

- iii. Inspections. Include language in permit. Annual inspection? Code language doesn't appear to anticipate an ongoing mine project.
- iv. Forfeiture. Include language in permit.

An Excavation and Fill permit application was submitted in conjunction with the Special Exception application. The Excavation and Fill permit has been reviewed by the County Engineer. A copy of his review is attached and has been incorporated into the staff comments herein for the special exception.

(9) Application fee. An application for a special exception for a major mining operation shall be accompanied by the applicable fee set out in the fee schedule maintained by the county development department. The application fee is non refundable, whether the application is ultimately approved or denied.

The application fee and additional cost of mailing was provided at the time of submittal.

(10) Excavation and fill permit application included. An application for a special exception for a major mining operation shall be accompanied by an application for an excavation and fill permit which meets all the requirements for such permit as provided in this section.

An excavation and fill permit application has been submitted.

(11) Public notice requirement. In addition to any other notice requirements for a special exception contained within [division 5](#) of article XIII [sic article II], the extent of the notice required to be provided to surrounding property owners for an application for a special exception for a major mining operation shall be extended from 300 feet to two miles in the event that the proposed major mining operation includes blasting or 50 or more one way truck trips per day. The additional cost incurred by providing notice beyond 300 feet shall be calculated and paid for by the applicant prior to the public hearing on the special exception to be held before the planning commission.

Because of the number of daily trips this sand mine required the two-mile radius mailing requirement. Approximately 2,800 notices were mailed on April 14, 2023.

(12) Duration of approval; amendment of approval. Any special exception approval granted for a major mining operation pursuant to the provisions hereof shall be valid for a period specified for completion of all operations, including necessary reclamation as set forth in the approved mining and reclamation plan. The board of county commissioners, as it determines necessary to protect the public interest, may require such changes in the duration of a special exception approval as conditions warrant. The applicant or subsequent owner or operator of an approved major mining operation may also, on any anniversary date of the approval of the special exception, seek an amendment of the special exception conditions in order to vary or expand the scope of the major mining operation by filing an application for amendment to the original special exception. Any such amendment to the original special exception conditions shall meet all requirements and be processed as an original application.

These details will be determined in the Special Exception Orders after petitions are heard.