



Planning Commission Staff Report

Meeting Date: March 7, 2023

Agenda Item: 9A

SPECIAL USE PERMIT CASE NUMBERS:	SW04-020 & SPW1-5-94 (Lockwood Pit)
BRIEF SUMMARY OF REQUEST:	5-year review of Conditions of Approval for aggregate facility
STAFF PLANNER:	Julee Olander, Planner Phone Number: 775.328.3627 E-mail: jolander@washoecounty.gov

<p>CASE DESCRIPTION</p> <p>For hearing, discussion, and possible action to approve the 5-year review of conditions of approval for aggregate operations for SW04-020 & SPW1-5-94 for Lockwood Pit. The purpose of this review is to examine the conditions of approval to ensure that they adequately provide for compatibility between aggregate operations and surrounding land uses in accordance with WCC 110.332.40. The Development Code requires that a date be established for the next scheduled review of conditions of approval.</p> <p>Applicant/Property Owner: Granite Construction Co. Location: 12005 Interstate 80 E APN: 084-060-37 & 084-060-13. Parcel Size: 670 acres & 624 acres Master Plan: Rural (R) Regulatory Zone: General Rural (GR) for APN: 084-060-37 and 27% Parks & Recreation (PR) & 73% General Rural (GR) for APN: 084-060-13 Area Plan: Truckee Canyon Development Code: Authorized in 332, Aggregate Facilities Commission: 4 – Commissioner Hartung District:</p>	<p style="text-align: center;">Vicinity Map</p>
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH
CONDITIONS

DENY

POSSIBLE MOTION

I move that the Washoe County Planning Commission accepts the 5-year review of Conditions of Approval for aggregate operations for Special Use Permit Case Numbers SW04-020 & SPW1-5-94 for Granite Construction Company to ensure that the Conditions of Approval adequately provide for compatibility between the facility's operations and the surrounding land uses. The next scheduled review of Conditions of Approval to occur not later than March of 2028.

(Motion with Findings on Page 6)

Staff Report Contents

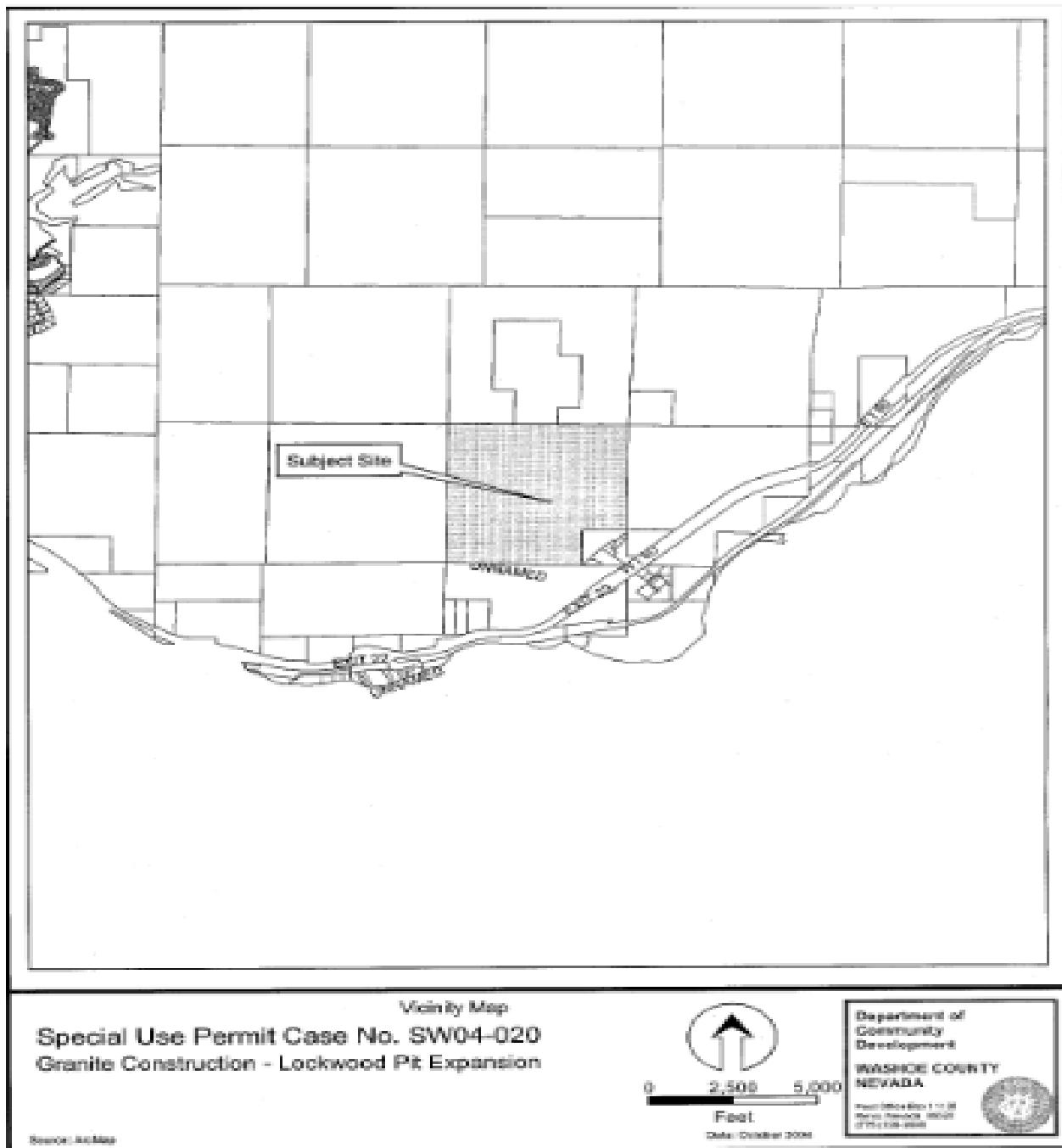
Five-year review of Conditions of Approval 3
SW04-20 Map 3
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Site Map..... 5
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Exhibits

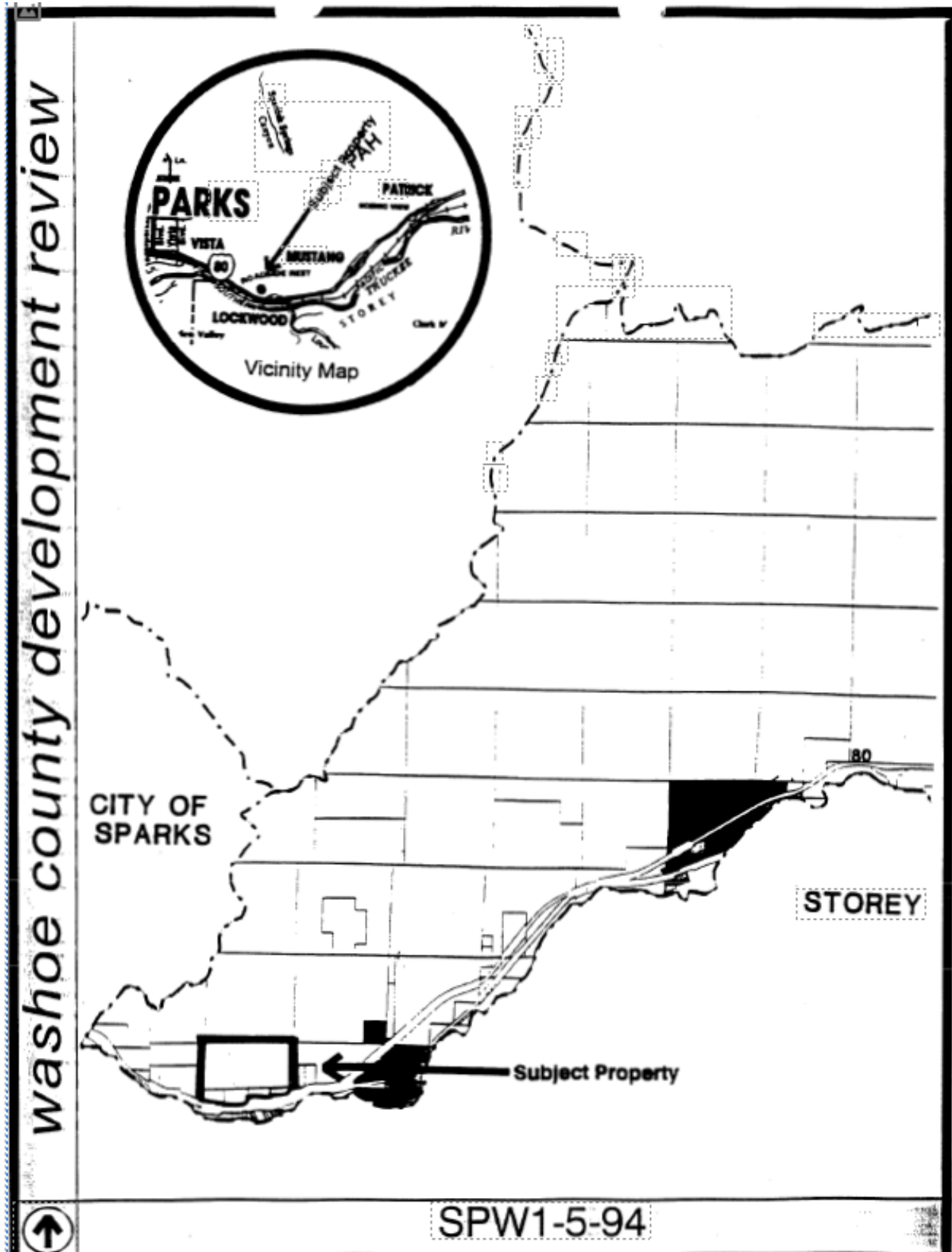
Agency Comments..... Exhibit A
Action Letter & Approved Conditions of Approval for SW04-020 Exhibit B
Action Letter & Approved Conditions of Approval for SPW1-5-94 Exhibit C
Project Application Exhibit D

Five-year review of Conditions of Approval

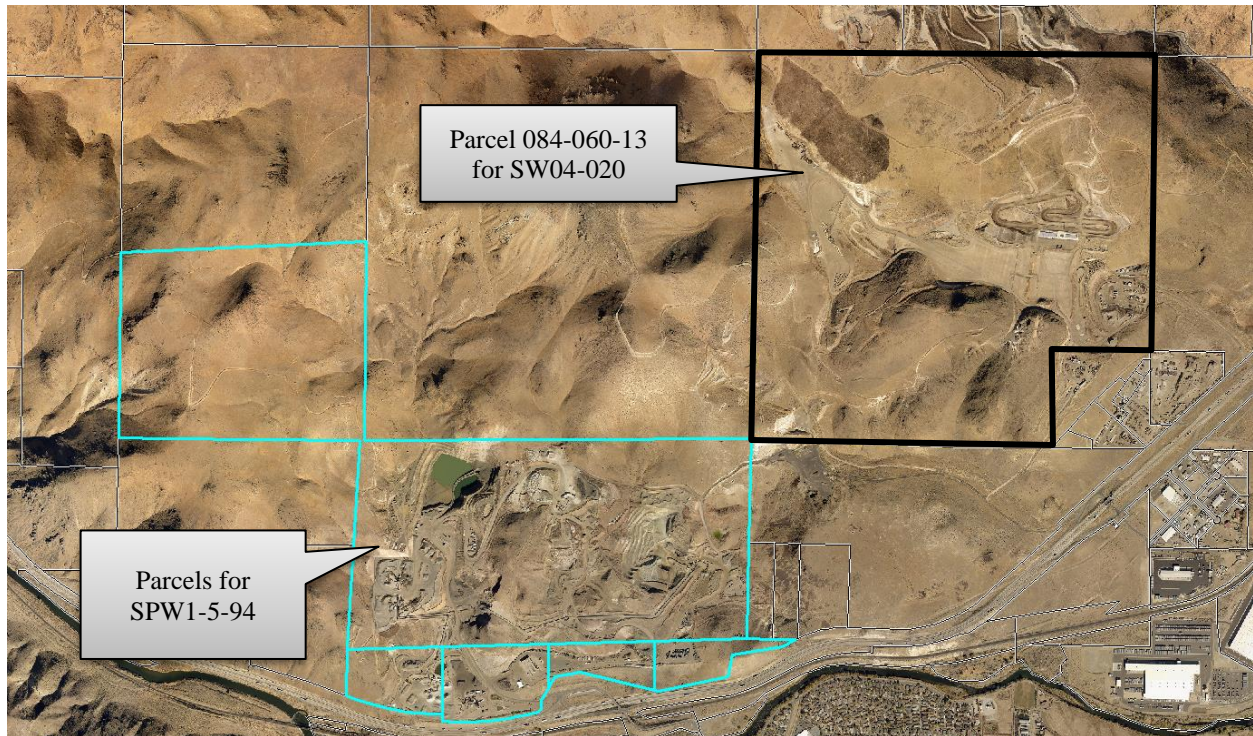
The purpose of a five-year review of Conditions of Approval is to confirm that all approved Conditions of Approval continue to be satisfied and continue to provide for compatibility between the aggregate operations and surrounding land uses. See WCC 110.332.40. If the Planning Commission approves the review of conditions, a date shall be established for the next scheduled review of conditions within the next five (5) years.



SW04-20 Map



SPW1-5-94 Map



Site Map

Background

In 1994, the Granite Construction Company applied for Special Use Permit Case Number SPW1-5-94 (Lockwood Pit) for 385 acres. The permit was to allow the continued operation of the pit, the crusher and hot batch plant at the North Lockwood Pit and to relocate a portion of the crushing facilities. The permit consolidated and replaced four previously approved Special Use Permits SP3-3-82, SP3-9-82, SPB6-18-86, and SPB4-10-93.

The staff report for SPW1-5-94 states, "Evidence has been presented at past hearings showing that an aggregate pit has operated at this site since 1947. The current operation was first permitted in 1982, with separate permits for the pit and for the batch plant. In June of 1993 a Special Use Permit was granted to expand the aggregate operation onto an adjoining 320-acre parcel. This application combines all existing permits for this site and allows for the relocation of the batch plant and other processing operations onto the expanded area."

In 2004, Granite Construction Company applied for Special Use Permit Case Number SW04-020 (Lockwood Pit) to "allow aggregate quarry operations and aggregate processing on approximately 300 acres of a 624-acre parcel located adjacent to and northeast of the Lockwood Pit". According to the staff report, "The current operation includes 385 acres on four parcels, and involves aggregate mining and processing, a materials testing laboratory, and an asphalt batch plant as approved under Special Use Permit Case No. SPW1-5-94." The request expanded the quarry to operate in two areas of the 624-acre parcel. The application was approved by the Planning Commission on October 22, 2004.

Project Evaluation

Washoe County Development Code, Section 110.332.40, requires a periodic review of aggregate facilities, without an otherwise specified interval of review in their Conditions of Approval, at least every five years. The Development Code requires that a date be established for the next

scheduled review of conditions at the review hearing. The purpose of this review is to examine the current Conditions of Approval to ensure that they adequately provide for compatibility between aggregate operations and surrounding land uses. The Development Code has no required procedures, findings, or notification requirements for these reviews.

The applicant has submitted documentation to show that the Conditions of Approval for Special Use Permit Case Number SW04-020 & SPW1-5-94 (Lockwood Pit) are being met and addressing each condition of approval (See Exhibit D). The application has been distributed to various departments for review and comments. No comments of concern were received from District Health- Air Quality or District Health- Environment and Engineering Division (see Exhibit A). Also, there are no open code enforcement cases for the Lockwood Pit.

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation. However, such review is not required by the Development Code.

Agency	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stephen Hein, shein@washoecounty.gov
WCHD – Environmental	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	James English, jenglish@washoecounty.gov
WCHD – Air Quality	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Genine Rosa, grosa@washoecounty.gov

Recommendation

After a thorough analysis and review, the 5-year review of Conditions of Approval for Special Use Permit Case Numbers SW04-020 & SPW1-5-94 are being recommended for approval with conditions (See Exhibits B & C). Staff offers the following motion for the Commission’s consideration:

Motion

I move that the Washoe County Planning Commission accept the 5-year review of Conditions of Approval for aggregate operations for Special Use Permit Case Numbers SW04-020 & SPW1-5-94 for Granite Construction Company to ensure that the Conditions of Approval adequately provide for compatibility between the facility’s operations and the surrounding land uses. The next scheduled review of Conditions of Approval shall occur not later than March of 2028.

Applicant/Property Owner: Granite Construction Company, Email: Tina.Mudd@gcinc.com

From: [Rosa, Genine](#)
To: [Olander, Julee](#)
Subject: RE: Lockwood Pit 5-year review
Date: Monday, January 9, 2023 7:26:42 AM
Attachments: [image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image023.png](#)
[image024.png](#)
[image025.png](#)
[image026.png](#)
[image027.png](#)

No comments at this time, they maintain their operating permit and remain in compliance.

Genine

Senior Air Quality Specialist
O: (775) 784-7204

www.OurCleanAir.com | [Subscribe to get Air Quality Updates!](#)




Please take our customer satisfaction survey by clicking [here](#)

From: Olander, Julee <JOlander@washoecounty.gov>
Sent: Friday, January 6, 2023 11:08 AM
To: Rosa, Genine <GRosa@washoecounty.gov>
Subject: FW: Lockwood Pit 5-year review

Rosa,
Does Air Quality have any comments with the 5-year review?



Julee Olander, Planner
jolander@washoecounty.gov | Direct Line: 775.328.3627
My working hours: Monday-Friday 8:00am to 4:30pm
Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512


From: English, James <JEnglish@washoecounty.gov>
Sent: Monday, December 5, 2022 7:42 PM
To: Olander, Julee <JOlander@washoecounty.gov>; Heeran, Jennifer <JHeeran@washoecounty.gov>; Weiss, Timber A. <TWeiss@washoecounty.gov>; Rosa, Genine

<GRosa@washoecounty.gov>; Kelly, David A <DAKelly@washoecounty.gov>; West, Walt <WWest@washoecounty.gov>

Subject: RE: Lockwood Pit 5-year review

Julee,

EHS for WCHD is good with this, the facility is in compliance, we have no comments or additional requirements.

Thanks,
Jim

James English, REHS, CP-FS

Environmental Health Specialist Supervisor | Environmental Health Services | Washoe County Health District
jenglish@washoecounty.gov | (775) 328-2610 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



Questions about COVID-19 Vaccines in Washoe County? Visit our website at Covid19Washoe.com for information.

From: Olander, Julee <JOlander@washoecounty.gov>

Sent: Monday, December 5, 2022 4:24 PM

To: Heeran, Jennifer <JHeeran@washoecounty.gov>; Weiss, Timber A.

<TWeiss@washoecounty.gov>; Rosa, Genine <GRosa@washoecounty.gov>; English, James

<JEnglish@washoecounty.gov>; Kelly, David A <DAKelly@washoecounty.gov>; West, Walt

<WWest@washoecounty.gov>

Subject: RE: Lockwood Pit 5-year review

Do any of you have comments/conditions for the Lockwood Pit? Need them by the end of the week.
Thank you,



Julee Olander

Planner | Community Services Department- Planning & Building Division

jolander@washoecounty.us | Office: 775.328.3627 | Fax: 775.328.6133

1001 E. Ninth St., Bldg A., Reno, NV 89512



From: Olander, Julee

Sent: Tuesday, November 1, 2022 8:01 AM

To: Heeran, Jennifer <JHeeran@washoecounty.gov>; Weiss, Timber A.

<TWeiss@washoecounty.gov>; Rosa, Genine <GRosa@washoecounty.gov>; English, James

<JEnglish@washoecounty.gov>; Kelly, David A <DAKelly@washoecounty.gov>

Subject: Lockwood Pit 5-year review

Planning is in the process of the 5-year review of the Lockwood Pit for SW04-020 & SPW1-5-94. Wanted to make sure that Engineering and Health had the opportunity to confirm that the original conditions of approval are being met along with 110.332.20 . Have attached the request from Granite and the conditions of approval. Please let me know if you have any questions- would like comments by December 5th.

Thank you,



Julee Olander

Planner, Planning & Building Division | Community Services Department

jolander@washoecounty.gov | Direct Line: 775.328.3627

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From: [Hein, Stephen](#)
To: [Olander, Julee](#); [West, Walt](#)
Subject: Re: Lockwood Pit 5-year review
Date: Friday, January 6, 2023 9:45:07 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
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[image011.png](#)
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[Outlook-khxkxbs.png](#)
[Outlook-2dkea4e0.png](#)
[Outlook-fcbppbbl.png](#)
[Outlook-hvp0ysqg.png](#)

Yes, agreed.

I have taken a look at the action order and everything seem to be in order. Go ahead and process this Julee!

Thanks,



Stephen Hein, P.E. | Licensed Engineer
Engineering & Capital Projects Division | CSD
SHein@washoecounty.us | Office: 775.328.2319
1001 East Ninth Street, Reno, NV 89512
A row of four social media icons: a square icon, a Twitter bird, a Facebook 'f', and a globe.

Have some kudos to share about a Community Services Department employee or experience?
Email: csdallstars@washoecounty.us

Stay healthy-keep calm-wash your hands.

From: Olander, Julee <JOlander@washoecounty.gov>
Sent: Friday, January 6, 2023 8:41 AM
To: West, Walt <WWest@washoecounty.gov>; Hein, Stephen <SHein@washoecounty.gov>
Subject: RE: Lockwood Pit 5-year review

Sounds good - thanks.



Julee Olander, Planner
jolander@washoecounty.gov | Direct Line: 775.328.3627
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CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512
A row of four social media icons: a square icon, a Twitter bird, a Facebook 'f', and a globe.

From: West, Walt <WWest@washoecounty.gov>
Sent: Friday, January 6, 2023 8:38 AM
To: Olander, Julee <JOlander@washoecounty.gov>; Hein, Stephen <SHein@washoecounty.gov>
Subject: RE: Lockwood Pit 5-year review

Stephen, I don't think a site visit at this time would be fruitful given the recent snow fall and since this review needs to be completed, please review the written submittals and then send a response to Julee. My sense is that there will be no issues.



Walter West, P.E.
Senior Licensed Engineer | Community Services Department
wwest@washoecounty.gov | Office: 775.328-2310 | Fax: 775.328.3699
1001 E. Ninth Street, Reno, NV 89512

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From: Olander, Julee <JOlander@washoecounty.gov>
Sent: Thursday, January 5, 2023 9:13 AM
To: West, Walt <WWest@washoecounty.gov>; Hein, Stephen <SHein@washoecounty.gov>
Subject: RE: Lockwood Pit 5-year review

Can I get e final comment from Engineering concerning the 5-year review by next week?
Thanks,



Julee Olander, Planner
jolander@washoecounty.gov | Direct Line: 775.328.3627
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From: West, Walt <WWest@washoecounty.gov>
Sent: Thursday, December 8, 2022 7:37 AM
To: Hein, Stephen <SHein@washoecounty.gov>
Cc: Olander, Julee <JOlander@washoecounty.gov>
Subject: RE: Lockwood Pit 5-year review

Thank you Steven for you timely review. We will have to proceed w/o the site review. I believe there was a separate folder in the safe for material pit bonds, but other than that, I don't know.

Given the time constraint and your review thus far, I have not heard that they are out of compliance in anything substantive, so at this point Engineering has no comment on the 5 year review.



Walter West, P.E.

Senior Licensed Engineer | Community Services Department

wwest@washoecounty.gov | Office: 775.328-2310 | Fax: 775.328.3699

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From: Hein, Stephen <SHein@washoecounty.gov>

Sent: Wednesday, December 7, 2022 2:48 PM

To: West, Walt <WWest@washoecounty.gov>

Subject: Re: Lockwood Pit 5-year review

I couldn't get a site visit with Granite until 12/20. Also, we are unsure of where the bond is. It's listed in the archived log, but Petra or myself do not know where it's at. Any ideas?

Most of the conditions look fulfilled based on their submitted responses.



Stephen Hein, P.E. | Licensed Engineer

Engineering & Capital Projects Division | CSD

SHein@washoecounty.us | Office: 775.328.2319

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

Email: csdallstars@washoecounty.us

Stay healthy-keep calm-wash your hands.

From: West, Walt <WWest@washoecounty.gov>

Sent: Tuesday, December 6, 2022 8:43 AM

To: Hein, Stephen <SHein@washoecounty.gov>

Cc: Heeran, Jennifer <JHeeran@washoecounty.gov>

Subject: FW: Lockwood Pit 5-year review

Engineering has not yet responded. Stephen can you please review the project and perform a site visit to ensure that this pit is in compliance with the SUP and get a response back to Julee ASAP this week.

Thank you.



Walter West, P.E.

Senior Licensed Engineer | Community Services Department

wwest@washoecounty.gov | Office: 775.328-2310 | Fax: 775.328.3699
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From: Olander, Julee <JOlander@washoecounty.gov>

Sent: Tuesday, December 6, 2022 8:36 AM

To: West, Walt <WWest@washoecounty.gov>

Subject: FW: Lockwood Pit 5-year review

Here's the application.



Julee Olander

Planner | Community Services Department- Planning & Building Division

jolander@washoecounty.us | Office: 775.328.3627 | Fax: 775.328.6133
1001 E. Ninth St., Bldg A., Reno, NV 89512



From: Olander, Julee

Sent: Tuesday, November 1, 2022 8:01 AM

To: Heeran, Jennifer <JHeeran@washoecounty.gov>; Weiss, Timber A.

<TWeiss@washoecounty.gov>; Rosa, Genine <GRosa@washoecounty.gov>; English, James

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From: [English, James](#)
To: [Olander, Julee](#); [Heeran, Jennifer](#); [Weiss, Timber A.](#); [Rosa, Genine](#); [Kelly, David A](#); [West, Walt](#)
Subject: RE: Lockwood Pit 5-year review
Date: Monday, December 5, 2022 7:41:46 PM
Attachments: [image004.png](#)
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[image007.png](#)
[image008.png](#)
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[image012.png](#)
[image013.png](#)

Julee,

EHS for WCHD is good with this, the facility is in compliance, we have no comments or additional requirements.

Thanks,
Jim

James English, REHS, CP-FS

Environmental Health Specialist Supervisor | Environmental Health Services | Washoe County Health District
jenglish@washoecounty.gov | (775) 328-2610 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



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jolander@washoecounty.us | Office: 775.328.3627 | Fax: 775.328.6133
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Thank you,



Julee Olander

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jolander@washoecounty.gov | Direct Line: 775.328.3627

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Washoe County
Department of
Community
Development

11 E. Ninth St., Bldg. A
Office Box 11130
Reno, NV 89520-0027
Tel: 775-328-3600
Fax: 775-328-3648

ACTION ORDER

November 4, 2004

Granite Construction Co.
Attn: Tom Walbom
1900 Glendale Avenue
Sparks, NV 89432

Lockwood Investments Co.
Attn: James Parker
P.O. Box 20760
Reno, NV 89515

Dear Applicant and Property Owner:

As filed with the Department of Community Development, the Washoe County Planning Commission, at its regular meeting of November 3, 2004, approved the following, with thirty (30) conditions:

SPECIAL USE PERMIT CASE NO. SW04-020 (GRANITE CONSTRUCTION LOCKWOOD PIT) – To allow aggregate quarry operations and aggregate processing on approximately 300 acres of a 624-acre parcel located adjacent to and northeast of the Lockwood Pit operated by Granite Construction Company as authorized in Article 332, Aggregate Facilities, of the Washoe County Development Code. Materials extracted will be transported to the existing processing facilities at the Lockwood pit. The expansion areas are located approximately one mile northeast of the Lockwood/I-80 interchange, and are on either side of the old Lockwood landfill. The 624-acre parcel is designated General Rural (GR) in the Truckee Canyon Area Plan, and is within the Sphere of Influence of the City of Sparks. The protocol agreement to further implement the 2002 settlement of the Truckee Meadows Regional Plan between the City of Sparks and Washoe County assigns review of aggregate facilities in the Sphere of Influence to Washoe County. The proposed development is situated in Section 9, T19N, R21E, MDM, Washoe County, Nevada. The property is located in the East Truckee Canyon Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN: 084-060-13)

The approval of the special use permit was based on the following findings:



Adrian P. Freund,
AICP, Director



Washoe County ... Where Quality Is At Home
"Dedicated to Excellence in Public Service"
"World Town Planning Day is November 8th"

SW04-020 & SPW1-5-94
EXHIBIT B

Letter to: Granite Construction Co./Lockwood Investment Co.

Subject: Special Use Permit SW04-020

Date: November 4, 2004

Page 2

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Truckee Canyon Area Plan;
2. Improvements. That 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;
3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of the development;
4. Issuance Not Detrimental. That 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; injurious to surrounding land uses and the environment in general; or detrimental to the character of the surrounding area as conditioned;
5. Special Review Considerations. That the Planning Commission considered the Special Review Considerations as stated in Section 332.20(a)–(j) of the Development Code, listed below, and found that adequate provisions have been made to comply with these 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; and
 - (j) Preservation of the recreation opportunities, air quality, archaeological resources, character of the area and other conditions as necessary.

Letter to: Granite Construction Co./Lockwood Investment Co.

Subject: Special Use Permit SW04-020

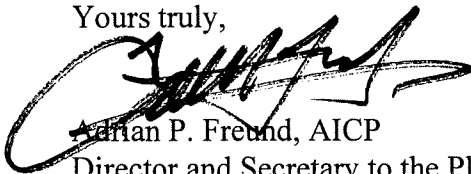
Date: November 4, 2004

Page 3

6. Views. That the proposed development will not unduly block scenic views or degrade any surrounding scenic resources;
7. Reclamation. That the proposed development will reclaim the site and all affected areas at the conclusion of the operation;
8. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

Unless appeals are filed in the time period stipulated in the Washoe County Development Code, the decision by the Planning Commission is final.

Yours truly,



Adrian P. Freund, AICP

Director and Secretary to the Planning Commission

APF/RPK/cm (SW04-020f1)

xc: Summit Engineering, Attn: Ben Veach, 5405 Mae Anne Avenue, Reno, NV 89523
Blaine Cartlidge, DA's Office; Engineering Division; Health Department; Marge Clausen, Assessor's Office (CAAS); Steve Churchfield, Chief Appraiser, Assessor's Office; Chair, East Truckee Canyon Citizen Advisory Board; Rob Joiner, City of Sparks Community Development

Letter to: Granite Construction Co./Lockwood Investment Co.
Subject: Special Use Permit SW04-020
Date: November 4, 2004
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**CONDITIONS FOR
SPECIAL USE PERMIT CASE NUMBER SW04-020
GRANITE CONSTRUCTION LOCKWOOD PIT
(As approved by the Washoe County Planning Commission on November 3, 2004)**

*****IMPORTANT - PLEASE READ*****

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

UPON EXERTION OF EXTRATERRITORIAL JURISDICTION BY THE CITY OF SPARKS, ALL REFERENCE TO APPROVALS BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OR COUNTY ENGINEER SHALL BE CONVEYED TO THE CITY OF SPARKS DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ANY OPERATIONS CONDITIONS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE RENEWAL OF A BUSINESS LICENSE EACH YEAR. FAILURE TO ADHERE TO THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL CONDITIONS ARE COMPLIED WITH TO THE SATISFACTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

Letter to: Granite Construction Co./Lockwood Investment Co.
Subject: Special Use Permit SW04-020
Date: November 4, 2004
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WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, "MAY" IS PERMISSIVE AND "SHALL" OR "MUST" IS MANDATORY.

CONDITIONS

NOTE: Washoe County shall maintain jurisdiction and oversight of this special use permit until such time as the City of Sparks exerts extraterritorial jurisdiction over the area. At that time, all aspects of this permit shall be under the jurisdiction of the City of Sparks.

1. The applicant shall demonstrate substantial conformance to the approved Mining and Reclamation Plan and the application submittal approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
2. A copy of the Action Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval before the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
4. The following note shall be placed on all construction drawings: Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.
5. During the period of operation, the owner, and/or operator shall notify the Department of Community Development of seasonal or permanent shutdown occurrences.
6. Applicant shall in no way increase drainage and/or runoff water to or from any adjacent property. The County Engineer shall determine compliance with this condition.

Letter to: Granite Construction Co./Lockwood Investment Co.

Subject: Special Use Permit SW04-020

Date: November 4, 2004

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7. During the period of operation, the owner and/or operator shall provide adequate on-site dust control in the pit area, on stockpiles, on all roads, and the conveyors to the satisfaction of the District Health Department. Applicant shall submit a copy of the air quality operations permit that includes Areas 3 and 4 to Community Development before commencing operations in these new areas.
8. If the operation should cease for a period of twelve (12) months, the special use permit shall become null and void. Should the applicant desire to operate after this time period, the applicant will be required to file a new application with the Department of Community Development for appropriate review and approval.
9. A bond in an amount satisfactory to the County Engineer shall be posted with the County to ensure site reclamation in accordance with the approved plans. The bond shall remain in place with the County for a period of three (3) years after reclamation activities are completed to assure vegetation establishment and growth has taken place. The reclamation bond shall be transferred to the City of Sparks when the City exerts extraterritorial jurisdiction. Applicant shall ensure that the financial assurance required by the provisions of the special use permit is 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, or should the bond lapse without being renewed within 30 calendar days, this special use permit shall become null and void. Applicant shall ensure that the bonding entity notifies the County Engineer before the bond expires or is terminated. The Department of Community Development shall determine compliance with this condition.
10. Applicant shall submit a yearly compliance report as required in Section 332.30 of the Development Code. In this report, the applicant shall detail how they have complied with each condition of the special use permit. If not in compliance with a particular condition, applicant shall detail how compliance will be reached together with a fixed timeline to reach compliance. The Department of Community Development shall determine compliance with this condition.
11. The Planning Commission shall review the conditions of approval at least every five (5) years from the initial special use permit approval date to ensure that the conditions of approval adequately provide for compatibility between aggregate operations and surrounding land uses. This review shall conform to the requirements of Section 332.40(a) of the Washoe County Development Code. Any changes resulting from the review by the Planning Commission shall become part of this special use permit. The Department of Community Development shall determine compliance with this condition.
12. Exported materials shall not be sold without the proper business license. The Community Development Department shall determine compliance with this condition.

Letter to: Granite Construction Co./Lockwood Investor Co.

Subject: Special Use Permit SW04-020

Date: November 4, 2004

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13. Vector control for the retention basin including vegetation removal shall be required and shall meet all requirements of the District Health Department.
14. The applicant shall comply with the conditions imposed by the District Health Department.
15. Topsoil shall be removed, stockpiled in a protected area, and used in slope reclamation. These stockpiles shall be either reseeded or otherwise treated to prevent wind and water erosion. The Department of Community Development shall determine compliance with this condition.
16. Concurrent reclamation shall take place during each phase of the project. Reclamation shall commence no later than one year of being finished with a slope face. Seed type, mix, and application quantity shall require approval of the Washoe-Storey Conservation District and the County Engineer before application. All disturbed land shall be contoured and seeded no later than the month of March in the Spring or the month of November in the Fall of the year that mining activities in the area are completed. The revegetation plan shall require the use of a "jute" erosion control blanket under the seed mix or other approved method of soil stabilization to be used in conjunction with the reseeded to promote growth and soil stabilization. Temporary irrigation shall be provided until vegetation is established to the satisfaction of the Department of Community Development. The Department of Community Development shall determine compliance with this condition.
17. Finished slope faces shall be contoured to have a natural appearance by varying the topography both horizontally and vertically; no flat-slopes faces or planes intersecting at 90-degree angles shall be permitted. The Department of Community Development shall determine compliance with this condition.
18. All slopes created because of road and conveyor construction shall be immediately stabilized and reseeded. The Department of Community Development shall determine compliance with this condition.
19. Slopes visible from the freeway shall be reclaimed as soon mining activities are completed on a portion of the exposed surface. Finished slopes shall be recontoured as stipulated in Condition 17, shall be 2:1 in slope, and shall employ the use of jute erosion control blankets or other approved method of soil stabilization. Temporary irrigation shall be provided until the vegetation is firmly established without large areas of bare terrain as determined by the Department of Community Development. The Department of Community Development shall determine compliance with this condition.
20. In Area 4, no working surface visible from the freeway shall be greater than 900 feet in length. Reclamation work shall commence immediately upon completing

Letter to: Granite Construction Co./Lockwood Investment Co.

Subject: Special Use Permit SW04-020

Date: November 4, 2004

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operations as required in Condition 19. Failure to comply with this requirement shall be a violation of this permit and shall be cause for Washoe County to suspend all operations until the operator complies with this condition. The Department of Community Development shall determine compliance with this condition.

21. Before commencement of operations in the new quarry areas, a revised mining and reclamation plan shall be submitted for approval by the Department of Community Development, and shall contain, at a minimum, extraction methodology, and the requirements contained in Conditions 15 through 20 above. Operations shall not commence until written approval of the revised plans has been received from the Department of Community Development.
22. Blasting shall be limited to Mondays through Fridays during the hours of 10:00 AM to 3:00 PM. The Department of Community Development shall determine compliance with this condition.
23. On-site signs shall conform to code requirements and shall be approved by the Department of Community Development before their installation.
24. All lighting shall be down-shielded and shall not spill over to adjacent properties. The Department of Community Development shall determine compliance with this condition.
25. The operator shall allow for access over the existing roadway to the air beacon, and for other lawful access. The Department of Community Development shall determine compliance with this condition.
26. The following conditions shall be completed to the satisfaction of the Engineering Division:
 - a. For mining operations, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for mining and submit a copy to the Engineering Division before mining commences.
 - b. A restoration bond of \$1,200 per acre of disturbed area shall be provided to the Engineering Division before mining activities commence.
27. The following items must be completed to the satisfaction of the Reno Fire Department:
 - a. The following note shall be placed on the mining plan: Due to response time and the lack of fire protection water, structures built on these parcels shall be equipped with an automatic extinguishing system meeting the approval of the Reno Fire Department.

Letter to: Granger Construction Co./Lockwood Investment Co.

Subject: Special Use Permit SW04-020

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- b. Fire fuel breaks meeting the approval of the Reno Fire Department shall be provided and maintained around all structures and machinery.
28. Applicant shall submit written notification to the Department of Community Development and to the County Engineer before commencing operations in Areas 3 and 4.
29. Should mining activities result in disturbance to or release of materials, liquids, or gases from the closed Lockwood landfill, the District Health Department shall be immediately notified and remedial action taken by the applicant to the satisfaction of the District Health Department.
30. Failure to comply with any of the conditions of approval shall be considered a violation of the Development Code and, subject to the provisions of Article 910, Enforcement, of the Development Code, may result in the institution of revocation procedures by the Board of County Commissioners or, upon exertion of extra-territorial jurisdiction by the City of Sparks, by the City's operational ordinances.

END OF CONDITIONS



WASHOE COUNTY

"To Protect and To Serve"



**WASHOE COUNTY PLANNING COMMISSION
DEPARTMENT OF DEVELOPMENT REVIEW
Michael A. Harper, AICP, Director**

Development Review (702) 328-6100
Business License Div. (702) 328-3733
FAX (702) 328-3648

MEMBERS:
Lynette Preku, Chair
Ann Johnson
L. H. "Buck" Metcalf

**Robert C. Oakes
Greg Reddicks
Alan R. Rock
Robert Strobel**

FINAL ORDER

April 7, 1994

Granite Construction Co.
Attn: John Elkins
1900 Glendale Avenue
Sparks, NV 89431

Dear Mr. Elkins:

At its regular meeting of March 1, 1994, the Washoe County Planning Commission considered the following request:

Special Use Permit Case No. SPW1-5-94 (Granite Construction Company/Lockwood Pit): To amend and extend Special Use Permit Case No. SPB4-10-93, previously approved as Special Use Permit Case No. SP3-3-82, SPB6-18-86 and SP3-9-82. The amendment requests future relocation of a portion of the crushing activities from Assessor's Parcel No. 84-070-10, adjacent to the freeway, into the canyon on Assessor's Parcel No. 84-60-15, the recently expanded portion of the pit. The hot batch plant may be relocated within the canyon. The extension request would allow the "Lockwood Pit" and presently located hot batch plant to continue operation. The pit comprises four contiguous parcels totaling +385.17 acres; is located north of the Lockwood Interchange on I-80; and is designated General Rural (GR) in the Truckee Canyon Area Plan. The parcels are situated in a portion of Section 17, T19N, R21E, MDM, Washoe County, Nevada. (APN: 84-060-15 and 84-070-10, 11 and 22.)

Ron Kilgore summarized his staff report dated February 15, 1994. He noted that the application consolidates and replaces four previously approved special use permits; no negative comments had been received from either reviewing agencies or the public regarding the extension of the permits; and that staff was recommending approval with conditions.

Paul Bible, Attorney, representing Granite Construction, appeared and stated that the conditions contained in the staff report were acceptable to the applicant.

Chair Preku opened the public hearing.

Larry L. Wissbeck, 45 Lockwood Drive, Sparks, stated that he owned property that was one of the closest to this project. He said that over the years he and his neighbors had complained about (1) petroleum product storage, (2) lighting, (3) noise, and (4) traffic. In his opinion, the lighting problem had been dealt with, the noise problems had been abated to some degree, and the traffic has not been too severe. Mr. Wissbeck indicated the lack of conditions regulating noise, lighting and traffic. Although Granite had recently been an enlightened neighbor, investing a great deal of effort to resolve problems, Mr. Wissbeck felt conditions would make it easier to deal with violations, should they occur. Mr. Wissbeck also asked the Commissioners to consider a period less than five years for reconsideration of the permit.

Carol Scott, 12485 Lockwood Road, Sparks, said she concurred with Mr. Wissbeck, particularly about the five year period of the permit.

There being no other persons wishing to speak, Chair Preku closed the public hearing.

In response to Mr. Wissbeck's requests for further conditions, Mr. Harper responded that the Health Department felt its regulations were sufficient to deal with dust control. He agreed that staff could address the lighting issue if the Commission agreed, but stated that there is no evidence that the Lockwood intersection is dysfunctional and therefore staff did not feel it appropriate to condition the permit on that issue. Mr. Harper also reminded those present that the County has a noise abatement ordinance under which excessive noise from this operation might be prosecuted. It was also noted that Condition No. 15 which requires that an annual report be submitted to staff should take care of the concern for a more frequent review of the operation. There is also a revocation process should the applicant violate the conditions of the special use permit.

Commissioner Metcalf moved that Special Use Permit Case No. SPW1-5-94 be conditionally approved as recommended by staff with the addition of a condition dealing with lighting. The motion was based on the following findings:

1. That the proposed use is consistent with the action programs, policies, standards, and maps of the Comprehensive Plan and the Truckee Canyon Area Plan;
2. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvement are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division 7 of the Washoe County Development Code;
3. That the site is physically suitable for the type of development and for the intensity of development;
4. That issuance of the permit will provide a necessary source of aggregate, and lessen the impacts of an existing operation, while not being 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; and
5. That the Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

Commissioner Rock seconded the motion which passed by a vote of six (6) in favor, none (0) opposed, and one (1) absent (Commissioner Oakes).

Granite Construction Co.; Attn: John Elkins

Re: SPW1-5-94

April 7, 1994--page 3

As no appeals have been filed as stipulated in the Washoe County Development Code, the Planning Commission's decision is final.

Yours truly,

A handwritten signature in cursive script that reads "Michael A. Harper". The signature is written in dark ink and is positioned above the typed name and title.

Michael A. Harper, AICP
Development Review Director and
Secretary to the Planning Commission

MAH/REK/ma (SW594S)

Attachments: Conditions

xc: Judy Ramos, Assessor's Office; Regional Transportation Commission; Truckee Meadows Regional Planning Agency, 1400-A Wedekind Road, Reno, NV 89512; Reno Disposal, Attn: Dennis Freeman, 100 Vassar St. Reno, NV 89502; T. K. Meredith, 1210 Kleppe Lane, Sparks, NV 89431.

CONDITIONS OF APPROVAL
for
SPECIAL USE PERMIT CASE NO. SPW1-5-94
(As Approved by the Planning Commission at its Meeting on March 1, 1994)

EXCAVATION PITS AND MINING OPERATIONS
(PRIVATE LAND)

ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES PROVIDED TO SATISFY THE CONDITIONS PRIOR TO COMMENCEMENT OF OPERATION UNLESS OTHERWISE SPECIFIED.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE OPERATOR, ITS SUCCESSORS IN INTEREST, AND ALL OWNERS AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

THIS SPECIAL USE PERMIT SHALL EXPIRE 5 YEARS FROM THE DATE OF APPROVAL BY WASHOE COUNTY . FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ALL AGREEMENTS, EASEMENTS OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE DEVELOPMENT REVIEW STAFF.

ALL PLANS SHALL BE IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL STATUTES, ORDINANCES, RULES, AND REGULATIONS AND POLICIES IN EFFECT AT THE TIME OF SUBMITTAL FOR ANY REQUIRED PERMIT.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

CONDITIONS

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 development review staff. A copy of the approved special use permit shall be attached to any application for a required permit.
2. Completion of construction of all structures used to further the operation within two years from the date of approval by the Board of County Commissioners, or in accordance with an approved mining plan.
3. The Nevada Division of Environmental Protection must submit a letter to the District Health Department certifying its approval of the project prior to the issuance of any building permit.
4. 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.

5. During the period of operation, all loads of material exiting the site shall be tarped or treated for dust or loose material, to the satisfaction of the District Health Department and Nevada Department of Transportation.
6. The applicant must demonstrate to the District Health Department that the wastewater facilities conform to the District Board of Health regulations governing sewage, wastewater, and sanitation.
7. 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.
8. During the period of operation, the applicant shall notify the development review staff, any agency from which approval to operate has been received, and any other applicable agencies of any temporary, seasonal, or permanent shutdown occurrences.
9. The applicant shall submit a revised mining plan, to include adequate measures addressing safety and environmental concerns, including but not limited to storm drainage, stockpiling of topsoil, and erosion control, both during the operation and for the phased reclamation of the site upon cessation of mining for each phase of the operation to the satisfaction of the Engineering Division and the District Health Department. The Washoe-Storey Conservation District shall review the slope stabilization and the phased revegetation 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 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.
10. 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.
11. The applicant shall obtain an "Authority to Construct/Permit to Operate" from the District Health Department.
12. 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 a part of this special use permit.
13. 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.
14. If the operation should cease for a period of 12 months, this special use permit shall become null and void. The applicant will be required to file a new application with the development review staff for appropriate review and approval.

Granite Construction Co.; Attn: John Elkins

Re: SPW1-5-94

April 7, 1994--page 6

15. During the period of operation, this special use permit shall be reviewed by the development review staff 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.
16. The applicant and any successors shall direct any potential purchaser of the site and/or special use permit to meet with the development review staff to review the conditions of approval prior to final sale. Any subsequent purchaser shall notify the development review staff of the name, address, and contact person of the new purchaser.
17. 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.
18. Any lighting used for night operation shall be directed so as to avoid casting glare beyond the project boundaries.

Agenda Item No:
Staff Recommendation:

17
**APPROVAL WITH
CONDITIONS**

**WASHOE COUNTY PLANNING COMMISSION
STAFF REPORT**

To: Members of the Washoe County Planning Commission

Re: Special Use Permit Case No. SPW1-5-94

Date: February 15, 1994

Prepared By: REK

GENERAL INFORMATION SUMMARY

Applicant: Granite Construction Co.

Requested Action: To allow for the continued operation of an aggregate pit, crusher, and hot batch plant at the north Lockwood Pit. The application also facilitates relocation of a portion of the crushing activities from land that adjoins I-80 (APN 84-070-10) to a more remote canyon (APN 84-060-15). Additionally, this application requests the possible relocation of the hot batch plant to the canyon. This application consolidates and replaces four previously approved special use permits: SP3-3-82, SP3-9-82, SPB6-18-86, and SPB4-10-93. The site consists of four contiguous parcels totaling +385.17 acres is located north of the Lockwood Interchange on I-80; and is designated General Rural (GR) in the Truckee Canyon Area Plan. The parcels are situated in a portion of Section 17, T19N, R21E, MDM, Washoe County, Nevada. (APN: 84-060-15, 84-070-10, 11, and 22.)

RECOMMENDATION/FINDINGS

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

The Washoe County Planning Commission conditionally approves of Special Use Permit Case No. SPW1-5-94, having made the findings:

1. That the proposed use is consistent with the action programs, policies, standards, and maps of the Comprehensive Plan and the Truckee Canyon Area Plan;
2. That 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 7;

3. That the site is physically suitable for the type of development and for the intensity of development;
4. That issuance of the permit will provide a necessary source of aggregate, and lessen the impacts of an existing operation, while not being 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; and
5. That the Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

BACKGROUND

Evidence has been presented at past hearings showing that an aggregate pit has operated at this site since 1947. The current operation was first permitted in 1982, with separate permits for the pit and for the batch plant. In June of 1993 a special use permit was granted to expand the aggregate operation onto an adjoining 320 acre parcel. This application combines all existing permits for this site and allows for the relocation of the batch plant and other processing operations onto the expanded area.

ANALYSIS

As mentioned above, this site has been in use for quite some time. Since Granite Construction leased the property in early 1991, the visual and physical condition of the facility can best be described as one of continuing improvement. Screening berms have been built, hydro-seeded, and landscaped. Trees have been planted and junk removed. Although some unavoidable impacts are bound to remain, this operation has the least visual and environmental impact of all those located in the Truckee Canyon area.

Granite Construction Co. has complied with all the conditions of the use permits this facility is currently operating under. Past complaints generated by this operation have been centered on fugitive dust and on emissions from the batch plant. In reference to this application, staff has received a letter from District Health stating in part: "Although Granite Construction Company has received notices of violation of Washoe County District Health Department Regulations Governing Air Quality, it is important to keep in perspective that most of these incidents involved unusual conditions of high winds. Normal operations at Granite Construction Company facilities and projects have been well maintained and are generally in compliance with Health Department regulations. In particular, there have been no citations at Granite's existing hot plant since it was modernized." No negative comments have been received from the reviewing agencies or the public regarding the extension of Granite's operating permits. Staff recommends approval with the attached conditions.

The relocation of the crusher and possibly the batch was not considered in past special use permits and is a new action. These facilities are now well screened and the impacts have been reduced to the point where complaints are rarely generated. However, minimal impacts do extend beyond the site boundaries. Moving these facilities to the newly permitted area will reduce off site impacts to near zero. The proposed location is up a side canyon and is not visible from I-80. The

Washoe County Planning Commission
re: SPW1-5-94 (Granite Const./Lockwood Pit)
February 15, 1994 -- page 3

facilities proposed to be relocated are the same ones now in operation. The only change is a new location that will be more advantageous to the applicants in that their processing operation will be closer to the material being excavated, and more advantageous to the public in that off site impacts will be further reduced. Staff recommends approval with the attached conditions.

APPLICABLE REGULATIONS

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

REK(SW594S)

Attachments: Conditions, Maps,

xc: Applicant: Granite Construction Co. Attn: John Elkins, 1900 Glendale Ave. Sparks, NV 89431; Reno Disposal, Attn: Dennis Freeman, 100 Vassar St. Reno, NV 89502; T. K. Meredith, 1210 Kleppe Lane, Sparks, NV 89431

**CONDITIONS OF APPROVAL
for
SPECIAL USE PERMIT CASE NO. SPW1-5-94
EXCAVATION PITS AND MINING OPERATIONS
(PRIVATE LAND)**

ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES PROVIDED TO SATISFY THE CONDITIONS PRIOR TO COMMENCEMENT OF OPERATION UNLESS OTHERWISE SPECIFIED.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE OPERATOR, ITS SUCCESSORS IN INTEREST, AND ALL OWNERS AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

THIS SPECIAL USE PERMIT SHALL EXPIRE 5 YEARS FROM THE DATE OF APPROVAL BY WASHOE COUNTY . FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

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CONDITIONS

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 development review staff. A copy of the approved special use permit shall be attached to any application for a required permit.
2. Completion of construction of all structures used to further the operation within two years from the date of approval by the Board of County Commissioners, or in accordance with an approved mining plan.
3. The Nevada Division of Environmental Protection must submit a letter to the District Health Department certifying its approval of the project prior to the issuance of any building permit.
4. 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.
5. During the period of operation, all loads of material exiting the site shall be tarped or treated for dust or loose material, to the satisfaction of the District Health Department and Nevada Department of Transportation.

6. The applicant must demonstrate to the District Health Department that the wastewater facilities conform to the District Board of Health regulations governing sewage, wastewater, and sanitation.
7. 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.
8. During the period of operation, the applicant shall notify the development review staff, any agency from which approval to operate has been received, and any other applicable agencies of any temporary, seasonal, or permanent shutdown occurrences.
9. The applicant shall submit a revised mining plan, to include adequate measures addressing safety and environmental concerns, including but not limited to storm drainage, stockpiling of topsoil, and erosion control, both during the operation and for the phased reclamation of the site upon cessation of mining for each phase of the operation to the satisfaction of the Engineering Division and the District Health Department. The Washoe-Storey Conservation District shall review the slope stabilization and the phased revegetation 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 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.
10. 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.
11. The applicant shall obtain an "Authority to Construct/Permit to Operate" from the District Health Department.
12. 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 a part of this special use permit.
13. 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.
14. If the operation should cease for a period of 12 months, this special use permit shall become null and void. The applicant will be required to file a new application with the development review staff for appropriate review and approval.
15. During the period of operation, this special use permit shall be reviewed by the development review staff 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.

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



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October 24, 2022

Washoe County Department of Community Development
1001 East 9th Street, Building A
P.O. Box 11130
Reno, NV 89520-0027

**RE: 2022 – Annual Permit Condition Compliance Report
Granite Construction Company – Lockwood Pit SPW1-5-94 (01/14/1997)
Granite Construction Company – Lockwood Pit SW04-020 (11/04/2004)**

Please find below a summary of compliance for the existing Special Use Permits for Granite Construction’s Lockwood Pit/Mining Operation due annually on November 4 of each year. This report is the 5-year review for the attached two Special Use Permits.

In 2012 a boundary line adjustment was recorded with Washoe County pertaining to parcels in the area of the Lockwood Facility. Thus, the parcels listed on the action order are different than today’s parcel numbers. The new associated parcel numbers are 084-060-37 and 084-060-13.

Lockwood Pit SW04-020 Action Order Dated 11/04/2004

As required under permit condition #10, Granite Construction Company is submitting this annual permit condition compliance report, for the 2022 reporting period. This Special Use Permit for the Lockwood Pit facility expansion area was approved by the Washoe County Planning Commission on November 4, 2004. Provided as an attachment to this correspondence is a copy of the Action Order/Conditions for Permit SW04-020.

- 1. Substantial Conformance with Submitted Plans**
The Department of Community Development is responsible for a determination of compliance with this condition; however, all facility operations are being conducted in accordance with submitted plans and associated conditions. (In compliance)
- 2. Copy of Action Order**
A copy is attached to this correspondence. (In compliance)
- 3. Purchase/Property Ownership Change**
The Granite Construction Company (co-applicant) purchased all property associated with this Use Permit on December 31, 2004. All contact information for Granite Construction remains the same for this permit. (In compliance)
- 4. State Historic Preservation Office Compliance**

Granite Construction utilizes a consultant and coordinates with the Bureau of Land Management and the State Historic Preservation Office for all permits and expansions as required. Any and all expansion activity requires cultural resource surveys and annual training of staff is conducted to insure awareness and compliance should items be uncovered. (In Compliance)

5. Seasonal or Permanent Shutdown

Granite has not shutdown seasonally to date. There is no anticipated shutdowns outside of extreme weather events temporarily. When the crushing operation is not operating, routine maintenance takes place (In compliance).

6. Historic Site Drainage and Storm Water Discharge Permit

All site operations are permitted with the Nevada Division of Environmental Protection, Bureau of Water Pollution Control under the State of Nevada Multi-Sector General Permit (MSGP) for Storm Water Discharge NVR050000. The facility identification number for the Lockwood facility is ISW-1140. This permit was updated in November 2019 due to NDEPs permit renewal process.

The site maintains the historical drainage and does not increase flows to neighboring properties. In recent years, the site has upgraded Stormwater improvements and further reduce the opportunity for flows to exit the site. (In compliance)

7. District Health Department Requirements

Granite Construction maintains consistent on site dust control with the use of water trucks for roads and stockpiles as well as spray bars for trucks leaving the site. The Washoe County District Health Department conducts periodic visits. Zero non-conformances recorded to date. The site also maintains an annual Permit to Operate for the aggregate and asphalt operations, as well as the fuel pumps. (In compliance)

8. Cessation of Operations for more than 12 months

The operation has not ceased operations in 2022. (In compliance)

9. Financial Assurances - Site Reclamation Bond

Financial assurances (bond) have been posted with Washoe County and remain in effect. A reclamation bond in the amount of \$46,200 is maintained by Washoe County, Department of Engineering Services. (In compliance)

10. Yearly Compliance Report as required by Section 332.30

This report serves as the annual compliance report. (In Compliance)

11. Five year review by the Planning Commission

Verbal correspondence between Paul Kelly and Patrick Rucker (March 25, 2015) confirmed that the planning commission does not currently have adequate staff for five year reviews and is not currently required at this time. (In Compliance)

- 12. Exported materials shall not be sold without a business license**
The Lockwood Facility maintains a business license with Washoe County. (In compliance)
- 13. Vector Control for the Retention Basin**
Mosquito Abatement/Pond Maintenance: All water detention ponds on the facility are maintained to limit potential for mosquito activity. Pond edges are maintained to limit potential breeding/nesting. All potential wetland vegetation is maintained intact per federal regulation. Monthly inspections are conducted to verify the absence of larvae accumulation. The lower pond historically does not have larvae as it is a geothermal pond with elevated temperatures and constant water movement. In addition, the large pond on the north side of the site in the historic pit has had limited to no vector issues due to the constant circulation of the wash water associated with the Aggregate Operations. The site is also inspected by WCHD Vector Control annually as requested and scheduled by Washoe County. (In compliance)
- 14. District Health Department Compliance**
Granite Construction’s Lockwood facility is currently in compliance with all permits required by the Washoe County District Health Department. (In Compliance)
- 15. Topsoil shall be stockpiled for future reclamation**
Where topsoil is available it is being stockpiled and preserved. The geology of the site provides limited topsoil. As a result, if suitable materials are identified or acquired offsite, the material is preserved for future reclamation use. (In compliance)
- 16. Concurrent Reclamation shall take place on the site**
All permitted mining areas are currently active and not yet planned for reclamation. At the time of reclamation, all elements of the condition will be complied with. (In compliance)
- 17. Finished Slopes shall be contoured**
All permitted mining areas are currently active and not yet planned for reclamation. At the time of reclamation, all elements of the condition will be complied with. (In compliance)

In 2020-2021, 16-acres in Area 2B was seeded and reclaimed.

- 18. Slopes related to conveyors or roads shall be immediately stabilized**
Areas which contain roads or conveyors are currently in use. These areas are temporarily stabilized to comply with the dust and stormwater permits. Permanent stabilization will occur at the time of reclamation of each individual area. (In compliance)
- 19. Visible Slopes shall be reclaimed**
All permitted mining areas are currently active and not yet planned for reclamation. At the time of reclamation, all elements of the condition will be complied with. (In compliance)
- 20. In Area #4 (Pit 4) Working Surfaces visible from freeway shall be limited**
Mining Operations have not commenced in Area #4, planned for late 2024. (In compliance)
- 21. Before commencement of operations mining and reclamation plan shall be submitted to and approved by Community Development**
Washoe County Community Development and Engineering Division have the current mining and reclamation plan on file. Notification of mining in area #3 was submitted to WC Planning and Engineering on November 21, 2019, there was no change to the originally approved mine plan. (In compliance)
- 22. Blasting shall be permitted from 10:00 am through 3:00 pm**
The site schedules blasting in compliance with the condition time constraints. (In Compliance)
- 23. On-Site Signs shall conform with Community Development and be approved by the Department of Community Development**
Entrance signage to the facility was approved per County signage permit. Informational signage and on-site emergency signage is posted per the Mine Safety Health Administration (MSHA) and the Federal Spill Prevention Control and Counter Measures requirements (SPCC). (In compliance)
- 24. All lighting shall be down-shielded and shall not spill over to adjacent properties**
All facility lighting has been oriented or shielded to minimize potential glare or observation from adjoining properties. (In compliance)
- 25. The operator shall allow access over the existing roadway to the air beacon or for other lawful access.**



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Access is monitored for MSHA safety, however access is available at all times as needed. (In compliance)

- 26. The Engineering requires the following Conditions:**
- A) Storm Water Drainage Plan**
A copy of the comprehensive site drainage plan was submitted to both Community Development and Engineering in November 2004. (In compliance)
 - B) Restoration Bond**
A restoration bond of \$1,200 per acre of disturbed area shall be provided to the Engineering Division before mining activities commence. (In compliance)
- 27. The Reno Fire Department requires the following conditions:**
- A)** The following note shall be placed on plans: Due to response time and lack of fire protection water, structures built on these parcels shall be equipped with automatic extinguishing system meeting the approval of the Reno Fire Department. (In compliance)
 - B)** Fire fuel breaks meeting the approval of the Reno Fire Department shall be provided and maintained around all structures and machinery. (In compliance)
- 28. Applicant shall submit in writing written notification to the Department of Community Development and County Engineer before commencing operations in Areas 3 and 4.**
Granite Construction submitted written notification to Washoe County Community Development and the County Engineer regarding commencement of mining in Area 3 (Mustang South) on November 21, 2019, there was no change to the originally approved mine plan. Area 4 will not be mined until approximately 2024. (In compliance)
- 29. Any release of materials, liquids or gases from the closed landfill require immediate notification to Washoe County District Health Department**
No release of materials, liquids or gases from the closed landfill has occurred. (In compliance)
- 30. Failure to comply with the Conditions is considered a violation of the Development Code**
Based on the applicant's evaluation (for the 2022 reporting period) of the conditions established under the existing Special Use Permit, we believe that all site operations and currently applicable conditional obligations required in the permit have been executed if required at this time and that the applicants and site operations are substantially in conformance with the conditions of the approved Use Permit.

Lockwood Pit SPW1-5-94

As required under permit condition #15, Granite Construction Company is submitting this annual permit condition compliance report, for the 2022 reporting period. The Special Use Permit for the Lockwood Pit facility was renewed for a period of twenty-five additional years by the Washoe County Planning Commission in 2004.

Provided below is compliance discussion for the original 18 general conditions (1994 version of permit), which are discussed in order as they appear in the permit.

- 1. Future Plans/Permits to be in Substantial Conformance with SUP**
All proposed planning and permitting will be conducted in a manner that complies with the 1994 and 2004 Special Use Permit Conditions as required. (In compliance)

- 2. Completion of Construction of all Structures**
All proposed buildings to support facility operations has been completed. (In compliance)

- 3. NDEP submittal of approval for all future building permits**
No significant facility improvements requiring NDEP approval have occurred at the facility. (In compliance)

- 4. On site Dust Control**
Dust control operations are provided during all periods of operation at the site. Dust control measures employed at the site include use of water trucks, material transfer point spray nozzles, truck transport spray-bars, chemical and/or water dust suppression treatment of unpaved roadways, and street sweeping. Granite also paved a large portion of the main haul road out to the main gate in order to reduce track out and dust. The existing wheel was taken out of service, as it was creating a fine dust and worsening track out issues. (In compliance)

- 5. Material Hauling Dust Control**
A truck transport spray-bar system is operated near the exit from the facility. Each truck hauling non-stabilized aggregate products from the facility are encouraged to utilize the spray system to thoroughly moisten their material loads prior to exiting the facility. (In compliance)

- 6. Wastewater and sanitation**
No permanent wastewater or sanitary disposal systems are associated with the plant operations at the site. As is required by District Health Department regulations, all facilities are required to provide adequate wastewater and sanitary services to accommodate all employees and visitors to the site. Provision of these services is subcontracted to Sani-Hut. A minimum of two portable toilets are maintained at the site and are serviced twice per week during the summer months

and once weekly during the winter months. District Health Department personnel periodically inspect the portable toilets. (In compliance)

7. Explosives and blasting

Currently, the 2022 blasting operations is being conducted periodically. All blasting projects are subcontracted and included in subcontractor contract is provisional requirements to notify the local Fire Department of all blasting schedules and to provide approved storage facilities for all blasting equipment and media. This media is currently stored off site and under control of the subcontractor. The storage and use of all blasting materials and operations are conducted in accordance with provisions established in the Federal Homeland Security Act. (In compliance)

8. Notification of permanent or seasonal shutdown occurrences

Since initial startup of permitted operations, no temporary, seasonal or permanent shut down occurrences have been encountered. Typically, during winter season annual maintenance of equipment is completed. (In compliance)

9. Mining Plan

A detailed mining/reclamation plan was completed by Summit Engineering Corp. during 1993. Summit Engineering completed a supplemental drainage evaluation for the site access road during 1999. Both of these documents were submitted to the office of the Washoe County Engineer. Updated mining plans were submitted to both Community Development and Engineering during October 2004. A reclamation bond in the amount of \$46,200 is maintained by Washoe County, Department of Engineering Services. (In compliance)

10. Preservation of Historical Drainage

The historical drainage at the facility has been maintained throughout the term of this SUP. (In compliance)

11. District Health Department/Authority to Construct/Permit to Operate

Since the beginning of site operations authorized under this permit, site operations have been conducted according to the Terms and Conditions of an approved air quality permit. Staff from the District Health Department inspects site operations routinely. Air quality permits for the facility are current and in good order. (In compliance)

12. District Health Department/Prevention of Significant Deterioration (PSD) regulations

The air quality operating permit for site operations is reviewed and renewed annually by the District Health Department. No determination has been made by

the District Health Department that site operations are subject to PSD regulations.
(Not applicable at this time-In compliance)

- 13. Nevada Department of Wildlife – Habitat Modification Permit**
No correspondence or notification from the Nevada Department of Wildlife has been received by the applicant regarding the need to obtain a habitat modification permit. (Not applicable and in compliance)
- 14. Cessation of Operations Exceeding 12 Months**
Since the inception of operations at the facility, site operations have been continuous with the exception of temporary periods required for equipment and facility maintenance. (In compliance)
- 15. Department of Development annual review**
This submittal fulfills this condition. (In compliance)
- 16. Pre-purchaser Notification**
Not applicable at this time. (In compliance)
- 17. Maintenance of Financial Assurances**
In compliance and on file with WC.
- 18. Facility Lighting**
All facility lighting has been oriented or shielded to minimize potential glare or observation from adjoining properties. (In compliance)

Based on the applicants evaluation (for the 2022 reporting period) all of the conditions established under the existing Special Use Permits, we believe that all site operations and currently applicable conditional obligations required in the permit have been executed and that the applicants and site operations are substantially in conformance with the conditions of the approved Use Permit.

If you have any questions regarding this compliance evaluation, please contact me at (775) 352-1935.

Sincerely,



Tina Mudd
Environmental Manager



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Attachments Action Order – April 7, 2004 SPW1-5-94
 Action Order – November 4, 2004 SW04-020

CC: Brian McClure, Materials Manager, Granite Construction Company – Nevada Operations

Submitted via email: Julee Orlander