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PARK COUNTY, WYOMING  
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CODY, WYOMING  
COMPLETED 1912

*County of Park*

*Commissioners' Office*  
November 20, 2014

BLM- Cody Field Office  
Attn: Ms. Gretchen Hurley, P.G. – Project Lead  
1002 Blackburn Street,  
Cody, WY 82414

**RE: Proposed Bentonite Mine Off of County Road 6UU (Diamond Basin Road)**

Ms. Hurley:

Please consider the following comments on behalf of the Park County Public Works Department and the Board of Park County Commissioners (County) in relation to the bentonite mine proposed by Wilson Brothers Construction (WBC). Specifically, based on information presented at the public meeting held in Cody on October 22, 2014, the County understands that WBC is planning to develop a new bentonite mine on a +/- 80 acre tract located east of County Road 6UU (Diamond Basin Road) located in Section 28 of Township 52 North, Range 102 West, in Park County, Wyoming.

It is understood that WBC is proposing truck access between the mine and Highway 291 using a +/- 1.5 mile stretch of Diamond Basin Road. The County's interest and involvement as it relates to this project primarily centers around the condition, use, public safety considerations, and possible impact to Diamond Basin Road resulting from the proposed development. With this said, it is acknowledged that Diamond Basin Road is a "county road" developed and dedicated for use by the public. As such, the County has no intent, interest, or legal authority to restrict access to a public road by vehicles that otherwise meet all other applicable load, size and speed regulations unless there are specific public health and safety concerns. This general position provides the basis for the following comments.

1. *The County understands that WBC proposes to access the +/-80 acre site using an existing access to BLM lands located approximately 1.5 miles south of the intersection of Diamond Basin Road and Highway 291. When considering the recreational use of the surrounding BLM land (ie, off road vehicles, hunting, etc) as well as the established rural residential areas located adjacent and west of Diamond Basin Road, the County would ask*

*for additional investigation and consideration of an alternate access to the north or east possibly off of Wyoming State Highway 120.*

- 2. If all other access options not involving the use of Diamond Basin Road have been thoroughly explored and deemed to be not practical, the County would request that additional consideration be given to the existing BLM access off of Diamond Basin Road near the intersection of Diamond View Road. This would reduce the section of Diamond Basin Road required for mine access from 1.5 miles to roughly  $\frac{3}{4}$  of a mile. With a shorter distance from the mine to Highway 291, loaded vehicles would have less opportunity to reach full speed which would help insure public health and safety for other users of the public road. In addition, in using the existing north BLM access, wear and tear on the road resulting from the increased truck traffic and associated maintenance cost to the County would be reduced by roughly half. It should be noted that direct ingress/egress using the current proposed access or the suggested alternate access would result in truck traffic entering and leaving the site either in direct alignment with Carter View Drive (south entrance) or Diamond View Drive (north entrance). Both Diamond View Road and Carter View Drive are primary rural residential accesses to the west off of Diamond Basin Road. Additional thought and consideration is encouraged in this regard.*
- 3. Both Diamond View Road and Carter View Drive are "Subdivision Roads". As such, additional signage would likely be warranted near these intersections depending on the ingress/egress location of the mine. Signage will likely include cautionary warning signs and truck speed restriction signs in the interest of public health and safety. Based on preliminary review by the Public Works Department, the County anticipates a speed restriction for trucks of 35 mph. Additional study and evaluation will be required by the County to accommodate these considerations once the mine use and access plan is finalized.*
- 4. Based on traffic counts recorded by the County Public Works Department between 2009 and 2014, it is estimated that current traffic on Diamond Basin Road averages between 500 and 550 vehicles per day. Based on current County road standards, Diamond Basin Road is classified as a "secondary collector road". Roads of this classification are typically designed to handle traffic between 100 and 700 vehicles per day. Based on information presented by WBC at the October 22, 2014 public meeting, it is understood that WBC plans to utilize three (3) 25-35 ton over the road semi-tractor trailer trucks to service the mine and deliver product to Lovell. Although the number of trips per day per truck was discussed at the meeting, the actual realized increase in traffic to Diamond Basin Road*

*resulting from the mine traffic needs to be clarified. However, it is understood, that the proposed number of trucks and associated daily trips will likely not result in a net road use (combined with existing traffic) that would exceed the 700 vehicle per day limit associated with a secondary collector road classification.*

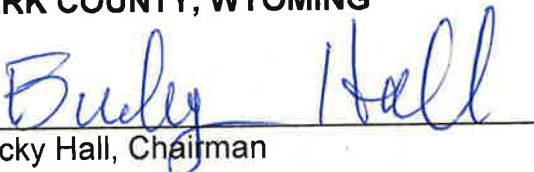
- 5. Although Diamond Basin Road is classified as a secondary collector road based on use as verified by traffic counts, it was constructed several years ago prior to the promulgation of current County Road guidelines and standards. This is not uncommon and is widely seen throughout Park County and throughout much of the State of Wyoming. With limited funds and resources, the County continually works to improve and bring older well-travelled roads up to current County Road standards. If a new secondary collector road were to be constructed to current County standards, it would require a 60 foot right-of-way, two 12 foot travel lanes, four foot shoulders on each side, and a minimum road cross section consisting of 3" of hot mix asphalt (HMAC) over 6" of compacted crushed base. In the present condition, much of Diamond Basin Road including the referenced 1.5 mile section has a chip-sealed travel path that is 23 foot in width. There is minimal if any shoulder established on most of the road section. Recent coring of the County Road in the referenced section indicates an asphalt and/or chip section of between 4 and 5 inches. However, the underlying subgrade and base material appears to be questionable and lacking based on preliminary analysis. The County has concerns that increased heavy truck traffic combined with repeated freeze/thaw cycles could increase wear and tear on the road and could possibly accelerate damage to the road surface which would necessitate increased maintenance and expenditures by the County. If the access to the mine off of Diamond Basin Road is deemed to be the only viable and practical means of ingress/egress, the County would respectfully request that WBC work with the County to establish some type of road maintenance agreement before mining operations commence.*
- 6. The above noted issues regarding the current constructed condition of Diamond Basin Road must be considered in conjunction with the planned operations schedule proposed by WBC. Specifically, WBC plans on limiting operations to only the winter months. The proposed road section is prone to snow drifting during winter months. Addressing snow drifting and ice accumulation are constant maintenance concerns and expenses for the County during the winter months. In addition, steep grades and alignment issues particularly near the intersection with Highway 291, result in additional sanding, ice control, and maintenance by the County. The need to promptly address these issues is compounded and accelerated with the increased truck traffic to help insure protection of*

*public health and safety for all users of the road. With limited budget and resources, the County would ask that WBC work with the Public Works Department to help ensure safe road conditions during the winter months. Again, this could be accomplished through some type of road maintenance agreement.*

- 7. As noted above, the sight distance, grade, and alignment of a portion of the subject road section (Diamond Basin Road), will require further evaluation by the Public Works Department with the increased truck traffic and winter travel conditions. Use of the road by heavy trucks may require reconstruction, re-grading, and realignment of a portion of the road. If required, after further investigation by the Public Works Department, the improvements could result in unplanned expenses to the County.*

On behalf of Park County, we sincerely appreciate the opportunity to review the proposed project and provide comments on this matter. We also appreciate the continued cooperation and coordination by WBC to work with the County to address, mitigate, or at least minimize the above noted concerns. Our Public Works Department would welcome the opportunity to meet with the developer at a later date to assist in this regard. Please do not hesitate to contact me with any questions or if you require additional clarification regarding the above noted issues.

Sincerely,  
**BOARD OF COUNTY COMMISSIONERS  
PARK COUNTY, WYOMING**

  
Bucky Hall, Chairman

Cc: Brian Edwards, P.E. – Park County Engineer  
Ron Nieters – Cody District Road & Bridge Foreman