



Pepin County Land Conservation Department

P.O. Box 39, 740 7th Ave. W., Durand, WI 54736

Phone (715)672-8665 ext. 5

FAX (715)672-8248

December 6, 2011

COPY

Greg Bechel Trucking & Excavating LLC
W2171 County Road S
Maiden Rock, WI 54750

RE: Approval of NM-9 Reclamation Plan and Permit Amendment

Dear Greg,

The Land Conservation Department has completed its review of your application, dated May 2, 2011, and all other submitted documentation to modify the existing reclamation plan and permit for the Nonmetallic Mine NM-9 (Richardson). The LCD has reviewed all documents submitted to our office by you and/or your engineer AC/a (Auth Consulting), as well as documents provided by Applied Ecological Services, an independent third party reviewer hired by Pepin County to review your application materials.

At this time the Pepin County Land Conservation Department finds that your permit application, dated May 2, 2011, and amended reclamation plans, titled Amendment to Nonmetallic Mining Reclamation Plan Greg Bechel Trucking & Excavating Richardson Quarry, dated November 23, 2011, are compliant with the requirements of Pepin County Nonmetallic Mining Reclamation Ordinance Chapter 24, specifically 24.12, 24.13, and 24.16.50 and Wisconsin Administrative Code NR135.

The Pepin County Land Conservation Department approves the reclamation plan and issues the nonmetallic mining reclamation permit according to Chapter 24 with permit conditions allowed by Chapter 24.16.50. Please find enclosed the Pepin County Nonmetallic Mining Reclamation Permit with attached permit conditions for the nonmetallic mining reclamation site NM-9 (Richardson).

Please contact our office with any questions or comments you might have.

Sincerely,

Chase Cummings

Pepin County Conservationist

EXHIBIT

F

Pepin County Land Conservation Department
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Durand, WI 54736
Telephone: 715-672-8665 Ext. 5
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E-Mail: ccummings@co.pepin.wi.us

ID No. NM-9 2011-01 (Richardson)

COPY

PEPIN COUNTY NONMETALLIC MINING RECLAMATION PERMIT

1. Applicant/Operator

Greg Bechel Trucking & Excavating LLC
Address

W2171 County Road S
City, State, Zip

Maiden Rock, WI 54750

2. Property Owners/Lessor

Randy & Audrey Richardson
Address

N4870 County Road D
City, State, Zip

Arkansaw, WI 54721

3. Property Description: 1/4 of NW 1/4, Section, T 24 N, R 14 W

Town of Frankfort

Tax Parcel No. 006-00229-0000; 006-00230-0000; 006-00231-0000; 006-00232-0000

Total Site Acreage 43

4. Project Information:

Amendment to existing approved reclamation plan & permit to increase the quantity of the material extracted, to mine sandstone in addition to the already mined limestone, to increase the mining boundaries from the original approved area.

Date Application Received: May 2, 2011

Permit Fee: \$350.00


Date Review Complete: December 1, 2011

Recommendations (if any):

Permit is subjected to the attached permit conditions as allowed in Chapter 24.16.50. These permit conditions shall be complied with to maintain an approved permit status.

Date Permit Issued: 12/6/11

Permit No. NM-9


Chase Cummings, County Conservationist

NONMETALLIC MINING RECLAMATION PERMIT

This permit is issued under the Pepin County Nonmetallic Mining Reclamation Ordinance Chapter 24 and Wisconsin Administrative Code NR 135.

Operator: Greg Bechel Trucking & Excavating LLC

Owner: Randy and Audrey Richardson

Permit Number: NM-9 (Richardson)

Date: December 5, 2011

Permit Conditions:

1. Standards & Implementation

- a. All mining and reclamation shall be conducted in compliance with the reclamation plan that is comprised of the following documents: "Amendment to Nonmetallic Mining Reclamation Plan Greg Bechel Trucking & Excavating Richardson Quarry"; "quantities"
- b. All mining and reclamation shall be conducted in compliance with all provisions and standards of the Pepin County Nonmetallic Mining Reclamation Ordinance and Wisconsin Administrative Code NR 135.
- c. The mine site may not be used to dispose of waste material from any processing facilities of sand or other material. A permit modification as required in Pepin County Nonmetallic Mining Reclamation Ordinance Chapter 24 and NR135.24.
- d. To monitor the extent of contemporaneous reclamation, a Reclamation Report & Activities Plan shall be filed with the Pepin County Land Conservation Department for each calendar year. The report shall be submitted no later than 30 days from the end of the permit year. The plan shall contain the following items: 1) the extent of current mine development; 2) the dates and results of stormwater facility site inspections; 3) activities implemented to provide groundwater protection; 4) the dates and results of stormwater discharge monitoring; 5) the reclamation and stormwater management activities planned during the next calendar year; 6) a record of the type, volume, and use of material removed from the site; 7) an up to date contour map with survey points and other spatial/tabular data of any reclaimed areas; 8) a certified statement that a lease is in effect for the upcoming year; 9) any other items as required by this permit.

2. Financial Assurance

- a. Financial Assurance in the form of an Irrevocable Letter of Credit meeting the requirements of the Pepin County Nonmetallic Mining Reclamation Ordinance and NR135.40 is required throughout the life of the mine.

- b. The amount of financial assurance shall equal as closely as possible the cost to Pepin County of hiring a contractor to complete reclamation according to the approved reclamation plan. The amount of financial assurance may be evaluated and adjusted at any point in time and at a minimum shall be reviewed annually by the Pepin County Land Conservation Department to assure it equals the current estimated reclamation costs.
- c. The financial assurance shall remain in effect for a minimum of 5 years following mining and initial reclamation of all phases of the mine site. Financial assurance will be released following two successful performance evaluations, as part of the annual report, in years 4 and 5 following reclamation activities of the site.
- d. Pepin County may suspend or revoke a nonmetallic mining reclamation permit if it finds the operator failed to submit or maintain financial assurance as required by Pepin County Nonmetallic Mining Reclamation Ordinance Chapter 24.

3. Size & Scope

- a. The total permitted area of the mine site is 43 acres. The mine site includes all areas of nonmetallic mineral extraction, haul roads, stormwater ponds, soil berms, and other areas meeting the definition of "nonmetallic mining site" or "site" in the Pepin County Nonmetallic Mining Reclamation Ordinance.
- b. The final floor and slope elevations of the mine shall be no lower than the elevations shown on the plans depicted in Figures 6 & 7 of the reclamation plan.
- c. Changes to the areal extent or depth of the mine, or changes to the operation that may affect the capacity to meet reclamation standards of NR 135 and the Pepin County Nonmetallic Reclamation Ordinance Chapter 24 as documented in the Reclamation Plan, shall require a revised Reclamation Plan and permit modification under NR 135.24.

4. Site Dewatering

The operator has set the mine floor elevation at approximately 957 ft. msl and will conduct operations to avoid excavation that extends into the regional water table.

The operator may routinely, without notice, pump and transfer water within the mine boundaries.

In the event that localized groundwater mounding conditions are experienced, that are unrelated to seasonal rainfall events, the operator may implement temporary practices to dewater the mine floor that may result in an offsite surface or baseflow discharge, if such measures do not either a) continue for more than seven (7) days or b) create an offsite surface or baseflow discharge that may adversely affect an adjacent property owner.

In the event that it is determined that the provisions for temporary dewatering are inadequate or cannot be met, the operator shall immediately notify the Pepin County Land Conservation Department.

In the event that the operator chooses to establish a longer term dewatering program, the operator shall prepare a site dewatering plan.

The dewatering plan shall provide a description of alternatives to site dewatering, a description of proposed dewatering practices and discharge rates, a description of surface water and groundwater monitoring actions, and an evaluation of offsite impacts and measures proposed to mitigate those impacts.

The plan shall be prepared by a professional licensed geologist, hydrologist, or engineer and shall be submitted to the Pepin County Land Conservation Department for review and approval prior to implementation.

5. Stormwater Management

- a. The operator shall fully comply with the terms of the Wisconsin Department of Natural Resources (DNR) WPDES Runoff Discharge permit WI- 0046515-5 and any subsequent permit revisions.
- b. In the event that stormwater runoff exceeds the capacity of the stormwater management system and stormwater runoff leaves the mine site, the operator shall immediately contact the Pepin County Land Conservation Department.
- c. A stormwater management system shall be designed, installed, and maintained to meet the nonmetallic mine standards established for surface water and groundwater protection in NR135.07 and NR135.08, and shall meet WDNR Conservation Practice Standard 1064 (Sediment Basin).
- d. Stormwater ponds shall be constructed with a stable outlet that will safely accommodate runoff events up to the 100 year, 24 hour event (6.0 inches).
- e. The stormwater management system shall be routinely inspected and maintained by the operator to assure the system continues to function as designed.
- f. Sediment that accumulates in stormwater ponds shall be fully removed from the stormwater pond bottom when ponded water persists more than one week, or as needed after major storm events. If routine cleaning of sediment fails to eliminate ongoing ponding, a re-design of the stormwater management system shall be undertaken.
- g. Sediment removed from stormwater ponds shall be stockpiled, seeded, stabilized, and used in mine site reclamation.

- h. Whenever changes to the stormwater management system are proposed or required, the operator shall retain a Professional Engineer to re-design the stormwater management system. The re-design documentation shall include computations to show that the changes to the stormwater management system will meet the design requirements. This information shall be submitted to the Pepin County Land Conservation Department for review and approval prior to construction of the changes.

6. Site Clearing

- a. The Pepin County Land Conservation Department shall be contacted at least 72 hours prior to commencement of any new land clearing or stripping activities in undisturbed areas of the mine site.
- b. All topsoil, subsoil and overburden in areas of mining shall be systematically and individually stripped and stockpiled for future use in reclamation. The location of these stockpiles shall be identified with permanent signage or shall be identified on a map that shows the location of all stockpiles of topsoil, subsoil, and overburden. This map shall be submitted to the Pepin County Land Conservation after initial stripping, after changes in stockpile management, and as a part of the Annual Reclamation Report & Activities Plan.
- c. No topsoil, subsoil, or overburden material shall leave the site during the entirety of the site operations.

7. Spills

- a. In the event of fuel spills or other hazardous waste spills, the operator shall immediately contact the Pepin County Land Conservation Department.
- b. Fueling inside of the mine shall be discouraged and limited to off-road equipment, including off-road trucks, loaders, scrapers, and dozers that cannot readily access an off-site fueling station. Fueling of this equipment shall occur in areas that pose a reduced risk of groundwater pollution. In all cases, spill containment practices; such as drip pans, absorbent pads or other recognized practices; shall be used to contain drips and spills during fueling.

8. Site stabilization & End Land Use

- a. The operator shall select and apply appropriate best management practices to meet the reclamation standards established in NR 135.10 – 135.12 (as they pertain to final grading, revegetation, and site stabilization). If the standards cannot be achieved, additional best management practices with a higher level of engineering assurance will be applied.
- b. Reclamation of areas designated with an agricultural end land use shall comply with all Wisconsin Administrative Code NR 151 standards (and any subsequent revisions) as they apply to non-point pollution control.

- c. The criteria for verifying reclamation shall be the final grading plan as shown in Figure 6. Established vegetation shall be by means of inspection by Pepin County Land Conservation Department staff upon request for verification by the operator. Request shall be made within 6 months of reclamation of an individual phase. 90 percent vegetative cover is required and shall be measured during peak vegetative growth, typically in August. Five, one square yard quadrants shall be used for each phase to determine coverage. Site shall be monitored annually for the first five years following reclamation to ensure adequate ground cover.
- d. An on-going test plot area will be established and monitored annually (August) to evaluate the effectiveness of the reclamation plan. The test plot will be established and monitored for the first 6 years unless further monitoring is needed as determined by the Pepin County Land Conservation Department. The test plot will allow continual monitoring and improvement of the criteria for reclamation and as a baseline to evaluate topsoil thickness, fertilizer application rates, seed species and application rates, and blast pattern of the limestone. Additional monitoring items will be added as agreed upon between the operator and the Pepin County Land Conservation Department.
- e. Deficiencies in the reclamation plan, as determined by the test plot monitoring, that result in changes to the operation that may affect the capacity to meet reclamation standards of NR 135 and the Pepin County Nonmetallic Mining Reclamation Ordinance Chapter 24, as documented in the Reclamation Plan, shall be evaluated by the Pepin County Land Conservation Department. The Pepin County Land Conservation Department may alter operational conditions that do not significantly alter the scope of the reclamation plan or the reclamation permit issued, or require a revised Reclamation Plan and permit modification under NR 135.24.

9. Permit Evaluation and Amendments

- a. The Pepin County Land Conservation Department shall periodically evaluate the extent of contemporaneous reclamation achieved through mining operations, the extent of compliance with reclamation standards, and the effectiveness of the conditions that have been placed to achieve the reclamation standards.
- b. The Pepin County Land Conservation Department shall have the right to enter the premises to perform a site evaluation in accordance with Pepin County Nonmetallic Mining Reclamation Ordinance Chapter 24.31 and Wisconsin Administrative Code NR 135.42.
- c. The Pepin County Land Conservation Department may amend or alter operational conditions that do not significantly alter the scope of the reclamation plan or the reclamation permit issued under the authority of the Pepin County Nonmetallic Mining Reclamation Ordinance.
- d. All permit alterations or amendments shall be mutually acceptable and agreed to by the Pepin County Land Conservation Department and by the operator.

Should any portion of the permit conditions be declared unconstitutional or invalid by a court or competent jurisdiction, the remainder of the permit conditions shall not be affected.

As the operator, or authorized representative of the operator, I hereby acknowledge and agree to the reclamation plan contents and the above permit conditions.

Signature Greg Bechl Date 12-6-11
Printed Name Greg Bechl Title operator

As the owner(s), I (We) hereby acknowledge and agree to the reclamation plan contents and the above permit conditions.

Signature Randy Richardson Date 12-6-11

Printed Name Randy Richardson

Signature Audrey Richardson Date 12/6/11

Printed Name Audrey Richardson

As an agent and authorized representative of the Pepin County Land Conservation Department, I hereby acknowledge and agree to the above permit conditions.

Signature Chase Cummings Date 12/6/11

Printed Name Chase Cummings Title County Conservationist