Huebner <johnh@sanmiguelcountyco.gov>

Re: Skelton Pit proposal

1 message

Peggy Smelt-Day <peggywooddive@gmail.com>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Thu, Oct 7, 2021 at 11:07 AM

Hi John, Thanks for being patient ! Also, thank you for all the work you have done in the planning department! Dear John and County Commissioners, I am opposed to the proposed 25 acre United/Skelton expansion gravel pit ! Our home is within half mile south at 485 44.5ZN rd.

The proposed 25 acre expansion over 25 years will have a negative impact on my family's quality of life ! Also, the expansion may affect our property value due to continued noise and vista obstruction from pit and trucks . The daily grind of heavy dump truck traffic ruins our 'Country Quiet Life' The annoying Jake Brake noise can be relentless ! The proposed pit hours of 7am to 7pm are too long ! I truly believe a couple of signs will not deter busy operators to slow down avoiding the need to use Jake Brakes . Also, what kind of enforcement would be available for noise control? Another concern I have is the visual impact on our beautiful view north of us , Uncompahgre Mesa and the drive to BLM River Rim Access . United has not been compliant standard rules of visual buffers, scale and office location . I would be reluctant to trust United over the next 25 years. As the trees, habitat and roads are clogged with heavy equipment, I will be negatively impacted and disappointed in daily living. I will hear and see the acute destruction, stripping bulldozing of our lovely San Miguel River River Bluffs ! The most important question we need to ask ourselves as citizens and public servants is will 25 years of United /Skelton expansion be a negative impact on our Norwood Community ? I believe according to the history and permit of United /Skelton pit will have a overall negative impact ! I feel we need to be very aware of the potential inappropriate visual , auditory daily quality of life the expansion will bring to the Norwood Valley!

Sent from my iPhone How will the United /Skelton pit be monitored for compliance? What are the tax or employment benefits to the citizens ? Could there be the future benefit of a much-needed safe right of way access on 44 road for Mt. Bikers, hikers and equestrian to BLM San Miguel River Canyon ?

Think of the positive impact a Lone Cone multi- use trail to San Miguel River Canyon to Uncompahgre Mesa would be on Norwood Community Citizens ! Maybe a citizen and planning officials task force could bring the old gravel pit into a recreational multi use to benefit the citizens of Norwood instead of expansion ? I hope the Legacy of our beautiful San Miguel River Canyon and Wrights Mesa will be preserved ! As a tax paying citizen, directly impacted by 25 years of United/Skelton Expansion, Our family is against the granting of 25 acre expansion permit by San Miguel County to United Skelton Gravel pit. Thank you for giving our family time express our voice . We look forward to the zoom meeting . Peggy Smelt Day and Charles Michael Day

On Oct 7, 2021, at 10:04 AM, Peggy Smelt-Day <Peggywooddive@gmail.com> wrote:

Hi John , Thanks for taking time on the phone with me . I had an odd medical problem yesterday , but apparently defibrillators can act up! Turns out , I am ok just needed an adjustment ! I'll be sending my letter within an hour, just need to proofread and type-then send ! Thanks for your patience ! Peggy

Sent from my iPhone

On Oct 5, 2021, at 3:09 PM, John Huebner <johnh@sanmiguelcountyco.gov> wrote:

Peggy,
It was a pleasure talking to you. Here is the link to the proposal: [see link](#) . Please submit your comments to my attention at your earliest convenience.
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P: 970-728-3083
[333 W Colorado Ave, 3rd Flr](#)
[Telluride, CO 81435](#)

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

279484

Page 130 of 168

**RESOLUTION OF THE SAN MIGUEL COUNTY PLANNING COMMISSION
APPROVING A SPECIAL USE PERMIT ALLOWING EXPANSION OF
THE COUNTY NORWOOD GRAVEL PIT**

Resolution #1992-11

WHEREAS, the San Miguel County Road and Bridge Department ("applicant") proposes to increase the size of its Norwood gravel excavating and crushing operation;

WHEREAS, the subject property, in or near Section 13, Township 45 North, Range 13 West, New Mexico Principal Meridian, is zoned under the Forestry, Agriculture and Open (F) Zone District specified in the San Miguel County Land Use Code;

WHEREAS, earlier this year, the County purchased a 9.72-acre parcel formerly part of the adjacent Skelton Gravel operation;

WHEREAS, addition of this parcel has increased the County ownership at the site to 19.22 acres;

WHEREAS, the increase has required the County to apply to the Colorado Mined Land Reclamation Division for a conversion from a Section 110 permit (for operations on less than 10 acres) to a Section 112 permit (for operations on more than 10 acres);

WHEREAS, accordingly, the County Road and Bridge Department seeks a new special use permit for the expanded operation in accordance with Land Use Code Section 5-307 D.IV.;

WHEREAS, Land Use Code Section 5-1002 establishes the standards for the Planning Commission to use in reviewing all special uses;

WHEREAS, Land Use Code Section 5-16 establishes the standards for the Planning Commission to use in reviewing mining special use permit applications;

WHEREAS, the San Miguel County Planning Commission believes this application conforms to all applicable Land Use Code provisions; and

WHEREAS, the San Miguel County Planning Commission considered this application, along with relevant evidence and testimony, at a public hearing on Sept. 9, 1992.

NOW, THEREFORE, BE IT RESOLVED, that the San Miguel County Planning Commission hereby grants a special use permit allowing the San Miguel County Road and Bridge Department to increase the size of its Norwood gravel excavating and crushing operation, contingent upon satisfaction of all requirements imposed by the State of Colorado Mined Land Reclamation Division, with the following conditions:

- (1) Hours of operation shall be limited to 7 A.M.-6 P.M., except for crushing activities, and no operation shall be permitted on weekends or holidays;
- (2) Scenic quality impact mitigation shall be implemented through revegetation with native trees and shrubs as mining areas become exhausted, as appropriate;
- (3) Appropriate speed limits shall be established and enforced on County Road 442S near the operation;
- (4) The operator shall negotiate a trail easement with owners of land along County Road 442S and shall consider installing a split-rail fence to segregate pedestrian and vehicle traffic along the road; and
- (5) The operator shall request Montrose County to mitigate visual and traffic impacts that may arise from its use of this and the adjacent Skelton gravel pit.

APPROVED by the Planning Commission of San Miguel County, Colorado, at a public hearing on Sept. 9, 1992.

SAN MIGUEL COUNTY PLANNING COMMISSION

By: Buddy Davis
Buddy Davis, Chairman

ATTEST:

By: Norie Thomas



MEMORANDUM OF UNDERSTANDING

The following is a letter of understanding between San Miguel County and Skelton, Inc. for the purpose of reconstructing 1.5 miles of CR 44ZN.

The County has determined that major repairs need to be made to CR 44ZN due to the loaded trucks coming out of the Skelton Gravel Pit and the San Miguel County Gravel Pit, therefore both parties have agreed to cooperate in the reconstruction of CR 44ZN in the following manner.

Skelton, Inc. will provide up to 11,440 cubic yards of 3" base gravel, 2516 cubic yards of 3/4" road base, and 1642 cubic yards of plant mix. The estimated value of this gravel is \$60,000.

The County will be responsible for drainage structures, hauling and placement of gravel, traffic control and dust control until paving is done. In addition, the County will provide all gravel necessary for the project above the amounts agreed to by Skelton, Inc. and listed above.

It is understood that the County is under no commitment to complete this project within a certain time period and that work will progress as time and funds allow. However, every attempt will be made to complete the project within a reasonable time frame.

Both parties agree that the bond currently posted with the County by Skelton, Inc. will be released upon completion of the project. However, Skelton, Inc. understands and agrees that the County will still hold the responsible party liable for road damage caused by anything other than normal wear and tear related to heavy truck traffic associated with a commercial gravel operation.

The County acknowledges Skelton's contribution of gravel valued at \$60,000 and agrees to apply that amount towards road impact fees as described in Section 5-1602A(I) of the County's Land Use Code.

"Paved Roads - payment negotiations shall commence using a baseline fee of .02/ton/mile. Fees will be established by a contract with the Board of County Commissioners and may be adjusted upward or downward with adequate justification. The fees may be adjusted downward by applying considerations of Section 5-1602C and the contract shall provide for underpayment and overpayment in accordance with Sections 5-1602D and 5-1602E."

SKELTON, INC

Dwayne Skelton Dm
Dwayne Skelton, President

7-2-93
Date

SAN MIGUEL COUNTY

William Wenger
William Wenger, Chairman
Board of Commissioners
July 7, 1993
Date

To: San Miguel Board of County Commissioners
 From: Gravel Task Force (Stu Fraser)
 Subject- Gravel Task Force Recommendations
 Date: 10/27/98

The attached report was developed in conjunction with Facilitator Ron Bell from Ouray. As a preamble to the report we have attempted to outline on this page the basic premises that the Task Force developed. We realize our recommendation is only that, a recommendation. It does not answer all the questions, nor is it all inclusive, but it is a start that we hope, if followed by the BOCC will result in more even-handed enforcement of the regulations. With that in mind we have listed below our major concerns and highlighted the potential solutions:

- 1 There is an uneven enforcement of regulations
 - 1.1. Regulations that exist need to be applied equally.
 - 1.2. Regulations need to be put in place that will effect positive change for both in-county and out-county suppliers.
 - 1.3. The addition of a Code Enforcement Officer to deal with not only Gravel Extraction but other code enforcement is vital to the success of this or any desire to adhere to regulations.
 - 1.4. The only pits allowed should be legal operations.
- 2 The importance of Gravel Extraction within the San Miguel County is being minimized.
 - 2.1. Gravel Extraction is an Essential Community Facility and needs to be recognized as such.
- 3 Exclusionary zoning exists within San Miguel County
 - 3.1. The avoidance of exclusionary zoning is necessary.
- 4 Regulations should cover all potential situations for gravel extraction
 - 4.1. For every regulation there should be the possibility of mitigation.
 - 4.2. All mitigations need to be included in the permit process and enforced.
 - 4.3. The County should begin immediately to establish objective acceptable minimum standards.
- 5 Much of the end user area for gravel extraction within San Miguel County lies within scenic by-ways.
 - 5.1. Incentives should be provided for Special Use Permits that cause the operator to protect scenic by-ways.
- 6 There is limited road access to the end user area for gravel.
 (Telluride Region)
 - 6.1. The goal should be to attempt to have pits near the end use.

In addition to the above six points, we feel the most important issue is:

The County Commissioners need to decide that Gravel Extraction is a problem, as it is now handled. They need to not only understand the magnitude of the problem, but that if the problem isn't dealt with now, it will only grow geometrically.

San Miguel County Gravel Task Force Recommendations

Prepared for:
San Miguel County Commissioners

by
Gravel Task Force Members: Dirk DePagter, Bob Erie, Kathryn Evans,
Marcia Ewell, Stu Fraser, Rob Funkhouser, Mary Ann Gaston,
Madeline Gonzalez, Mike Horner, Bill McCarthy, Scott Smith
Facilitator: Ron Bell

November 30, 1998

Table of Contents

Gravel Task Force Summary-Stu Fraser

1. Introduction	
Definition	3
Assumptions	3
General Recommendations	3
Exemption	4
2. Objective 1: Examine sites, both permanent and portable, for gravel operations	
Assumption	5
Recommendations	5
3. Objective 2: Develop Measurable standards regarding gravel operations	
Recommendations	6
4. Objective 3: Address Safety and Traffic Issues	
Assumption	7
Recommendations	7
5. Objective 4: Address Enforcement Issues	
Assumption	8
Recommendations	8
6. Appendix	
A. Visual Environmental Sensitivity (Douglas County)	9-11
B. Transportation (Douglas County)	12-15
C. DMG approved pits	16-17
D. Ron Bell's Task Force Recommendations	
E. Scott Smith's Comments	

1. Introduction

The Gravel Task Force has met for a total of six meetings. The Task Force was given four objectives to answer. We attempted to provide general guidelines and information, but because of limited time and resources, this report is not considered to be complete by the Task Force. Specific regulations and language needs to be developed. They encourage the review and incorporation of standards and policies developed in other Colorado Counties, such as the Douglas County Mineral Extraction Plan and Pitkin County's Mining regulations. In addition the Task Force felt that an annual review needs to be put in place by the County to make sure that all regulations are pertinent and being adhered to by the permitted operations.

Definition:

Mining Operation: An inclusive term referring to all aspects of surface mining operations. These operations include, but are not limited to, all uses and/or accessory uses as permitted by special use permits, such as excavation, extraction, asphalt and concrete batching, stockpiles, importation, disturbed surface reclamation, etc..

Assumptions:

1. In 1998 approximately 250,000 tons of gravel is being supplied for private and 50,000 tons for county use in San Miguel County. This does not include gravel being supplied by developers for their own use.
2. This could grow to 1,200,000 tons of gravel during the peak construction times within the next 20 years, with the largest increase in the privately operated pits.
3. After peak construction, the usage could drop to 300,000 tons per year for private and county use.
4. Gravel trucks carry 20 tons per load on average. This equals approximately 15,000 truck loads into the County and 15,000 truck out of the County in 1998 alone. This is because the majority of the gravel is supplied from outside of the County.
5. Gravel suppliers in 1998 are not paying for County road damage nor is there a tax benefit derived for San Miguel County from these suppliers.
6. The Task Force believes there is adequate gravel from within San Miguel County to supply the needs of the County for at least the next 20 years and beyond.
7. The bulk of growth and predominant gravel usage within the County is located in the Telluride Region (defined as Highway 145 from Placerville to the East End of the Valley- including the airport, to Highway 145 near San Bernardo).
8. Regulations and enforcement within San Miguel County are lacking or at best irregular.

General Recommendations:

1. In order for recommendations to work their should be multiple major suppliers of gravel within the region. Gravel operations should be encouraged near the point of heaviest usage.
2. Gravel operations represent an essential community facility. Incentives should be created to foster competition and to help establish those operations close to point of usage.
3. An applicant for a special use permit relating to Gravel Extraction within San Miguel County should be able to expect that they will receive fair and equitable execution of that permit in a timely fashion, if their plan follows the specified regulations and mitigation requests of the County.
4. State and Federal Regulations should be adopted at a minimum for water, noise, air, odor.
5. Every impact can be mitigated in some reasonable fashion. Examples include: berming, screening and others such as found in the Douglas County Mineral Extraction Plan.
6. There should be a central location within the County for all County, State and Federal permits, including revisions and amendments, to be coordinated by the code enforcement entity. Complete and thorough documentation should be maintained on the entire permit process, correspondence and enforcement issues.
7. A check off list should be implemented to assure that all permits are in place and adequately reviewed before any mining operation begins. Any contingencies and/or deviations from the standard should be noted and explained.

8. Regulations should be written so that they are specific and enforceable.
9. Fees should be developed so that at the time of permitting, the County will be able to offset some of the costs involved in Code Enforcement and road maintenance. These fees should be applied to all gravel operators.

Exemptions:

The following mineral exploration and mining activities are exempt from County review:

1. Gravel excavation by property owner of fifty (50) cubic yards or less for non-commercial purpose.
2. Mineral Exploration limited to non-motorized hand tools with no new or improved access for motorized vehicles and less than fifty (50) cubic yards of excavation or fill. Examples of these exempt activities include hand-panning or collecting of rock or ore samples using non-motorized tools such as picks or hammers.
3. Underground Mineral exploration which results in no surface disturbance. This includes underground drilling, excavation, or maintenance undertaken as part of an existing underground operation.
4. Mapping activities which do not require the use of explosives, motor vehicles or other surface disturbance.
5. Excavation and reclamation of existing unreclaimed tailings or spoils dumps which exceed fifty (50) cubic yards may be approved through the issuance of a County earthmoving permit. (Ord. 95-3 (part), 1995: prior code § 3-2402)

2. **Objective 1: Examine sites, both permanent and portable, for gravel operations.**

Assumption: There are ample supplies of gravel located throughout the County. There was inadequate geologic information provided to recommend specific sites. Every effort should be made to minimize impact to densely populated areas and concurrent reclamation should occur to ensure that the mined area is reclaimed as soon as possible to mitigate the visual and other impacts including safety concerns. This should be on a site specific basis. (Appendix A)

Recommendations:

1. All pits must be permitted in an approved manner by the State, County and Federal entities. Infractions should be severely penalized. The enforcement officer should promptly report any lack of permitting and all other infractions to the appropriate agencies as required by State Law.
2. In issuing permits to prospective gravel operators and sites, the following criteria should be used as an evaluation tool that would allow the County to further define each specific permit and allow a classification system that will allow proper mitigation for each specific site and operation. Each of these criteria is considered of equal importance.
 - ☐ Pits located closer to the point of end use are more desirable.
 - ☐ Minimize impact to densely populated areas.
 - ☐ Incentives should be provided to developers use their own materials for initial and build out phases.
 - ☐ Compatibility with area as defined in LUC.
 - ☐ Reclamation
 - Incentives offered to reclaim to a greater level than DMG requires
 - Concurrent reclamation whenever possible.
 - ☐ Adherence to all current LUC standards under "Surface Mining Regulation"
 - ☐ Adaptation and adoption of the Douglas County standards and policies under "Visual and Environmental Sensitivity." (Appendix B)

3. Objective 2: Develop measurable standards regarding gravel operations.

Recommendations:

1. Recognition of State and Federal noise, odor, air and water quality standards.
2. Visual Concerns
 - Protect and minimize the impact on existing ridge lines and scenic vistas
 - Pit mining is preferred over strip mining to minimize the amount of land disturbed.
3. Wildlife and wetlands maintained as per the LUC.
4. Historic, archeological or palentological sites should be addressed at time of application as per the LUC.
5. A clearly detailed written operating plan should be part of the permit, to address all issues, including site maps, development plan and mitigation requirements.
6. A fixed distance should be established by the County between mining operations and populated areas. Mitigation would be allowed on site specific review.
7. No auxiliary usage shall be allowed other than permitted use. Additional uses will require either modifying the existing Special Use Permit (if minimal impact) or will require a new Special Use Permit (if significant impact).

4. Objective 3: Address Safety and Traffic Issues

Assumption:

There are only two main roads into the Telluride Region and since the majority of the growth occurs within that region, those arteries are suffering from the greatest traffic and safety issues.

Recommendations:

1. Require strict enforcement of existing state and federal motor carrier regulations.
2. County should continue to bond and/or improve all County Roads.
3. Operators should be responsible for improvements to existing County roads that are part of their "haul routes."
4. County officials should aggressively pursue improvement of the State Highway system by addressing CDOT continuously. Improvements should include: turn lanes, passing lanes, wider shoulders, adequate striping, surface maintenance and resurfacing.
5. Gravel operations may be required to be fenced or otherwise enclosed for health and safety protection.
6. Material, equipment, machinery or vehicles, not intended for immediate use or servicing of the mining site shall not be stored on site unless otherwise permitted.
7. Adoption of Douglas County's "Transportation" standards and policies. (Appendix C)

5. Objective 4: Address Enforcement Issues

Assumption:

There appears to be an uneven enforcement of the existing regulations.

Recommendations:

1. The approach to be adopted is to have each operation within the County live by the regulations equally.
2. There will no "grand fathering" of any operation. All pits and operations must be operated under the same regulations. Regulate all existing pits pursuant to public, health, safety and welfare powers.
3. A Code Enforcement Officer will be responsible for causing all permits, applications and operations to be treated in an equal and equitable fashion.
4. No illegal operations will be allowed. A County permit will also be required and will not be issued until a DMG permit is granted and reviewed by the County.
5. Fines and fees will be set, based upon a review of other County's fee structures. It is recommended that Douglas or Jefferson Counties be used as models for these fines and fees.
6. All out of County suppliers will be required to adhere to the same regulations that have been developed for in-County suppliers. This does not mean that out of county pits have to adhere to San Miguel County regulations for non-San Miguel County needs, but they will need to adhere to the San Miguel County regulations once they have crossed into San Miguel County.

Appendix A
Douglas County Mineral Extraction Plan
"Visual and Environmental Impacts"

VISUAL AND ENVIRONMENTAL SENSITIVITY-

Land-use impacts, in fact, may have no relationship to the proximity of other uses. An unacceptable mountain scar seen for miles is a land-use impact having little or nothing to do with adjacent uses or zoning. The loss of an endangered species or of high-impact wildlife habitat is likewise independent of distance from residential or commercial development. Yet these land-use impacts must be considered.

The land use chapter of the Douglas County Master Plan contains general policies that include the following:

- Development shall be discouraged in areas determined to be visually important.
- Industrial uses shall be located so as to minimize conflicts with residential development, agricultural uses, wildlife areas, and environmentally- or visually-sensitive areas.
- Minor visual disturbance over a short period of time may be permissible, particularly if the end state is acceptable. If disturbance is temporary and repair is both possible and guaranteed, extraction in sensitive areas is also permissible.

More severe, long-lasting changes in the environment may also be acceptable if proposed mitigation measures or offsets can compensate for them. An important variable is the rate at which the site is returned to an acceptable end state. Progress throughout the life of the operation should be continuous toward the final land use. A long-term project would also be more acceptable if, for example, the end state provides high-quality recreation areas or open space, or significant new wildlife habitat. Or the disruption of habitat in one area may be offset through permanent preservation of habitat elsewhere in the County. Such offsets are part and parcel of balancing the land-use costs and benefits.

GOAL:

TO ENSURE, THROUGH THE IMPLEMENTATION OF THIS MASTER PLAN, THAT MINERAL RESOURCES ARE EXTRACTED IN SAN MIGUEL COUNTY IN A MANNER THAT ULTIMATELY BENEFITS THE COUNTY, ITS JURISDICTIONS AND ITS CITIZENS, AND ASSURES THAT ANY FUTURE EXTRACTIVE ACTIVITY WILL BE COMPATIBLE WITH EXISTING LAND USES AND WITH ALL SAN MIGUEL COUNTY MASTER PLAN OBJECTIVES

POLICIES:

1. The consideration of a mineral extraction application must be preceded by a thorough analysis of the positive and negative impacts of the project, including consideration of factors set forth in Colorado law (see Legal Considerations).
2. Recognizing that mining is a high-impact use, the County discourages the siting or expansion of extraction operations unless compatibility with surrounding uses, both existing and approved, can be ensured.
3. The siting of, and access to, new mining operations, and the expansion of existing operations, should be discouraged in residential areas and in other places where residential areas would be negatively impacted.
4. The extraction of a mineral resource within or near an approved development, solely for the purpose of supplying that development's infrastructure needs, may be appropriate. The life of the operation should be limited to the time of the development's buildout, and should not be expanded to serve additional areas.
5. Parks, trails, preserved open space, and other recreational and scenic resources are important to San Miguel County, and diligent efforts should be made to protect them from the negative impacts of extractive uses.
6. If a mining operation is proposed in a nonindustrial area, any potential industrial-type

infill in the vicinity of the mine site must be assessed

7. A mining operation shall not establish a permanent land-use pattern upon which to base additional industrial zonings that are otherwise inconsistent with the long-range planning goals for the community.
8. Mining operations should use any available natural features and necessary buffering techniques to ensure compatibility with surrounding uses.
9. A mining operation located at an appropriate distance from other development should be protected from encroachment by other land uses to protect it from potential future opposition.
10. Mineral extraction should not interfere with the economic development efforts within the County. This restriction should be considered when the development of mineral resources may encroach on rural town centers or other areas targeted for near-term office, retail, or other people-intensive developments having significant tax-base potential.
11. Mines should be sited and operated in ways that do not diminish the taxable value of the mine site or and do not diminish the property value of surrounding lands.
12. If a batch plant is proposed in conjunction with mining, the need for the plant or other ancillary facilities should be examined as part of the application and should be approved, at a maximum, for the duration of mining.
13. Portable batchplants maybe appropriate for extremely short-lived projects such as the paving of specific roadways, but they must be reviewed on a case-by-case basis.
14. Mineral extraction operational plans must seek to minimize visual disruption and environmental degradation.
15. The County should review the final land use plan to ensure that the end state meets the land-use goals of San Miguel County and that undeveloped areas remain as natural and undisturbed as possible.
16. The application should include a commitment that site restoration will begin concurrent with the operation, so as to reduce visual and other impacts and ensure that the final, approved land-use plan is implemented.
17. To promote the County's fiscal base, its orderly growth, and the welfare of its citizens, applications should be discouraged for mine sites where extraction is not to begin in the near term.
18. The operational plan must include a commitment to suppress dust on site and on public (particularly gravel roads).

Appendix B
Douglas County Mineral Extraction Plan
"Transportation"

TRANSPORTATION

RESPONSIBILITY FOR ROAD IMPROVEMENTS

Any mining or mining-related operation, that relies on trucks to transport its product, requires arterial access of adequate capacity built to standards sufficient to carry the traffic safely. Paved arterial access close to the extraction is necessary, and truck routing on local streets is unacceptable, particularly in developed areas. Local roads are not designed to support the weight of loaded trucks, nor is truck traffic compatible with local, neighborhood traffic.

Right-of-way width, number of lanes, pavement depth, and design speed also play into the adequacy of the access. The San Miguel County, the Highway Capacity Manual, the Colorado Division of Highway Road Design Manual, the State Highway Access Code, and other technical manuals provide guidance on these issues.

Heavy truck traffic and automobile traffic have vastly different impacts on the road surface and thus on the requirements for pavement depth. A 1989 Jefferson County report on the impact of gravel-hauling trucks found that impact varies dramatically with axle load. Jefferson County's study found that a 36,000 lb. single-axle load causes 17 times greater loss of pavement life than an axle load of half that amount, or 18,000 lbs. The American Association of State Highway and Transportation Officials' (AASHTO) design guidelines for pavement structures indicates that one tandem-axle truck, fully loaded to allowable limits, causes pavement damage equivalent to the damage from 10,000 cars. The substantial difference in truck traffic impact should be addressed through the application review process and the mitigation measures required of an extraction operation.

Dust-suppression measures must be imposed and enforced to mitigate use of unpaved access roads by gravel-hauling trucks. Dust will be addressed further in the chapter dealing with air quality.

The cost of necessary improvements, such as additional paving, widening, additional lanes, right-of-way acquisition, turn lanes, acceleration and deceleration lanes, and intersection improvements shall be borne by the user creating the need for the improvement. The extraction operation's mitigation plans must internalize, to the extractor, the external costs associated with the operation.

The application process should also address the impacts to roads in the Towns. The County and its municipalities must be responsible for impacts that spill over jurisdictional boundaries. As the County and Towns proceed with intergovernmental agreements, they shall consider specific cost-sharing methods or interjurisdictional transfers.

TIMING

The timing of road improvements required to bring access to acceptable standards also is important. The San Miguel County Master Plan shall recognize that proposals shall be consistent with the Major Roadway Plan of the County and shall occur prior to or concurrent with actual construction of the development." An extraction applicant is obliged to propose solutions to transportation impacts that precede the impacts generated. To that end, the County should develop processes for assessing the differential impact caused by truck traffic and for collecting fees or requiring up-front improvements to mitigate the impacts.

SAFETY

Well-maintained roads of adequate capacity are only the starting point for a safe road network. A great deal can be done by operators and transporters to improve safety for everyone using the roadways.

Timing trips to off-peak traffic is one means of reducing the conflict between new truck trips and existing traffic. The application process should be used to explore the possibility for off-peak truck trips. Minimizing truck use during peak hours helps alleviate congestion on already overburdened arterial roads and helps keep trucks off the roads when school buses are running.

Congestion may also be reduced by using larger vehicles, and thereby requiring fewer trips. Larger vehicles, however require increased road maintenance which partly offsets the advantage of using them. The transportation system must safely meet the needs of the County's residents and businesses. To meet that goal, the number and the timing of trips allowed from an extraction operation may have to be regulated.

Spilled loads cause another potential conflict between gravel-hauling trucks and other traffic. Operators have a responsibility to comply with existing laws prohibiting load losses. To that end, operational plans should specify and be evaluated for measures to keep loads from spilling. These measures should include monitoring loading to ensure that load limits are not exceeded, cleaning trucks before departure, routinely inspecting trucks for loose tailgates, and covering the loads.

The trucks themselves should include the best possible safety equipment. Because trucks, particularly loaded trucks, require greater stopping distance, advanced braking systems should be installed on all hauling equipment.

Reducing the number of truck trips, or changing their timing, assumes that trucking is the only transportation option available.

COMPATIBILITY.

An applicant's proposed transportation plan should ensure that the operation's traffic will be compatible with uses along haul routes. High volumes of truck traffic can disturb sensitive areas including residential developments, environmentally sensitive areas, and preserved open space. Truck traffic should not use collector roads, but should be routed to arterial roads where safety, noise, vibration, and other impacts can be addressed.

GOAL:

TO ASSURE THAT TRANSPORTATION IMPACTS ASSOCIATED WITH EXTRACTION OPERATIONS ARE ADEQUATELY ADDRESSED

POLICIES-

1. All transportation-related costs, both on-and off-site, shall be the responsibility of the development(s) creating the need for the improvements.
2. Adequate mitigation of transportation impacts shall be required of extraction operations. These measures may include, but are not limited to, intersection improvements, additional paving, additional lanes, and other improvements as may be necessary on a case-by-case basis.
3. An operation shall complete necessary road improvements as they are needed.
4. Truck traffic, generated by an extractive use, should be routed to arterial roadways of adequate capacity, design, and maintenance levels. Where the arterial access is inadequate, the applicant will be responsible for capital improvements and maintenance subsidies in proportion to the impact generated.
5. Capital improvements may be required in excess of those needed by the individual extraction operation, particularly when construction of a partial improvement does not adequately address the impact. If so, the applicant must be reimbursed for the portion of the improvement that exceeds a fair share.
6. Truck traffic, generated by an extractive use, should not be routed along local and collector roads.
7. Developed areas, environmentally sensitive areas, and areas designated as open space should be protected from the impacts associated with transporting extracted materials. Mining operation traffic should not be routed through these areas.
8. The safety of other users of the transportation network must not be compromised by the extraction operation. The extractor shall assure that transportation methods used shall

address safety issues including, but not limited to, overloading, spilled loads and covered loads; vehicle safety; conflicts with rush-hour traffic and school bus safety; runaway truck ramps; and state-of-the-art braking systems.

9. The hours of operation and the timing and number of truck trips should be regulated to maintain public safety and to limit transportation impacts.

10. Truck loads must be covered.

11. Trucks must be structurally and mechanically sound to contain the load. Trucks will be loaded in ways that eliminate spills.

12. All trucks leaving a mining area should be inspected for soil and rocks on wheels, sidewalls, and undercarriage. A specific place should be allocated for truck inspection and cleaning.

13. The County will work with its Towns and the State to designate safe, efficient truck routes through the County.

Appendix C
DMG Permitted Pits
(Not Complete)

DMG PERMITTED PITS - 8/18/ 08/18/98

AME	PIT NAME	STATUS	DMG PERMIT	TYPE	SMG SUP	ACRES	LOCATION
B. MINING CO	DEEP CREEK PLC	AC	M-88-102	110C	>	2.00	25-43N-10W
ORN CONST	BLM	TR	M-77-018		111	8.00	08-43N-10W
BRASIER	BEAVER MESA PIT	AC	M-81-224	110C	>	3.50	27-43N-12W
FARMER'S CONST	SPOR PIT	AC	M-95-038	110C	>	9.90	18-45N-12W
GALLEGOS CO	GALLEGOS CO	AC	M-95-053	110C	>	9.90	25-43N-10W
GATOR AGGREG	GATOR AGGREG	AC	M-85-138	110C	>	9.00	32-45N-12W
NIELSONS, INC.	CROCKER/BEDFO	TR	M-96-058		111	7.90	24-44N-19W
NIELSONS, INC.	SUCKLA BORROW	AC	M-96-014		111 >	10.00	8- 43N-17W
NIELSONS, INC.	SLICK ROCK AGGR	AC	M-96-021		111 >	23.30	30-44N-18W
PATHFINDER DEV	HWY DEPT GRAV	WD	M-91-076	110C		7.50	32-42N-9W
PATHFINDER DEV	HWY DEPT GRAV	AC	M-94-020	110C	>	8.30	32-42N-9W
R. EBBERTS	DISAPPOINTMENT	AC	M-80-038	110C	>	9.40	20-43N-17W
SM COUNTY	NORWOOD PIT	AC	M-81-154	112C	>	19.70	13-45N-13W
SM COUNTY	ROGER WILLIAMS	TR	M-81-214	110C		3.00	20-45N-13W
SM COUNTY	SAM HANKINS	TR	M-81-215	110C		5.00	10-42N-18W
SM COUNTY	COUGAR HILL	TR	M-81-216	110C		2.00	10-44N-19W
SM COUNTY	MIRAMONTE PIT	TR	M-81-217	110C		5.50	19-43N-14W
SM COUNTY	EGNAR PIT	TR	M-81-218	110C		2.00	09-42N-19W
SM COUNTY	HAMILTON MESA	AC	M-81-219	110C	>	3.00	17-44N-14W
SM COUNTY	KLONDIKE	AC	M-21-220	112C	>	45.00	08-43N-18W
SM COUNTY	SLICK ROCK	TR	M-81-221	110C		5.00	24-44N-19W
SM COUNTY	LONG DRAW	TR	M-81-222	110C		6.00	32-45N-15W
SM COUNTY	BROAD CANYON	TR	M-81-223	110C		6.00	14-45N-15W
SM COUNTY	PLACERVILLE	TR	M-81-225	110C		8.00	13-43N-11W
SM COUNTY	DISAPPOINTMENT	TR	M-81-226	110C		7.50	08-42N-16W
SM COUNTY	HASTINGS MESA	AC	M-82-170	110C	>	5.00	32-44N-10W
SM COUNTY	SPECIE CRK GRV	WD	M-85-020		111	8.00	32-44N-11W
SM COUNTY	PLACERVILLE	WD	M-85-021		111	3.00	34-44N-11W
SM COUNTY	SLICK ROCK II	AC	M-85-223	110C	>	8.50	32-44N-18W
SM COUNTY	BERT WOOD	TR	M-87-168	110C		5.00	14-42N-20W
SM COUNTY	ZADRA	AC	M-89-030	112C	>	50.00	32-43N-12W
SCOTT SNYDER	SNYDER POND	IL	M-98-056	ILL		0.00	35-45N-13W
SKELTON, INC.	SHAEFER PIT	TR	M-91-111	ILL		0.00	13-45N-13W
SOUTHERN CO	PARADOX	AP	M-96-055	110(2)	>	5.00	29-44N-16W
SOUTHWAY CONS	PATHFINDER PIT	AC	M-94-113	112C	>	12.90	32-42N-09W
SUTHERLAND BRO	SLICK ROCK 1	AC	M-94-100	112C	>	18.00	30-44N-18W
TELL. GRAVEL	ALEXANDER	AC	M-76-032	112C	>	18.70	31-43N-09W
UMETCO MIN	DEREMO-SNYDER	?	D-97-001	IIM-N		0.00	0
**UNITED COMP	UNITED/NORWOO	AC	M-88-097	112C	>	4.00	13-45N-13W
W.S. FARMER	W/G/HASTINGS	AC	M-90-090	110C	>	1.50	21-44N-10W

** UNITED CO, NORWOOD PIT - TOTAL 84 ACRE Listed under Montrose County.
 YELLOW EAGLE EAGLE ONE IC M-90-091 112 ??? 580.00 13-44N-19W

AC ACTIVE
 AP APPLICATION IN REVIEW
 IC INCOMPLETE
 IL ILLEGAL BY INSPECTION
 TR TERMINATED
 WD APPLICATION WITHDRAWN

8/18/98 DMG FAX (970-247-5104)
 MISSING PAGES: 554, 556,
 558-559,560

12/2/98

ATTEN: BOARD OF COUNTY COMM.

FROM: MARCIA EWELL

DATE: 12/2/98

RE: FINAL DRAFT GRAVEL TRAIL FORCE

I AM VERY PLEASED W/THE FINAL DRAFT
THE COMMITTEE PRODUCED W/ ONE SUGGESTION
FOR CHANGE -

IN THE INTRODUCTION I RECALL THE DRAFT
READING SOMETHING LIKE "ALL REGULATIONS ARE
MITIGATABLE", THIS WAS DISCUSSED DURING
OUR LAST MEETING; I BELIEVE THE DISCUSSION
CONCLUDED INSTEAD "MOST IMPACTS ARE
POTENTIALLY MITIGATABLE" WITH ANOTHER "POTENTIALLY"

A KEY WORD — SORRY FOR THE HANDWRITING,
MY COMPUTER IS DOWN —

THANKS FOR ALL YOUR WORK & SUPPORT.

MARCIA EWELL

To: Karen Larsen	From: Madeline Gonzalez
Phone:	Phone: 970.728.5170
Fax:	Fax: 970.728.3102
Date:	# Pages: 3

Hi Karen,

Hope you are doing well. Attached are my comments to the Task Force Recommendations, please include them with the packet.

thanks,

Madeline

P.O. Box 1478
Telluride CO 81435
November 25, 1998

Re: Gravel Task Force Recommendations

Esteemed County Commissioners,

I have been an active participant on this Gravel Task Force since its inception, but unfortunately was not able to participate in the shaping of the final recommendations and cover letter documents due to a very hectic personal schedule (finishing the house that Matt and I were building, moving in, beginning a new job, then being on back-to-back work-related trips for several weeks). It was my impression that these final documents were going to reflect and summarize the past few months of group discussions. However in reviewing the documents, I found that several issues were brought up for the first time, yet presented as "coming from the Task Force". I appreciate the effort put into preparing this document, but must make the following clarifications:

1. As a group, we never discussed "exclusionary zoning", much less agreed that we as a County should not have zoning which excludes certain uses and encourages others. Adherence to zoning and consistency with land use policies are the only means of envisioning the kind of county we want, and attempting to implement this vision. Certain uses are by their nature not complementary, and we should not delude ourselves by pretending they are.
2. As a group, we certainly never agreed that "every impact can be mitigated". This is a naive, and misleading, statement. Speaking as a nearby resident of a gravel mining operation, not all impacts can be mitigated. Each situation needs to be considered based on specific criteria -- eg., the appropriateness of the use in the given area as defined in the Land Use Code, the number of nearby residents within say one mile of the proposed activity, whether the area is designated as a Scenic Byway. In speaking with various representatives from other Colorado counties' planning departments (specifically Douglas and Boulder Counties), there was common agreement that each situation must be considered based on the specifics of that situation, and that it was virtually impossible to come up with one set of metrics to be used across the board, or to say that all impacts could be mitigated. For example, the noise of trucks backing up may not be an impact in the case where there are only a couple of nearby residents and all are far enough away that they do not hear the noise, but it is certainly an impact in the case where there is a nearby subdivision 1/2 mile away which will have approximately 100 residents at buildout, and all in the subdivision can hear the noise.
3. We discussed the desire to obtain gravel from within the boundaries of this county, and the desire to obtain gravel as close to the intended use as possible. However, we also discussed that these desires must be weighed against the bigger issues of ensuring residents' quality of life (particularly when those residents were there prior to the

commencing of any gravel operations), maintaining the high caliber of visitors' enjoyment of scenic areas, and protecting the health of our fragile, extreme, high-alpine environment. These are the reasons why we moved here, and why tourists visit. Section 5-1002.A.IV in our County Land Use Code assures that only activities "consistent with and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses", that "enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development", should be approved.

4. We did not undertake any studies or collect any data regarding just where the predominant gravel usage was, but it certainly seems that the bulk of growth and predominant gravel usage in this County is in the Town of Telluride, Mountain Village, and Aldasoro. The rate of growth and associated usage of gravel south of the Ski Ranches (including Ophir, San Bernardo, Trout Lake) hardly compares with the rate of growth in these other areas of predominant growth.

And lastly, a few general comments. Our somewhat fractured San Miguel County Gravel Task Force did the best we could, but we were just not able to meet our objectives as stated by the Commissioners when they created this Task Force, namely, "the charge of this group would be to examine the siting, both potential permanent and portable, to deal with measurable standards regarding gravel operations, including mining and processing, to deal with safety and traffic issues, as well as enforcement".

For starters, we never reached a *common ground* from which to work. As I pointed out during one of the meetings, the presence of Mr. Scott Smith as the one and only gravel operator served to strongly bias certain members of the group, despite the fact that Mr. Smith's past attempts to expand his Pathfinder operation have been denied by both the County Planning Commission and the County Commissioners, and despite Mr. Smith's history of untruthful dealings with residents near his Pathfinder operation. It is also unfortunate that Norwood residents continue to believe that, by siding with Mr. Smith, they are somehow bettering their own situation with Hank Williams' Gator Pit. We as a group were unable to arrive at any better understanding of each others' respective situations, much less come up with a true county-wide perspective.

Also, we were unable to obtain key pieces of information (eg., Colorado Geological Surveys), and thus wound up addressing the question of potential sites for gravel operation in a severely myopic fashion. According to Ed Tepe, author of the Douglas County Mineral Extraction Plan, education regarding the specifics of the local geology is a first and requisite activity for any local gravel task force. The group that put together the Douglas County Plan spent quite a bit of time understanding their local geology. In addition, we were unable to conduct site visits of any of the active pits, or review in detail any existing State/Federal/County regulations, which we had all agreed we needed to do before being able to make any recommendations.

Despite our limitations however, three very positive outcomes in my opinion were:

- the identification of an extraction plan that we can use as a model (eg., Douglas County's)
- the agreement that there needs to be appropriate public notice of any proposed gravel or asphalt/concrete activities (including naming the place versus giving latitude and longitude coordinates)
- the agreement that we need to have an Enforcement Officer.

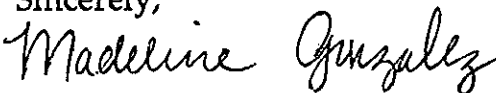
Should the County decide to pursue trying to obtain further recommendations from a gravel task force, I would recommend the following:

- Try to obtain a stronger facilitator, who will not allow any one person to monopolize the discussion, and will help the group reach true consensus (admittedly very difficult to do with a group like this).
- Try to ensure the participation of several gravel operators. This will not only ensure a more objective set of final recommendations, it will also have a higher probability of buy-in when the time comes for implementation.
- Try to commit a staff person to focus specifically on supporting this task force -- to help do the research, provide the necessary information, provide timely minutes. Already overworked staff are simply not able to keep up with the demands of a task force such as this one.
- Assign the task of writing the final documents to the staff person, or other objective third party, so that the document winds up truly reflecting the group's discussions.

Lastly, I urge the Commissioners to continue to see that there is more at stake here than gravel operations. At stake here are residents' quality of life, the caliber of visitors' experience, and the health of our fragile, extreme, high-alpine environment. We do not live in, nor do tourists visit, this high alpine setting to save money. We live here, and tourists visit here, for a sense of peace and connectedness to these mountains. We as residents must be committed to preserving the nature of this area, for all who live and visit here now, and for generations to come.

I will unfortunately be out of town and unable to attend the upcoming Commissioner's meeting, but please do not hesitate to call me to discuss any of this in any more detail.

Sincerely,



Madeline Gonzalez

Office: 728-5170 Home: 728-3168

November 2, 1998

TO: San Miguel County Board of Commissioners

FROM: Gravel Task Force

Ron Bell

SUBJECT: Task Force Recommendations

The Gravel Task Force respectfully submits the attached recommendations and related materials to you. These are the results six meetings of our group to address the four main areas of concern you requested: siting, transportation and safety, measurable standards, and enforcement issues. We strongly encourage you to amend the current County Land Use Code to include the recommendations we are submitting and adopt the relevant state regulations regarding other areas of concern we have identified.

We discussed many different items during the course of our meetings and have included several recommendations outside of the four main topic areas. We believe they are also important and should be addressed by the county. We developed a number of assumptions on which we based some of our recommendations.

Initially, we anticipated having time and county support to bring in several resource people, to do site visits to several gravel operations, to review in more detail regulations of other counties and of the state, and quantify our assumptions. We were not able to do this to the extent we would have liked. However, we were able to get a copy of the Douglas County Mineral Extraction Plan which was our best resource. We have made reference to it in several of our recommendations and are enclosing a full copy of it for your review. We believe a number of their objectives and recommendations are identical to our needs in San Miguel County. As you will note, it was developed by an ad hoc committee during more than a year of work. We also had materials from Pitkin and Mesa County and would recommend they be reviewed by the County in developing specific language for new regulations.

In the time allotted to the Task Force, we developed only general recommendations. Without the benefit of other resources, we do not feel we can make specific recommendations for regulations in a number of areas, such as noise and air quality. Until studies can be completed specific to our county environment, we are recommending the County adopt the current state standards for these and other areas as noted in our recommendations.

We thank you for the opportunity to provide these recommendations. We believe their adoption in a form consistent with the land use code will significantly improve the permitting process, will reduce contentions which now develop in the administration of the gravel operations, and will allow this vital industry to operate effectively.

We are available to you to discuss any aspect of this report and to provide further input and support in addressing this very important issue.

Sincerely,



November 4, 1998

San Miguel County Board of County Commissioners
P.O. Box 1170
Telluride, CO 81435

Dear BOCC Members,

I respectfully submit the following comments regarding the Citizens Gravel Task Force Report. I recognize that my remarks will (by necessity) be tempered with the knowledge that I am currently challenging the BOCC in court over your decision regarding an earlier gravel related application (before the Planning Commission and the BOCC). I furthermore have been informed that the members of the BOCC have had the opportunity to review the current Gravel Task Force recommendations possibly relevant to any such future operation in San Miguel County. I find it unfortunate that so little "official" resource was extended to this citizens panel and clearly designed in such a manner as to drastically restrict the scope and ability of this panel to fully develop its charge (None-the-less) I commend the group for diligently trying to meet the BOCC's purported objectives. As an operator, I have, of course, a number of reservations about the recommendations of a lay commission (as you might expect). If, however, these new regulations were applied universally in the marketplace (equitably), major noticeable change in our local "situation" would come about. I continue to harbor a number of reservations about our

current market situation and the likelihood of ever seeing equitable application of State, Federal, or local regulations (call it an ingrained pessimism if you will).

If you will allow, I would like to call your attention to a number of non-sensical concepts yet to be fully examined by the task force albeit their inclusion in the document before you:

- 1) 5.4 (2) "There will be no grandfathering of any operation"... Since the task force was obligated to conduct its activities without the benefit of legal counsel this monumental assumption was allowed in this blanket format. Given the very commendable goal of equalizing the playing field, one would have to wonder how this concept would play out in the face of recent BOCC decisions contrary in nature to this concept. For example, could you rescind the grandfathering of all uses at Telluride Gravel? I think not! Perhaps a more realistic approach would be the establishment of a process that would allow for the official determination of "grandfathered" uses. An exhaustive review process would be preferable to the current "political" process of periodically "picking on" a handful of uses thru a series of orchestrated press releases with the intent of creating the illusion of County diligence. This would promote a healthier regulatory environment than having a periodic rash of revelations whenever we change planners, commissioners, or face an election challenge.
- 2) 5.4 (3) "A Code Enforcement Officer will be responsible"... The problem

here (besides the obvious budgetary one) is that we currently have a number of county employees sharing this function. From the Planning Director and staff to the sanitarian, the building officials, the road and bridge supervisors, the County Attorney, and ultimately the BOCC. There is not an overload of "enforcement" duties not currently being performed, however, there is a hesitancy to shoulder this responsibility and a wide range of standards of application of enforceable regulations. The task force spent a great deal of time struggling with these ingrained inequities but did not have an adequate instruction from the BOCC to formulate a policy directive regarding this issue. However one must wonder as daily revelations surface about attempts by one of these "code enforcement employees" to defend his ongoing efforts to solicit and accept free housing, perks, gratuities, etc., (in the face of the inherently stringent requirements regarding bias as an effective enforcer, or reviewer of submittals to the County). If the County employment manual allows such indiscretions, then what hope do we have for equitable application and enforcement of existing codes - much less new ones? The current system of multiple enforcement "agents" diminishes the likelihood of graft and corruption the likes of which has been experienced time and again at the staff level. Relying on one "code enforcement officer" would all but invite such systematic abuses.

- 3) 5.4 (3) Fails to address the State mandated requirement (ignored by San

Miguel County) that uses and businesses such as gravel pits and others obtain a State Highway Access Permit even if they do not directly access on to a State Highway. All gravel pits in the County should have such a permit.

- 4) 5.3 (6) "Material, equipment, machinery, or vehicles should....not be stored on site." It is hard to imagine where else and under what zoning Telluride Gravel or any other operator would store related equipment. If a gravel pit is not the appropriate place to store gravel-related equipment then where? Lawson Hill? Mountain Village?...Can't be exclusionary...Town of Telluride? This is an oxymoronic concept.

I was encouraged that the "NIMBY" Gravel Task Force was able to grasp the many fundamentals surrounding and making up this industry in San Miguel County. It has been a constant sense of amusement to me, however, that the members spoke of incentives for East-end gravel producers. I don't recall any discussion of market economics, waivers of requirements, tax credits or the like. Although an equitably regulated market locally would incent a vastly more healthy business environment - are we left to rely on the current unofficial system of developer-to-enforcement agent "perks" to insure our business success?

While "adopting State standards" should be a pre-requisite first step for the County I can't wait to see the BOCC "incentive" plan. Additionally, I am encouraged to see a recommendation from the citizens task force that the County must identify objective

standards regarding odor, noise, dust, etc. - as this is a major claim via my pending litigation with the County. In the absence of such objective standards lends itself to a process devoid of objectivity and subject to land-use decisions based on plebiscite and not definable, defendable, scientific standards. The only way to deal with this industry in the all-important future is to de-politize the debate over gravel siting and regulation. Otherwise you will just be forcing the industry to seek other jurisdictional environments from the courts nearby municipalities, and/or Federal properties. This is exactly the reason that 99% of our gravel and asphalt is now brought in from other counties.

Sincerely,



Scott Smith, President

Pathfinder Development

PS Although this group was often times contencious I must add that the efforts of Stu Fraser to attempt to promote focus and closure for the group proved invaluable and literally saved the Task Force from what appeared to be a premature and inevitable demise.

C. GRAVEL MINING MITIGATION STANDARDS:

1. Definitions:

EFFECTIVELY SCREEN: Trees and/or vegetation, berms, fences and the like that minimize the visual impression of an intensive alteration of the natural landscape caused by a gravel mining operation.

EXISTING RESIDENCE:

- a. As concerns a gravel mining operation for which a Special Use Permit has been issued, a residence in existence prior to the date of the application for a Special Use. Such existence may be established by the records of the County Land Use Department, the County Assessor's Office, or the County Treasurer's Office.
- b. As concerns a gravel mining operation for which a Special Use Permit has not been issued, a residence in existence prior to the date of such gravel mining operation's most current application for a Reclamation Permit from the State Division of Minerals and Geology. Such existence may be established by the records of the County Land Use Department, the County Assessor's Office, or the County Treasurer's Office.

EXISTING PLATTED SUBDIVISION:

- a. As concerns a gravel mining operation for which a Special Use Permit has been issued, a platted subdivision which has received preliminary plan or final plat approval prior to the date of the application for a Special Use Permit.
- b. As concerns a gravel mining operation for which a Special Use Permit has not been issued, a platted subdivision which has received preliminary plan or final plat approval prior to the date of such gravel mining operation's most current application for a Reclamation Permit from the State Division of Minerals and Geology.

GRAVEL MINING OPERATION: The development, extraction or processing of sand or gravel from its natural occurrences on affected land to be utilized for off-site construction purposes, specifically including, but not limited to, on-site transportation, screening, crushing, breaking, blasting, inventory stockpiling, asphalt plant operation, concrete plant operation, or other similar operations or utilization of similar equipment. Such definition shall not be affected by the type of Reclamation Permit required by the State Division of Minerals and Geology.

2. Buffers:

- a. No mining excavation or stockpiling of material shall take place within twenty-five feet (25') of the boundary of adjacent property including easements and/or rights-of-way unless written agreement is obtained from the owner of such adjacent property.
- b. No mining excavation shall take place within one-hundred twenty-five feet (125') of any existing residence or existing platted subdivision unless written agreement is obtained from the owner of such residence or subdivision.

- c. No blasting, use of screening, crushing, or breaking equipment, asphalt plant operation, concrete plant operation, or other similar equipment usage shall take place within two-hundred fifty feet (250') of the property boundary of any existing residence or existing platted subdivision unless written agreement is obtained from the owner of such residence or subdivision.
3. Landscaping:
- a. If located within thirteen-hundred and twenty feet (1320') of any existing residence or existing platted subdivision, Gravel Mining Operator shall provide any combination of trees and/or vegetation, berms, fencing and/or other appropriate landscaping that will effectively screen such property from the visual impact of the gravel mining operation unless written agreement is obtained from the owner of such residence or subdivision.
 - b. If located within twenty-six hundred and forty feet (2640') of any road designated a Scenic Byway by the State of Colorado or a Scenic Drive by Montrose County, Gravel Mining Operator shall provide any combination of trees and/or vegetation, berms, fencing and/or other appropriate landscaping that will effectively screen such byway and/or drive from the visual impact of the gravel mining operation. Gravel mining operations with an approved Special Use or in production prior to the date of the adoption of these Mitigation Standards (adopted 10/20/97) shall be exempt from the requirements of this paragraph.
4. Dust:
- a. If located with thirteen-hundred and twenty feet (1320') of an existing residence or an existing platted subdivision, Gravel Mining Operator shall maintain all roads within the mining property in conformance with the Colorado Air Quality Control Commission Regulation No. 1, as it applies to the regulation of fugitive particulate emissions and the measurement of opacity and off-property transport of fugitive particulate emissions.
 - b. If located within thirteen-hundred and twenty feet (1320') of an existing residence or an existing platted subdivision, Gravel Mining Operator shall operate screening, crushing, digging equipment, asphalt plant, concrete plant or other similar equipment in conformance with the Colorado Air Quality Control Commission Regulation No. 1, as it applies to the regulation of fugitive particulate emissions and the measurement of opacity and off-property transport of fugitive particulate emissions.
 - c. If located within twenty-six hundred and forty feet (2640') of an existing residence or an existing platted subdivision, asphalt batch plants shall be operated only between 6:00 a.m. (6:00 a.m. to 7:00 a.m. shall provide for a machinery warm-up period only) and 6:00 p.m., Monday through Saturday, unless written agreement is obtained from the owner of such existing residence or existing platted subdivision. The County Administrator or designee may expand such operating hours for a limited period of time and for special circumstances as might be deemed appropriate within the sole discretion of such County Administrator or designee.
5. Noise:
- a. Montrose County shall establish two sets of noise standards which shall be applicable to gravel mining operations located within thirteen-hundred and twenty feet (1320') of an existing residence or an existing platted subdivision. One set of such noise standards shall

encompass Monday through Friday gravel mining operations and a second more restrictive set of noise standards shall encompass Saturday gravel mine operations and any "expanded operating hours" that may be allowed by the County Administrator or designee pursuant to subsection (3) of this section.

- b. As concerns such noise standards, Title 25, Article 12, Sections 101 through 105, and 108, Colorado Revised Statutes, are hereby adopted and incorporated herein by reference for the purpose of establishing noise standards prescribed pursuant to subsection (1) of this section. Pursuant to 25-12-102(4), C.R.S., the definition for "industrial zone" shall apply to gravel mining operations in Montrose County. Pursuant to 25-12-103(1), C.R.S., the industrial zone establishes a maximum permissible noise level of 80 db(A) which shall be controlling for gravel mining operations in Montrose County for the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and establishes a more restrictive maximum permissible noise level of 75 db(A) which shall be controlling for gravel mining operations in Montrose County for the hours of 7:00 a.m. to 6:00 p.m. Saturdays, as well as any expanded operating hours that may be allowed by the County Administrator or designee pursuant to subsection (3) of this section.
- c. As concerns such noise standards, if located within thirteen-hundred and twenty feet (1320') of an existing residence or an existing platted subdivision, gravel mining operations shall be restricted to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, unless written agreement is obtained from the owner of such residence or subdivision. The County Administrator or designee may expand such operating hours for a limited period of time and for special circumstances as might be deemed appropriate after written decision of the County Administrator (Manager) or designee, such decision may be appealed by Public Hearing to the Montrose County Board of County Commissioners. In conjunction with the Public Hearing, all property owners within thirteen-hundred and twenty feet (1320') will be notified at least 14 days prior to the Public Hearing". [Amended 1/16/07]
- d. As concerns such noise standards, if located within thirteen-hundred and twenty feet (1320') of an existing residence or an existing platted subdivision, gravel mining operations may be extended to include Saturday operations from 7:00 a.m. to 6:00 p.m. where conformance with the more restrictive established noise standards for Saturday gravel mining operations has been demonstrated.

6. Haul Routes:

- a. If a gravel mining operation is located where it will access a County Road, the Gravel Mining Operator shall be required to obtain an Access and Driveway Permit for a Commercial Driveway from the County Land Use Department.
- b. Under appropriate circumstances, and at the discretion of the Board of County Commissioners, a written agreement between Montrose County and the Gravel Mining Operator may be required in order to mitigate haul route impacts upon the County Road(s).

7. Site Development:

- a. If located within thirteen-hundred and twenty feet (1320') of an existing residence or an existing platted subdivision, Gravel Mining Operator shall submit a development schedule describing the life span of the gravel mining operation in years and, if applicable, the years per phase of said development schedule. Requests for extensions of such development

schedule up through five (5) years will be considered by the Board of County Commissioners at a noticed public hearing.

- b. Gravel Mining Operator shall provide adequate sanitation facilities on site in accordance with State and County regulations.
 - c. The placement, construction or erection of any building or structure on the gravel mining operation property shall require a Building Permit in accordance with the County Building Code.
 - d. Gravel Mining Operator shall provide a Weed Management Plan and submit it for approval to the Weed Management Commission.
 - e. Gravel Mining Operator shall provide adequate parking space in conformance with the Parking and Loading Standards of the Montrose County Zoning Resolution.
 - f. Signage erected at the gravel mining operation shall be in conformance with the Sign Standards provided in the Montrose County Zoning Resolution.
8. Reclamation:
- a. If the gravel mining operation site will be reclaimed as anything other than pasture, range land or farm land, the Gravel Mining Operator shall provide a plan (both written and diagrammatic) to the County Land Use Department for approval.
 - b. At such time as on-site gravel stockpiles have been depleted, gravel mined elsewhere shall not be stockpiled on the site.

D. GRAVEL MINING ADMINISTRATION AND ENFORCEMENT:

1. These gravel mining operation Mitigation Standards shall apply to: NEW gravel mining operations, i.e., gravel mining operations as to which the application for County's Special Use Permit is filed with the County Land Use Department subsequent to the date of the adoption of these Mitigation Standards and EXISTING gravel mining operations with a "permitted acreage" of ten (10) acres or more pursuant to an active Division of Minerals and Geology Reclamation Permit, i.e., gravel mining operations in existence prior to the date of the adoption of these Mitigation Standards and as to which the two-year amortization period has expired.
2. These gravel mining operation Mitigation Standards shall be enforced by the County's Zoning Enforcement Officer with the technical assistance of the County's Environmental Health Specialist. The County's Zoning Enforcement Officer with the technical assistance of the County's Environmental Health Specialist shall observe the following enforcement procedures:
 - a. Confer with the Gravel Mining Operator in order to review alleged violations of these Mitigation Standards and to inform the Gravel Mining Operator as to these enforcement procedures.
 - b. Attempt to negotiate an agreement with the Gravel Mining Operator as to the required corrective action concerning Mitigation Standards violations and as to the appropriate time table for the accomplishment of such corrective action.
 - c. Following successful negotiations, provide a written "Contact Report" to the Gravel Mining Operator documenting the Mitigation Standards violations, required corrective actions and agreed time schedule.
 - d. Following timely completion of the corrective actions, provide an appropriate Letter of Completion of Corrective Action to Gravel Mining Operator.
3. In the event that the County Zoning Enforcement Officer with the technical assistance of the County's Environmental Health Specialist and the Gravel Mining Operator are unable to agree as to the alleged violations of these Mitigation Standards or are unable to agree as to the appropriate corrective actions or are unable to agree as to the appropriate time schedule of the corrective actions, the County Zoning Enforcement Officer shall issue a certified "Notice of Non-Compliance" and shall mail an original of such Notice of Non-Compliance to the Gravel Mining Operator by certified mail, return receipt requested, which Notice shall advise the Gravel Mining Operator that he has the right to file an appeal of such Notice of Non-Compliance with the Montrose County Board of Adjustment within fifteen (15) days of Gravel Mining Operator's receipt of the Notice of Non-Compliance. This appeal to the Montrose County Board of Adjustment shall be conducted in accordance with Section VII of the Montrose County Zoning Resolution and also in accordance with C.R.S. 30-28-118, as amended.
4. In the event that the Gravel Mining Operator does not file a timely appeal with the County Board of Adjustment or in the event that the County Board of Adjustment denies the Gravel Mining Operator's appeal and the Gravel Mining Operator does not timely effectuate the required corrective actions, the Montrose County Attorney shall issue to the Gravel Mining Operator a

certified "Cease and Desist Order" and the Montrose County Attorney shall thereafter prosecute such violation of these Mitigation Standards pursuant to Section VIII of the Montrose County Zoning Resolution and/or applicable State statute.

5. The provisions of this section shall not be construed to preempt or limit the authority of the State of Colorado, nor shall any State standards be construed to preempt or limit the authority of the County of Montrose to adopt and enforce standards which are no less restrictive than the corresponding State statute or administrative rule/regulation.