



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

PLANNING & ZONING

215 1st Avenue South, Suite 103

Long Prairie, MN 56347

Phone: 320-732-4420 Fax: 320-732-4803

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Mining & Extracting Permit

What is the Purpose of a Mining & Excavating Permit?: Modern lifestyles create a continuing demand for the various subsurface resources used throughout this county for roads, bridges, concrete, asphalt and other construction related uses. These resources are by their nature a diminishing resource, unevenly and sometimes sparsely disturbed and vary in both quality and quantity available, thus creating a growing shortage of these materials. Unfortunately, excavation of these resources may not only present conflicts with adjacent land uses, but have often left unsightly scars and safety hazards upon the landscape in the past. These provisions are designed to minimize the conflicts and eliminate the scars and safety hazards as far as is feasible.

When is a Standard Permit Necessary? Activities permitted under a standard permit for a mining and extraction site include washing; crushing; screening; stockpiling of soil, rock, sand, gravel, concrete, and asphalt; removal of borrow material.

When is a Conditional Use Permit Required? Conditional Use Permits are required:

- When property is located within 1,000 feet of a lake or 300 feet of a river/stream.
- For hard rock mining and quarries,
- For sites involving asphalt plants,
- For sites where structures are erected for the purpose of retail sales,
- For sites where blasting will occur,
- For sites over 40 acres,
- Sites where processing equipment is placed closer than 300 feet to a property line or 100 feet from a road right-of-way;
- Where stockpiled material is located closer than 100 feet to a property line (including road right-of-way);
- Where mining or extraction takes place closer than 50 feet to a property line (including road right-of-way).
- When hours of operation are before sunrise and after sunset.

Performance Standards: All gravel mining and excavation activities, whether a standard permit or a Conditional Use Permit must adhere to the following standards:

- (1) Site Plan: A complete site plan shall be submitted to the Planning & Zoning Office. The site plan must include information on the development and management of the site as well as a reclamation and end use plan. The reclamation and end use plan shall be reviewed in accordance with the standards set forth in the MN DNR publication "A Handbook for Reclaiming Sand and Gravel Pits in Minnesota" or successor and must also include the following requirements:
 - a. Topsoil: Adequate topsoil shall remain on site to be used in the reclamation of the site in accordance with the Reclamation and End Use Plan.
 - b. Surface Grading: The grading of the reclamation peaks and depressions of the area shall be graded and backfilled to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding, and which will minimize erosion.
 - c. Slopes: Banks of all excavations shall be sloped at a rate which shall not be less than 3-feet horizontal to 1-foot vertical, unless a plan has been submitted which indicates special consideration is needed, and if said plan, with special consideration, has been approved by the County.
 - d. Vegetation and Topsoil: Reclaimed areas shall be surfaced with top soil of a quality at least equal to the topsoil of land areas immediately surrounding, and to a depth of at least 3-inches. Such topsoil shall be

planted with legumes and grasses. Trees and shrubs may also be planted, but not as a substitute for legumes and grasses. Excavations completed to a water producing depth shall be sloped to the water-line at a slope of no greater than 3-feet horizontal to 1-foot vertical.

- e. Finished Grade: The finished grade shall be such that it will not adversely affect the surrounding land or future development of the site upon which the operations have been conducted.
- (2) Weed and vegetation control: Vegetation, weeds and any other unsightly or noxious vegetation shall be mowed and trimmed as necessary to preserve a neat appearance and prevent the spread of noxious weeds onto nearby properties.
 - (3) Equipment Maintenance: All equipment used on the site shall be constructed, maintained and operated so that they do not become dangerously dilapidated.
 - (4) Water Resources: The mining and extraction operation shall not interfere with surface water drainage beyond the boundaries of the mining operation or adversely affect the quality of surface or subsurface water resources. Surface water originating outside and passing through the mining and extraction area shall, at its point of departure from the site, be of equal quality of the water at the point where it enters the site.
 - (5) Fencing: Any mining and extraction operation adjacent to a residential zone or within 300 feet of any residential structure shall:
 - a. Where collections of water occur that are one or one-half feet or more in depth existing for a period of at least one month, and occupy an area of 700-square feet or more, all access to such collections of water shall be barred by a fence or similarly effective barrier such as snow fence of at least 4-feet in height.
 - b. In locations where slopes occur that are steeper than 1-foot vertical to 3-feet horizontal existing for a period of one month or more on the property shall be posted against trespass.
 - (6) Screening Barrier: A screening barrier shall be maintained for operations that will extend beyond 24 months between the excavation site and any public road within 500-feet of any mining or processing operations.
 - (7) Erosion Control: All exposed areas subject to erosion shall be controlled through temporary holding ponds, berms, silt fences or other similar methods.
 - (8) Removal of equipment and structures: All buildings, structures and plants incidental to the mining and excavation operation shall be dismantled and removed by, and at the expense of the operator within 6-months of the expiration date of the permit or of the date operations cease, whichever is sooner.
 - (9) In the event that a permit violation occurs, the landowner and the operator will be liable for remedying the violation, including complete reclamation of the site.

Information Required on and with the Application:

- 1) Permittee Signatures: Both the landowner and the contractor shall sign the application and will be responsible for meeting the conditions of a permit.
- 2) Legal description of the site location and site address. If there is not a site address and site will continue longer than one excavation season a site address is required. Please contact the Todd County GIS office for addressing.
- 3) Start up date and Pit Closure date.
- 4) Hours of operation.
- 5) Number of Acres to be disturbed (if over 40 acres an EAW will be required). And yards of material to be removed.
- 6) Mining Access Road location. If the access road is to a gravel County or Township road – a written agreement between the road authority and the operator must be attached with the application stating how existing roads will be maintained and repaired, if necessary.
- 7) Bond: The owner and/or operator shall submit a bond or letter of credit in the amount of \$1,500 per acre with a minimum of \$5,000. Proof of bonding must be submitted prior to the beginning of operations and by January 1st of each subsequent year that the pit is in operation. The period of the bond shall be for at least five years or otherwise so that the bond runs or at least 12 months beyond the permit expiration date.
- 8) Detailed description of proposed project – no excavation can occur within a wetland; Proposed weed control program; Proposed Erosion Control Measures; Proposed end use of the site.
- 9) Fee: A fee of \$300.00 must accompany the application. A standard permit can be written for up to four years and then if the site is to continue a new permit must be obtained.



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Mining & Extraction Permit Application

Owners Name: _____ Address: _____

Phone #: _____

Contractor's Business Name: _____

Contact Person: _____ Address: _____

Phone #: _____

Email Address: _____ Site/Pit Name: _____

Site Address: _____ Parcel Number _____

***If no address exists, please contact the Todd County GIS Office for addressing 320-732-4248.*

Site Location: Township _____ Section _____ 1/4 Section _____

Zoning District (circle) AF-1; AF-2; R-10; R-2; UG; RT; Comm1; Shoreland

Start Date: _____ Pit Closure Date: _____

Will the site be in operation before sunrise or after sunset? YES or NO

Normal hours on site will be _____ to _____

Acres to be disturbed: _____

Yards to be removed: _____ Type of Material _____

Type of Mining/Extraction: Barrow Crush Wash Screening Recycling

Township road maintenance agreement attached: YES or NO

\$5,000 or greater Bond or Letter of Credit attached: YES or NO \$ _____ Amount

Describe the proposed project:

If the answer is yes on the following questions you will need to apply for a Conditional Use Permit.

Is site located within 1,000 ft of a lake or 300 ft of a river/stream? _____ YES or NO

Does the site involve an asphalt plant? _____ YES or NO

Is the pit area over 40 acres? _____ YES or NO

Are the hours of operation before sunrise and after sunset? _____ YES or NO

Will processing equipment be placed closer than 300 ft to property line? _____ YES or NO

Will processing equipment be placed closer than 100 ft from a road R.O.W? _____ YES or NO

Will stockpiled material be located closer than 100 ft to a property line? _____ YES or NO

Will mining or extraction take place closer than 50 ft to a property line? _____ YES or NO

Proposed Weed Control Program:

Proposed Erosion Control Measures:

Proposed End Use of the Site:

(Please attach a scale map of the proposed site that will be active under this permit showing pit area, elevations, wetlands, lakes, rivers/streams, county drainage ditches, property lines, neighboring building sites, haul roads, equipment & stockpile location, proposed final grade and any structures that will be added.)

Owners' Signature _____ **Date:** _____

Operators' Signature _____ **Date:** _____

_____	_____	_____
Applicant Name Printed	Signature	Date

_____	_____	_____
Property Owner Name Printed	Signature (If different than applicant)	Date