

ELLICOTT SAND AND GRAVEL LLC - SITE DEVELOPMENT PLAN
 Parts of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T-14-S, R-62-W, 6th P.M., El Paso County, Colorado. - Containing 66.1 acres more or less.
STAGE 1 OF 6 - SITE DEVELOPMENT PLAN

Site Development Plan Checklist, Site Plan Drawing Notes:

- "DATE, NORTH ARROW, AND A GRAPHIC SCALE."**
The date, north arrow, and a graphic scale are on the map.
- "VICINITY MAP SHOWING THE SUBDIVISION IN RELATION TO SECTION LINES AND EXISTING OR PROPOSED ARTERIAL OR COLLECTOR ROADWAYS."**
No subdivisions or commercial facilities are proposed.
There are no arterial, or collector roadways proposed. The only access point for Stage I will be located at the northeast corner of the approved permit boundary. (Inset map on Sheet 2 of 2.)
The Vicinity Map on Sheet 2 of 2 shows the proposed mineral extraction operation's Stage I, in relation to section, and arterial/collector roadways.
- "LOCATION AND DIMENSIONS OF THE ALL PROPERTY LINES, RIGHTS-OF-WAY, AND ALL EXISTING AND PROPOSED EASEMENTS."**
There are no proposed easements.
There is an existing easement along Baggett and Sanborn Roads. The fence lines mark the associated easements.
Along Sanborn Road there are easements for buried telephone/communications lines, and overhead electrical lines. (Unspecified widths) The survey does not list a ROW Width for either the power or telephone lines. But they are located on the road side of the fence. Normally for the power company if there is no easement width listed. They reserve an area that matches the width of the cross members.
Along Baggett Road there is an easement for overhead electrical lines. (Unspecified widths)
Based on the Mined Land Reclamation Board Rules and Regulations, we must stay at least two hundred feet away from all permanent, man-made structures, pending compliance with specific requirements.
We have committed to stay at least two hundred feet away from the listed structures. For listed structures within the 200-foot zone, we will need to conduct a geotechnical, site-specific evaluation, demonstrating the proposed mining and reclamation operations will not damage the listed structures.
The attached reclamation map does not show the post mining, 200-foot set back, assuming we will be able to mine within the 200-foot set-back zone at some point.
- "SIGNATURE BLOCK FOR THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR A MINIMUM OF 1 INCH BY 2 INCHES."**
We included a "Signature block" on each map for your Director's signature.
- "THE FOOTPRINT OF ALL EXISTING AND PROPOSED BUILDING AND THE SETBACK DISTANCES FROM EACH EXISTING AND PROPOSED STRUCTURE TO THE PROPERTY LINES."**
Other than ranch and farm buildings, there are no existing buildings within the 66.1-acre Stage I mineral extraction area. In addition, no buildings are currently proposed at this time.
The setback from all permanent, manmade structures is two hundred feet plus. The 200-foot setback, where it occurs, is from the permit/property boundary.
Under the Mined Land Board regulations, the affected area must be at least two hundred feet from all permanent manmade structures, unless there is an agreement with the structure owner that the structure owner will be compensated by the mining company. In the unlikely event the mining or reclamation operations damage the owner's structure(s). An exception to this can be obtained if a Geotechnical Study shows the structure will not be damaged by mining operations if within two hundred feet of the structure.
The exception is for structures owned by Schubert Ranch, since it is the property owner.
- "LOCATION OF ALL SIDEWALKS, TRAILS, FENCES AND WALLS, RETAINING WALLS OR BERMS."**
Presently, there are none and there will be no sidewalks, trails, walls, retaining walls.
The only fences are those which mark the Schubert Ranch property lines. No new fences are planned.
There are no existing berms. We will construct MSHA required safety berms as part of Stage I. Please see Grading and Erosion Control Checklist maps, sheet 5 of 5.
As shown on the attached map, temporary topsoil berms will be placed to not only preserve topsoil needed for reclamation, but also to screen the operations from adjacent property owners.
- "LOCATION AND DIMENSIONS OF ALL EXISTING AND PROPOSE SIGNAGE ON THE SITE."**
The only posted signs will be those required by the mine safety and health Administration (MSHA) and the Colorado Mined Land Reclamation Board. We understand such signage is exempt based on EPC Code. The Sign Plan Checklist addresses this item in more detail.
- "TRAFFIC CIRCULATION ON THE SITE INCLUDING ALL POINTS OF INGRESS/EGRESS INTO THE PROPERTY."**
The Initial point of Ingress and egress is presented in Item 4, above. We understand we will need to contact El Paso County prior to establishing any new access points.
There is no defined "traffic circulation" on the mine site. Mining equipment will load highway haul trucks out of product stockpiles which will move as the mineral extraction operations move.
On-site mining equipment will follow internal ranch roads.
Any internal mine operations needed "roads" will be temporary and will be removed as mining is completed and Stage I is reclaimed.
Any roads left will be at the direction of the landowner and will require the Mined Land Reclamation Division (DRMS) approval. These types of roads are simply access roads and not for public use.
- "THE LAYOUT AND LOCATION OF ALL OFF-STREET PARKING, LOADING AND OTHER VEHICULAR USE AREAS, UNLESS OTHERWISE DEPICTED IN DETAIL ON A SEPARATE PARKING PLAN. IF DEPICTED ON A SEPARATE PARKING PLAN THEN DEPICTION OF THE PARKING AREA ARE REQUIRED."**
We have not shown any permanent parking layout location for off street parking and loading. On the Interim Site Map, we show a temporary parking area next to the scale and scale house. As Stage I is completed, it may be necessary to move the scale and scale house to the next Stage. A new temporary parking area will be established at that time.

- CONTINUED**
As stated above, we will park our employee vehicles on the areas which are being mined or under site reclamation. These parking areas will move as the mining and reclamation operations move. Simply stated, the entire affected area will be available for employee parking, roughly a staff of six employees.
The employee parking, highway haul truck loading areas will move as the mineral extraction operations progresses, within Stage I.
Vehicle Storage:
Currently, we do not plan to use the site for vehicle storage. If, in the future, it becomes necessary to store various pieces of mining equipment on the mine site during mining and reclamation operations, we will comply with the provisions of Section 6.2.11 of the El Paso County Land Development Code.
Other than what is discussed above, there will be no vehicle use areas.
- "THE LAYOUT AND LOCATION OF ALL LANDSCAPING, INCLUDING LANDSCAPE SETBACK, UNLESS OTHERWISE DEPICTED IN DETAIL ON A SEPARATE LANDSCAPE PLAN. IF DEPICTED ON A SEPARATE LANDSCAPE PLAN THEN DEPICTION OF THE LANDSCAPE AREAS ARE REQUIRED."**
A RATIONAL ARGUMENT FOR NOT IMPOSING EL PASO COUNTY'S LANDSCAPE REQUIREMENTS ON THE SCHUBERT RANCH SAND RESOURCE PIT, PPR 234
In the El Paso County (EPC) comments to our initial Site Development Plan Letter of Intent Checklist, EPC requests we, "...provide justification for your alternative landscape request."
Under State Statute, review and approval of mine site reclamation rests with the Colorado Mined Land Reclamation Board and based on their implementing Rules and Regulations. (Please see Colorado State Statute, CRS 34-32.5-109(3)) which states in part, "No government office of the state, other than the board, nor any political subdivision (Emphasis added) of the state shall have authority to issue a reclamation permit pursuant to this article, to require reclamation standards different than those established in this article, (Emphasis added) or to require any performance or financial warranty of any kind for mining operations."
To further clarify, reclamation means, "...the employment, during and after an operation, of procedures reasonably designed to, "...provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands." (Emphasis added) (CRS 34-32-103(19)) The subsequent beneficial use is rangeland/wildlife habitat. Our reclamation plan (to achieve this use) has been approved by the Colorado Division of Parks and Wildlife, the local Soil Conservation Board of Supervisors, the Office of the State Engineer, and the Colorado Department of Public Health and Environment. All referral agencies concurred with the CDRMS approved Reclamation Plan. Further, your own Planning Commission and Board of County Commissioners gave unanimous approval to the SUP which included concurrence with the proposed reclamation plan.
We further believe the proposed mining activity is like an over lot grading operation. Each involves a modification of site topography which may include removal of material from the site. Commercial/residential over lot grading prepares a site for streets, sidewalks, buildings, utilities, and landscaping. Our proposed activity, once mining is complete, will prepare the site for rangeland (an agricultural use) and wildlife habitat which does not include streets, sidewalks, buildings, utilities, or landscaping. Since no commercial or residential infrastructure will be constructed, there should be no need for the application of the County's landscape regulations. We believe the approved reclamation plan is adequate for the proposed post mining land use, rangeland/wildlife habitat since it meets the State's regulatory criteria to, "...provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands." (CRS 34-32-103(19))
We also point out; the end land use of rangeland/wildlife habitat is an approved County land use. The EPC definition of "Development" states, "Development shall not include...(d) the use of any land for an agricultural activity." (Emphasis added) We strongly suggest since the end land use includes agricultural (identical with the existing use), the provision applicable to a "Development" should not apply. (Please remember, mining is only an interim and temporary use.)
There is precedent for this. The County has already waived the need for a soils and geology report/checklist, since no structures are to be built as part of the mineral extraction operation.
However, we have attempted to address the EPC landscape checklist and other code provisions, where they are not in conflict with or appear contrary to the CRS 34-32.5-101 statute and implementing regulations. Examples include the Parking and Lighting Checklists, among others.
We therefore request El Paso County accept the CMLRB approved reclamation plan since the County is not allowed to require reclamation different than what the Mined Land Reclamation Board has approved; and the activity should not be considered a "Development", due to the site's present and post mining land use, agriculture.
- "LOCATION OF ALL ADA SPACES, RAMPS, AND SIGNS, INCLUDING ADA PATHWAYS."**
We will comply with all appropriate ADA regulations.
As a mining operation, we are required to comply with Mine Safety and Health Administration rules and regulations.
Since this is a type of operation where the areas of activity are constantly moving, we can not specifically locate ADA spaces, ramps, and signs. We can say the scale house will be ADA compliant as required by State and Federal rules and regulations. If the El Paso County has ADA Code specific to the mineral extraction operation, we will comply as appropriate.
- "LOCATION OF EXISTING AND PROPOSED WATER AND WASTEWATER INFRASTRUCTURE, INCLUDING WELL AND SEPTIC LOCATIONS, IF APPLICABLE."**
There are no existing or proposed water or wastewater infrastructures, wells, or septic locations proposed.
We will use portable toilets for employees, with servicing by a commercial provider.
- "LOCATION OF ALL NO-BUILD AREAS, FLOODPLAIN, DRAINAGE WAYS AND FACILITIES."**
During mining and reclamation, the entire permit area will be a no-build area. If, in the future, a building is needed, we will contact the County.
The floodplain and drainages are shown on the Grading and Erosion Control Plan Checklist, Initial Condition Map, Sheet 2 of 5.
As stated above, no facilities are currently planned.
- "LOCATION OF ALL GARBAGE RECEPTACLES WITH A GRAPHICAL DEPICTION OF THE SCREENING MECHANISM."**
No garbage receptacles are proposed. There will be bins for office type trash. A commercial waste disposal operator will service these.
The trash bins will move with the mining operation as mining advances and the scale and scale house are moved. The trash bin(s) will be located within the scale house and/or adjacent to the scale house.

- "LOCATION OF ALL EXISTING AND PROPOSED UTILITY LINES AND ASSOCIATED INFRASTRUCTURE."**
There are no existing utility lines associated with the proposed mining operation. There is a stub line for power to the scale and scale house.
There are no proposed new utility lines as part of the Stage I mining operation. There is a stub line for power to the scale and scale house.
 - ANY ADDITIONAL INFORMATION REQUIRED PURSUANT TO ANY ASSOCIATED CONDITION OF APPROVAL OR PLAT NOTES."**
Nothing currently
 - ANY OTHER ADDITIONAL ITEMS AS REQUIRED BY THE PCD DIRECTOR DEEMED NECESSARY TO ADDRESS THE APPLICATION REVIEW CRITERIA."**
As of the date of this document we have received no additional items from the PCD Director.
- Parking Lot Plan Information (Items from Checklist):**
- NOTE:**
The following checklist items do not apply since the discussed items will not occur: Checklist items 8, 9, 10, 13, 14, 15, 18, 19, Typical and Section details (1-5).
- Vicinity map showing the property in relation to major roadways, ..."**
Please see the Parking Lot Plan Check list narrative document for Vicinity Map.
 - Location of all property lines, rights-of-way, and all existing and proposed easements"**
Please see the Development Plan Map for property and rights-of-way.
 - The location of all structures, parking lot lighting facilities, outside storage and display areas including seasonal display, and refuse collection area(s) in relation to the parking area."**
None of the above structures are planned. There will be a refuse collection container near the scale house.
 - Width, depth, and angle of all parking bays, and graphic depiction of all drive aisles, points of easement, point of ingress/egress on to the property, including dimensions for each."**
Not applicable since no structures or permanent parking areas are planned. There will be on-site, temporary storage and loading areas as mining operations conduct extraction operations. Once mining in Stage I is complete, reclamation will begin.
 - Traffic circulation on site including all points of ingress/egress into the property"**
The point of ingress/egress for Stage I is shown on the Development Plan Map. Traffic circulation will be directed by specific signs. Truck loading (traffic circulation) will be established per efficient operational needs.
 - Sight distance triangles and any plantings, signs, walls and fences, structures, or other visual obstructions are needed or be within the sight distance triangles."**
No visual obstructions should occur at the point of access.
Visual berms (topsoil/overburden) will be placed between the active mining area and adjacent property owner dwellings. New fences will be constructed at the entrance, to include a locking gate.
 - Parking lot surface materials, striping plan, and any drainage improvements located within the parking area (e.g., cross pans)"**
The parking surface material will be in place sand and gravel. None of the remaining provisions are applicable.
 - Truck and loading and turn around areas and dimensions"**
Truck loading and turnaround areas will be adjacent to the material processing equipment. These areas will move as needed for efficient mine operation.
- Sign Plan Checklist (Items from Checklist):**
- Vicinity Map..."**
Please see the Sign Plan Checklist document.
 - Location of the property line, right-of-way, and all existing and proposed easements"**
Please see the Sign Plan Checklist document for the permit boundary.
Please see the Development Plan Map for rights-of-way and existing easement. No new easements are planned.
 - Location of any existing and proposed signage on site"**
As stated in our approved SUP document, Sect. 6.2.10(D)(4) of the EPC Code exempts other required signage such as MLRD Mine ID Sign, MSHA safety signs, etc. Please see the Sign Plan Checklist document for details.
 - Depiction of any no-build areas ...near any existing or proposed freestanding signs"**
No freestanding signs are proposed.
The Development Plan Map shows "no-build areas". In addition, no building is planned.
- "Sign Plan to include the following elements:"**
- Dimensions and location of all existing and proposed signs"**
There are no existing signs. Any new signs fall under the exemption provision of EPC Code since they are required by State and Federal regulations.
 - Setback distances from all lot line to all existing and proposed signs"**
There are no existing signs. Any new signs fall under the sign exemption provision since they are required by State and Federal agencies.
- NOTE:**
The remaining Sign Plan Check List items do not apply since all signs area "Official Signs" and are exempt under EPC Code, Section 6.2.10(a) (3) (i).
- Lighting Plan Information (Items from Checklist):**
- NOTE:** No artificial lighting is planned at this time. The Lighting Checklist items 7-11 do not apply.
- Vicinity Map showing the property in relation to Major roadways, ..."**
Please see the Lighting Plan Checklist narrative, Page 4.
 - Location of all existing and proposed easements."**
Existing easements are along road rights-of-ways, and existing property

Condition of Approval:
Road impact fees will be due per the method agreed upon with staff and as specified in the traffic impact study by LSC, inc. dated February 6, 2024. Fees are based on the maximum trip generation at full operation of the mine which is stated as 110 ADT in the traffic study for the approximate active mining area of 2.783 acres at any given time. The development shall be limited to the stated active mining area and trip generation.

2.783 acres of active mining (per traffic study)
39.53 trips/acre/day (Use ITE Land Use 140 per EPC Transportation Planning Manager)
\$398.55/trip (Cost per trip per EPC road impact fee)
2.783 acres x 39.53 trips/acre/day = 110 trips per day
\$398.55/trip x 110 trips = \$43,841

Approved
By: Ryan Howser, AICP
Date: 07/24/2024
El Paso County Planning & Community Development



PPR 234

PROJECT #: ESG-COUNTY	PCD DIRECTOR APPROVAL		EL PASO COUNTY SITE DEVELOPMENT PLAN SITE DEVELOPMENT PLAN NOTES PAGE FOR SCHUBERT RANCH SAND RESOURCE ELLICOTT, COLORADO	REVISIONS:	DATE:	ELLICOTT SAND AND GRAVEL LLC 235 Franceville Coal Mine Road Colorado Springs Co 80929 phone: (602) 558-0846	SCALE: EPC-Landscaping NA	CHECKED BY: HBH	DESIGNED BY: ENV/ndb	DATE: 07/02/2023	SHEET 1 OF 2
	BY:	DATE:		SPECIAL USE PERMIT APPROVAL - BCC	08-02-2022						
PREPARED BY: ENVIRONMENT, INC. 7985 VANCE DR., # 205A ARVADA, CO 80003 (303) 423-7297 Environment-inc@outdr.com											

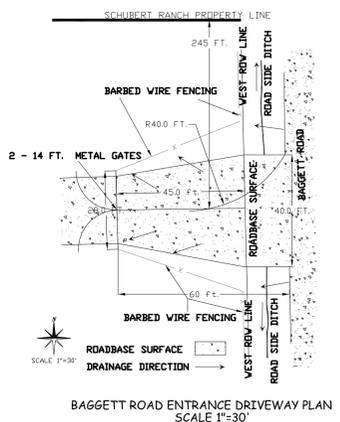
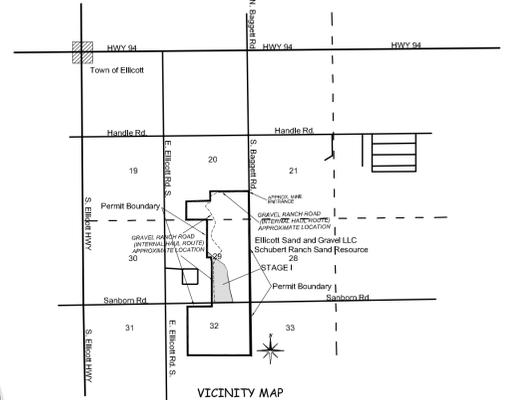
ELLCOTT SAND AND GRAVEL LLC - SITE DEVELOPMENT PLAN

Parts of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T-14-S, R-62-W, 6th P.M., El Paso County, Colorado. - Containing 66.1 acres more or less.

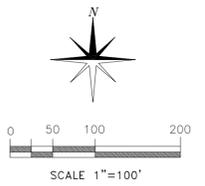
STAGE 1 OF 6

LEGEND

- SCHUBERT RANCH PROPERTY LINE
- TEMPORARY SIGHT BERMS
- STAGE I DEVELOPMENT AREA
- ROADS (HAUL, ACCESS) (TYP.)
- FENCE
- MINE FLOOR LIMITS
- MINING LIMITS
- BURIED TELEPHONE/COMMUNICATION LINES
- OVERHEAD ELECTRIC LINES
- BUILDING
- EPHEMERAL DRAINAGE
- FLOOD PLAIN (100 YR)
- FLOOD WAY (2018)
- ORDINARY HIGH-WATER LINE 2019
- MINING OPERATIONS AREA

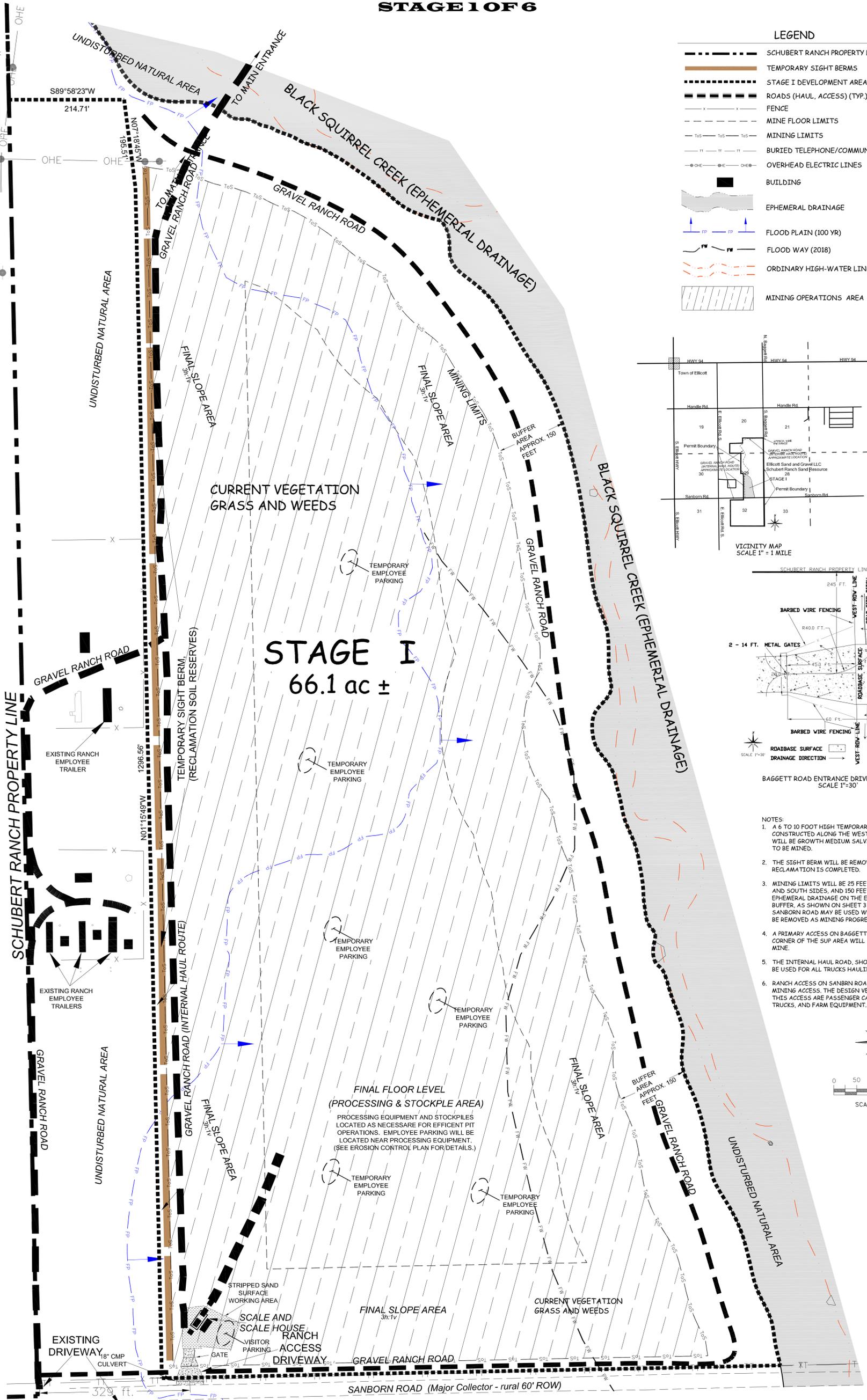


- NOTES:**
- A 6 TO 10 FOOT HIGH TEMPORARY SIGHT BERM WILL BE CONSTRUCTED ALONG THE WEST SIDE OF STAGE I. THIS BERM WILL BE GROWTH MEDIUM SALVAGED FROM STRIPPING THE AREA TO BE MINED.
 - THE SIGHT BERM WILL BE REMOVED WHEN THE FINAL RECLAMATION IS COMPLETED.
 - MINING LIMITS WILL BE 25 FEET FROM STAGE LINE ON WEST AND SOUTH SIDES, AND 150 FEET FROM THE TOP BANK OF THE EPHEMERAL DRAINAGE ON THE EAST AND NORTH. A TEMPORARY BUFFER, AS SHOWN ON SHEET 3 OF 5 OF THE GEC, ALONG SANBORN ROAD MAY BE USED WHEN MINING STARTS, BUT WILL BE REMOVED AS MINING PROGRESSES.
 - A PRIMARY ACCESS ON BAGGETT ROAD IN THE NORTHEAST CORNER OF THE SUP AREA WILL BE USED FOR THE LIFE OF THE MINE.
 - THE INTERNAL HAUL ROAD, SHOWN ON THE VICINITY MAP, WILL BE USED FOR ALL TRUCKS HAULING MATERIAL FROM THE MINE.
 - RANCH ACCESS ON SANBORN ROAD WILL NOT BE USED FOR MINING ACCESS. THE DESIGN VEHICLES THAT WILL UTILIZE THIS ACCESS ARE PASSENGER CAR/PICKUP, SINGLE UNIT FARM TRUCKS, AND FARM EQUIPMENT.



STAGE I
66.1 ac ±

FINAL FLOOR LEVEL (PROCESSING & STOCKPILE AREA)
PROCESSING EQUIPMENT AND STOCKPILES LOCATED AS NECESSARY FOR EFFICIENT PIT OPERATIONS. EMPLOYEE PARKING WILL BE LOCATED NEAR PROCESSING EQUIPMENT. (SEE EROSION CONTROL PLAN FOR DETAILS.)



PCD DIRECTOR APPROVAL

BY: **2** DATE: _____

PROJECT # _____

EL PASO COUNTY DEVELOPMENT PLAN
SITE DEVELOPMENT
FOR
SCHUBERT RANCH SAND RESOURCE
ELLCOTT, COLORADO

REVISIONS:	DATE:
SPECIAL USE PERMIT APPROVAL - BCC	08-02-2022

ELLCOTT SAND AND GRAVEL LLC

235 Franceville Coal Mine Road | Colorado Springs Co 80929
phone: (602) 558-0846

PPR 234

DATE: 1/5/2023

FILE NAME: ESD-DE SITE PLAN

SCALE: AS NOTED

DRAWN BY: ENW/SBS

CHECKED BY: BHJ

ELLICOTT SAND AND GRAVEL LLC - SITE DEVELOPMENT PLAN

Parts of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T-14-S, R-62-W, 6th P.M., El Paso County, Colorado. - Containing 66.1 acres more or less.

STAGE 1 OF 6 - LANDSCAPING PLAN

A RATIONAL AGREEMENT FOR NOT IMPOSING EI PASO COUNTY'S LANDSCAPE REQUIREMENTS ON THE SCHUBERT RANCH SAND RESOURCE PIT, PPR 234

In the El Paso County (EPC) comments to our initial Site Development Plan Letter of Intent Checklist, EPC requests we, "...provide justification for your alternative landscape request."

Under State Statute, review and approval of mine site reclamation rests with the Colorado Mined Land Reclamation Board and based on their implementing Rules and Regulations. (Please see Colorado State Statute, CRS 34-32.5-109(3)) which states in part, "No government office of the state, other than the board, nor any political subdivision (Emphasis added) of the state shall have authority to issue a reclamation permit pursuant to this article, to require reclamation standards different than those established in this article, (Emphasis added) or to require any performance or financial warranty of any kind for mining operations."

To further clarify, reclamation means, "...the employment, during and after an operation, of procedures reasonably designed to, "...provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands." (Emphasis added) (CRS 34-32-103(19)) The subsequent beneficial use is rangeland/wildlife habitat. Our reclamation plan (to achieve this use) has been approved by the Colorado Division of Parks and Wildlife, the local Soil Conservation Board of Supervisors, the Office of the State Engineer, and the Colorado Department of Public Health and Environment. All referral agencies concurred with the CDRMS approved Reclamation Plan. Further, your own Planning Commission and Board of County Commissioners gave unanimous approval to the SUP which included concurrence with the proposed reclamation plan.

We further believe the proposed mining activity is like an over lot grading operation. Each involves a modification of site topography which may include removal of material from the site. Commercial/residential over lot grading prepares a site for streets, sidewalks, buildings, utilities, and landscaping. Our proposed activity, once mining is complete, will prepare the site for rangeland (an agricultural use) and wildlife habitat which does not include streets, sidewalks, buildings, utilities, or landscaping. Since no commercial or residential infrastructure will be constructed, there should be no need for the application of the County's landscape regulations. We believe the approved reclamation plan is adequate for the proposed post mining land use, rangeland/wildlife habitat since it meets the State's regulatory criteria to, "...provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands." (CRS 34-32-103(19))

We also point out; the end land use of rangeland/wildlife habitat is an approved County land use. The EPC definition of "Development" states, "Development shall not include...(d) the use of any land for an agricultural activity." (Emphasis added) We strongly suggest since the end land use includes agricultural (identical with the existing use), the provision applicable to a "Development" should not apply. (Please remember, mining is only an interim and temporary use.)

There is precedent for this. The County has already waived the need for a soils and geology report/checklist, since no structures are to be built as part of the mineral extraction operation.

However, we have attempted to address the EPC landscape checklist and other code provisions, where they are not in conflict with or appear contrary to the CRS 34-32.5-101 statute and implementing regulations. Examples include the Parking and Lighting Checklists, among others.

We therefore request El Paso County accept the CMLRB approved reclamation plan since the County is not allowed to require reclamation different than what the Mined Land Reclamation Board has approved; and the activity should not be considered a "Development", due to the site's present and post mining land use, agriculture.

1. OWNER NAME, CONTACT TELEPHONE NUMBER, AND EMAIL.

Parcel No. 2400000276
Schubert Ranches Inc,
1555 S. Baggett Rd., Calhan, CO 80808
Phone: (719) 683-2262
Email: grasstogo@aol.com

Parcel No. 2400000275
George H. Schubert
1550 S. Baggett Rd., Calhan, CO 80808
Phone: (719) 683-2265
Email: grasstogo@aol.com

2. APPLICANT NAME (IF NOT OWNER), CONTACT TELEPHONE NUMBER, AND EMAIL.

Ellicott Sand and Gravel LLC
Christine Wilson, Manager
235 Franceville Coal Mine Road, Colorado Springs, CO 80929
(719) 568-3164
ellicottsandgravel@gmail.com

3. PLAN PREPARER CONTACT TELEPHONE NUMBER AND EMAIL.

Consultants:
Environment, Inc.
Mr. Steve O'Brian - President
7985 Vance Dr., #205A, Arvada, CO 80003
(303) 423-7297
Environment-inc@outdrs.net

Regulatory Permits Management, Inc
Mr. H. Bruce Humphries - President
25049 E. Alder Dr., Aurora, CO 80016
(303) 854-7499
hlhumphries2@comcast.net

4. "DATE, NORTH ARROW, AND A GRAPHIC SCALE."

All maps have a date, north arrow, and graphic scale.

5. VICINITY MAP SHOWING THE SUBDIVISION IN RELATION TO SECTION LINES AND EXISTING OR PROPOSED ARTERIAL OR COLLECTOR ROADWAYS.

No subdivisions or commercial facilities are proposed.

There are no arterial, or collector roadways proposed. The only access point for Stage 1 will be located at the northeast corner of the approved permit boundary. (Photo inset map on Sheet 2 of 2)

The Vicinity Map on Sheet 2 of 2 shows the proposed mineral extraction operation's Stage 1, in relation to section, and arterial/collector roadways.

6. LOCATION AND DIMENSION OF THE ALL PROPERTY LINES, RIGHTS-OF-WAY, AND ALL EXISTING AND PROPOSED EASEMENTS.

There are no proposed easements.

There is an existing easement along Baggett and Sanborn Roads. The fence lines mark the associated easements.

Along Sanborn Road there are easements for buried telephone/communications lines, and overhead electrical lines. (Unspecified widths) The survey does not list a ROW Width for either the power or Telephone lines. But they are located on the road size of the fence. Normally for the power company if there is no easement width listed. They reserve an area that matches the width of the cross members.
Along Baggett Road there is an easement for overhead electrical lines. (Unspecified widths)

Based on the Mined Land Reclamation Board Rules and Regulations, we must stay at least two hundred feet away from all permanent, man-made structures, pending compliance with specific requirements.

We have committed to stay at least two hundred feet away from the listed structures. For listed structures within the 200-foot zone, we will need to conduct a geotechnical, site-specific evaluation, demonstrating the proposed mining and reclamation operations will not damage the listed structures.

The attached Reclamation Map on Sheet 2 of 2 does not show a post mining, 200-foot set back, assuming we will be able to mine within the 200-foot set-back zone at some point.

7. LOCATION AND CLASSIFICATION OF ALL EXISTING AND PROPOSED INTERNAL AND ADJACENT ROADWAY(S).

The Proposed Haul Route Map on Sheet 2 of 2 shows the location and classification of all existing roads and adjacent roadway(s).

Any "roads" within the active mining area are temporary at best or are existing ranch roads which may be used as operational haul roads. Unless requested to be left by the landowner, they will be removed during site reclamation.

There is the potential the landowner may want us to leave some roads for ranch use. If any roads remain for ranch use, it will require approval by the Mined Land Reclamation Division and will be considered non-public ranch use roads.

8. THE OUTLINES OF ALL STRUCTURES, PARKING AREAS, OUTSIDE STORAGE AREAS, LOADING AREAS, AND REFUSE COLLECTION AREA(S) IN RELATION TO THE LANDSCAPING.

We believe this item is not applicable for the following reasons:

No landscaping is proposed. The site will be reclaimed to a post mining land use of rangeland and wildlife habitat, i.e., a grassland ecosystem.

No structures, parking areas, or refuse collection areas are planned. Nor will any be left as part of the post mining land use.

8. CONTINUED

There will be onsite, temporary storage and loading areas as mining operation conducts extraction operations. Once mining in a Stage is complete, reclamation will begin.

9. THE EXISTING ZONING OF THE SUBJECT PROPERTY AND THE EXISTING ZONING OF SURROUNDING PROPERTIES.

Please see Sheet 2 of 2.

The surrounding properties are zoned A-35 and RR-5.

10. LOCATION AND SPECIES OF ALL PLANTINGS AND THE LOCATION AND DESIGN OF ANY PROPOSED IRRIGATION INFRASTRUCTURE FOR PROPOSED LANDSCAPING IN THE RIGHTS-OF-WAY, IF PRE-APPROVED. (LICENSE) AGREEMENT REQUIRED).

No irrigation is proposed since the post mining land use is non-irrigated rangeland.

There will be no interior rights-of-way. No access point landscaping since the access points will move as a new Stage is opened. Once mining and reclamation are complete, the site will return to the landowner for agricultural use.

The species to be seeded have been proposed by the local NRCS and approved by the Colorado Mined Land Reclamation Board. Please see the responses to the Letter of Intent Checklist which lists the plant species for site reclamation. (The approved species are dryland range species.)

Non-Irrigated grass seed recommendation	
Seed	Rate PLS/acre
Sideoats grama (Vaughn)	0.91
Sand dropseed (common)	0.01
Little Bluestem (camper)	0.67
Western Wheatgrass (Arriba)	1.60
Sand Bluestem (Chet)	0.79
Prairie Sandreed (goshen)	0.32
Yellow indiagrass (Cheyenne)	1.02
Switchgrass (blackwell)	1.12
Green needlegrass (Iodorm)	0.48
Indian ricegrass (Nexpar)	1.11
Purple prairie clover	0.03
Four-wing saltbush	1.00
Winterfat	0.02
TOTAL LBS/AC	9.08

11. LOCATION OF ALL UTILITIES, WALLS, FENCES, EXTERIOR PARKING AND LOADING AREAS, PEDESTRIAN WALKS OR PATHS, PEDESTRIAN-ORIENTED AREAS, VEHICULAR DRIVES, STORM WATER DETENTION AREAS, AND OTHER MANMADE ELEMENTS. DETAILED DRAWINGS OF ALL REQUIRED STRUCTURES USED FOR SCREENING PURPOSES (EXAMPLES: REFUSE AREAS, EQUIPMENT SCREENING, AND/OR GATES).

None of the following are proposed:

Walls, fences, exterior parking, pedestrian walks or paths, pedestrian-oriented areas.

The only utility is electrical power which is in place for the scale and scale house.

The loading areas will change as mining progresses within Stage 1 lands.

There will be no vehicular drives. There will be interior, temporary, mine and reclamation roads. Interior roads may be removed as mining and/or Stage 1 reclamation is completed, unless requested by the landowner to remain after mining and reclamation, for ranch use.

The landowner may want certain of these roads left for his agricultural use. If that is the case, the roads will need approval from the CMLRD, as part of the post mining land use.

The opened and reclaimed mine pits are like STORMWATER DETENTION BASINS.

Please see the approved Reclamation Map (Landscape Map) which outlines and provides MLRB approved designs.

The mined out and reclaimed pits will remain as part of the post mining land use.

In large storm events, it is likely the sandy pits will recharge the ground water aquifer.

12. SIGHT DISTANCE TRIANGLES AND ANY PLANTINGS, SIGNS, WALLS, STRUCTURES, OR OTHER VISUAL OBSTRUCTIONS WITHIN THE TRIANGLES WHERE APPLICABLE.

This requirement is not applicable:

There will be no sight triangles where Stage 1 entrance meet the County Road. No signs will block access/Baggett Rd. sight, at access point.

The only SIGNS will be those required by State and Federal agencies. The signs will be located on the Scale House not adjacent to the road and on the access gate. Please see the "Mineral and Natural Resource Extraction Application" with a list of signs, and our response to the El Paso County Sign Code.

13. THE LOCATION, TYPE SIZE AND QUANTITY OF MAJOR EXISTING PLANT MATERIALS MEETING THE PLANT TYPE REQUIREMENTS, INCLUDING ALL VEGETATED GROUND COVER AREAS, SHRUBS, AND TREES, WITH INFORMATION AS TO WHICH MATERIALS ARE PROPOSED TO BE REMOVED AND WHICH SHALL BE RETAINED OR RELOCATED.

As Stage 1 of mining is completed, reclamation of the Stage will begin. The entire Stage area will be seeded to the NRCS and MLRB approved seed mix, primarily grasses. (Please see the "Mineral and Natural Resource Extraction Application" for details.

No shrubs or trees grow at the site now. However, the NRCS recommends the two shrubs listed be planted.

All vegetation will be removed, and none relocated or retained for reclamation.

14. ALL PROPOSED GROUND COVER AREAS SHALL BE IDENTIFIED, INCLUDING THE TYPES AND AMOUNTS OF LIVING PLANT MATERIALS TO BE USED AND THE SIZE AND DEPTH OF NON-LIVING MATERIALS. THE MANNER IN WHICH ANY LAWN AREAS ARE TO BE ESTABLISHED (FOR EXAMPLE, BY SODDING OR SEEDING) SHALL BE INDICATED. THE LANDSCAPE TREATMENT OF ALL ADJACENT LIGHT OF WEIGHT AREAS, AS WELL AS THE OWNER/DEVELOPER PROPERTY, SHALL BE IDENTIFIED.

The entire affected area of Stage 1 will have topsoil replaced at a depth of 4 to 6 inches. If available, once site grading is completed, then drill seeded to the NRCS and MLRD approved seed mix.

No other plant materials are approved by the CMLRB for the reclamation of this site.

The entire proposed mine site is owned by the Schubert Ranch.

The Mined Land Reclamation Board has statutory authority over the reclamation of mined land. Counties are allowed to comment on the proposed reclamation plan during the application review process only.

15. PHASING, IF APPLICABLE, SHALL BE NOTED ON THE LANDSCAPE PLAN OR PROVIDED AS SUPPLEMENTAL INFORMATION. ALL FUTURE DEVELOPMENT PHASES WITHIN A SITE SHALL HAVE ALL DISTURBED SOIL SURFACES RESEEDED TO PREVENT EROSION. ALL REQUESTS FOR PHASING OF LANDSCAPING SHALL BE EXPRESSLY APPROVED BY THE PCD DIRECTOR PRIOR TO SUBMITTAL OF THE ASSOCIATED APPLICATION.

The State approved mine plan calls for six stages or phases of varying sizes as shown on the Landscape Map:

ESTIMATED MINING TIMETABLE

Stage	ESTIMATED YEARS	ACRES ±			
		TOTAL AREA	TOTAL MINED	MINED 100 %	MINED SLOPES
I	10 -15	66.1	48.9	22.3	27.6

Note: As shown on the Landscape Map insert, there are 5 future Stages as approved in the SUP.

As mining in Stage 1 is completed, reclamation will begin as stated above.

We do not expect off-site runoff from our mining and reclamation operations. All stormwater runoffs will be interior to the operation. We expect stormwater runoff events into the pit will infiltrate into the sandy substrate and will not enter surface water directly. Diversion ditch(s) will divert water runoff around the mined area into the ephemeral drainage during mining and Stage 1 reclamation. Post reclamation, such structures will be removed, and the disturbance reclaimed.

16. IF THE APPLICATION INCLUDES A REQUEST FOR APPROVAL OF AN ALTERNATIVE LANDSCAPE PLAN, THE LANDSCAPE PLAN SHALL INCLUDE A STATEMENT REQUESTING APPROVAL OF THE ALTERNATIVE DESIGN AND JUSTIFICATION FOR THE REQUEST UNLESS OTHERWISE PROVIDED FOR IN THE LETTER OF INTENT.

Under State Statute, review, and approval of a mine site reclamation rests with the Colorado Mined Land Reclamation Board and their implementing Rules and Regulations. (Please see Colorado Code of Regulations, CRS 34-32.5-104)

During the permit application review process, the proposed, post mining land use is provided to the local county commissioners for comment and concurrence. (The State recognizes land use decisions rest with local governments).

The Colorado Mined Land Reclamation Division (CDRMS) also submits the reclamation plan to the local boards of supervisors of the local conservation district, for comment.

The proposed mining and reclamation plan along with the entire permit application was placed with the County Clerk and Recorder's Office for review and comment by local officials and the public.

As with the El Paso County process, depending on the type of permit (in this case a 112 Regular Operation Permit Application), the public comment period runs for 90 days. If there is an objection that can not be resolved at the Division level, the permit application goes before the MLRB for a public hearing.

Based on those and other agency comments, CDRMS works with applicant to resolve mining and reclamation issues. All referral agencies concurred with the CDRMS approved Reclamation Plan.

We also point out the end land use will be rangeland/ wildlife habitat which is an approved County landuse for the site.

The site will be seeded with an approved mix of range plant species common to the area and adapted to the local climatic and soil conditions..

In addition, the species chosen are essentially native, and were recommended by the NRCS. The only non-native species to be seeded is Winterfat. It was also recommend by the NRCS. Appropriate soil amendments, based on soil test, will be applied." (6.2.2. G.1.d Landscape Requirements - El Paso County Code. This item was included in the SUP application)"

Appropriate soil amendments, based on soil tests, will be applied.

No irrigation is planned.

We therefore request El Paso County accept the CMLRB approved permit and the approved Reclamation Plan as the approvable Landscape Plan.

17. LANDSCAPE PLANNING SUMMARY TABLE TO INCLUDE A SUMMARY OF REQUIRED AND PROPOSED LANDSCAPING BASED UPON ADJACENT OR INTERNAL ROADWAYS, ADJACENT LAND USE(S), PARKING AREA(S), BUFFER AND SCREEN AREA(S), AND COMPLIANCE WITH ALL INTERNAL LANDSCAPING REQUIREMENTS.

As stated in the approved MLRB permit application, Stage 1 reclamation will follow the completion of mining in Stage 1. Certain areas of Stage 1 may be left open to facilitate the on-going mining operations. For example, a portion of Stage 1 may be left for stockpile and loading, or scale and scale house use for the next Stage, Stage II. Where possible, material hauling will utilize ranch roads. There will be temporary parking and loading areas within Stage I. Topsoil stockpiles will screen the mine operations from nearby residential areas. These stockpiles will be seeded with grasses, and then the stockpiles will be removed as part of the reclamation process. The operation will comply with its requirements under its approved MLRB permit and other El Paso County codes found applicable to the Mineral Extraction Operation.

18. LEGEND WITH PLANT SPECIES, QUANTITY, MATURITY HEIGHT, BALL AND BURLAP SIZE, CALIPER, SYMBOL AND NAME.

Except for the approved plant species (which were provided as part our response to 6.2.2. G.1.d Landscape Requirements - El Paso County Code.) we believe the other remaining list of items in this request are not applicable.

19. ANY OTHER ADDITIONAL ITEMS AS REQUIRED BY THE PCD DIRECTOR DEEMED NECESSARY TO ADDRESS THE APPLICABLE REVIEWED CRITERIA.

At this point in time, we have received no additional applicable criteria for review.

PPR 234

1

PCD DIRECTOR APPROVAL

BY: _____

DATE: _____


PREPARED BY: ENVIRONMENT, INC.
7985 VANCE DR., # 205A
ARVADA, CO 80003
(303) 423-7297
Environment-inc@outdrs.net

EL PASO COUNTY SITE DEVELOPMENT PLAN
LANDSCAPE PLAN NOTES PAGE
FOR
SCHUBERT RANCH SAND RESOURCE
ELLICOTT, COLORADO

REVISIONS:	DATE:
SPECIAL USE PERMIT APPROVAL - BCC	08-02-2022

ELLICOTT SAND AND GRAVEL LLC

235 Franceville Coal Mine Road | Colorado Springs Co 80929

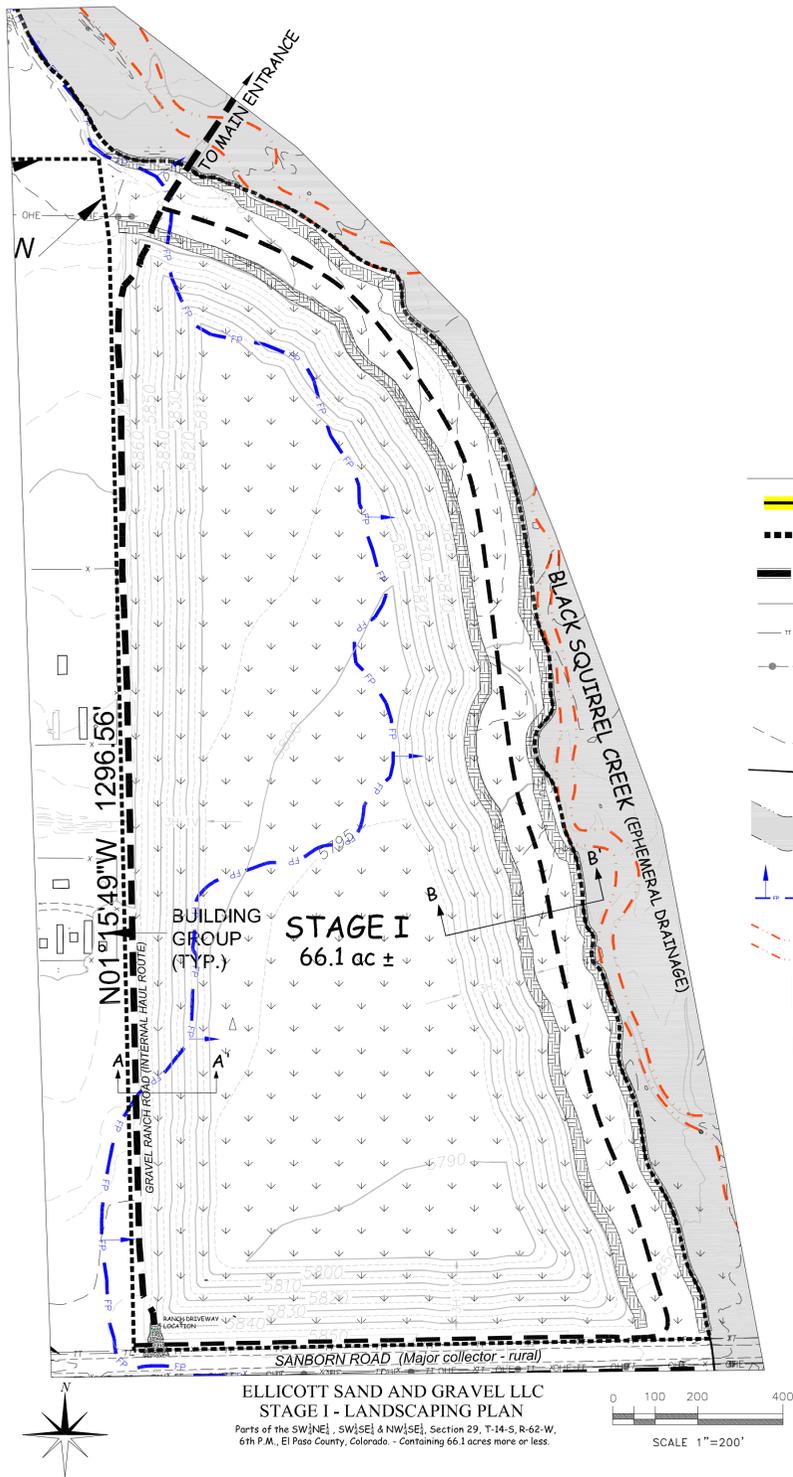
phone: (602) 558-0846

DATE:	01/05/2023
FILE NAME:	ESQ-Landscape
SCALE:	NA
DRAWN BY:	EMV/SH
CHECKED BY:	HHH

ELLCOTT SAND AND GRAVEL LLC - SITE DEVELOPMENT PLAN

Parts of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T-14-S, R-62-W, 6th P.M., El Paso County, Colorado. - Containing 66.1 acres more or less.

STAGE 1 OF 6 - LANDSCAPING PLAN

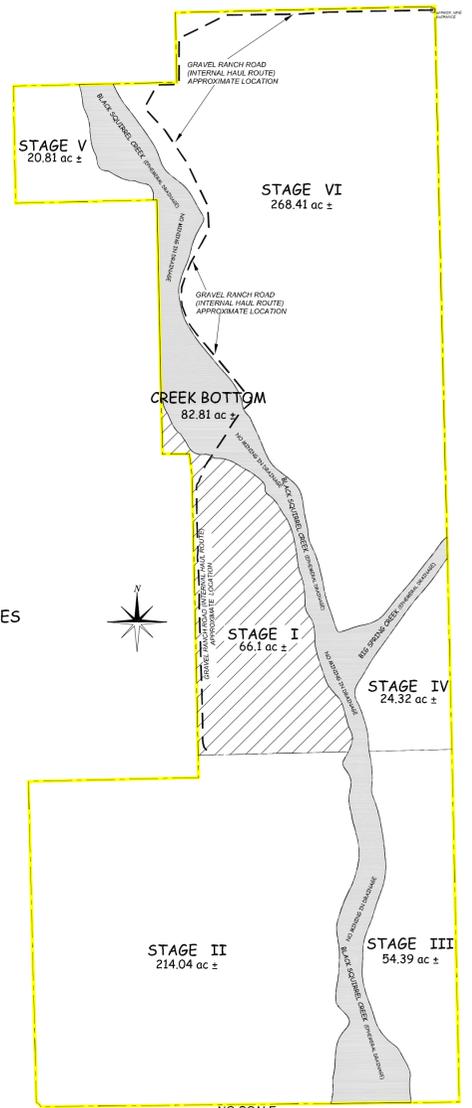


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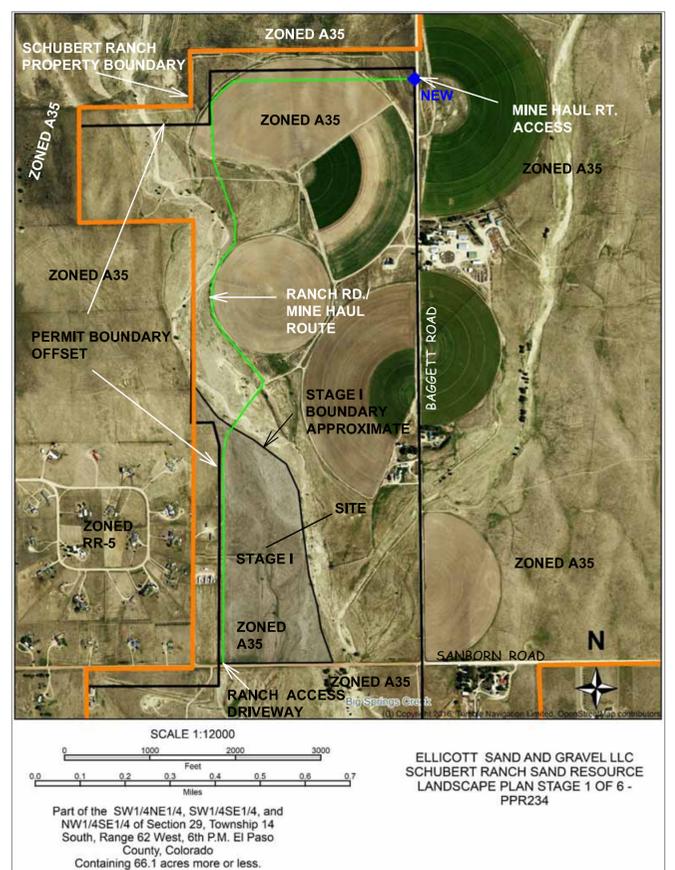
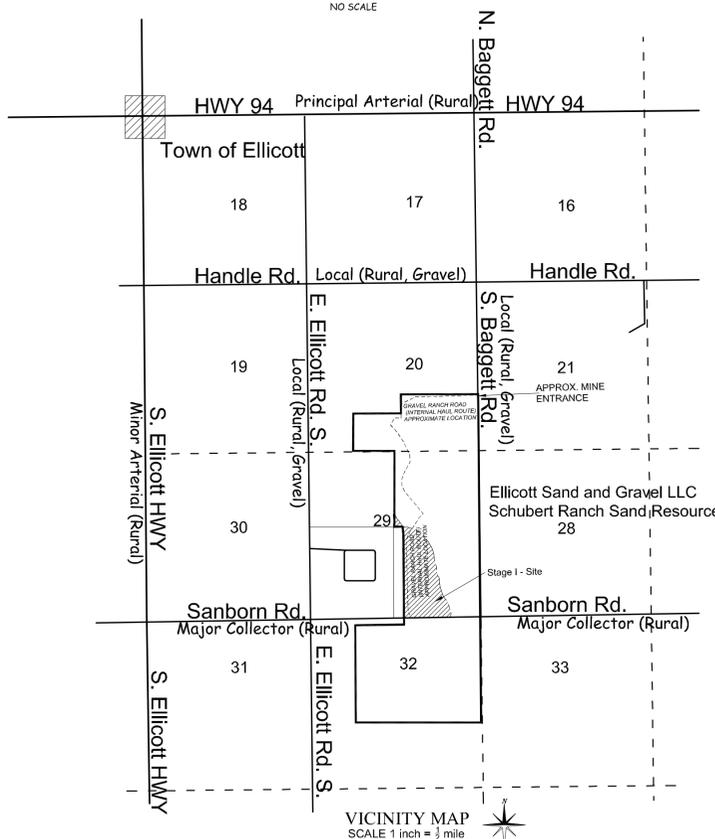
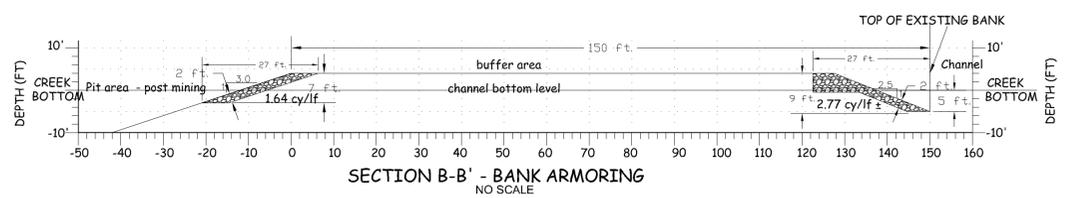
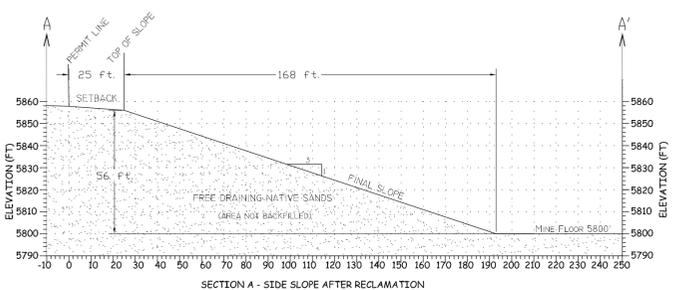
1. BANK ARMORING WILL NOT START UNTIL MINING IS WITHIN 150 FEET OF EPHEMERAL DRAINAGE BANK AND WHEN 500 FEET OF FINAL SLOPING IS COMPLETED AS APPROVED IN THE STATE RECLAMATION PERMIT AND THE EPC SPECIAL USE PERMIT.
2. BANK ARMORING SHOWN ON MAPS IS APPROXIMATE LOCATION. ACTUAL LOCATION WILL DEPEND ON LOCATION OF OHW LINES AT THE TIME IT IS INSTALLED.
3. THE MINED AREAS AND ARMORED BANKS WILL BE COVERED WITH GROWTH MEDIUM AND REVEGETATED WITH APPROVED SEED MIX.

LEGEND

- PERMIT BOUNDARY/ AFFECTED LANDS
- STAGE I - DEVELOPMENT AREA
- ROADS (HAUL, ACCESS) (TYP.)
- FENCE
- BURIED TELEPHONE/COMMUNICATION LINES
- OVERHEAD ELECTRIC LINES
- BUILDING
- 2 FOOT CONTOURS
- TOPO CONTOUR
- EPHEMERAL DRAINAGE
- FLOOD PLAIN (100 YR)
- ORDINARY HIGH-WATER LINE 2019
- REVEGETATED AREA
- BANK ARMORING



NO SCALE
ELLCOTT SAND AND GRAVEL LLC
 SCHUBERT RANCH SAND RESOURCE
 SPECIAL USE PERMIT AREA - LA2014 APPROVED 8/2022
 Parts of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, The E $\frac{1}{2}$ E $\frac{1}{2}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$ and Parts of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29 and The E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T-14-S, R-62-W, 6th P.M., El Paso County, Colorado. Containing 733.7 acres more or less.



Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 14 South, Range 62 West, 6th P.M. El Paso County, Colorado. Containing 66.1 acres more or less.

PPR 234

PROJECT # ELLCOTT SAND AND GRAVEL LLC	EL PASO COUNTY DEVELOPMENT PLAN LANDSCAPING PLAN - PPR 234 FOR SCHUBERT RANCH SAND RESOURCE ELLCOTT, COLORADO	
	REVISIONS: SPECIAL USE PERMIT APPROVAL - BCC	DATE: 08-02-2022

ELLCOTT SAND AND GRAVEL LLC
 235 Franceville Coal Mine Road | Colorado Springs Co 80929
 phone: (602) 558-0846

CHECKED BY: RBH	DRAWN BY: ENJ/SJS	SCALE: AS NOTED	FILE NAME: ESG-landscaping	DATE: 01/06/2023
				2
				SHEET 2 OF 2