

the Board. In that instance, the continuation of the Special Permit beyond the fifth anniversary of the issuance of the permit or the most recent action of the Board pursuant to this Specific Condition, whichever is later, shall be subject to the permit renewal requirements of Section 14.7.2., Part 5.C.5., LDR. If this finding is made by the Board less than six (6) months prior to the fifth anniversary of the issuance of the permit, an application for renewal shall be considered timely filed if made within six (6) months of the Board's action.

c. If no notice pursuant to this Specific Condition or application for renewal under Section 14.7.2., Part 5.C.5., LDR is timely filed, the permit will expire five (5) years from the date of its issuance or the most recent action of the Board pursuant to this Specific Condition, whichever is later.

d. Concurrent with any action hereunder, the Board shall consider any application for amendment to the Special Permit or Master Mining Plan which is simultaneously submitted with the application and notice for summary renewal.

e. As part of any renewal process hereunder, the Board may also effectuate a modification of the permit as necessary to address a continuing compliance problem, a change in circumstances due to passage of time since issuance of the Special Permit, or a change in the law since issuance of the Special Permit. Nothing herein shall be construed as a waiver on the part of PCS of its right to contest by any legal means the County's proposed modification of the permit. Any modification by the County of the permit pursuant to the requirements hereof shall be strictly in accord with the due process rights of PCS and must be based on competent substantial evidence of record.

f. Concurrent with any action hereunder the Board may also consider for approval the annual report of PCS for the year in which the renewal is due to be requested. At the request of PCS, the board may allow the annual reporting time frames to be adjusted to facilitate such concurrent review.

g. In addition to any other applicable financial assurance requirement under Section 14.7.2 of the LDR, PCS shall provide the following: