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PLANNERS • LANDSCAPE ARCHITECTS

August 15, 2016

Bill Whitney, Planning & Development Division Director
Washoe County Community Services
1001 E. 9th Street, Bldg. A
Reno, NV 89520

RE: MPR 4-2-90 – MUSTANG AGGREGATE 5-YEAR REVIEW

Dear Bill,

This is a formal request for the MPR 4-2-90 (Mustang Aggregate) 5-year review. The Mustang Aggregate Pit is located west of the Mustang Exit on Interstate 80 in the east Truckee Canyon. The site area encompasses approximately 675 acres of land zoned General Rural (GR) and master planned Rural (R). The two parcels (APN 084-060-11 & 084-060-12) are part of the Truckee Canyon Area Plan. The facility is approximately 5 miles east of the City of Sparks, 1-mile north of Interstate 80, and is surrounded by vacant land.

The Washoe County Development Code, Section 110.332.40, requires the Planning Commission to review aggregate plants without a stated interval of review in their conditions of approval at least every 5 years. On January 7, 2013, the Washoe County Planning Commission reviewed the Mustang Aggregate Pit conditions of approval and extended the 5-year review until 2018. This application is a request to complete the 5-year review of the conditions of approval to ensure they adequately provide for compatibility between aggregate operations and surrounding land uses.

The Mustang Aggregate facility produces road base, drain rock, rip-rap, decomposed granite, chips and other rock and sand products for construction uses in Washoe County. The facility is serviced by a private haul road, connecting the mining operations with the Interstate 80 westbound access road at the Mustang Exit. MPR 4-2-90 authorized aggregate mining and processing, and the manufacturing of concrete and asphalt within section 8, 9, 16 T19N, R21E. The Bureau of Land Management (BLM) has a reclamation bond for the plant in the amount of \$66,000.00. In addition, there is a bond with Washoe County for \$10,000.00, to ensure the property will be reclaimed after mining.

The BLM completed an Environmental Assessment for the Mustang plant in 1995, and found the mining operations to be in conformance with the environmental and regulatory requirements. The BLM also

conducts periodic inspections of the mining operations. Other regulatory agencies reviewing the mining operations include the water appropriation permits from the Nevada State Engineer, air quality permits from the Washoe County District Health Department, Air Quality Management, mine reclamation plan and bonding from the BLM, the Hazardous Materials Business Plan and a safety plan from the Mine Safety and Health Administration. In addition, the mining operations have been found consistently in conformance with existing land uses, zoning, area plans and other applicable land use controls, including the Truckee Canyon Area Plan goals and policies as described below:

Industrial Uses

Additional industrial uses in the Truckee Canyon planning area are aggregate pits. Some more visible aggregate pits adjacent to Interstate 80 are now being reclaimed or phased out. Future expansion of existing aggregate pits or development of new sites will be reviewed and recommended to be located in areas not visible from the Interstate 80 corridor.

Land Use

TC.3.2 – Allow use and development of natural resources under the following conditions:

TC.3.2.1 – Development of such resources shall not be detrimental to surrounding properties, land uses and the environment in general.

TC.3.2.2 – Review of special use permits required for aggregate pits shall consider access, surrounding land use, visual aspects and site rehabilitation. Site rehabilitation shall include, as a minimum, provisions to return all affected areas to their original condition.



FIGURE 1 – VICINITY MAP

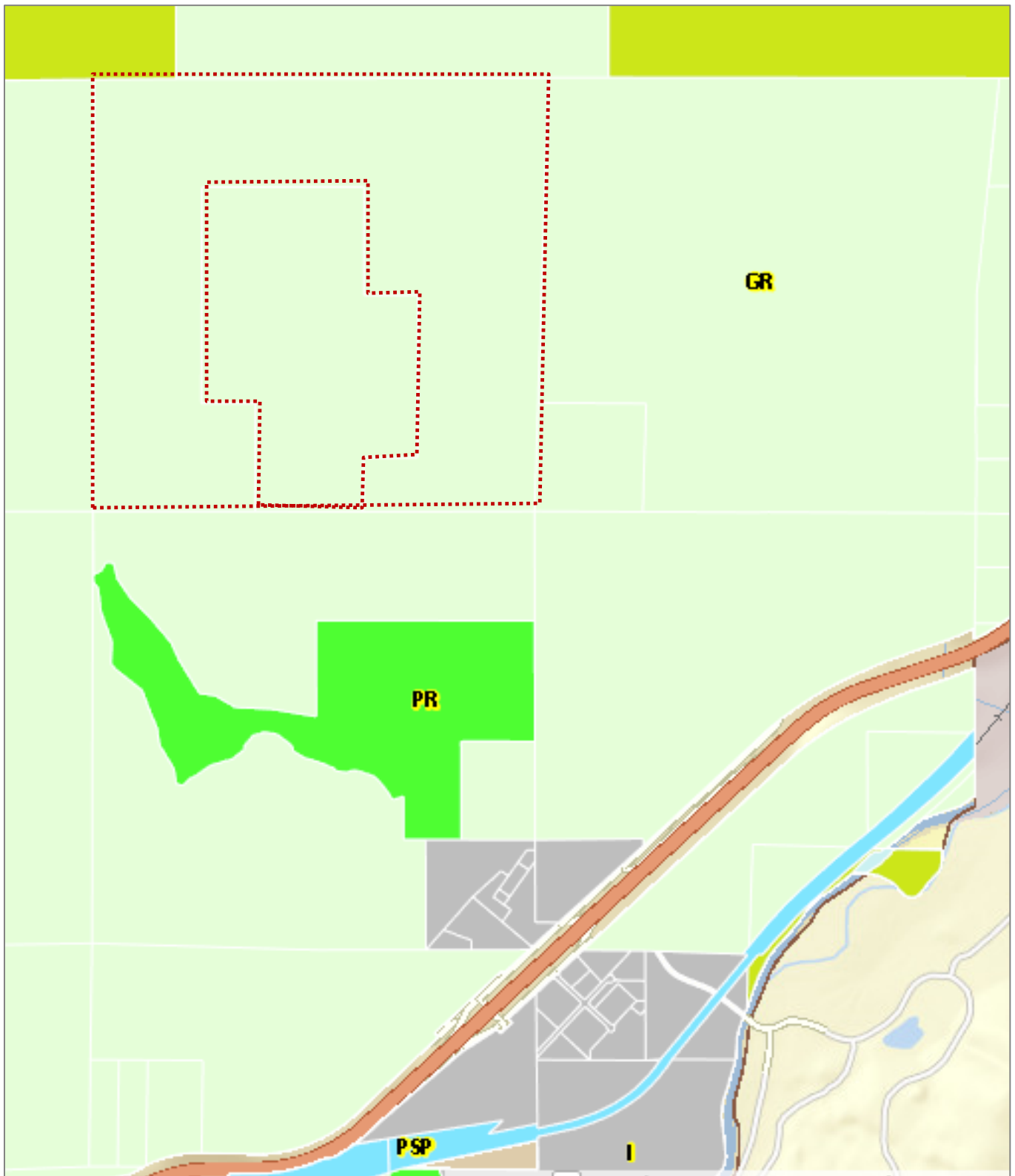
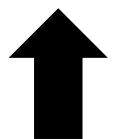


FIGURE 2 – ZONING MAP



SPECIAL USE PERMIT FINDINGS

Prior to approving an application for a special use permit, the Planning Commission, Board of Adjustment or a hearing examiner shall find that all of the following are true:

a. Consistency – The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the applicable area plan;

The proposed amendment is consistent with the action programs, policies, standards and maps of the Washoe County Master Plan and the East Truckee Canyon Area Plan as specified below:

Land Use

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TC.3.2.2 – Review of special use permits required for aggregate pits shall consider access, surrounding land use, visual aspects and site rehabilitation. Site rehabilitation shall include, as a minimum, provisions to return all affected areas to their original condition.

b. Improvements – Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

No changes have been requested in relation to utilities. The site provides for adequate utilities, roadways, sanitation, water supply, drainage and other necessary facilities have been provided in accordance with Division Seven.

c. Site Suitability – The site is physically suitable for the type of development and for the intensity of development;

The Mustang Aggregate operations are located approximately 1-mile north of Interstate 80 and 5 miles east of the City of Sparks. The operation is surrounded by vacant land and blocked from views by mountainous terrain. The facility has been in operation since the early 1990s and continues to provide a valuable resource to the community.

d. Issuance Not Detrimental – Issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;

The operation is isolated from other developments and is serviced by a haul road exclusive to the mining operations, located approximately 1-mile north of Interstate 80.

e. Effect on a Military Installation – Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

The project has no effect on military installations.

Special Review Considerations

No changes are proposed with this application that would impact the review elements of Section 110.332.20 (a)-(j). The project is in compliance with the following considerations:

- (a) Conservation of topsoil
- (b) Protection of surface and subsurface water
- (c) Conservation of natural vegetation, wildlife habitats and fisheries
- (d) Control of erosion
- (e) Control of drainage and sedimentation
- (f) Provision of visual and noise buffering
- (g) Accommodation of heavy traffic on roadways
- (h) Provision of restoration and/or reuse of the site
- (i) Provision of a bonding program commensurate with the total costs of requirements imposed
- (j) Preservation of the recreation opportunities, air quality, archeological resources, character of the area and other conditions as necessary

Please consider this a formal request to move forward with the 5-year review of the Mustang Aggregate Pit operation.

Sincerely,



Angela Fuss, AICP
Director of Planning

Attachments

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name: Mustang Aggregate Pit 5-Year Review			
Project Description: 5-Year Review of MPR 4-2-90			
Project Address: 2411 Canyon Way			
Project Area (acres or square feet): +/-675 Acres			
Project Location (with point of reference to major cross streets AND area locator): North of Interstate 80 and west of the Mustang Exit			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
084-060-11	515		
084-060-12	160		
Section(s)/Township/Range: Section 8, 9 & 16, T19N, R21E			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). MPR 4-2-90			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Martin Marietta Materials, Inc.		Name: CFA	
Address: 10170 Church Ranch Way, Suite 201		Address: 1150 Corporate Blvd.	
Westminster, CO	Zip: 80021	Reno, NV	Zip: 89502
Phone: (720) 245-6400	Fax:	Phone: 775-856-1150	Fax: 775-856-1160
Email: pat.walker@martinmarietta.com		Email: afuss@cfareno.com	
Cell:	Other:	Cell: 771-6408	Other:
Contact Person: Pat Walker		Contact Person: Angela Fuss	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Martin MariettaMaterials, Inc.		Name:	
Address: 7381 W. 133rd Street, Suit 401		Address:	
Overland Park, KS	Zip: 66213		Zip:
Phone: 913-378-1805	Fax: 913-390-6476	Phone:	Fax:
Email: james.nicholson@martinmarietta.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: James Nicholson		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: Mustang Aggregate

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, Patrick Walker
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Development.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 084-060-14

Printed Name Patrick Walker

Signed *Patrick Walker*

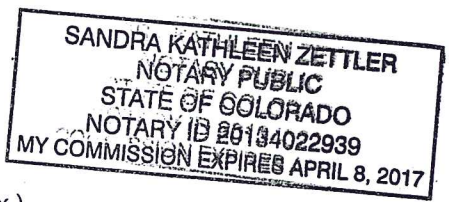
Address 10170 Church Ranch Way, Suite 201

Westminster, CO 80021

Subscribed and sworn to before me this 10th day of August, 2016.

(Notary Stamp)

Sandra Kathleen Zettler
Notary Public in and for said county and state



My commission expires: 04/08/17

*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of recorded document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

MARTIN MARIETTA MATERIALS, INC.

ASSISTANT SECRETARY'S CERTIFICATE

I, Eric S. Brown, do hereby certify that:

1. I am the duly appointed, qualified and acting Assistant Secretary of Martin Marietta Materials, Inc., a North Carolina Corporation (the "Corporation").

3. The person listed below has been duly elected or appointed to hold the office of the Corporation set forth opposite his name and is currently serving in such capacity.

Name

Title

Patrick Walker

President, Rocky Mountain Division

WITNESS my hand and seal of this Corporation this 10th day of August, 2016.



[SEAL]

Eric S. Brown
Assistant Secretary



John Stafne
Land Manager / Geologist

June 30, 2016

Bill Whitney - Director
Washoe County –
Planning and Development Division
P.O. Box 11130
Reno, Nevada 89520-0027

**Re: Martin Marietta Materials, Inc. – Mustang Quarry
Special Use Permit 2015 Annual Report
MPR 4-2-90**

Dear Mr. Whitney:

This letter report is provided to satisfy the annual reporting conditions for the above referenced major project review permit for the year 2015.

Conditions:

1. (Delete) Asphalt and concrete manufacturing plants to be restricted to the area designed as M-1 (Industrial) zoning.

This condition was deleted by the planning commission on January 9, 2007 status review.

2. (Delete) The applicant shall not oppose a commission-initiated zoned change to change the M-1 (Industrial) zoning to an appropriate agricultural designation at such time as the excavation operation ceases.

This condition was deleted by the planning commission on January 9, 2007 status review.

1. All plans submitted for any required permit shall be in substantial compliance with the plans and documents approved and made a part of this special use permit to the satisfaction of the planning staff. A copy of the approved special use permit shall be attached to any application for a required permit.

It is Martin Marietta's understanding that this condition was met at the time the Special Use Permit was approved. Any future submittals will include a copy of the approved special use permit.

Martin Marietta

7381 W. 133rd Street, Suite 401, Overland Park, Kansas 66213

t. (913) 378-1806 f. (913) 390-6476 m. (913) 481-1892 e. john.stafne@martinmarietta.com

www.martinmarietta.com

2. The applicant shall dedicate 1.12 acre-feet of permitted water rights from permit No. 41413 for the domestic use at the plant site (watchman's quarters/scale house) to the satisfaction of the Utility Division.

Dedication of 1.12 acre-feet of water to Washoe County has been completed.

3. If water is necessary, the applicant shall execute an agreement with an appropriate water purveyor acceptable to Washoe County for water supply or shall show evidence of an ability to supply water service. A copy of said agreement or evidence must be submitted to the Washoe County Utility Division and the Nevada Division of Water Resources.

No additional water appropriation is necessary.

4. The applicant shall obtain the appropriate business licenses from the Washoe County Sheriff.

A current Washoe County business license is on file for Mustang Quarry.

5. If required by the District Health Department, the Nevada Division of Environmental Protection must submit a letter certifying its approval of the project prior to the issuance of any building permit.

Not applicable.

6. During the period of operation, the applicant shall provide adequate on-site dust control in the pit area, on haul roads and for any material processing to the satisfaction of the District Health Department.

Adequate and approved on-site dust control is currently maintained at the site. Measures have been taken to ensure continued compliance with the Washoe County District Health Department regulations.

7. During the period of operation, all loads of material exiting the site shall not generate dust or loose material onto roadways, to the satisfaction of the District Health Department and Nevada Department of Transportation.

Adequate and approved controls have been implemented to control generation of dust and loose material from entering roadways.

8. The applicant must demonstrate to the District Health Department that the wastewater facilities conform to the Washoe County District Board of Health Regulations governing sewage, wastewater, and sanitation.

No wastewater facilities exist at the site.

9. If explosives are to be used, the applicant shall develop a plan for use and notification of affected property owners to the satisfaction of the applicable fire protection agency.

The use of explosives at this location has historically not been necessary due to the fractured nature of the rock. No explosives were used for blasting in 2015.

10. The applicant shall notify the Department of Comprehensive Planning and any other agency from which approval to operate has been received, and any other applicable agencies of any seasonal, temporary or permanent shutdown occurrences in the mining operation.

In the event of any seasonal, temporary or permanent shutdown occurrences in the mining operation, Martin Marietta will notify all applicable departments and agencies. Martin Marietta continues to operate the site and brings in equipment to produce and sell stone as needed.

11. The applicant shall submit a detailed mining plan, to include adequate measures addressing safety and environmental concerns, including but not limited to storm drainage and erosion control, both during the operation to the satisfaction of the County Engineering Division and the District Health Department. The area directly adjacent to I-80 is not to be included in any mining plan. The Washoe-Storey Conservation District shall review the slope stabilization and re-vegetation portion of the mining plan. Once the plan is approved, the applicant shall post an adequate financial assurance to the satisfaction of the County Engineer. The County Engineering Division shall annually review the financial assurance and adjust its amount as deemed appropriate by that division upon approval of the Board of County Commissioners.

Adequate and approved financial assurance is maintained by Martin Marietta and a reclamation bond has been posted and approved as security for conformance with this permit.

12. During the period of operation, the applicant's mining plan shall allow for and preserve the historic topographical drainage. In so complying, the applicant shall in no way increase drainage and/or runoff water to or from any adjacent property.

No modifications have been made to the mining plan approved by Washoe County that negatively impact historic topographical drainage.

13. The applicant shall obtain an "Authority to Construct/Permit to Operate" from the District Health Department.

A current "Authority to Construct/Permit to Operate" approved by the Washoe District Health Department is on file.

14. If the District Health Department determined the proposed project falls under the prevention of significant deterioration (PSD) regulations, any requirements to be met and any subsequent permits issued by the District Health Department, shall be made part of this special use permit.

Operations at the Mustang Quarry are currently not regulated by PSD requirements.

15. (Delete) The Nevada Department of Wildlife shall determine if a habitat modification permit is required and if so, the applicant shall be required to obtain said permit prior to issuance of a building permit. Requirements of this permit shall be included as part of this special use permit.

This condition was deleted by the planning commission on January 9, 2007 status review.

15. If the mining operation should cease for a period of 24 months, this special use permit shall become null and void. The applicant will be required to file a new application with the Department of Comprehensive Planning for appropriate review and approval.

The operation has been active in the past twelve (12) months. If the operation ceases for a period of twenty-four (24) consecutive months a new application will be filed with the Department of Comprehensive Planning.

16. During the period of operation, this special use permit shall be reviewed by the Department of Comprehensive Planning on an annual basis. This review shall be based upon submittal of a report by the applicant detailing compliance with the conditions of the special use permit.

Martin Marietta complies with this requirement annually as approved by Washoe County.

17. The applicant and any successors shall direct any potential purchaser of the site and/or special use permit to meet with the planning staff to review the conditions of approval prior to final sale. Any subsequent purchaser shall notify the planning staff of the name, address, and contact person of the new purchaser.

Any potential purchaser will be notified of this condition.

18. The applicant shall ensure that any financial assurances required by the provisions of this special use permit are maintained for the life of the project to the satisfaction of the Engineering Division. Should transfer of the site or the special use permit occur without the continuation of the financial assurances, this special use permit shall become null and void.

In the event of permit transfer, this condition will be addressed by the transferee.

19. An archaeological/historic study shall be conducted during the planning stages of an excavation pit or mine. If the Division of Historic Preservation and Archaeology determine that the project is located in an area of archaeological sensitivity that has not been previously surveyed; said archaeological report shall be forwarded to the Division for their review.

Any potential mining expansion will be addressed with the Division of Historic Preservation and Archeology prior to expansion.

20. Regarding off-site road improvement fees, the applicant shall either (1) enter into an agreement with Washoe County, requiring financial assurances and approval by the District Attorney's Office, to pay the future off-site road impact fee upon its adoptions or (2) pay any interim fee imposed by Washoe County, be released from the responsibility of paying the future impact fee, and be eligible for a refund should the future impact fee charge less than interim fee. The calculation of these fees shall be based only on traffic generated by the manufacturing of asphalt and concrete.

No asphalt or concrete plants were located on this on site in 2015; therefore, no traffic is generated by these types of operations.

21. The applicant shall submit an architectural design plan to the Design Review Committee for review and approval of the type and color of structural material. The review shall be limited to these specified facets.

An architectural design plan will be submitted for review and approval prior to the installation of any permanent structures.

22. The applicant shall obtain an Industrial Stormwater Discharge Permit from NDEP and provide a copy to the Engineering Division.

Martin Marietta has a current General Industrial Stormwater Discharge Permit approved and issued by NDEP and Martin Marietta provided a copy to the Engineering Division.

If you have any questions or concerns regarding this information, please do not hesitate to contact me at 913-378-1806.

Sincerely,
Martin Marietta



John Stafne
Land Manager / Geologist
Midwest Division