

SILICA SAND MINING AND PROCESSING APPLICATION PACKET

The materials herein are provided to advise prospective applicants on the requirements for silica sand mining operations in an understandable and straightforward manner. While we have strived to provide you with proper and thorough guidance, each site may have unique attributes requiring additional information or submittals.

It is strongly encouraged that you establish a pre-application meeting with Winona County Planning and Environmental Services staff to review the project for additional requirements and possible environmental review requirements. An EAW/ EIS requirement may delay your application until environmental review is completed.

Winona County reserves the right to request additional information pursuant local ordinances and in conformance with Minnesota Statutes, section 394.301.

Winona County may disseminate application materials to other agencies for comment. It is the obligation of the applicant to obtain required permits from other agencies.

PRE-APPLICATION CHECKLIST

APPLICATIONS MISSING ANY ONE OF THE REQUIRED SUBMITTALS WILL NOT BE CONSIDERED FOR PLANNING COMMISSION REVIEW. MATERIALS MUST BE SUBMITTED IN THE FOLLOWING ORDER AND TITLED ACCORDINGLY:

**1**

Provide a Letter of Interest . (a pre-application meeting with staff is strongly encouraged)- See guidance, p. 2.

Confirmed Meeting Date: _____

**2**

Provide Completed Conditional Use Permit Application

Responses to CUP criteria found in chapter 5.5.4.1-See guidance, p. 3.

Completed Township Acknowledgment Form

**3**

Provide Mine Plan, Performance Standards & Reclamation Plan

Provide required information from chapter 9 of the zoning ordinance

Provide submittals responding to draft conditions of approval-Appendix C

In accordance with chapter 9.10.4 of the Winona County Zoning Ordinance, a reclamation plan prepared by a qualified professional must be submitted with the application for non-metallic mining. See guidance p. 4.

**4**

Provide an independently prepared traffic impact study.

Acknowledge the required road use agreement, pending Planning Commission and County Board approval of the conditional use permit.-See guidance, p. 6.

**5**

Provide Proof of Authority.

Agents, applying on behalf of an owner must provide a signed agreement with the landowner, notarized and signed by each party authorizing said agent to act on the owner behalf. Owner must provide proof of ownership including mineral rights-See guidance, p. 10.

SILICA SAND MINING AND PROCESSING APPLICATION PACKET

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LETTER OF INTEREST/ PRE-APPLICATION MEETING GUIDANCE

1. Provide Applicant Information:

- Who is applying?
- Who will handle the application requirements?
- Who is the principal project contact for application review?
- If multiple owners exist, identify all owners of the property and their respective titles/ownership status.

2. Provide a Narrative of the Proposed Use:

- Location of Site
- Size of Proposed Facility/Extraction
- Operations Details (Equipment Used, Quantity of Extraction, Annual Extraction Rate, Years in Service)
- Schedule for Extraction (Hours, Days and Months in Operation)
- Materials to be Extracted
- Post-Mining Reclamation Narrative

3. Provide a Narrative of Anticipated Market for Material Extracted

- Where are the Materials being Transported?
- What Routes are Planned for Transportation?
- Will Materials Be Stockpiled on Site?

4. Set up and Confirm Pre-Application Meeting with Planning Staff.

SILICA SAND MINING AND PROCESSING APPLICATION PACKET

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CONDITIONAL USE PERMIT APPLICATION

NOTICE:

This application will be delayed in processing if all required submittals are not included and may be delayed if the County determines an Environmental Assessment Worksheet or Environmental Impact Statement is required.

The County will first make this determination before scheduling an official Planning Commission hearing and upon the findings of the EAW or EIS, will determine if the application may proceed for Planning Commission review.

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MINE PLAN GUIDANCE

WHAT IS A MINING PLAN?

A mining plan is a combination of maps and written information that describes every aspect of the proposed operation from inventory of the gravel resource to post-mining management of the site.

- The mining plan describes activities to be conducted at the mine site over the life of the operation.
- The purpose of a mining plan is to ensure environmentally sound mining, including leaving the area in a safe, nonpolluting condition, and preserving as much land value as possible.
- A mining plan may consider view, noise, dust, hours of operation, traffic, final reclamation, and many other concerns.
- A mining plan ensures that activities progress according to a general concept that includes site reclamation.
- A mining plan aids the cost efficiency and minimizes the environmental impact of the site.
- A mining plan allows for early identification of environmental concerns, efficient removal of the aggregate and cost-effective reclamation.

WHAT INFORMATION IS INCLUDED IN A MINING PLAN?

The information needed for a mining plan generally includes the following: Inventory of the aggregate resource including the shape, extent and depth of the aggregate deposit and its relationship to the groundwater. Winona County requires a mining plan to include the items required in section 9.10 of the WCZO as well as pertinent information requested on the list of likely conditions.

General knowledge of the aggregate deposit is important. The best available information about the deposit must be collected from water well logs, existing surveys or maps, and previous testing work in the area. The most complete inventory data is obtained from drilling or test pitting on the site, but such data is not always available or necessary. Additional site specific work may be needed.

Characteristics of the deposit will determine in part the layout of the mine and the sequence for mine Development. Economic considerations likely to influence the rate of mining should also be discussed in the plan, such as the thickness of the overburden, the quality of the aggregate, and haul distance.

Assessment of pre-mining conditions, including current land uses, ownership, infrastructure, previous excavations, existing vegetation and water features among others

An “assessment of pre-mining conditions” describes the setting before mining begins. This may include, among other things: the direction of flow in surface waters; the depth to and direction of groundwater flow; location of buildings and other infrastructure (roads, wells), existing land uses, presence of endangered species and cultural resources. An assessment can identify and mitigate environmental problems and public concerns associated with the project.

Description of mining methods including processing methods

A description of mining methods addresses how the resource will be mined and processed, and describes any proposed mitigation measures. This could include proposed operation hours, how complaints will be addressed, specific erosion control measures to be used, or how screening will be utilized.

Discussion on the staging and sequencing of operations

This discussion is closely linked with the above and is directed at how the mining operation will develop over time. Some mining operations remove the resource in several discreet stages over a short period of time, and others mine it in one stage for a longer period of time. The staging of operations has implications for reclamation. Can reclamation be accomplished progressively throughout the operation or is it best accomplished at the end of active mining?

Proposed reclamation, schedule, and post-mining management

Proposed reclamation describes the intended end uses of the site. Reclamation can consist of simply stabilizing slopes or it can include steps to restore wildlife habitats or preparation of the land for residential construction. When an operator has an end use goal in mind, mining activities like clearing, stripping, stockpiling, and landform construction can be directed toward the planned reclamation throughout the mining phase.

WHAT DOES A MINING PLAN LOOK LIKE?

Mining plans typically employ maps, an effective way to convey the needed information.

Proposed features of the mining operations (such as stripping areas, cuts, excavations, processing facilities, roads, stockpiles, ditches, berms, water control structures, etc.) and reclamation features (screened areas, areas to be re-vegetated, final slopes and grades, etc.) can be depicted on the detailed map. Vertical details are shown with contour lines and cross sections. A series of sequential maps can illustrate how operations will proceed over time. A base map with overlays can effectively show the proposed stages of the operation. The Winona County Zoning Ordinance offers guidance for what must be included on three map exhibits as required in chapter 9.10(3) of the Winona County Zoning Ordinance.

PERFORMANCE STANDARDS AND RECLAMATION PLAN GUIDANCE

PERFORMANCE STANDARDS

9.10 Extraction Pits/Land Alterations

The objective of this provision is to control alterations of land surfaces, minimize soil erosion and land scarring, to monitor the consumption of natural resources and minimize its impact on the adjacent lands and persons residing in the area.

9.10.1 Administration

- a. A Conditional Use Permit shall be required for all extraction pits and land alteration operations. The County Board may also require a performance bond of one hundred and ten (110) percent of estimated reclamation expenses from the land owner.
- b. The crushing, washing, refining or processing other than the initial removal of material shall be considered a conditional use. Quarries producing or manufacturing veneer stone, sills, lintels, cut flagstone, hearthstones, paving stone and similar architectural or structural stone and the storing or stockpiling of such products on the site shall be considered a conditional use. The manufacture of concrete building blocks or other similar blocks, the production or manufacturer of lime products, the production of ready-mixed concrete and any similar production or manufacturing processes which might be related to the mining operation shall be considered as a conditional use. Wells used in the process of mineral exploration that use five (5) million gallons or more a year are considered a conditional use.

9.10.2 Required Information

The following information shall be provided by the person requesting the permit:

1. Name and address of person requesting the mining permit.
2. The exact legal property description and acreage of area to be mined.
3. The following maps/documents of the entire site and to include all areas within five hundred (500) feet of the site. All maps shall be drawn at a scale of one (1) inch to one hundred (100) feet unless otherwise stated below.
 - Map/Document A - Existing conditions to include:
 - i. Contour lines at five (5) foot intervals.
 - ii. Existing vegetation.
 - iii. Existing drainage & permanent water areas.
 - iv. Existing structures.
 - v. Existing wells.
 - Map/Document B - Proposed operations to include:
 - i. Structures to be erected.
 - ii. Location of sites to be excavated showing depth of proposed excavation.
 - iii. Location of excavated deposits showing maximum height of deposits.

- ✓ Name & address of person requesting permit.
- ✓ Required maps.
- ✓ Soil erosion & sedimentation plan.
- ✓ Plan for dust & noise control.
- ✓ Location & species of vegetation to be replanted.
- ✓ Location & nature of structures to be erected in relation to end use plan.

Figure 9.17 Required information for Extraction Pits/Land Alterations.

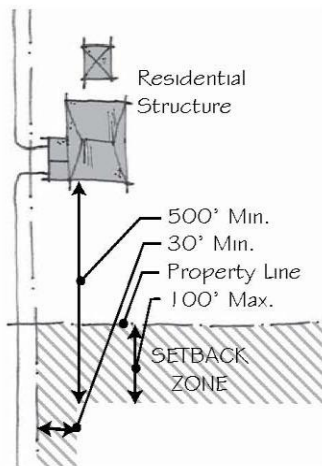


Figure 9.18 Setback for Extraction Pits/Land Alterations

- iv. Location of storage of excavated materials, showing the height of storage deposits.
- v. Location of vehicle parking.
- vi. Location of storage of explosives.
- vii. Erosion and sediment control structures.
- Map/Document C - Reclamation Plan to include:
 - i. Final grade of proposed site showing elevations and contour lines at five (5) foot intervals.
 - ii. Location and non invasive species of vegetation to be replanted.
 - iii. Location and nature of any structures to be erected in relation to the end use plan.
- 4. A soil erosion and sediment control plan.
- 5. A plan for dust and noise control.
- 6. A full and adequate description of all phases of the proposed operation to include an estimate of duration of the mining operation.
- 7. Any other information requested by the Planning Commission or governing body.

9.10.3 Performance Standards

1. **WATER RESOURCES:** The extraction pit or land alteration operation shall not be allowed to interfere with surface water drainage beyond the boundaries of the operation. The work done shall not adversely affect the quality of surface or subsurface water resources. Surface water originating outside and passing through the mining district shall, at its point of departure from the site, be of equal quality to the water at the point where it enters the site.
2. **SAFETY FENCING:** Any operation adjacent to a residential zone or within three hundred (300) feet of two (2) or more residential structures shall be bound by the following standards:
 - a. Where collections of water occur that are one and one-half (1½) feet or more in depth existing for any period of at least one (1) month, and occupy an area of seven hundred (700) square feet or more, all access to such collections of water shall be barred by a fence of at least four (4) feet in height.
 - b. In locations where slopes occur that are steeper than one (1) foot vertical to three (3) feet horizontal existing for a period of one (1) month or more, access to such slopes shall be barred by a fence or some similar effective barrier such as a snow fence at least four (4) feet in height. Earthen berms also may be constructed to prevent access to the steeper slopes.
3. **ACCESS ROADS:** The location of the intersection of access roads with any public roads shall be selected such that traffic on the access roads will have a sufficient distance or public road in view so that any turns onto the public road can be completed with a margin of safety.
4. **SETBACK:** Processing of minerals shall not be conducted closer than one hundred (100) feet to the property line nor closer than five hundred (500) feet to any residential or commercial structures

- located prior to commencement of processing operations without the written consent of all owners and residents of said structures. Mining operations shall not be conducted closer than thirty (30) feet to the boundary of any zone where such operations are not permitted, nor shall such production or processing be conducted closer than thirty (30) feet to the boundary of an adjoining property line, unless the written consent of the owner of such adjoining property is first secured in writing. Mining operations shall not be conducted closer than thirty (30) feet to the right-of-way line of an existing or platted street, road or highway, except that excavating may be conducted within such limits in order to reduce the elevation thereof in conformity to the existing or platted street, road or highway.
5. **APPEARANCE:** All buildings, structures and plants used for the production of processing of sand and gravel shall be maintained in such a manner as is practical and according to acceptable industrial practice as to assure that such buildings, structures and plants will not become dangerously dilapidated.
 6. **HOURS OF OPERATION:** All operations shall be conducted between the hours of 6:00 AM and 10:00 PM CST. Permission may be granted for operations beyond these hours to respond to public or private emergencies or whenever any reasonable or necessary repairs to equipment are required to be made.
 7. **TOPSOIL MANAGEMENT:**
 - a. **Removal:** Removal of on-site topsoil and topsoil substitute material removal, when specified in the reclamation plan, shall be performed, prior to any mining activity associated with any specific phase of the mining operation.
 - b. **Volume:** The operator shall obtain the volume of soil required to perform final reclamation by removal of on-site topsoil or topsoil substitute material or by obtaining topsoil or substitute material as needed to make up the volume of topsoil as specified in the reclamation plan approved pursuant to this chapter.
 - c. **Storage:** Once removed, topsoil or topsoil substitute material shall, as required by the reclamation plan approved pursuant to this chapter, either be used in contemporaneous reclamation or stored in an environmentally acceptable manner. The location of stockpiled topsoil or topsoil substitute material shall be chosen to protect the material from erosion or further disturbance or contamination. Runoff water shall be diverted around all locations in which topsoil or topsoil substitute material is stockpiled.
 8. **FINAL GRADING & SLOPES:**
 - a. All areas affected by mining shall be addressed in the approved reclamation plan, pursuant to Chapter 9 to provide that a stable and safe condition consistent with the post-mining land use is achieved. The reclamation plan may designate high walls or other unmined and undisturbed natural solid bedrock as stable and safe and not in need of reclamation or designate other areas affected by mining including slopes comprised of unconsolidated

materials that exceed a 3:1 slope, whether or not graded, as stable and safe. For slopes designated as stable under this Subsection, the County may require that a site-specific engineering analysis be performed by a registered professional engineer to demonstrate that an acceptable slope stability factor is attainable at a steeper slope.

- b. Final reclaimed slopes covered by topsoil or topsoil substitute material may not be steeper than a 4:1 horizontal to vertical incline, unless demonstrated based on site-specific engineering analysis performed by a registered professional engineer. All areas in the extraction pit site where topsoil or topsoil substitute material is to be reapplied shall be graded or otherwise prepared prior to topsoil or topsoil substitute material redistribution to provide the optimum adherence between the topsoil or topsoil substitute material and the underlying material.
 - c. When the approved post-mining land use includes a body of water, the approved final grade at the edge of a body of water shall extend vertically six (6) feet below the lowest seasonal water level. A slope no steeper than 3:1 shall be created at a designated location or locations, depending on the size of the water body to allow for a safe exit.
9. DRIVEWAY/ACCESS FOR SITE:
- a. Driveway/access to the commercial/industrial site shall not be located within twenty-five (25) feet of adjacent property boundaries.
 - b. Driveway/access shall also receive applicable Township/Highway Department/State/Federal approval.

9.10.4 Reclamation

All sites shall be reclaimed immediately after operations cease. Reclamation shall be complete within one (1) calendar year after operation ceases. The following standards shall apply:

- 1. Within a period of three (3) months after the termination of a operation, or within three (3) months after abandonment of such operation for a period of six (6) months, or within three (3) months after expiration of a permit, all buildings, structures and plans incidental to such operation shall be dismantled and removed by, and at the expense of, the mining operator last operating such buildings, structures and plants.
- 2. Topsoil Redistribution for Reclamation: Topsoil or topsoil substitute material shall be redistributed in accordance with the reclamation plan approved pursuant to this chapter in a manner which minimizes compacting and prevents erosion. Topsoil or topsoil substitute material shall be uniformly redistributed except where uniform redistribution is undesirable or impractical. Topsoil or topsoil substitute material redistribution may not be performed during or immediately after a precipitation event until the soils have sufficiently dried.

3. Assessing Completion of Successful Reclamation:
 - a. The criteria for assessing when reclamation is complete shall be specified in the reclamation plan approved pursuant to this Chapter. Criteria to evaluate reclamation success shall be quantifiable.
 - b. Compliance with the re-vegetation success standards in the approved reclamation plan shall be determined by:
 - I. On-site inspections by Winona County or its agent;
 - II. Reports presenting results obtained during reclamation evaluations including summarized data on re-vegetation, photo documentation or other evidence that the criteria approved in the reclamation plan to ascertain success have been met; or
 - III. A combination of inspections and reports.
 - c. In those cases where the post mining land use specified in the reclamation plan requires a return of the mining site to a pre-mining condition, the operator shall obtain baseline data on the existing plant community for use in the evaluation of reclamation success pursuant to this section.
 - d. Re-vegetation success may be determined by:
 - I. Comparison to an appropriate reference area;
 - II. Comparison to baseline data acquired at the mining site prior to its being affected by mining; or
 - III. Comparison to an approved alternate technical standard.
 - e. Re-vegetation using a variety of plants indigenous to the area is encouraged.
4. Maintenance: During the period of the site reclamation the operator shall perform any maintenance necessary to prevent erosion, sedimentation or environmental pollution, comply with the standards of this Subchapter, or to meet the goals specified in the reclamation plan approved pursuant to this Chapter.

9.10.5 Non-Conforming Extraction Pits

Existing non-conforming pits shall be required to submit a reclamation plan following the standards in this Section.

9.11 Subsurface Mineral Exploration

Exploration of oil and natural resources can have a serious affect on land and the groundwater below. It is the intention of this Section of the Ordinance to monitor any exploratory activity, to insure such activity is in compliance with state law.

Remote sensing/exploration that does not disturb any soil do not require a Conditional Use Permit.

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ROAD USE AND TRAFFIC IMPACT STUDY GUIDANCE

Introduction

The following outline is provided for guidance in understanding Winona County's requirements for an independently prepared traffic impact analysis and a road impact agreement.

THE TRAFFIC IMPACT STUDY shall precede and accompany each application and shall be contracted by the applicant at the applicant's expense. The study will be referred to the County Highway Engineer for review concurrently with review of the full conditional use permit application.

ROAD IMPACT AGREEMENT REQUIRED. The owner/applicant will be required to enter into an agreement with the County to pay for all transportation related impacts discovered and attributable to the proposed mining operation pending Planning Commission and County Board review and approval of the conditional use permit.

The following scope and contents of the above stated traffic impact study is as follows:

1. Terms of Contractual Services
 - a. Responsibilities. The proposer of a non metallic mine shall be responsible for the costs of an independent study for preparation of a comprehensive analysis of traffic impact for the proposed mining operations.
 - b. Payment. The proposer shall be responsible for 100% of the proposed consulting fees for services outlined herein as proposed and estimated by a qualified professional traffic engineering firm.
 - c. Contractual Services Selection/ Qualifications. The County shall have the right to approve or deny the consultant based on qualifications to complete the requirements of the study.
2. Scope of Traffic Impact Analysis
 - a. Intersections. All intersections of local roads and county or state trunk highways affected by traffic generated from the proposed mining operations shall be studied and recommendations made for safety and level of service of handling the proposed traffic intensity of the mining operations.
 - b. Local roads. Local roads serving the proposed mining operation shall be studied and recommendations made for safety and level of service of improvements for handling the proposed traffic intensity of the mining operations.

- c. County Highways. County Highways serving the proposed mining operations shall be studied and recommendations made for safety and level of service for handling the proposed traffic intensity of the mining operations.
 - d. Access control. All drive opening onto local roads and truck highways serving the proposed mining operations shall be studied and recommendations made for safety and level of service for handling the proposed traffic intensity of the mining operations including but not limited to deceleration lanes, turning lanes, emergency pull-outs, shoulder conditions, etc.
 - e. Roadway Visibility. The traffic impact analysis shall include a study of horizontal and vertical sight distances at all access points and shall make recommendations for improvements where inadequate or non-compliant conditions exist.
 - f. Geographic Range. The study shall include recommendations for the entire geographic area having significant impact as determined and advised by the County Highway Engineer affected by the proposed mining operations. The County reserves the right to enter into an intergovernmental agreement with neighboring counties to determine and mitigate adverse impacts in adjoining jurisdictions.
 - g. Existing Deficiencies. The County reserves the right to identify traffic related issues or problems that require study for correction in order for the proposed mining operations to operate safely and to maintain levels of service. Where deficiencies are identified, only that portion affected by the proposed mining operations shall be borne by the proposer/developer and the County may choose to cost-share to make the necessary corrections, pending adequate resources and appropriations.
 - h. Time Frame. Projected traffic demands shall be based on fully occupied conditions during each phase of operations.
 - i. External Factors. External traffic pressures and growth shall be considered in achieving fair-share cost assignment to the proposer/developer.
3. Contents of Study
- a. Introductory Materials
 - i. Preparers Name, Team Members and Qualifications
 - ii. Project Description
 - iii. Identification of Peak Hours and Traffic Projections
 - iv. Map of routes and study area
 - v. Location of all access points
 - vi. Map of Adjacent Land Uses
 - b. Existing Traffic Conditions
 - i. Description of transportation network including intersections and access points serving the proposed mining operations
 - ii. Existing traffic counts
 - iii. Gap or que length information where requested
 - c. Proposed Mining Operation Traffic Generation
 - i. Trip generation rates used
 - ii. Traffic generation at peak/full capacity
 - iii. Source of generation data
 - d. Traffic distribution
 - i. Estimated site traffic movements by direction

- ii. Narrative of assumptions/methods
 - e. External Traffic Projections
 - i. Identification of existing and known proposed traffic generators effecting impacts
 - ii. Adjustments made for external traffic impacts
 - iii. Forecast data
 - f. Traffic Assignments
 - i. Assignment of peak period traffic at intersections and access points
 - ii. Figures for existing and peak impact hours and total traffic
 - iii. Recommended access improvements
 - g. Site Plan
 - i. Parking layout
 - ii. Loading/Staging Areas
 - iii. Recommendations
 - h. Maintenance
 - i. Identification of costs likely to be incurred to maintain safe and desirable roadway surface conditions during operations attributable to the proposed traffic intensity of the proposed mining operations including but not limited to surface repair, street cleaning/sweeping, shoulder repair, etc.
 - i. Right of Way Needs
 - i. Identification of costs likely to be incurred for right of way acquisition to maintain safe and desirable roadway conditions during operations attributable to the proposed traffic intensity of the proposed mining operations.
 - j. Engineering Needs
 - i. Identification of costs likely to be incurred for engineering services to maintain safe and desirable roadway conditions during operations attributable to the proposed traffic intensity of the proposed mining operations.
 - k. Findings and Recommendations
 - i. Summary of all deficiencies and recommended improvements/corrections
 - ii. An estimate of costs for all recommended improvements and corrections, itemized by improvement and totaled for entire project.
 - iii. An estimate of existing deficiencies, projected subsidies, external traffic considerations and all factors considered in assigning rough proportionality of costs to the proposed mining operations. This estimate shall include identification of projected future improvements which may result from the proportionate impact of the proposed mining operation and the respective 'fair share' cost to the mining operation. Examples may include but are not limited to intersection improvements, traffic control, turn lanes and other geometric improvement needs.
4. Review
- a. The County reserves the right to review the traffic impact analysis in-house by the County Engineer or elect to choose a consultant to perform an independent review. If the County Engineer chooses to hire a review consultant, the review consultant will be hired at the proposer/developers expense.

ROAD IMPACT AGREEMENT TERMS

(Required Pending Planning Commission and County Board Approval of the Conditional Use Permit as prepared in agreement format by the County Attorney)

In addition to identified improvement costs per the final approved traffic impact analysis, a Roadway pavement impact fee shall be required of \$0.219 (Jan 2012) per ton per mile, with the rate adjusted annually on January 1 to account for inflation using the Engineering News Record Construction Cost Index. Tons are net tons of material hauled in the primary hauling direction. Return of empty trucks or backhauling a fraction of the primary haul will not be counted if the return route follows the reverse route of the primary hauling direction. Per mile means per mile of paved public roads, not including trunk highways under the jurisdiction of the Minnesota Department of Transportation.

The \$0.219 per ton per mile is based on a construction cost of \$200,000 per mile to reclaim and pave an asphalt roadway; including 16% for preliminary engineering and construction engineering the project cost is \$232,000 per mile. Based on a pavement design for 500 vehicles/day; 20-year design; with traffic growing to 550 vehicles/day during the 20 years; 20-year design ESALs of 110,529; \$2.099 per ESAL per mile. Based on 23 tons per load on 80,000 pound gross-weight trucks that are 2.4 ESALs; \$0.219 per ton per mile.

Winona County recognizes the presence of historic industries such as agricultural services, manufacturing and distribution as being accommodated by current public infrastructure and therefore it reserves the right to impose road impact exactions exclusively on new infrastructure-dependent industry having a disproportionate impact on county infrastructure due to a combination of high vehicular weight and traffic volume as determined by the Planning Commission and County Board.

Agreement Required for Impact on Unpaved Roads. The applicant shall provide an agreement for maintenance of any unpaved road used by the mining operations, to maintain the facility to a consistent County standard throughout the mining operation. When unpaved roads are under the jurisdiction of the local Township or City, the applicant shall provide approval of the agreement by the local jurisdiction.

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PROOF OF AUTHORITY REQUIRED

The applicant of the proposed mine shall be responsible for the submittals and application materials outlined herein. If the owner/s of a site has/have designated an authorized representative to apply on their behalf, an official notarized letter must accompany the application specifying the owner's consent of application.

The owner/applicant shall also provide legal proof of ownership including mineral rights for the parcel to be mined.

Each parcel of record requires a separate Conditional Use Permit.

SILICA SAND MINING AND PROCESSING APPLICATION PACKET

REFERENCE MATERIAL-APPENDIX

**AGENCY INFORMATION AND
ADDITIONAL PERMITTING
REQUIREMENTS**

APPENDIX A

**STATE AND FEDERAL BEST
MANAGEMENT PRACTICES**

APPENDIX B

**PRELIMINARY CONDITIONS OF
APPROVAL FOR NON-METALLIC
MINING CONDITIONAL USE PERMITS**

APPENDIX C

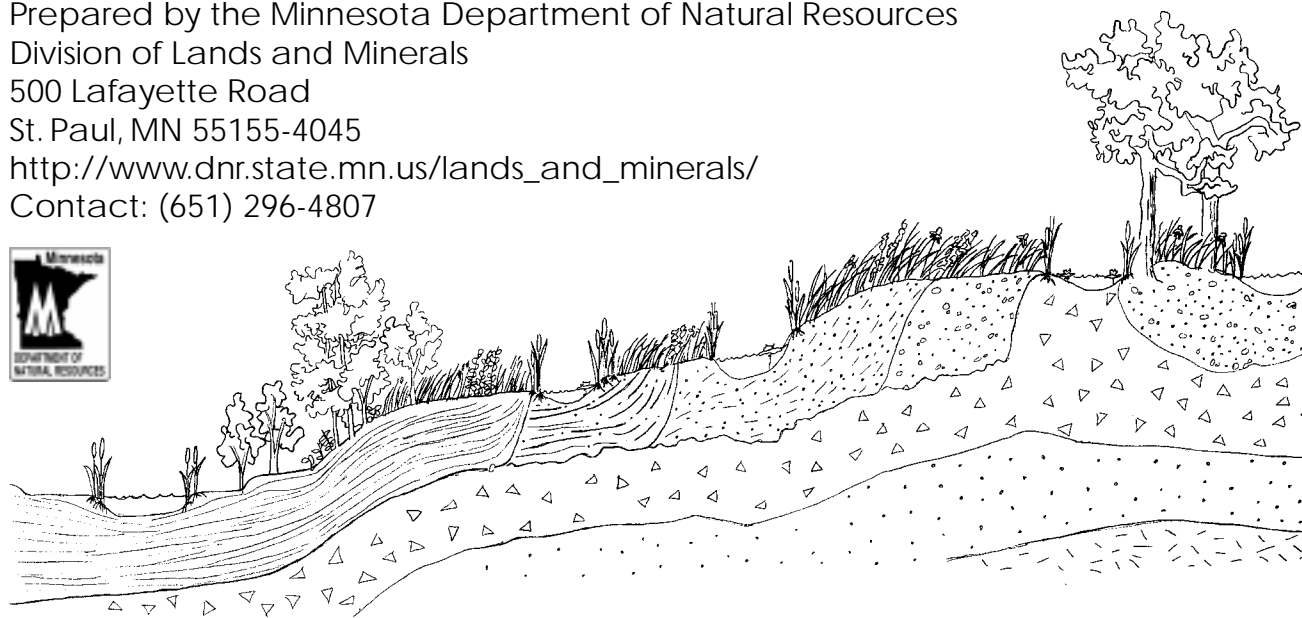
**ENVIRONMENTAL ASSESSMENT
WORKSHEET AND ENVIRONMENTAL
IMPACT STATEMENT CHECKLIST**

APPENDIX D

Environmental Regulations for Aggregate Mining

Fact Sheet 1
January 2001

Prepared by the Minnesota Department of Natural Resources
Division of Lands and Minerals
500 Lafayette Road
St. Paul, MN 55155-4045
http://www.dnr.state.mn.us/lands_and_minerals/
Contact: (651) 296-4807



SIZE AND SCOPE OF AGGREGATE MINING OPERATIONS VARY

There is a wide variability in the size and scope of aggregate mining operations in Minnesota. Some are active only for one season to serve road construction projects. Others are long-term sites that operate continuously over several years. The materials being mined and the mining methods also vary greatly. Some operations mine unconsolidated sand and gravel materials left by glaciers; others produce crushed rock blasted from bedrock. Some operations mine within the groundwater table and others remain above the water table. There are various types of auxiliary facilities used at an aggregate operation, such as crushers, wash plants and asphalt plants. Permits required for aggregate mining depend on the size, scope and location of the operation.

LOCAL PERMITS

Counties, townships or municipalities have the primary authority for regulating extractive uses like aggregate mining. In many counties, aggregate mining requires a Conditional Land Use Permit (CLUP) from the county planning and zoning office. A township or municipality may also require a permit in addition to (or instead of) a county permit. Local permits are generally required for new operations that exceed a certain threshold of activity, or for expansion of an existing operation. The threshold for triggering a permit varies from one county to the next and may be related to area, production volumes, or length of time. Operations that were active before the effective date of a required permit may be exempt.

Local permits may address issues such as: hours of operation, noise, traffic, dust, and reclamation. Performance bonds or some other form of financial assurance may be required. The term of local permits can vary from one year to the life of the mine. Increasingly, local authorities are requiring a mining and reclamation plan along with the permit. For more information on the local permits required for aggregate mining, contact the local county zoning or planning office.

STATE PERMITS

In general, state agencies have no regulatory role in administering or reviewing local permits. Depending on the size and scope of the mining operation, however, some state and federal permits may apply to certain aggregate mining operations.

Minnesota Department of Natural Resources (DNR)

Water Appropriation Permit A permit from the Department of Natural Resources - Division of Waters may be required if there is a need to appropriate water as part of the mining operation. Appropriation permits are required for activities such as pit dewatering or aggregate washing plants that consume water at a rate of 10,000 gallons per day or 1,000,000 gallons per year.
Contact: Jim Japs (651) 297-2835

Work in the Bed of Protected Waters Permit. If the mining activity will impact a protected body of water, a *Work in the Bed of Protected Waters* permit may also be needed. For more information about these permits, contact the area hydrologist at the local area DNR office (see the website at <http://www.dnr.state.mn.us/waters/resources/index.html> for the closest office, or call the general number for the division (651) 296-4800) or contact Ron Anderson at the DNR central office, Division of Waters, St. Paul, at (651) 296-0520.

Burning Permit. A burning permit may also be required if the applicant needs to burn brush from clearing and stripping operations. Burning permits are available at many locations throughout the state. For more information, contact your local DNR office: <http://www.dnr.state.mn.us/regions/>

Shorelands, Floodplains, Wild and Scenic Rivers. DNR is responsible for three other programs established by law which might affect certain aggregate operations. The Shoreland Management Act, the Floodplain Management Act, and the Minnesota Wild and Scenic Rivers Act, are “land use” or “zoning” type laws that require the DNR to institute minimum statewide development standards for shoreland, floodplains and on certain rivers designated as Wild and Scenic Rivers. These standards must then be adopted through local zoning or land use ordinance. The shoreland regulations, for example, require that aggregate mining be a permissible land use within a given shoreland zoning use district. If it is a permissible use, a plan must be prepared that addresses dust, noise, hours of operation, possible pollutant discharges, erosion control, mitigation of environmental impacts, and reclamation. The law allows local units of government to be more restrictive than the minimum standards. For information on how these regulations might affect a specific operation within a shoreland, floodplain or wild and scenic river, contact your local county planning and zoning office.

Minnesota Board of Water and Soil Resources (BWSR)

Wetland Permit. The Wetland Conservation Act requires a permit for certain activities that impact wetlands. The Act requires that the project proposer follow a sequence of development steps that includes avoiding impacts to wetlands, minimizing unavoidable impacts, and mitigating for the loss of wetlands due to a specific regulated activity. The overall authority for the Wetlands Conservation Act is through the Minnesota Board of Water and Soil Resources (BWSR) with implementation through a local governmental unit. For more information, contact BWSR (central office) at (651) 296-3767 or contact your local Soil and Water Conservation District Office: <http://www.bwsr.state.mn.us/>

Minnesota Pollution Control Agency (MPCA)

Fuel and Hazardous Materials Management. The containment, storage, recycling and disposal of used oil, lubricants, antifreeze, paint, solvents, vehicle clean wastes, recovered Freon, asbestos, PCBs, shop wastes and other hazardous materials must be in compliance with MPCA requirements. For more information, contact MPCA (general number) at (800) 657-3864 or (651) 296-6300.

Liquid Storage Tanks. Management of liquid storage tanks, whether above ground or underground must be in compliance with MPCA requirements. For more information, contact MPCA.

Air Quality Aggregate mining facilities must meet minimum standards for dust and noise. Crushing operations may have to meet federal standards for emissions of particulates from processing equipment. Depending on production capacity, an air emission permit may be required. For more information, contact MPCA at (651) 282-6143 or (800) 657-3938.

Water Quality. The following activities at aggregate operations require a water quality permit from MPCA:

- Discharge from washing plants that leave the mine, whether by gravity flow or pumping.
- Pumping or siphoning out a mine to create a dewatering discharge.
- Storm water runoff from mine stockpiles and pit walls, as well as from equipment like rock crushers, hot mix asphalt, and concrete production plants.
- Generation of wastewater by air emission control systems.

For more information, contact MPCA at (651) 296-7238.

FEDERAL PERMITS

U.S. Army Corps of Engineers (COE)

Section 404 Permit. The Army Corps of Engineers is a federal agency that regulates the discharge of dredged or fill material within waters or wetlands. At aggregate mining operations, activities in wetlands that might trigger a 404 permit include mining activities, the construction of access roads, building sites, storage areas, or water retention ponds. Each county has its own project manager. General information is available from the District Office of the Army Corps of Engineers at (651) 290-5375.

ENVIRONMENTAL REVIEW

Environmental Quality Board (EQB)

Environmental Review. Rules developed by the state Environmental Quality Board determine when environmental review is needed for development projects. Environmental review in the form of an Environmental Assessment Worksheet (EAW) is required when an aggregate mining operation is expected to exceed 40 acres in size to a mean depth of 10 feet. Environmental Impact Statements (EIS) are mandatory for operations exceeding 160 acres. EAWs can be conducted on a discretionary basis if a proposed project is below the mandatory threshold under certain conditions. The EQB rules specify the governmental unit that is responsible for completing environmental review. For aggregate mining proposals, completing environmental review is the responsibility of local government, most often the county planning or zoning office in which the proposed project is located. For more information about environmental review, contact EQB at (800) 657-3794 or (651) 296-8253 or the local county zoning and planning office.

Environmental Management at Aggregate Operations

Waste water permits #3.01, 9/04

- Aggregate production is an important Minnesota industry, producing sand, gravel and crushed stone for construction projects and other uses throughout the state.
- The Minnesota aggregate industry recognizes the economic and public relations benefits of progressive environmental management.

This fact sheet summarizes pollution prevention opportunities and Minnesota Pollution Control Agency (MPCA) permitting requirements for aggregate operations. Some general information about permit programs administered by other agencies is also provided.

Environmental Review

If a new pit or quarry is started, or an existing one is expanded by 40 acres or more, and the pit will have a mean depth of at least 10 feet during its existence, the project needs to have an Environmental Assessment Worksheet prepared. If the new pit or expansion will cover at least 160 acres, mined to a mean depth of 10 feet or more, an Environmental Impact Statement is needed. For more information on this process, contact the Environmental Quality Board at (651) 296-8253, or visit their Web site at:

<http://www.eqb.state.mn.us/review.html>

Construction Storm Water

Construction storm water runoff at a new pit or quarry may require a construction storm water permit for the initial construction phases of operation. Construction activities, such as building roads, berms, containment devices, and grading at a new pit or quarry that involves one or more acres, may trigger the requirement to obtain a construction storm water permit, and to stabilize these initial disruptions before terminating the permit.

For more information on Construction Storm Water requirements and the publications available to help you comply, contact the MPCA Customer Assistance Center (CAC) or Small Business Assistance

Program (SBAP), or visit our Web site at: <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>

Industrial Storm Water and other Water Discharges

The aggregate industry deals with water throughout the construction season. To excavate gravel or rock, the water table may need to be lowered. Washing of sand, gravel or crushed stone may be needed to ensure it meets product specifications.

The following activities at aggregate operations require a water quality permit from the MPCA:

- Sand and gravel washing discharges that leave the mine or quarry pit, whether by gravity flow or pumping.

Often, operators can recycle their wash water and/or allow it to infiltrate the pit floor, and avoid the need for wash water overflows and other discharges. This may change their requirement to have a permit.

- Pumping or siphoning out a mine or quarry pit to create a dewatering discharge.

Good sump management to prevent accumulation of dirty water is important, particularly in quarry pits. Sometimes pit water can be reused in the plant, or for road dust control.

- The generation of wastewater by air emission control systems, particularly from the wet scrubbers used at some hot mix asphalt plants.

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- The discharge of any other water from the site.
- Storm water runoff from mine and quarry stockpiles and pit walls, as well as from equipment like rock crushers, hot mix asphalt, and concrete production plants.

A site with runoff needs to have a Pollution Prevention Plan implemented for the operations at that particular site. Good management practices such as vegetative buffers, detention ponds, covered bulk containers and hazardous material storage areas, as well as the skillful placement of stockpiles and equipment, can greatly improve storm water management and erosion control at aggregate sites.

To apply for Water Quality permit coverage for aggregate operations, use the “Water Quality Transmittal Form” and “Attachment for Construction Sand & Gravel, Rock Quarrying and Hot Mix Asphalt Production Facilities” attachment form. For more information on Water Quality permits and requirements, contact the CAC or SBAP, or visit our Web site at:

<http://www.pca.state.mn.us/water/permits/sandgravel.html>.

Fuel and Hazardous Materials Management

When equipment is refueled, maintained or repaired outside the shops, special care must be taken to prevent spills, and to quickly contain and collect accidental spills. The employees at each site should be trained under a spill control plan. Used oil, lubricants, antifreeze, paint, solvents, vehicle cleaning wastes, recovered freon, asbestos, PCBs and shop wastes should be properly contained, stored, and recycled or disposed of in compliance with MPCA requirements.

For more information on Hazardous Waste requirements and the publications available to help you comply, contact the CAC or SBAP, or visit our Web site at:

<http://www.pca.state.mn.us/waste/pubs/business.html>

Liquid (including fuel) storage tanks, whether aboveground or underground, need to have effective containment and may need to be approved by the MPCA.

For more information on tanks requirements and the publications available to help you comply, contact the

CAC or SBAP, or visit our Web site at:

<http://www.pca.state.mn.us/cleanup/tanks.html>

Air Quality Management

All facilities must meet minimum standards for dust and noise control. Facilities with crushing operations may have to meet additional federal standards for emissions of particulates from processing equipment. It is important to control dust throughout the facility, including at crushers, screens, conveyors and hoppers. Due to potential air quality problems, materials containing asbestos (which is generally found in old buildings, and has been used in older roads and concrete materials) must not be crushed.

The use of fuels, other volatile chemicals, and/or generators may also dictate additional air quality requirements. Depending on production capacity and processing equipment, an Air Emission Permit may be required.

For more information on Air Quality requirements and the publications available to help you comply, contact the CAC or SBAP, or visit our Web site at:

<http://www.pca.state.mn.us/air/pubs/index.html>

Solid Waste Management

Some aggregate operations store used asphalt and/or concrete, captured particulate emissions, or other demolition debris. The MPCA encourages recycling of these materials, and of scrap and trash materials, when possible. If this is not practical, used pavement must be disposed of in an approved sanitary or demolition debris landfill.

For more information on Solid Waste requirements and the publications available to help you comply, visit our Web site at:

<http://www.pca.state.mn.us/waste/pubs/solidwaste.html>, or call the MPCA at (651) 297-6300 or (800) 657-3864 to be connected to solid waste staff for your regional area.

Water Withdrawals

Surface or ground water withdrawals (such as for dewatering, washing, makeup water for scrubbers, roadbed preparation, dust control, irrigation) of more than ten thousand gallons/day or one million gallons/year require a DNR water appropriation permit. Re-use of dewatering and wash water is encouraged and may help eliminate the



need for a permit or reduce DNR water use fees. A DNR water appropriation permit is not required if the water is taken from a municipal or other source of water for which there is a valid appropriation permit.

For more information on water use permits, contact the Department of Natural Resources at (651) 297-2835, or visit their web site at:
http://www.dnr.state.mn.us/waters/watermgmt_section/appropriations/index.html

Riprap and Discharge Outlets

Riprap installation for outflows to public waters does not require a DNR permit if installed according to the following requirements:

- a. The riprap consists of natural rock only.
- b. The riprap is sized according to the guidelines in practice 6.18 of the MPCA publication "Protecting water quality in urban areas". This publication is available on-line at:
<http://www.pca.state.mn.us/water/pubs/sw-bmpmanual.html>
- c. The riprap conforms to the natural alignment of the shore or stream bank.
- d. No excavation occurs below the top of the stream bank or the ordinary high water level of a basin or wetland.
- e. The materials are placed less than 5 feet water ward of the ordinary high water mark.
- f. The minimum finished slope is no steeper than 3 feet horizontal to 1 foot vertical (3:1).
- g. No bank shaping or back sloping is required to achieve the 3:1 slope.
- h. The materials do not obstruct receiving water flow.
- i. The discharge is not directly to Lake Superior, DNR-designated trout waters, or a posted fish spawning area.

Trout waters are designated in Minn. R. 6264.0050, subp. 2 and 4; this list may be obtained from the DNR by calling (651) 296-3325. DNR Trout waters are also available on-line in the 'Special Waters Search' at
<http://www.pca.state.mn.us/water/stormwater/stormwater-c.html> Information on DNR protected waters permits is available from the DNR at (651) 296-4800.

US Army Corps of Engineers

Activities that involve the discharge of dredged or fill material or excavation within waters and wetlands may require approval of the Corps of Engineers. Such activities

could include the construction of access roads or the creation of storage areas and building sites.

Also, activities related to the construction of pit dewatering outfall structures and the excavation of water detention/retention ponds within waters and wetlands may require Corps approval.

For more information on Corps of Engineers requirements, contact the St. Paul District Office at (651) 290-5375, or visit their web site at:

<http://www.mvp.usace.army.mil/environment/>

Additional Information

If you have questions or would like more information, contact:

Environmental Quality Board

Environmental Review Process (651) 296-8253

Minnesota Pollution Control Agency

Customer Assistance Center (CAC) (651) 297-2274 or
..... (800) 646-6247

Small Business Assistance Program (SBAP)* (651) 282-6143 or
(800) 657-3938

- Construction Storm Water
- Industrial Storm Water
- Waste Water Permitting
- Storage Tanks
- Hazardous Waste Management
- Air Quality

Solid Waste Questions or Issues (651) 296-6300 or
..... (800) 657-3864

*Note that businesses with fewer than 100 employees company-wide can call our Small Business Assistance Program for free, nonregulatory, confidential environmental assistance.

Minnesota Department of Natural Resources

Water Use Permits (651) 297-2835
Protected Waters Permits (651) 296-4800
Trout Waters Information (651) 296-3325

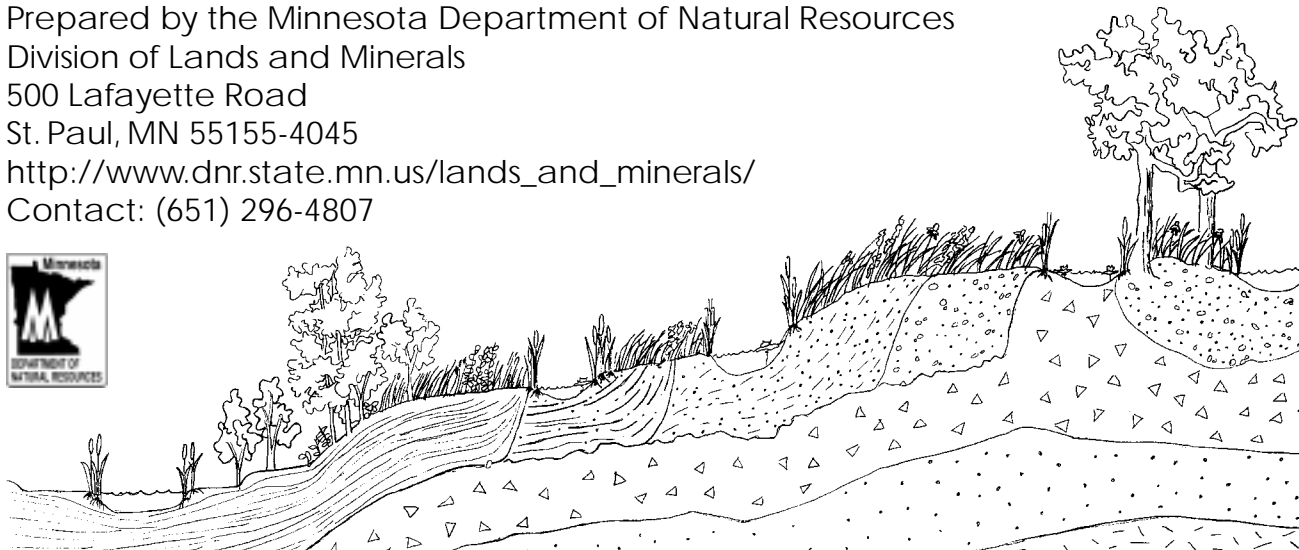
US Army Corps of Engineers

Dredge, fill or excavation to waters/wetlands . (651) 290-5375

Using Native Prairie Species for Reclaiming Aggregate Mining Sites

Fact Sheet 4
January 2001

Prepared by the Minnesota Department of Natural Resources
Division of Lands and Minerals
500 Lafayette Road
St. Paul, MN 55155-4045
http://www.dnr.state.mn.us/lands_and_minerals/
Contact: (651) 296-4807



WHAT IS PRAIRIE?

“Prairie,” in the simplest of terms, is a community of plants. Prairie plants are specially adapted to the climate and conditions found in western and southern Minnesota including extremes of temperature and weather, and high winds. Before European settlement 150 years ago, prairie covered much of southwestern and western and northwestern Minnesota. The extreme conditions and constant grazing by bison kept competing plants to a minimum. Prairie plants have long roots that hold the soil in place and allow the plants to survive drought. They are perennial, surviving the winter.

There are several different types of prairie in the Midwest. The tallgrass (or mesic) prairie, common in areas of moderate soil moisture levels, was typically found in western Minnesota where prairie grasses sometimes grew six feet high. Prior to European settlement, almost the entire Red River Valley consisted of tallgrass prairie.

USING PRAIRIE SPECIES FOR RECLAMATION

At depleted aggregate mining sites in areas where tallgrass prairie occurs, it is reasonable to consider revegetating with native prairie plants. Certain key characteristics of prairie plants make them a good choice for former mining sites. Because they are perennial, native prairie grasses, once established, can provide a long-term cover that is self-sustaining and requires little maintenance. Mowing may be needed, and prescribed burning is recommended on a rotation starting three or four years after planting.

Although a former aggregate site restored with native species offers many benefits, it does not restore native prairie. Restoring more than a fraction of the species found in a native prairie is beyond present capabilities because seed sources are not readily available in commercial quantities for all prairie species.

In places where tallgrass prairie does not occur, and in certain other locations, native prairie plants may be inappropriate for reclamation projects. Most warm-season prairie grass seed germinate late, most need prolonged moisture and warm soil. Areas seeded with native prairie plants may not germinate until the spring after initial seeding. Warm-season prairie grasses establish an extensive root system during the first year. The top growth is limited to small leaves that can be difficult to identify. Full scale plants develop during the second year. To compensate for slow establishment of prairie plants, a cover crop of wheat or oats can be planted along with the native seeds. Cover crops grow quickly, providing protection for the slower establishing native species. In addition, cover crops tend to die off rapidly, within one or two years, and therefore do not compete with more permanent native cover.

The slow initial growth of native plantings makes them less effective in erosion-prone locations. They are, therefore, not recommended on steep slopes composed of erodible soils. In addition to possible problems with slow development, prairie seed can be relatively expensive and can be difficult to find. Sometimes, a specially-adapted seed drill is needed for large areas. Adequate site preparation and regular weed control are essential for establishment. Due to the increasing popularity of native prairie plantings, however, these difficulties are quickly being overcome. Although the initial costs may be higher, the long term benefits of native plantings are great. Provided below are basic guidelines for planting native species.

GENERAL GUIDELINES

Site preparation:

Native plantings need a firm weed-free seed bed. Several herbicide applications followed by disking or mowing may be necessary on sites where vegetation is already established.

Seed source:

Seed harvested from as close to the project site as possible will preserve genetic characteristics and establish the vegetation types best adapted to the site.

Seed mixture and seeding rate:

The seed mixture and the seeding rate used for a reclamation project should be selected based on the site characteristics. In general, a diverse mix of grasses and forbs will provide the best results at a seeding rate in the range of 15 lbs/acre to 30 lbs/acre. If seed is harvested from a nearby site and used for reclamation, an analysis of the seed harvest should be conducted and additional seeding may be needed to complement the planting. Seed purchased from vendors can be blended to contain a diversity of species. The Minnesota Department of Transportation (Mn/DOT) has developed several general seed mixes for use on roadsides and ditches. The mixes are a baseline that can be modified as appropriate for local conditions. For more information on native species seed mixes, consult Mn/DOT's Year 2000 Standard Specifications for Construction, or contact Mn/DOT at (651) 284-3750.

Seeding method:

Native seed can be planted using a specially adapted drill that accommodates the light fluffy native seed. The final planting depth should be $\frac{1}{2}$ to 1 inch and maximum row spacing of about 8 inches, at right angles to surface drainage. An alternative to drilling is to till the site and broadcast the seed. Planting depth should be from $\frac{1}{4}$ to $\frac{1}{2}$ inch. After seeding, the site should be dragged with a rake or harrow and packed. Hand seeding is a good method for small areas.

Hydroseeding is an acceptable seeding method on steep slopes or other areas inaccessible to a seed drill. Hydroseeding is not recommended if the weather is hot and dry.

Cover crop:

A cover crop can be seeded with native seed mixtures. The type of cover crop depends on the season. Some possible cover crops are oats at a rate of 20 lbs/acre in the spring plantings, winter wheat at 20 lbs/acre for fall plantings, and annual rye grass at 10 lbs/acre for dormant seedings.

Timing:

Native grasses should be planted from May 1 to June 30. Seeding may be done in the fall, but the seeding rates should be increased slightly to account for seed mortality over the winter. Many species of wildflowers require a cold period to break dormancy and are best seeded late in the fall. If seeded in the spring, they may not be seen until the second year after planting. Seedling plants can be used to add diversity to the plantings. Some desirable species are difficult to propagate from seed and are only available as seedlings.

Maintenance:

During the first growing season, if the cover crop or annual weeds reach 18 inches or more in height, the site should be mowed to a height not less than 6 inches with a rotary mower. Prescribed burns can be implemented on a three to five year rotation starting the third or fourth year after planting. Fall haying is an alternative in areas where burning is not possible.

For more information:

Contact your local DNR area office, local Natural Resource Conservation Service office, or the U.S. Fish and Wildlife Service.



DRAFT 3.8.12
Planning Departments Recommended Conditional Use Permit
Conditions of Approval for Sand Mining Operations

General Conditions

1. **An erosion control plan is required.** Owner/applicant shall provide the County with a detailed erosion control plan which shall mitigate erosion on neighboring property, wind erosion mitigation and finished conditions stabilization. All crushing and processing work must include watering/misting operations to minimize airborne particulate.
2. **Hours of Operation are restricted.** Hours of operation at the mining site shall be limited to those specified in the application and shall not conflict with the minimum requirements specified in Section 9.10.3(6) Of the Winona County Zoning Ordinance. Additionally, there shall be no hours of operation on the following observed holidays: New Years Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas Day.
3. **Setbacks are required.** Mining operations shall not be conducted within 1,000 feet of an existing residential dwelling or within 50 feet of an existing well. The principal owner of the proposed mine site may submit a written consent letter to the County, waiving the 1,000 foot setback requirement, however, no home shall exist within 300 feet of a proposed mine and no waiver shall be granted for less than a 300 foot setback. The County reserves the right to impose greater setback restrictions on a case by case basis, where necessary to mitigate adverse impacts on neighboring land uses.
4. **Air Quality Monitoring.** In cases where residential homes exist within 1,320 feet of a proposed mining site, the owner/applicant shall be responsible for the costs of air

quality monitoring by a professional selected by the County. Air quality standards shall not exceed a maximum allowable limit of 3ug/m³ levels. If these levels are exceeded, mining operations shall cease and be required to take necessary precautions to minimize airborne particulate.

5. **Watering required for crushing and processing.** All crushing and processing work must include watering/misting operations to minimize airborne particulate.
6. **A Fugitive Dust Plan Is Required.** Owner/applicant shall submit a comprehensive plan to control fugitive dust on the site and during hauling operations. Access drives, shall be watered and/or conditioned regularly to minimize dust at all times.
7. **Stock piles.** All stock piles shall be kept below 9 feet in height except where stockpiles are covered to prevent wind erosion or where stockpiles are regularly watered to prevent surface areas from drying out and becoming susceptible to windborne erosion or where stockpiles are protected by excavated banks, preventing windborne erosion. All stockpiles shall not encroach upon any easement, roadway or driveway and shall maintain a minimum setback of 30 feet as required in Section 9.10.3(4) if the WCZO.
8. **Water Quality Monitoring.** The mine operator/owner shall install groundwater monitoring wells adjacent to the proposed mine site where the site is adjacent to residential plats or suburban development, springs, sinkholes and/or wellhead protection areas or community wells and shall provide the County with groundwater testing by an independent environmental engineer, approved by the County, at the time of commencement of

disturbance activities and twice per year until 1 year after the mine has been completely reclaimed.

9. **Wetland Permitting.** No mining operation shall affect existing wetlands either on site or adjacent to proposed operations without the proper permitting.
10. **Prohibited Activities.** Blasting, milling and crushing shall not be permitted at the mine site, **except** by specific Planning Commission approval with specified time limits and mitigation of airborne particulate. Applicants intending on blasting must submit detailed information as to the frequency, duration, schedule and vibration standard/thresholds for review and approval by the County Planning Commission.
11. **Noise Levels Restricted.** Owner/applicant must conform to all County ordinances with regard to lighting and noise level thresholds.
12. **Lighting / Glare.** Lighting shall be hooded or controlled in some manner so as not to light adjacent property or public right of way as required in Section 9.1.7 of the WCZO.
13. **State BMP Guidelines.** Owner/applicant shall use the Minnesota Pollution Control Agency's Environmental Management Best Management Practices used as a guidance tool and reference document.
14. **State and Federal Requirements.** Owner/applicant shall abide by all local, state and federal regulations, including Mine Safety and Health Administration standards. All applicable permits shall be placed on file with the County prior to the commencement of mining operations.

15. **Project Manager/ Contact Person Required.**
Owner/applicant shall at all times have an agent whose name, fax number, telephone number/cellular number and email address are on file with the County and Town Clerk in order to respond promptly to concerns. The agents name and contact information shall be available on site on a 2' x 3' placard or sign at the site entrance.
16. **MPCA Fuel and Hazardous Materials Storage Rules.**
Owner/applicant shall follow Minnesota Pollution Control Agency regulations for Fuel and Hazardous Materials Management as applicable on site.
17. **Site Specific Requirements.** The County Board/Planning Commission reserves the right to review site specific details and impose additional restrictions or conditions to the issuance of a Conditional Use Permit, as it deems necessary to protect the health, safety and general welfare of the public. These conditions may include but are not limited to performance characteristics, enhanced setbacks, and matters relating to appearance in order to mitigate potential nuisances and land use conflicts.
18. **Violations and Penalties.** Any violation of the conditions of approval may result in the execution of a stop work order, bond withdrawal, legal action or any combination thereof until such violation is permanently corrected.
19. **Requirements Prior to Mining to be Satisfied.**
Commencement of land disturbance and/or mining activity shall be prohibited until all required submittals and above stated conditions are met and approved by the County. It is highly recommended that the applicant provide the County Planning Department with a schedule of submittals and answers matching the conditions of approval and the timing of each submittal.

Road Use Conditions

20. **A Road Use Agreement is Required.** Owner applicant shall be required to enter into a road use maintenance agreement with Winona County which shall specify the owner/applicant's responsibilities with regard to road maintenance costs based on the life expectancy of the quarry including but not limited to:

- Temporary posting and signage
- Cracking
- Sub base
- Drainage
- Surface conditions/distortion
- Ride quality
- Shoulder maintenance
- Replacement costs based on pavement rating at the time of commencement of mining operations

The County reserves the right to deny permits for mining sites having inadequate infrastructure to support anticipated traffic characteristics of the proposed operation, unless the road use agreement accommodates infrastructure improvements supporting the intended use.

21. **Access Permit.** Owner/applicant shall obtain an access permit from the County for where mine traffic enters or exits onto a County highway. In addition, the owner/applicant shall obtain all required local permits for access to Township roads and shall place the same on file with the County.

22. **Tracking Pad Required.** The owner/applicant shall be responsible for paving the approach to the county road for a minimum distance of 40 feet from the shoulder of the county road with asphalt.

23. **Traffic is Limited by the Permit for Due Process Considerations.** The quarry operation shall not exceed 70 loaded trucks per day during normal operations, except as permitted by the County for short term operations which must be defined at the time of the conditional use permit review and approval. Any exceedance of 70 trips per day shall be immediately disclosed to the County for review.
24. **Amendment to Traffic Levels Requires Review.** Requests to re-evaluate average and maximum daily-loaded trips in order to adjust annual road maintenance fees may occur two years subsequent to the initial start up of the sand mining operation, subject to the County Highway Engineer approval. This condition shall be applicable where annual average traffic volume increase by 10% or more.
25. **Spring Load Restrictions.** Loads shall be required to comply with Spring Load Restrictions as per MN/DOT Office of Materials & Road Research unless waived by the County Highway Engineer.
26. **Seasonal Road Closures Apply.** The County reserves the right to close roads during freeze-thaw periods and conditions where roadways are deemed unsafe due to material spillage or resulting slippery conditions.
27. **Reporting Vehicle Weights.** Owner/Applicant shall be required to identify a method of positive controls regarding the weight of vehicles leaving the mine and method to insure vehicles do not exceed the weight limits of the roads and bridges upon which they will travel, and obtain approval by the County Highway Engineer on the methods and frequency of inspection used. Controls such as scales and regular reporting on vehicle weights shall be implemented with weekly reporting to the County Highway Department.

28. **Street Maintenance and Sweeping Required.** Owner/applicant shall be responsible for monitoring roadways and roadway sweeping as necessary to maintain safe conditions. All transportation routes used by the mine shall have any accumulation of visible debris or sand from the mine site. The owner/applicant shall take all necessary precautions to avoid spillage on Winona County roadways.
29. **Requirement for Secure Loads.** No vehicle shall be driven or moved on any roadway unless such vehicle has the load securely covered as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping from vehicles.
30. **Traffic Impact Analysis Required.** Owner/applicant shall be responsible for the preparation of a traffic study indicating any required improvements for ingress and egress, vision/sight lines and traffic control within a service area defined by the County Highway Engineer. Owner/applicant shall be responsible for the cost of said improvements upon review and approval by the County Highway Engineer-prior to the commencement of mining operations.
31. **Local Road Use Agreement with Township Required.** The owner/applicant shall be responsible to enter into a road use agreement with the Township for the use of any local-township road and shall be responsible for maintenance and repair of any damage resulting from the proposed mining operation.

Reclamation Conditions

32. **Reclamation Plan Required.** A complete and detailed reclamation plan shall accompany all applications which meets or exceeds the requirements of Section 9.10 of the

WCZO. The plan shall be prepared by a qualified professional with proper credentials for reclamation plan preparation, specifying the following:

- A systematic approach to land reclamation for the mining site, including phases and schedule for reclamation with no more than 5 acres open in any phase per year. The County reserves the right to review the conditional use permit annually to enforce compliance.
- Proposed land use after reclamation activities are completed-Reclamation plans for sand mining sites shall include a land use/cover plan equal to the actual land use/cover types previous to mining operations. Areas intended for post-mining agricultural uses must include approval by SWCD for best management practices.
- Inactivity at the mine site shall require reclamation in accordance with the terms of the NPDES permit. NPDES permit shall be placed on file with Winona County before extraction/mining operations commence. Inactivity shall be defined as when an operator of a surface mining operation has curtailed production at the site/operation with the intent to resume at a future date, for a period of one year or more by more than 90 percent of its maximum annual mineral production.

33. Subterranean Engineering Analysis Required.

Owner/applicant shall submit an analysis prepared by a qualified independent engineering firm of the existing geologic conditions both in the extraction area and sub-extraction area and the impacts of the mining operations, including the applicability of the reclamation plan including any potential adverse affect on area hydrology, springs or Karst formations. The County reserves the right to have this data reviewed by

state geologists/hydrologists and/or SWCD and NRCS staff.

34. **Performance Guarantees Required.** Performance bonds shall be required for the following:
- 110% of the estimated cost of reclamation for a period equal to the life of the quarry plus 2 years. Performance bonds for reclamation may only cover the areas of disturbance for the duration of mining activity and may 'roll' with disturbance activity accordingly in order to minimize financial burden on the applicant.
 - 110% of the estimated cost of the roadway maintenance agreement requirements for a period of 5 years..
 - A performance surety shall be provided in the amount of \$1,000 per acre for the total proposed site disturbance. The surety shall be used to reimburse the County for any monies, labor, or material expended to bring the operation into compliance with the conditions of the permit.

35. **An EAW or EIS May Be Required Before CUP Application Acceptance.** Discretionary environmental review can be initiated by the Planning Commission and County Board. The Owner/applicant shall provide an Environmental Assessment Worksheet for the proposed site in accordance with Winona County standards.

DISCRETIONARY EAW GUIDANCE

The following checklist provides a realm of potential environmental concerns that if present or perceived may be used as justification for an EAW requirement. Discretionary EIS's are subject to the findings of an EAW and require County Board consideration.

For an EAW to be required, one or more of the following conditions may be present:	Staff Review	Planning Commission Review
1. Nearby vulnerable populations such as nursing homes, day care centers, residential areas, urban development and schools.		
2. Project may have adverse impacts on hydrology including the quality or quantity of groundwater or surface water resources, public water supplies, wellhead protection areas, groundwater recharge areas, adjacent wells, springs, seeps, or wetlands.		
3. Prevalent land cover includes a floodplain, shoreland, or protected bluff/ steep slope area as defined in the WCZO.		
4. Prevalent land cover includes rare plant or animal communities or other sensitive ecological resources included in the List of Endangered, Threatened, and Special Concern Species as codified as Minnesota Rules, Chapter 6134.		
5. Project may involve a point or non-point discharge of storm water or wastewater to a stream or river		
6. Project has the potential for creating substantial erosion.		
7. Project is located in an area susceptible to sinkhole formation or other geologic hazards.		
8. Project involves hazardous wastes and/or storage tanks.		
9. Project increases traffic intensity beyond the access and roadway capacity.		
10. Project involves air emission concerns related to high levels of dust such as with blasting, crushing and milling operations.		
11. Project has the potential for high levels of odors or noise.		
12. Site or nearby areas contain archaeological or historic resources.		
13. Site contains prime farmland (soil types as defined in local ordinances) or is part of an agricultural preserve program.		
14. Site impacts designated trails, parks, recreation areas.		
15. Intended disturbance of the Jordan or Wonewoc (Ironton, Galesville Sandstone) geologic formation.		

Receipt Number

Assigned by staff



Petition for Conditional Use Permit

Fee: \$450.00

Winona County Planning
Winona County Government Center
177 E. Main Street
Winona, MN 55987
Phone: 507.457.6335
Fax: 507.454.9378
www.co.winona.mn.us

General Information

Owner Name		
Address		
City, State, Zip		
Telephone	Home	Work / Cell
Mailing Address (if different)		

Property Information

Please provide a complete legal description of the property. The legal description can be found on your deed, abstract or the Minnesota property tax statement.			
PIN #	Section	Township	Range
Property Size	Site width	Site depth	
	Square feet	Acres	
Existing Structures (include completion dates)			

Request Information

Intended use of structure	Residential <input type="checkbox"/>	Commercial <input type="checkbox"/>	Agricultural <input type="checkbox"/>	Industrial <input type="checkbox"/>		
Class of work	New <input type="checkbox"/>	Addition <input type="checkbox"/>	Alteration <input type="checkbox"/>	Repair <input type="checkbox"/>	Demolition <input type="checkbox"/>	Relocation <input type="checkbox"/>
Description of Request						
Structure dimensions	Length		Width		Height	
Setbacks (ft)	Side yard (near)	Side yard (far)	Rear yard	Road centerline	Shoreline	

Information

# of Employees:	Current:	Proposed:
Parking Spaces:	Customers:	Employees:
Explain Signage Size /Type:		
Explain what flammable or hazardous materials will be present:		
Explain hours and days of operation:		

5.5.3 Required Information and Exhibits

1. Completed application, including the names and addresses of the petitioner or petitioners and their signature to the petition and a statement of the requested conditional use.
2. A legal description of the property for which the conditional use is requested.
3. A statement of reasons warranting the intended use in the zoning district to insure compatibility of the proposed use with the County Comprehensive Plan.
4. A site plan of the property. The site plan shall include, as pertinent but not limited to, the following information: the location of proposed structures, existing structures, geological features, floodplains, architectural plans, traffic generation, signs, drainage, water table, flood proofing, landscaping plans, lighting arrangements, placement of solid waste, hours of operation, utilities, topography, vegetation, soils information, adjacent land use, roads, property lines, waterways, sewage treatment areas, water supply systems, parking, road access, filling, dredging, grading, channel improvement, storage of materials, water supply, sanitary facilities, specifications for building construction and materials.
5. The petitioner must submit to the Planning Department a Township Acknowledgment Form. The petitioner is responsible to contact the Town Board where the subject property lies to seek a place on their agenda as a means to advise the Town Board of the proposal. After considering the proposal, the Town Board will record any concerns, observations, and/or recommendation on the Township Acknowledgment Form for the Planning Commission to consider during their review of the request.
6. A non binding recommendation from the Township in which the proposal is to be located.
7. Any other relevant information and material requested by the Planning Director or the Planning Commission.

ALL APPLICANTS MUST SIGN

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for staff of Winona County to enter my property for the purpose of collecting information, shooting video to be used as part of the public hearing process, and inspections in the future to verify compliance with conditions should CUP be approved.

Owner Signature

Date

Agent / Representative Signature

Date

Note: At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of his/her application. All site plans, pictures, etc. become the property of the Department and will remain in the file.

Criteria to Grant Conditional Use Permit

5.5.4.1 Criteria to Grant a Conditional Use Permit for a Request that is not a Livestock Feedlot or a Dwelling on Less than Required Acreage in the A/RC District

The Planning Commission before making a recommendation to the County Board regarding a Conditional Use request, shall ensure the request fulfills all specific standards of the Winona County Zoning Ordinance, and shall find adequate evidence to the following findings:

1. The use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities and utilities which serve or are proposed to serve the area.
2. The use will be sufficiently compatible or separated by distance or screening from adjacent land so that existing properties will not be depreciated in value and there will be no deterrence to development of vacant land.
3. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.
4. The use is reasonably related to the overall needs of the County and to the existing land use.
5. The use is consistent with the purpose of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
6. The use is in conformance with the Comprehensive Plan of the County.
7. The use will not cause traffic hazard or congestion.

5.5.4.2 Criteria to Increase Residential Densities in the Agricultural / Resource Conservation (A/RC) District

The Planning Commission before making a recommendation to the County Board regarding a Conditional Use request to increase residential densities in the A/RC District, shall ensure the request fulfills all specific standards of the Winona County Zoning Ordinance, and shall find adequate evidence to the following standards:

1. Will not create an excessive burden on existing parks, drainage structures, emergency services, schools, streets/roads and other public facilities and utilities which serve or are proposed to serve the area.
2. Will not change the essential character of the area, and through its design, construction, operation, and maintenance is harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
3. The proposed lot takes advantage of its proximity to other non-farm residences, the configuration of the original tract, or the location of waterways and other natural features to use the site for residential purposes instead of agricultural uses.
4. The proposed lot consists of Class IV through Class VIII soils as identified in the Soil Survey of Winona County as a means to prevent the disturbance to prime soils. An applicant may also develop a site if the proposed lot consists of forty (40) percent or less of Class I through Class III soils.
5. The proposed residence shall not adversely affect environmentally sensitive areas or result in the disruption of wetlands, or other environmental features.
6. The evidence reveals the proposed lot has existed as a non-tillable area for at least ten (10) years.
7. The residence would not substantially restrict the expansion of adjacent agricultural activities.
8. County and Township roads and/or highways adequately serve the proposed residence, and the residence will not place demands on public services and facilities in excess of current capacity unless planned improvements will occur.
9. The proposed density is determined to be acceptable as a long-range land use for the County as evaluated against the land use policies of the Winona County Comprehensive Plan as depicted on the Final Composite Map (Figure #49) in the Winona County Comprehensive Plan.
10. The request is either consistent with the existing residential development pattern of the area as characterized by the presence of similarly sized residential lots within one thousand (1,000) feet of the proposed lot boundary, or located within a quarter (0.25) mile of an unincorporated community and/or within a half (0.5) mile from any corporation limits.

Criteria to Grant Conditional Use Permit

5.5.4.3 Criteria for Feedlot Conditional Use Permit

The Planning Commission before making a recommendation to the County Board regarding a Conditional Use request to expand a livestock feedlot, shall ensure the request fulfills any specific standards of the Winona County Zoning Ordinance, and shall find adequate evidence showing that the proposed Conditional Use at the proposed location:

1. Will not create an excessive burden on existing parks, drainage structures, emergency services, schools, streets/roads and other public facilities and utilities which serve or are proposed to serve the area.
2. Will not change the essential character of the area, and through its design, construction, operation, and maintenance is harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
3. Applies innovative technology and/or distinctive management processes to reduce odor from the facility and/or manure storage systems as a means to mitigate adverse effects on adjacent residential properties; or promotes the planting of trees and shrubs of adequate size to reduce wind movement of odors away from buildings, and/or manure storage systems.
4. Will avoid exposing adjacent properties and natural features from significant adverse impacts from noise, fumes, odors, glare, and surface and groundwater contamination, and the site is absolved of any past and current violations relating to confined feeding operations.
5. Complies with the Winona County Zoning Ordinance, specifically the standards regulating livestock feedlots described in Chapter 8, and conforms with the purposes of the underlying Zoning District.
6. Will be harmonious and in accordance with the goals and policies of the Comprehensive Plan.
7. Will have vehicular access to the site designed as not to create a traffic hazard or congestion.
8. The Planning Commission when considering a Conditional Use Permit for a livestock feedlot must verify with the County Feedlot Officer that the petitioner(s) has submitted a Manure Management Plan adhering to the requirements listed in Chapter 8 of the Winona County Zoning Ordinance. The petitioner(s) must also fully acknowledge the responsibility to collect, store, and dispose of liquid and solid manure according to recognized practices of accepted agricultural management.

5.5.4.4 Criteria for the Issuance of a Conditional Use Permit in the Floodplain District

The Planning Commission before making a recommendation to the County Board regarding a Conditional Use request in the Floodplain District as described by the Natural Features Overlay District, shall ensure the request fulfills all specific standards of the Winona County Zoning Ordinance, and shall find adequate evidence that the use adequately addresses the following issues/concerns:

1. Will not create an excessive burden on existing parks, drainage structures, emergency services, schools, streets/roads and other public facilities and utilities which serve or are proposed to serve the area.
2. Will not change the essential character of the area, and through its design, construction, operation, and maintenance is harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
3. The danger to life and property due to increased flood heights or velocities caused by encroachments.
4. The danger that materials may be swept onto other lands or downstream to the injury of others or they may block bridges, culverts or other hydraulic structures.
5. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
6. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
7. The importance of the services provided by the proposed facility to the community.
8. The requirements of the facility for a waterfront location.
9. The availability of alternative locations not subject to flooding for the proposed use.
10. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
11. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for the area.
12. The safety of access to the property in times of flood for ordinary and emergency vehicles.
13. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
14. Such other factors which are relevant to the purposes of this Ordinance.
15. The County Board in granting a Conditional Use Permit in the Floodplain, shall prescribe appropriate safeguards and stipulations to fulfill the purpose of the Natural Features Overlay District. Such stipulations may include, but are not limited to, the following:
 - a. Modification of waste treatment and water supply facilities.
 - b. Limitations on period of use, occupancy, and operation.
 - c. Imposition of operational controls, sureties, and deed restrictions.
 - d. Requirements for construction of channel modifications, compensatory storage, dikes, levees, and other protective measures.
 - e. Flood proofing measures, in accordance with the State Building Code and this Ordinance. The applicant shall submit a plan or document certified by a registered professional engineer or architect that the flood proofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

Criteria to Grant Conditional Use Permit

5.5.4.5 Criteria for the Issuance of a Conditional Use Permit in the Shoreland District

The Planning Commission before making a recommendation to the County Board regarding a Conditional Use request in the Shoreland District as described by the Natural Features Overlay District, shall ensure the request fulfills all specific standards of the Winona County Zoning Ordinance, and shall find adequate evidence that the use adequately addresses the following evaluation criteria and conditions:

1. Will not create an excessive burden on existing parks, drainage structures, emergency services, schools, streets/roads and other public facilities and utilities which serve or are proposed to serve the area.
2. Will not change the essential character of the area, and through its design, construction, operation, and maintenance is harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
3. A thorough evaluation of the water body and the topographic, vegetation and soils conditions on the site must be made to ensure:
 - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
4. The Planning Commission, upon consideration of the criteria listed above and the purposes of this Ordinance, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this Ordinance. Such conditions may include, but are not limited to, the following:
 - a. Increased setbacks from the ordinary high water level;
 - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted; and
 - c. Special provisions for the location, design and use of structures, sewage treatment systems, watercraft launching and docking areas and vehicle parking areas.

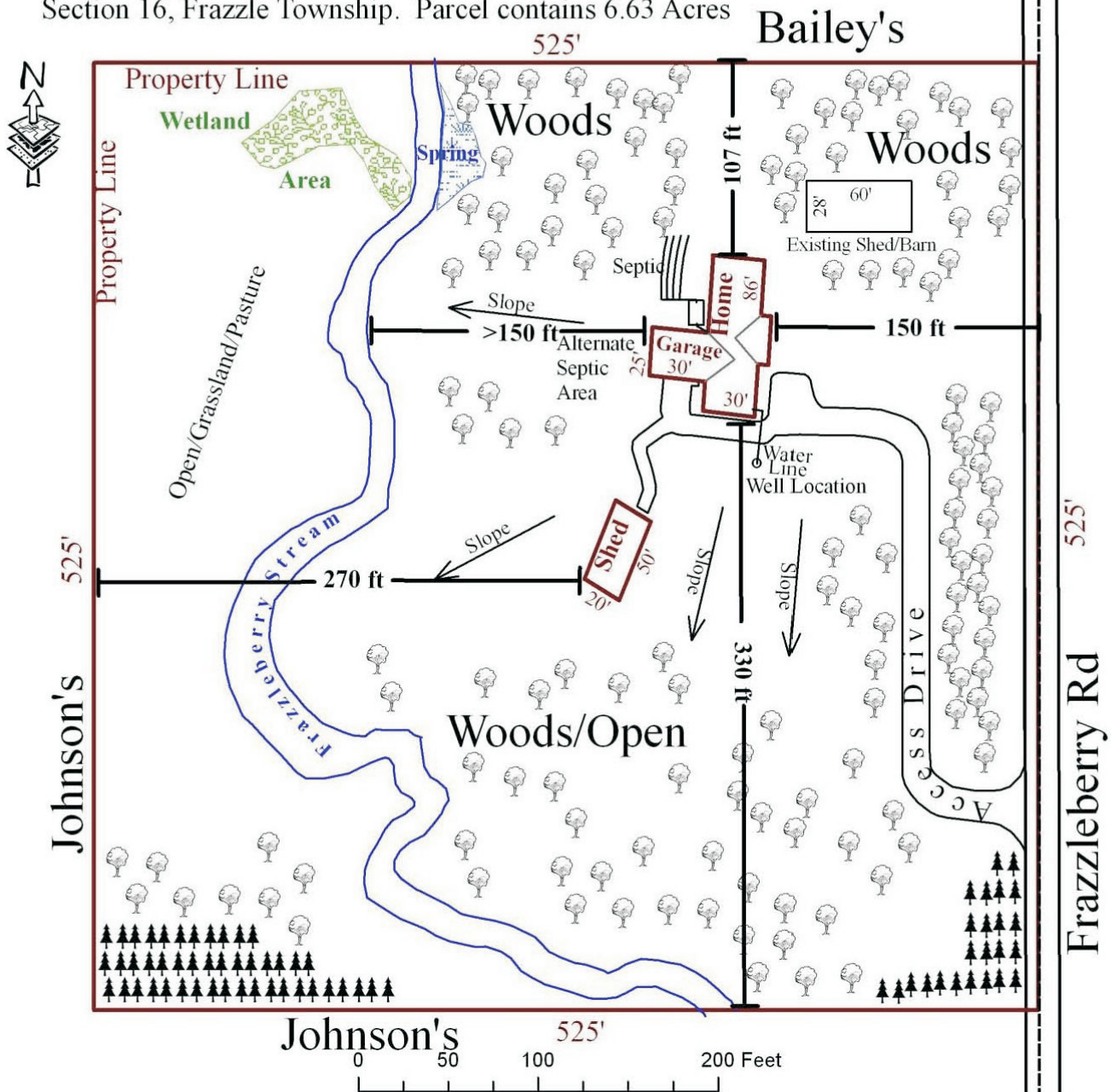
5.5.4.6 Criteria for the Issuance of a Conditional Use Permit for WECS Larger than 100kW.

The Planning Commission, before making a recommendation to the County Board regarding a Conditional Use request for a WECS larger than 100kW shall ensure the request fulfills all specific standards of the Winona County Zoning Ordinance, and shall find adequate evidence that the use adequately addresses the issues/concerns:

1. The parcel under consideration for the installation of a WECS demonstrates the capacity to safely accommodate the proposed WECS by not posing a risk to adjacent residential uses, public infrastructure, and/or thoroughfares.
2. The proposed WECS will not have adverse effects of stray voltage, or interfere with cellular, radio, or television signals.
3. The evaluation of the potential fall zone based on Table 12.4 (pg.242) to determine the absence of obvious conflict points.
4. Consideration shall be given in that the proposed location shall not create undue burden onto neighboring properties and structures in which the WECS could create a moving shadow created by the sun shining on rotating turbine blades.
5. For all WECS, the manufacture's engineer or another qualified engineer shall certify that the overall design of the apparatus and its installation is within accepted professional standards.
6. The proposed WECS shall consider visual impacts.

Winona County Sample Site Plan

Parcel (86.753.0099) located in the SW 1/4, SW1/4
Section 16, Frazzle Township. Parcel contains 6.63 Acres



Required Sketch Information

- | | |
|---|---|
| <input checked="" type="checkbox"/> All NEW and EXISTING Structures | <input checked="" type="checkbox"/> Direction of Runoff |
| <input checked="" type="checkbox"/> All Structure Dimensions | <input checked="" type="checkbox"/> Easement(s) |
| <input checked="" type="checkbox"/> Structure Setback Distances (centerline of road/property lines) | <input checked="" type="checkbox"/> North Arrow |
| <input checked="" type="checkbox"/> Neighboring Property Owner | <input checked="" type="checkbox"/> Road Names |
| <input checked="" type="checkbox"/> Sewage Treatment System (and alternate area) | <input checked="" type="checkbox"/> Well(s) and Water Lines |
| <input checked="" type="checkbox"/> Karst features (sinkholes etc...) | <input checked="" type="checkbox"/> Driveway Permit |
| <input checked="" type="checkbox"/> Wetlands, streams, springs (water features) | |

Average slope (%) at building site 2-4 %

Average slope (%) at building site (2nd) 5-8 %

Parcel Number 86.753.0099

Signature John C. Smith

Date 01/01/06

Site Plan for _____



Required Sketch Information

- | | |
|---|--|
| <input type="checkbox"/> All NEW and EXISTING Structures | <input type="checkbox"/> Direction of Runoff |
| <input type="checkbox"/> All Structure Dimensions | <input type="checkbox"/> Easment(s) |
| <input type="checkbox"/> Structure Setback Distances
(centerline of road/property lines) | <input type="checkbox"/> North Arrow |
| <input type="checkbox"/> Neighboring Property Owner | <input type="checkbox"/> Road Names |
| <input type="checkbox"/> Sewage Treatment System (and alternate area) | <input type="checkbox"/> Well(s) and Water Lines |
| <input type="checkbox"/> Karst features (sinkholes etc...) | <input type="checkbox"/> Driveway Permit |
| <input type="checkbox"/> Wetlands, streams, springs (water features) | |

Average slope (%) at building site _____

Average slope (%) at building site (2nd) _____

Parcel Number _____

Signature _____

Date _____

Township Acknowledgment Form

Winona County Planning
Winona County Government Center
177 E. Main Street
Winona, MN 55987
Phone: 507.457.6335
Fax: 507.454.9378
www.co.winona.mn.us

Pursuant to the Winona County Zoning Ordinance, a petitioner seeking a variance or a conditional use has the responsibility to contact the Town Board where the subject property lies to seek a place on their agenda as a means to advise the Board of the proposal. After considering the proposal, the Town Board will record any concerns, observations, and/or recommendation on the Township Acknowledgment Form for the Board of Adjustment or the Planning Commission to consider during their review of the request. The Planning Department will not docket the case on the subsequent hearing agenda until the petitioner fully satisfies this provision of the County Zoning Ordinance.

General Information	Name		
	Address		
	City, State, Zip		
	Telephone	Home	Work
	Mailing Address (if different)		

Property Information	PIN #	Section	Township	Range
	Property Size	Site width	Site depth	
		Square feet	Acres	
	Zoning District	Natural Features Overlay District		
	If not the current owner, please provide the name of the owner(s)		Activity Type (check one)	Agricultural <input type="checkbox"/>
				Nonresidential <input type="checkbox"/>
				Residential <input type="checkbox"/>

[illegible]

Request Information	Statement as to the proposed uses(s) of the property or building	
	Requested Action:	

The Town Board after receiving information by the petitioner or their authorized agent(s) describing their intentions to obtain zoning or planning approval for a land use proposal from Winona County has the ability to execute one of the three options listed below.

Should the Town Board need more information regarding the proposal either from the applicant of the Planning Department please contact the appropriate entity prior to completing the acknowledgment form below.

Township Response	<input type="checkbox"/>	Sign below this entry acknowledging the petitioner advised the Town Board of the proposal, and the Board has <u>no comments</u> regarding the request. The petitioner will return the signed form to the Planning Department with staff informing the Board of Adjustment or the Planning Commission the Township has provided no comments.
		<div>Township Official</div> <div>Date</div>
	<input type="checkbox"/>	Sign below this entry acknowledging the petitioner advised the Town Board of the request, and the Board <u>supports</u> the proposal and will compose a written statement explaining its support to the Planning Department.
		<div>Township Official</div> <div>Date</div>
	<input type="checkbox"/>	Sign below this entry acknowledging the petitioner advised the Town Board of the request, and the Board <u>does not</u> support the proposal and will compose a written statement explaining its concerns to the Planning Department.
		<div>Township Official</div> <div>Date</div>

The Township Acknowledgment Form is part of the process of obtaining zoning and planning approval in Winona County. It is understood and agreed by the petitioner that any error, misstatement or misrepresentation of fact or expression of fact in the application, either with or without intention on part of the application, such as might, or would cause the issuance of an approval in direct opposition to the Winona County Zoning Ordinance, shall constitute sufficient ground for the revocation of the approval at any time.

Petitioner	Date
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