

Planning Department

County of Sublette
P.O. Box 506, 21 S. Tyler
Pinedale, Wyoming 82941

367-4375 276-3827

January 5, 2009

Mark Sullivan, Attorney at law
5237 HHR Ranch Road
Wilson, Wyoming 83014

Dear Mr. Sullivan:

This letter is written in response to your December 18, 2008 letter regarding the McMurray gravel pit on the Bousman property. Your December 18, 2008 letter stated that your client, Sandra Goodwin, had registered complaints with the Sublette County Planning Department about violation(s) related to the Conditional Use Permit issued by Sublette County for the McMurray gravel pit. My understanding is that Ms. Goodwin's complaint(s) contend that the hours of operation for the pit are being violated and dust abatement is not being performed on the haul road accessing the gravel pit.

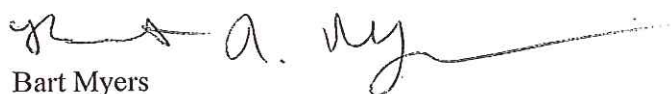
Let me begin by addressing the issue of dust abatement. I am not aware of Ms. Goodwin making a complaint to this office with respect to dust abatement related to the McMurray gravel pit. The Conditional Use Permit approved by Sublette County requires that the operator of the pit shall be responsible for dust abatement on the haul road accessing the gravel pit from Wyoming Highway 353. In the future Ms. Goodwin should contact me directly when she feels this condition is being violated, and I will personally investigate the matter. Given our recent snow cover I would not anticipate dust abatement being an issue for several months.

With respect to the hours of operation, the Conditional Use Permit requires that the hours of operation for the pit are restricted to daylight hours and that operation does not mean routine maintenance. My understanding of your December 18, 2008 letter is that trucks are traveling on the County road past Ms. Goodwin's house prior to daylight hours. It would appear that Ms. Goodwin's complaint is solely limited to truck traffic driving past her house prior to daylight.

The determination of this office is that hauling or transporting gravel does not constitute operation of the McMurray gravel pit and is therefore not subject to the restricted hours of operation. My determination regarding hauling or transporting of gravel not being subject to the restricted hours of operation is based upon the approval and condition attached to the McMurray gravel pit, which addresses hours of operation for actual gravel pit activities. In summary, this office does not consider traffic utilizing a County road to constitute operation of the McMurray gravel pit. Any complaints involving actual operations occurring at the McMurray gravel pit outside of the restricted hours of operation will be thoroughly investigated by this office.

Should you have additional question or concerns regarding this matter feel free to contact me.

Sincerely,



Bart Myers
Planning Director

Cc: Jonathan Foreman, Deputy County and Prosecuting Attorney
File

EQC
Docket No. 10-4803
McMurray
Exhibit G