

SPECIAL USE PERMIT (SUP 96-0001)

**GRANTED TO RIVER SPRINGS L.L.C. FOR A GRAVEL PROCESSING OPERATION.**

River Springs L.L.C., having made application for a Special Use Permit for level one gravel processing and extraction and the Board of County Commissioners, at their June 18, 1996 meeting, having made all of the findings outlined in the staff report written on June 10, 1996, these findings being adopted and approved herein. The Board concludes that the applicant is entitled as a matter of law to the issuance of a permit. River Springs L.L.C. is hereby granted a **Special Use Permit** to allow level one gravel processing and extraction as set forth in the application materials submitted on March 15, 1996 and supplementary materials submitted after that date. This Permit is subject to the limitations and conditions established by the Board of County Commissioners, which conditions and limitations are listed below.

Dated this 15th day of July, 1996

TETON COUNTY DEPARTMENT OF PLANNING

  
Stephanie Jones, Planner

**PERMIT ISSUED FOR:** Level one gravel processing and extraction as set forth in the application materials submitted on March 15, 1996 and supplemental materials submitted after that date.

**LOCATED AT:** River Springs Subdivision. Generally known as the east side of the Moose-Wilson Road, 1/8 mile north of Highway 22

**LIMITATIONS AND CONDITIONS:** This Special Use Permit is granted subject to the following condition:

1. That the applicant keep accurate records of all vehicles entering and exiting the site, and that the total number of trips per day shall not exceed 420 trips per day.
2. That the applicant obtain an access permit for the proposed use from the Wyoming Department of Transportation prior to the issuance of a Special Use Permit.
3. That, the applicant submit to the Army Corps of Engineers a restoration plan as required by Army Corps of Engineers File # 199340240 and meet the conditions of approval of permit 199440238. Prior to the issuance of the Special Use Permit the applicant shall come to an agreement with the Army Corps of Engineers as to an appropriate schedule for submission and approval of the restoration plan. A bond may be required to be posted to insure compliance with the agreed upon schedule.
4. That the ambient noise at the site boundary be determined in the manner described by Teton County's regulations prior to the issuance of a Special Use Permit.
5. That when operations begin, the proposed noise mitigation measures shall be in place, however the applicant may have a period of up to 90 days to make necessary adjustments to the noise mitigation system in order to insure compliance under actual operating conditions. After that time, the operation shall not exceed the existing ambient noise level plus 3 dBA or other such level that may be established by an amendment to the County Regulations. A site inspection shall be conducted by the appropriate County officials to insure that mitigation measures are substantially in place prior to operations commencing.
6. That the applicant shall establish a noise measurement system and shall monitor noise on a regular basis to insure compliance with the County noise standards. Records of the noise levels shall be kept and



submitted to the County during the annual review process. In addition, the County may conduct random noise checks on the boundary of the River Springs property.

7. That the drainageway exiting the site be used as a monitoring point to gauge or measure the flow during the month of June 1996, this data will be evaluated and used as a bench mark to insure that historical flows are maintained to down stream users.
8. That a map or aerial photo showing terrain surface prior to mining of Gravel be submitted to the County prior to issuance of a Special Use Permit:.
9. The applicant shall post a bond for 125% of improvements, and reclamation, including the cost of replanting trees.
10. The applicant shall be required to grade all areas that are no longer in active use throughout the life of this operation. Reseeding and placement of topsoil shall not be required until the ground water levels have been monitored for a period of three years. After this initial three years, reclamation shall proceed concurrently with operations and no area shall be left inactive and unreclaimed for a period of more than sixty days. If the applicant provides additional information that postponing reclamation would be beneficial, the County, as part of the annual review process may approve deviation from this condition.
11. That the Special Use Permit be subject to an annual review, which will be conducted in January of each year with a site inspection to take place in October of the preceding year. A review will be required in January of 1997.
12. That the applicant designate a phone or fax number of a responsible person in the River Springs Limited Liability Company to receive complaints from neighbors and the general public concerning suspected violations of the conditions of the permit.
13. That this Special Use Permit shall expire on November 15th, 1998, unless it is determined by the Board of County Commissioners at a public review of the permit that the permittee has not willfully and repeatedly disregarded and has been in good faith material compliance with the conditions of the permit approval and the Land Use Regulations. At a public hearing within 10 days prior to November 15th, 1998, all owners of surrounding lands within 200 feet of the site of operation, all agencies deemed appropriate by the County as having jurisdiction over any environmental, community health or safety aspects of the operation and the permittee, shall have received written notice of such hearing and all of these parties and other interested and affected parties shall have an opportunity to be heard and present evidence relevant to the foregoing considerations. In any event, the permit shall expire on December 1, 2006, 10 years and several months from the date of issuance. At the expiration of the Special Use Permit the applicant may apply for a new Special Use Permit.
14. That the applicant follow the necessary procedures to amend the Covenants, Conditions and Restrictions for the River Springs Subdivision to allow the proposed Gravel Operations. This may be accomplished by amending the dates of applicability of the CC&Rs.
15. That the applicant provide no less than one parking space per employee. This parking shall be provided within the 10 acres designated for operations.
16. That hours of operation are limited to 8:00 a.m to 6:00 p.m. Monday through Friday, and 8:00 to noon on Saturday, for pick up only, with the exception that employees may access the site at 7:00a.m. Monday through Saturday to perform limited operations to be determined as acceptable by staff, specifically those that will not have a visible or audible impact.

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