

NONMETALLIC MINING RECLAMATION PERMIT

Permit is issued under the Chippewa County Nonmetallic Mining Reclamation Ordinance and Wisconsin Administrative Code NR135.

Operator: Michels Sand & Gravel LLC

Owner: Ray Michels

Permit Number: 2002-02

Date: May 22, 2023

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:
 - i. A reclamation plan narrative titled "Non-Metallic Mining Reclamation Hwy M&40 Mine – 2023 Revision" dated and received April 6, 2023.
 - ii. Four (4) maps titled "Initial Site Map", "Operation Site Map", "Final Site Map", and "Final Cross Section"; all received April 6, 2023.
- b. All mining and reclamation shall be conducted in compliance with all provisions and standards of the Chippewa County Nonmetallic Mining Reclamation Ordinance and Wisconsin Administrative Code NR135.
- c. Prior to commencing any mining activity, the Operator shall obtain all required permits and legal authorizations including, but not limited to, those required to protect public health and safety under all applicable federal, state, or municipal jurisdictions.

2. Financial Assurance

- a. The Operator shall provide adequate Financial Assurance that meets the requirements of the Chippewa County Nonmetallic Mining Reclamation Ordinance and NR135.40 to the Chippewa County Department of Land Conservation & Forest Management (hereinafter the "Department") prior to beginning any nonmetallic mining activities (as defined in NR135.03(13)).
- b. The amount of financial assurance shall equal as closely as possible the cost to the Department of hiring a contractor to complete reclamation according to the approved reclamation plan. The amount of financial assurance shall be initially approved and periodically reviewed by the Department to assure it equals the current estimated reclamation costs.

3. Size & Scope

- a. The total permitted mine site is 17.9 acres as depicted in the "Initial Site Map" map. 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 Chippewa County Nonmetallic Mining Reclamation Ordinance.
- b. The excavated floor elevation of the mine shall be no lower than the elevations shown in the "Final Cross Sections" (elevation 1050 MSL).

- c. Changes to the areal extent or depth of the mine as documented in the Reclamation Plan, or any changes to the operation that may affect the capacity to meet reclamation standards of NR 135 and the Chippewa County Nonmetallic Mining Reclamation Ordinance, shall require a revised Reclamation Plan and permit modification under NR 135.24.
- 4. Stream & Wetland Protection
 - a. A buffer shall be established around each mapped wetland. No mining or mining related activities shall be permitted within this buffer. A buffer could be be monumented with permanent markers (such as fence posts) for the life of the mine to offer a visual boundary.
- 5. Stormwater Management
 - a. The Operator shall obtain a Wisconsin Department of Natural Resources WPDES Runoff Discharge permit for mining operations. The Operator shall provide the Department with a copy of this permit prior to beginning any site excavation activities.
 - b. The Operator shall fully comply with the terms of the Wisconsin Department of Natural Resources (DNR) WPDES Runoff Discharge Permit WI-A046515-6 (general permit of nonmetallic mining operations) and any subsequent permit revisions.
- 6. Site Clearing
 - a. All topsoil and subsoil in disturbed areas shall be systematically and individually stripped and stockpiled for future use in reclamation. The location of these stockpiles shall be identified with permanent signage and shall be identified on a map that shows the location of all topsoil and subsoil stockpiles. This map shall be submitted to the Department upon request.
 - b. No topsoil, subsoil, or overburden shall leave the site during the entirety of the site operations.
 - c. The burning of stumps, or any other material at the mine site, is prohibited. All residual woody biomass that is the byproduct of timber harvesting, excluding stumps, shall be retained, chipped, and when practical, composted on site, to be used as a soil amendment during final reclamation.
 - d. The Department shall be contacted at least 72 hours prior to commencement of any new land clearing or stripping activities at the mine site.
- 7. Solid Waste & Spills
 - a. The import, storage, disposal, or use in reclamation of any solid waste, recyclable materials, or nonmetallic mine refuse generated outside the mine site is subject to the registration provisions of Chapter 30-77 of the Chippewa County Nonmetallic Mining Reclamation Ordinance.
 - b. The import, storage, disposal, or use in reclamation of any solid waste, recyclable materials, or nonmetallic mine refuse generated outside the mine site shall be limited to the materials and quantities identified in the reclamation plan or administrative plan amendments.
 - c. The Department shall be contacted immediately in the event of a hazardous waste spill, fuel spill, or other incident that could in any way negatively affect groundwater or surface water.
- 8. Post-Mining Land Use
 - a. The mine site and permitted area shall be systematically mined and reclaimed using a process of contemporaneous reclamation. The mine site will be reclaimed for the purpose of establishing the post mining land use cover type of grassland/prairie and surface water of shallow ponded/deep ponded as described in the reclamation plan.

- b. The success and sustainability of the site reclamation and the attainment of the post mining land use will be measured and evaluated upon completion of site grading, soils application, completion of site seeding or planting, and a signed notice of reclamation completion is sent to the Department.
 - c. The completion of successful reclamation shall be determined through physical site inspections. In making the determination of successful reclamation, the Department may take into account other supporting information provided by the Operator, and information generated from onsite test plots or from other areas of the mine site that have been previously reclaimed.
 - d. The successful reclamation of restored areas shall be determined by the LCFM using the criteria and performance measures including but not limited to:
 - i. Site stability
 - ii. Plant density and species diversity
 - iii. Soil chemistry, fertility, and type & amount of soil organic matter
 - iv. Soil depth, plant rooting depth, and soil infiltration
 - v. Other alternative criteria, as agreed to by the permitted mine operator and the County
 - e. After the Department receives a signed notice of completion from the operator, a determination will be made within 60 days of receipt in accordance with NR 135.40(7)(c). If a site visit is conducted by the Department to determine if the reclamation for that portion of the mine is complete and if the planned post mining land use has been successfully achieved. If reclamation is determined not to be complete, the operator will need to address those areas that did not meet the reclamation criteria in Permit Condition 8(a-d) and notify the Department when repairs have been completed. Reclamation will not be certified if the Department makes a determination that the post mining land use has not been achieved in compliance with the standards for reclamation as established in NR 135 subchapter II including the general standards, and standards for groundwater, surface water, and wetland protection.
 - f. Upon receiving certification of completion that reclamation is complete for any part of the mine the Operator may propose to change the mine boundary following the permit modification process established in NR 135.24 to remove reclaimed parcels from the reclamation permit.
9. Permit Evaluation and Amendments
- a. The Department shall periodically evaluate the extent of contemporaneous reclamation achieved, the extent of compliance with reclamation standards, and the effectiveness of the conditions that have been placed to achieve the reclamation standards.
 - b. The Department may allow for design variations and 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 Sec. 30-105 of the Chippewa County Non-Metallic Mining Reclamation Ordinance.
 - c. All permit alterations or amendments shall be mutually acceptable and agreed to by the Department and by the Operator.

As the Operator I hereby acknowledge and agree to the above permit conditions.

Raymond J. Michels
Signature

5-24-23
Date

RAYMOND J. MICHELS
Printed Name - Operator

SOLE PROP - OWNER
Title

Permit approval by Department of Land Conservation & Forest Management

Trenton Shutter
Signature

May 30, 2023
Date

Trenton Shutter
Printed Name - Authorized Staff

Project Engineer
Title