DOUGLAS COUNTY ZONING COMMITTEE
PUBLIC HEARING
Wednesday, June 10, 2020 | 9:00 a.m. | Teleconference

Please call the Chair or Zoning Office (715-395-1380) if you are unable to attend.

MEMBERS: Mary Lou Bergman, Chair Patricia Ryan, Vice Chair Jim Borgeson
Charlie Glazman Nick Baker

Due to the COVID-19 pandemic, this meeting is being held via teleconference only. Members of the media and the public may attend by calling 1-347-352-9811. The PIN is 129 170 688#

A G E N D A

(Committee to maintain a two-hour meeting limit or take action to continue meeting beyond that time.)

1. Roll call.
2. Public Hearing (applications attached):
   a) Conditional-use permit: Mathy Construction Company – temporary asphalt plant;
   b) Conditional-use permit revision: Walter Moss, Walt Moss Trucking, Inc., (owner/operator) – revision to conditions of non-metallic mine permit #20371;
   c) Reclamation plan approvals:
      1. Walter Moss, Walt Moss Trucking, Inc. (owner/operator) – reclamation plan approval for non-metallic mine permit #20371; and
      2. TKC Real Estate Holdings, LLC (owner) / Kraemer Company, LLC (operator) – reclamation plan approval for non-metallic mine permit #14268;
   d) Conditional-use permit renewals/reclamation plan approvals:
      1. Joanne Garcia, et al (owner) / Alliance Steel Construction (operator) – non-metallic mine permit #9064 renewal and approval of reclamation plan;
      2. Nancy Paine (owner) / Alliance Steel Construction (operator) – non-metallic mine permit #18223 renewal and approval of reclamation plan; and
      3. Town of Dairyland (owner/operator) – non-metallic mine permit #21355 renewal and approval of reclamation plan.
3. Adjournment.

cc: County Board Supervisors Other interested parties

NOTE: Attachments to agenda are available in County Clerk’s Office for review or copying. Action may be taken on any item listed on the agenda. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of an accommodation to participate in the public meeting process, please contact the Douglas County Clerk’s Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request, depending on the amount of notice we receive.

Posted: Courthouse, Government Center, SuperOne Oakes Avenue, SuperOne Harbor View, Superior Telegram

5/28/20

Name Date
A Public Hearing will be held by the Douglas County Planning & Zoning Committee at 9:00 a.m. on Wednesday, June 10, 2020. Due to the COVID-19 pandemic, this meeting is being held via teleconference only. Members of the media and public may attend by calling 1-347-352-9811. The PIN is 129 170 688#

a) Conditional-Use Permit:
Mathy Construction Company, Onalaska, WI – temporary asphalt plant – Pt NE1/4-NW1/4, Section 32, T48N-R12W; (7780E US Highway 2; AM-002-00772-00), Town of Amnicon.

b) Conditional-Use Permit Revision:
Walter Moss, Walt Moss Trucking, Inc., (owner/operator), Lake Nebagamon, WI – revision to conditions of non-metallic mine permit #20371 - Fr’l SW1/4-SW1/4; S-210’ of S1/2 of Fr’l NW1/4-SW1/4, Section 7, T46N-R10W; (7908S County Road S; HI-016-00747-00; 00746-02), Town of Highland.

c) Reclamation Plan Approvals:
1) Walter Moss, Walt Moss Trucking, Inc., (owner/operator), Lake Nebagamon, WI – reclamation plan approval for non-metallic mine permit #20371 - Fr’l SW1/4-SW1/4; S-210’ of S1/2 of Fr’l NW1/4-SW1/4, Section 7, T46N-R10W; (7908S County Road S; HI-016-00747-00; 00746-02), Town of Highland.
2) TKC Real Estate Holdings LLC (owner), Plain, WI / Kraemer Company LLC (operator), Plain, WI – reclamation plan approval for non-metallic mine permit #14268 – Pt NE1/4-NE1/4 & SE1/4-NE1/4, Section 35, T48N-R11W; (4479S Wuori Rd; MA-020-00676-01; 00679-00), Town of Maple.

d) Conditional-Use Permit Renewals:
1) Joanne Garcia, et al (owner), Superior, WI / Alliance Steel Construction (operator), Superior, WI – non-metallic mine permit #9064 renewal and approval of reclamation plan – NE1/4-SE1/4, Section 9, T47N-R13W; (5996E Mable Nelson Rd; OA-022-00428-000), Town of Oakland.
2) Nancy Paine (owner), Superior, WI / Alliance Steel Construction (operator), Superior, WI – non-metallic mine permit #18223 renewal and approval of reclamation plan- NE1/4-NE1/4 & NW1/4-NE1/4, Section 17, T47N-R13W; (5607S Old Lyman Lake Rd; OA-022-00553-00; 00554-00), Town of Oakland.
3) Town of Dairyland (owner/operator), Dairyland, WI – non-metallic mine permit #21355 renewal and approval of reclamation plan – SW1/4, Section 14, T43N-R15W; (15502S Pit Rd; DA-010-00582-00), Town of Dairyland.

Tessah Behlings, Zoning Coordinator                                                                  Mary Lou Bergman, Chair

If you have any comments on these items, let the Planning & Zoning Office know in writing prior to the meeting, or appear at the Public Hearing. Planning & Zoning Office, 1313 Belknap St., Rm. 206, Superior, WI 54880 (715-395-1380). Action may be taken on any item listed on the public hearing. In accordance with WI Statutes 59.69 (5)(a), attachments to public hearing notice and maps of subject properties are available for review in the Planning & Zoning Office, or at www.douglascountywi.org. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of accommodation to participate in the public meeting process, please contact the Douglas County Clerk’s Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request depending on the amount of notice we receive. TDD (715) 395-7521.

ST May 22 & 29, 2020
APPLICATION FOR PERMIT:  □ LAND-USE  □ CONDITIONAL-USE
APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE & DATE ON THIS PAGE.

TO WHOM IT MAY CONCERN: The undersigned hereby applies for a permit to do work herein described in this application. The undersigned agrees that all work will be done in accordance with the Douglas County Zoning, Shoreland Zoning, Subdivision Control, Floodplain Ordinances and with all laws of the State of Wisconsin applicable to said premises. Do not start any construction until this office has issued a permit. Failure to obtain the necessary permits will result in a double permit fee and/or citation.

CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

Property Owner's Name: Mathy Construction Company
Mailing Address: PO Box 189  City, State, Zip Onalaska, WI 54650
Telephone: 715-492-0065 (Candy Anderson cell phone)  E-mail Address: candy.anderson@monarchpaving.com

PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)
Tax Parcel #: AM-002-00772 - 00  Section 32  Town 48  N  Range 12  W
Town of: Amnicon  Parcel Acreage or Size: 19.44
Property Address: 7780 US Highway 2
Legal Description: Part of the NE 1/4 of the NW 1/4 of Section 32, T48N - R12W
Name of Adjacent Lake or Stream: Wetlands: ☐ Yes ☑ No  Zone District: F1

Type of construction: Temporary asphalt plant
( accessory building, dwelling, addition to seasonal dwelling, alteration to accessory building, relocate structure)
Proposed Use: To supply hot mix asphalt for Wis DOT USH 2 project in Superior & Douglas Co Highway Projects
(year-round or seasonal dwelling, storage, commercial use, change use of structure)

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<th>Width</th>
<th>Length</th>
<th>Area (sq ft)</th>
<th>Height</th>
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<th># Bedrooms</th>
<th># Occupants</th>
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Site Staked - Yes ☐

Has any portion of the project been started? Yes ☑ No ☐  Sanitary Permit #: 
By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary. I hereby agree to terms and conditions on following site sketch page.

Applicant's Signature: Candy Anderson  Date: 5/14/2020

Printed Name (if different than property owner above): Candy Anderson, Agent
Address & phone (if different than property owner above): %Monarch Paving; 786 US Highway 8; Amery, WI 54001

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Permit No: 
Date Issued: 
Zone Chg No: 
Variance No: 

Revised 04-2020
You are responsible for complying with State and Federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources wetlands identification page or contact a Department of Natural Resources Service Center.

**Additional responsibilities for owners of projects disturbing one or more acre(s) of soil**
I understand that this project is subject to regulations regarding erosion control and storm water management and I will comply with those standards. For more information, visit the Department of Natural Resources or contact a Department of Natural Resources Service Center.

*It is the property owner's responsibility to know the location of their lot lines to ensure setback requirements are met.*
CONDITIONS ON TEMPORARY ASPHALT PLANT AT THE BUCKLEY QUARRY - 2020

1. Asphalt Plant must be located in accordance with the site sketch submitted by the applicant and in accordance with the quarry permit.
2. Dates of operation: through the 2020 Construction Season
3. Hours of operation: Monday through Friday, 6 a.m. to 8 p.m. and Saturday, 7 a.m. to 3 p.m.
   **NO SUNDAY OR HOLIDAY OPERATION.**
4. Hauling of rock from the crusher to the asphalt plant will fall under the quarry permit operations hours of Monday through Friday, 6 a.m. to 6 p.m. and Saturday, 7 a.m. to 3 p.m.
5. Hauling of sand to the quarry will fall under the quarry permit operations hours of Monday through Friday, 6 a.m. to 6 p.m. and Saturday, 7 a.m. to 3 p.m. before the asphalt plant is set up.
6. Hauling of sand to the quarry will fall under the asphalt permit operations hours of Monday through Friday, 6 a.m. to 8 p.m. and Saturday 7 a.m. to 3 p.m. after the asphalt plant is set up.
7. Plant set up and tear down may be conducted Monday through Friday, 6 a.m. to 8 p.m. and Saturday 7 a.m. to 3 p.m.
8. Dust control – will use material to limit dust on access road.
9. No stockpiles higher than existing berms.
10. Operation must meet all State and Federal regulations.
11. HMA production shall use odor neutralizer in asphalt (ECOSORB).
May 4, 2020

Zach DeVoe  
Land Services Director  
Douglas County Planning & Zoning  
1313 Belknap Street, Room 206  
Superior, WI 54880

RE: Buckley Quarry, Temporary Asphalt Plant Conditional Use Permit Application

Dear Zach:

Monarch Paving Company, a Division of Mathy Construction Company, is requesting a Conditional Use Permit for the operation of a temporary asphalt plant at the Buckley Quarry in the Town of Amnicon. The Buckley Quarry is located in Section 32, T48N – R12W. Mathy Construction Company is the property owner. If approved, the plant would be scheduled to start operations in August run for approximately four to six weeks (depending upon weather), for the USH 2 Project in Superior and several Douglas County Highway projects including County Highway D, County Highway P, County Highway O and County Highway EE.

We request that the permit cover the 2020 construction season through November in the event the plant would need to stay at the quarry or move back in to the quarry at a later time in the event other projects come up in the area.

A portable asphalt drum-mix plant will be used to provide hot mix for the upcoming projects. If any Township, commercial or private work comes up in the area, we would likely utilize the plant for those projects as well. The total affected area, including aggregate storage, would be relatively constant at about 4 acres. All company plants are tested for air quality biannually and meet all requirements of the Department of Natural Resources.

The plant will sit on the upper level of the quarry. Quarry operations will continue to be on the lower floor.

I have spoken with Linda Denston and we have agreed upon the attached list of conditions that we request be attached to the permit, if approved. They are the same conditions that will be attached to the temporary asphalt plant Conditional Use Permit that Monarch Paving is requesting.
Portable sanitary facilities and solid waste dumpsters will be provided at the plant location and serviced throughout the length of the project. The manager in charge of the plant and its operations is Patrick Hahn and his mobile phone number is: (715) 492-0217.

Thank you Zach, and please let me know if you have any questions or concerns.

Sincerely,

Candy Anderson, Geologist

CC: Brian and Linda Denston
Art Amys, Amnicon Town Chairman
Brent Schulze, Monarch Paving Company
ISSUE DATE
03/13/2019

MAILING ADDRESS
MATHY CONSTRUCTION COMPANY
920 10TH AVE N
ONALASKA WI 54650

CONDITIONAL-USE# 25705

TOWN OF AMNICON

PARCEL(S): AM-002-00772-00

PROPERTY ADDRESS 7780 E US HIGHWAY 2

LEGAL DESCRIPTION: PT NE NW 32-48-12AS DESC'D #860569

SECTION 32
TOWN 48 N
RANGE 12 W

FOR TEMPORARY HOT MIX ASPHALT

CONDITIONS: The following minimum requirements must be met for all land uses:

NMM CU = 15483

03-13-2019 - Douglas County Zoning Committee approved temporary hot mix asphalt plant in Buckley Quarry (NMM CU 15483). Town approval dated 02-14-2019 received and on file. All conditions associated with this permit are on Page 2 (reverse). This permit should be considered incomplete without conditions on Page 2 (reverse).

This is not a building permit. Check with your Town Chairman for information concerning township building requirements or permits for any structure. The Wisconsin Uniform Dwelling Code requires that all towns issue building permits for new dwellings and additions to existing dwellings. Please contact the appropriate town clerk for obtaining permits.

ZONING AUTHORITY
CONDITIONS OF PERMIT: 25705

As approved by Zoning Committee 03-13-2019

7780 E US Highway 2

Tax Parcel I.D. Number: AM-002-00772-00, AM-002-00777-00

Proposed Use: Temporary Asphalt Plant – to operate through 2019 construction season

Buckley Quarry

CONDITIONS:

1. Asphalt Plant must be located in accordance with the site sketch submitted by the applicant and in accordance with the quarry permit.

2. Dates of operation: Through the 2019 Road Construction Season.

   Hours of asphalt plant operation:
   Monday through Friday, 6 am to 8 pm
   Saturday, 7 am to 3 pm.
   **NO SUNDAY OR HOLIDAY OPERATION**

3. Hauling of rock from the crusher to the asphalt plant will fall under the quarry permit operation hours of Monday through Friday 6 am to 6 pm and Saturday 7 am to 3 pm.

4. Hauling of sand to the quarry will fall under the quarry permit operation hours of Monday through Friday 6 am to 6 pm and Saturday 7 am to 3 pm before the asphalt plant is set up.

5. Hauling of sand to the quarry will fall under the asphalt permit operation hours of Monday through Friday 6 am to 8 pm and Saturday 7 am to 3 pm after the asphalt plant is set up.

6. Plant set-up and tear-down may be conducted Monday through Friday, 6 am to 8 pm and Saturday 7 am to 3 pm.

7. Dust control – will use material to limit dust on access road.

8. No stockpiles higher than existing berms

9. Operation must meet all State and Federal regulations and obtain all permits necessary.

10. HMA production shall use odor neutralizer in asphalt (ECOSORB).

This page is intended to be a part of above numbered permit and should be included in any copies or other duplication of this permit.
DOUGLAS COUNTY PERMIT

ISSUE DATE
04/08/2020

CONDITIONAL-USE# 20371

MAILING ADDRESS
WALTER J MOSS
P O BOX 231
LAKE NEBAGAMON WI 54849

TOWN OF HIGHLAND

PARCEL(S): HI-016-00746-02, HI-016-00747-00

PROPERTY ADDRESS 7908 S COUNTY ROAD S

LEGAL DESCRIPTION FRL SW SW
PT FRL NW SW

SECTION 07
TOWN 46 N
RANGE 10 W

FOR NON-METALLIC MINE (RENEWAL)

CONDITIONS: The following minimum requirements must be met for all land uses:

See page 2

04/08/2020 - Douglas County Zoning Committee approved 3 year renewal of non-metallic mine permit (expiring 04/08/2023). All conditions associated with this permit are listed on Page 2. This permit should be considered incomplete without Page 2 attached.

This is not a building permit. Check with your Town Chairman for information concerning township building requirements or permits for any structure. The Wisconsin Uniform Dwelling Code requires that all towns issue building permits for new dwellings and additions to existing dwellings. Please contact the appropriate town clerk for obtaining permits.

ZONING AUTHORITY
DOUGLAS COUNTY, WISCONSIN
Planning, Zoning and Land Information Offices
1313 Belknap Street, Room 206
Superior, WI 54880

CONDITIONS OF PERMIT: 20371

ISSUED: 04-08-2020

Tax Parcel I.D. Number:
1) HI-016-00746-02
2) HI-016-00747-00

Proposed Use:
Non-metallic Mining Permit (Renewal)

CONDITIONS:

1 Must comply with Ordinance 8.0, Section VI, Sub. 6.2

2 Must comply with Ordinance 8.9 to include NR - 135 reporting requirements.

3 In accordance with the request by the Town of Highland regarding groundwater protection the following condition applies: the operator will establish a local benchmark at the bottom of the existing culvert under County Road S near the mine. No portion of the floor of the mine shall extend below the benchmark.

4 Applicant to provide revised reclamation plan to the Douglas County Zoning Office for review by the Land and Water Conservation Department. Approved reclamation plan to be reviewed, approved and in place by July 8, 2020

5 This permit renewal effective for 3 years. This permit will expire 04-08-2023.

6 Applicant to provide additional financial assurance if indicated in the revised plan. Documentation of acceptable financial assurance by July 8, 2020.

7 Must maintain financial assurance and comply with submission of annual NR-135 report.

8 Must be in compliance with all Wisconsin Department of Natural Resource and U.S. Army Corps of Engineers regulations.

9 If additional or revised conditions are requested by the town after their review, the application will be brought back to committee.

This page is intended to be a part of above numbered permit and should be included in any copies or other duplication of this permit.
TOWN OF HIGHLAND  
Douglas County, Wisconsin

CHARLES S. KHALAR, Chairperson 715.374.3437  
11452 E. Minnesuing Rd  
Lake Nebagamon, WI 54849

PJ FOAT, Supervisor 715.580.0918  
13971 E Catherine Lake Road  
Solon Springs, WI 54873

SAM JONES, Supervisor 218.341.8229  
11567 E Hazel Prairie Road  
Lake Nebagamon, WI 54849

ROSE GRAVES, Treasurer 715.374.3421  
12035 E. Graves Rd.  
Lake Nebagamon, WI 54849

NORA ANNE MOSS, Clerk 715.374.2046  
7316 S. County Rd. S  
Lake Nebagamon, WI 54849

MARK GRAVES, Constable 218.348.3726  
11556 E Minnesuing Rd  
Lake Nebagamon, WI 54849

May 12, 2020

Sue Radzack  
Douglas County Planning and Zoning  
1313 Belknap St  
Superior, WI 54880

Dear Sue

Please note that the Town Board at the Town Board Meeting that was held on May 11, 2020 approved the removal of the condition that was placed on the Conditional Use Permit for Walt Moss Non-Metallic mine (renewal) regarding the requirement of a benchmark. If you have any questions or if you need anything further from the Town of Highland, please let me know. Thank you.

Respectfully

Nora Anne Moss  
Clerk

townofhighland.net
February 24, 2016

Mr. Walter Moss
Walt Moss Trucking, Inc.
11005 E. Weyerhauser Road
Lake Nebagamon, WI 54849

RE: Revisions to NR-135 Nonmetallic Mining Reclamation Plan dated 2/7/2007, Moss Trucking Sand Pit, 7908 S. County Road S, Lake Nebagamon, WI

Dear Mr. Moss:

The following is a summary of the changes to the original plan from 2007, including both text and maps. The basic changes to the development plan for the site include a berm along County Road S, a pond in the bottom of the completed sand pit, and grading of additional area proximal to the Francis Willard Road. The former Figure 5 is being replaced by Sheets 5, 6, and 7.

CONSTRUCTION

Excavation of sand materials from the site will proceed from County Road S moving east across the site until the eastern property boundary is encountered, then south and east up to the southern property boundary along Francis Willard Road. Excavation will be halted approximately 1-3 feet above the water table as the development area is excavated. Side slopes will be covered with topsoil and vegetated as they are completed, within those areas no longer disturbed by excavation or grading activities. When the site has been excavated and graded all the way to the southern property boundary, the pond area will be excavated to its final depth moving in the reverse direction back towards County Road S. The final construction activity will be to abandon the site entrance off County Road S, and to construct the safety/privacy berm along County Road S to prevent vehicles from entering the site. Sheets 5 and 6 present the final grading contours for the site. Sheet 7 presents the cross section for the completed pit side slopes and bottom configurations.

The site is internally drained, with runoff from disturbed areas flowing into the bottom of the pit where it will infiltrate into the sandy soils. As per Sheet 7, the outside edges of the excavated/disturbed pit area will slope downwards into the pit floor. Disturbed areas at the outside edges of the pit and any disturbed areas will be covered with topsoil and re-vegetated to prevent erosion and the transport of sediment off-site. As part of the pit operations, the larger vegetation is cleared on top of the active excavation pit face in the direction where pit operations will proceed in. Topsoil is salvaged and stockpiled away from the pit face. To control potential transport of sediment with runoff, Sheet 7 presents the details of an infiltration ditch to be constructed along the down gradient edge of the cleared area. The trench will be constructed deep enough to collect runoff and infiltrate it into the native sandy soils, preventing any runoff from leaving the site. The trench will have stable sidewalls, will be vegetated, and will be maintained. Maintenance will include maintaining the vegetative surface cover and removing any accumulated sediment to maintain the ability of the trench to infiltrate runoff, preventing it from leaving the site. If the trench doesn’t function properly, silt fence will be installed and maintained as per WDNR
Guidance for that erosion control measure. A properly constructed and maintained trench will be a more robust and long term measure than silt fence, which would require more maintenance and replacement over longer periods of time.

RE-VEGETATION

Re-vegetation will follow the existing plan with the following exceptions:

1. All disturbed areas will be covered with 4 inches of topsoil prior to planting to re-vegetate. The topsoil covering will extend into the pond for the first 5 feet around the border. This will facilitate the growing of vegetation in the shallow water.
2. The plan is to initially excavate the pit to a few feet above the water table within the planned pond border, and then work in the reverse direction at the end digging the pond towards County Road S. It will be inefficient to apply topsoil and re-vegetation to the pond area, which would only have to be stripped later as the pond is excavated. Topsoil isn’t present in abundance at the site, and multiple stripping events will reduce available amounts as it is mixed with native sandy soils during stripping and replacement. As the pit floor is brought to it’s temporary elevation above the water table, non-traffic areas can be seeded with WisDOT Seed Mix 70A which is for dune barrens and requires very little organic matter to vegetate an area. Adding this seed mix could reduce the area required for financial assurance calculations.

FINAL LAND USE

The existing plan proposed to restore the mine area to grassland. The new final use for the site will be residential. Homes will be constructed on the southeastern part of the site with access to the pond in the center of the site.

FINANCIAL ASSURANCE

The following cost estimate has been provided for implementing and completing the reclamation of an active area at the site. The total site disturbed area (green line on Sheet 6) is approximately 23.42 acres, and the pond in the center of the site is approximately 12.11 acres. Sand barrens seed can be planted over the pond area until it is excavated, leaving approximately 11.31 acres of area that will require the installation of topsoil/seed/fertilizer/mulch. The current active pit area is approximately 2.40 acres of area, and the cleared area atop the pit face to expand into is approximately 4.61 acres. The financial assurance amount is based on having 10 acres of un-vegetated area at the site. Sufficient salvaged topsoil is present at the site for the reclamation project.

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Bond Amount: $8,724.00
This concludes the proposed changes to the existing reclamation plan. The existing plan will be utilized, except for the changes in this revision text and Sheets 5, 6, and 7. Figure 5 of the original plan has been replaced and no longer applies.

Michael L. Kohn  
MICHAEL L. KOHN, P.E.  
IC ENVIRONMENTAL CORPORATION  
Plan Revision Preparer

Walt Moss  
WALTER MOSS TRUCKING, INC.  
Site Owner and Operator

Attachments:  
- Sheet 5 Proposed Development Map  
- Sheet 6 Proposed Development Map 2  
- Sheet 7 Details Map #1  
- Original Reclamation Plan dated 2/7/2007
DOUGLAS COUNTY NR135 RECLAMATION PLAN

SITE NAME: Mikkola Quarry

GENERAL INFORMATION:

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<tr>
<th>Operator Name/Address:</th>
<th>The Kraemer Company, LLC</th>
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<tr>
<td></td>
<td>820 Wachter Avenue, P.O. Box 235</td>
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<tr>
<td></td>
<td>Plain, Wisconsin 53577</td>
</tr>
<tr>
<td></td>
<td>(608) 546-2255</td>
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| Property Owner:         | Richard and Bertha Mikkola |
|                        | Box 27 |
|                        | Maple, Wisconsin 54854-0027 |
|                        | (715) 363-2466 |

| Parcel Number/Site ID#: | MA-020-00679-00 |

| Property Description: | Refer to Maps 1, 2 and 3. |
|                       | The E 1/2 of the NE 'A, Section 35, T48N, R11W, Maple Township, Douglas County. |
|                       | Quarry Entrance is located on the west side of Wourri Road. |

| Total Site Acreage:    | 80.0 acres |
MINE RECLAMATION NARRATIVE

Current Property Description:

The Kraemer Company, LLC contracted Weyandt Engineering, LLC to complete the NR135 on the property referred to as Mikkola Quarry. The parcel number is MA-020-00679-00, Douglas County permit #14268. The property is located on South Wuori Road in the Southeast ¼ of the Northeast ¼ of Section 35, Township 48 North, Range 11 West, Town of Maple, Douglas County, Wisconsin. The overall property is approximately 80 acres. Refer to Maps 1,2 and 3 for property location. Kraemer is currently and actively mining approximately 10 acres of Phase 1. Ultimately, Phase 1 will be expanded to cover approximately 20.3 acres. Phase 2 is a deepening of Phase 1 of approximately 40 feet. Please refer to Map 7 for Mining and Reclamation Process and Figure 2 for Schematic Cross Sections. The post mining land use will be a pond with grasses and forested buffer. Stabilized high walls on the east and south sides of the mine will remain.

Elevation and protection of groundwater:

Refer to Map 4 — based on Well Construction Reports from the Bureau of Drinking Water and Groundwater (Wisconsin Department of Natural Resources, CD) and Scanned Images of Wisconsin Well Constructor's Reports of Douglas County (Wisconsin Geological and Natural History Survey, CD) it is estimated that the elevation of groundwater at the property is between 910' to 950' (datum is mean sea level). The quarry floor will be mined to a maximum depth of approximately 1040', which is 90' to 130' above the local groundwater elevation of the area. The aquifer in the area is underlying Precambrian Sandstones or volcanics. Best management practices are in place at the quarry, such as a vegetated buffer along the western side of the disturbed area and water diversions are in place to low-lying areas in the quarry, to minimize any potential of groundwater contamination from mining and reclamation activities. Ultimately, the low-lying areas will be open water as outlined within this document.

The Kraemer Company has implemented a spill prevention plan that includes steps to follow if a spill should occur. All fuel, oil, lubricant, and other chemicals are stored in containers in a portable trailer or building. All portable trailers are equipped with spill prevention materials including sorbent pads and booms. All foremen and specific site employees are trained in spill prevention and product use.

Geologic information:

Refer to Map 5 — the cross section of the undisturbed area in descending order includes 0 to 5 inches of silt loam, sandy loam or loam (topsoil) underlain by up to 40 inches of silty to loamy alluvium, sandy loam till or clay (overburden), underlain by marketable igneous rocks (potential mined thickness estimated at 25 to 80 feet depending on location), underlain by additional igneous rocks.

Existing surface waters:

Refer to Map 2 — two intermittent stream valleys exist within the property boundaries and are located in the northwestern and southwestern portion of the property. When flowing, the two intermittent streams travel in the general direction of southeast to northwest.
Drainage pattern at the site:

Refer to Map 6— the Mikkola Quarry holds a WPDES Permit No. WI-00465115-3 with the Department of Natural Resources. During operation the quarry is internally drained. Drainage patterns on the southeast portion of the mine contribute overland flow into the mine pit which is periodically dewatered to the west in the pre-mine drainage pattern. The quarry is below the grade of the surrounding land. During dewatering, best management practices will be implemented which consist of a combination of filter bags, berms, silt fence and/or hay bale check installation. The undisturbed portion of the property drains into the quarry or toward the surrounding valleys to the north and west.

Once mining and reclamation is complete, the quarry will no longer be pumped and will convert to a pond. It is expected that the water elevation within the pond will equalize near the elevation of the outfall and will periodically flow out to the west at the point overflow on Map 6, which is the pre-mining flow pattern. Pictures of the potential overflow area, which is entirely within Kraemer property, are included in Appendix A. The quarry will remain internally managed with occasional pumping throughout mining until final stabilization is complete. It is important to note that prior to any non-metallic mining, flows from an adjacent wetland to the east flowed to the west in this same pattern. This has been graphically depicted as well on Map 9 – USGS Topo Map Prior to Mining.

Existing structures:

Existing structures include a gravel access road, locking gate, and berm along the western boundary of the disturbed area.

Description of Mineral Deposit:

Minerals to be extracted:

Approximately 25' to 80' of Precambrian igneous rock will be extracted. Topsoil and overburden are minimal. Topsoil ranges from 0' to 5' and overburden may reach up to 40' thick.

Estimated volume to be removed:

The amount of material removed from the Mikkola Quarry will depend on demand. The mine will be operated until it is no longer economically feasible to do so or when the lease expires. The current lease expires in 2021 (with an option for lease renewal). If the mine is depleted prior to the expiration of the lease, the property will be reclaimed, and the lease will be released. If the reserves are not depleted when the lease expires, the area that has been disturbed after July 31, 2001 will be reclaimed and the remaining in-place reserves will be left in their natural state. The mining operation will continue toward the south and east.

Biological Resources:

Surrounding land use consists of:

The surrounding land use is woodland.
Types of plant life: (determined by site inspection, The Vegetation of Wisconsin, an Ordination of Plant Communities by John T. Curtis, 1959, and the Wisconsin DNR website for endangered species).

The native vegetation of the area is represented by a boreal forest consisting of white pine, red pine, Norway pine, white spruce, red cedar, balsam, birch, aspen and poplar.

Wildlife species: (determined by site inspection and the Wisconsin DNR website for endangered species).

Wildlife usage may include white tail deer, fox, raccoon, rabbit, squirrel, skunk, chipmunk, bats, turkey, and various bird species. No known rare or endangered species were observed to be on the mine property.

PROPOSED POST MINING LAND USE:

Proposed post mining land use:

The portion of the property that has been disturbed by non-metallic mining activity will be reclaimed as an open water area with vegetated buffer. The highwalls will be stabilized and remain for bird and wildlife habitat.

RECLAMATION MEASURES:

Description of Phases and Estimated Time Frames:

Refer to Map 7— Mining will progress along the quarry floor toward the south and east in Phase 1 and then from south to north in Phase 2 with reclamation following as Phase 2 progresses. The quarry floor in Phase 2 areas will remain active until mining is complete. Areas reclaimed outside of the future pond area will not be used for future topsoil, overburden and product stockpiling. If stockpiling is not anticipated to occur, the floor area (during Phase 2) will be reclaimed at approximately the same time as the highwalls (this statement applies to all phases of reclamation). Ultimately, market demands are the driving force behind the reclamation timetable. Reclamation will begin as soon as it becomes practical and when space and equipment are available.

Handling of Topsoil:

A topsoil and overburden stockpile is located along the southwestern perimeter of the mined area. Existing and any future temporary stockpiles will be graded with slopes between 2:1 and 3:1 (horizontal:vertical) and will be seeded and mulched as soon as possible after final grading is achieved to help control and prevent erosion of the temporary berms. The stockpiles will be covered with straw, mulch or hydromulch after seeding to prevent erosion and to ensure seed germination. The seed mixtures used will consist of WisDOT native mix 70, 70A or 75 depending on the area being seeded and the availability of seed. If the stockpiles are created in an area that may be conducive to erosion, they will be protected from erosion by either installing hay bales, silt fence or riprap to slow down approaching water or by constructing water diversions around the stockpile area. These stockpiles will be redistributed for future reclamation and stabilized to a minimum 70% vegetative cover before temporary erosion control devices are removed.

Commented [VW1]: Slopes should not be steeper than 3:1.
Proposed Slopes and Grades:

The overburden materials placed in temporary stockpiles onsite will eventually be graded into approximately five-foot to fifteen-foot high toe-slopes along the base of the stabilized highwalls in locations where a permanent pond is not the target future use, and overburden will be back-sloped along the top of the quarry to blend with the natural rolling topography. When toe-slopes are created, any loose boulders or waste rock will be utilized in the creation of the slope. There will be no other mining waste (trash, tires, scrap metal, etc.) left onsite once reclamation is completed. All graded overburden toe-slopes and backslopes shall be no steeper than 3:1 (horizontal:vertical). If additional onsite material is available, the height and length of the toe-slopes at the base of the highwall will be increased to minimize the amount of exposed stabilized rock high walls, with priority being areas in southeastern highwall area if there are locations which are not pond. Topsoil, native seed mix, and mulch or hydroseed will be placed on all exposed areas which are not stabilized rock high walls or pond. The total combined depth of overburden, topsoil shall be at least five inches.

An erosion control berm will remain along the western perimeter. The current erosion control berm is currently one to three feet high. Material from this berm may be used in the reclamation of the toe-slopes and exposed rock floor. If material is used from the berm during reclamation, it is anticipated that the final erosion control berm will be one to two feet high. The final berm will be graded with slopes no steeper than 3:1 (horizontal:vertical), seeded with a seed mixture similar to that described above in "Handling of Topsoil", and mulched. If the material in the berm is not used for final reclamation, the berm will remain as is.

The exposed rock on the quarry floor which is not pond, will be covered with the remaining stockpiled overburden material. The depth of the overburden cover will depend on the availability of the material remaining onsite after the toe-slopes and backslopes have been created. The remaining topsoil or topsoil substitute will be spread evenly across the overburden. The overall thickness will depend on availability. However, the total combined depth of overburden and topsoil shall be at least five inches.

Upon final reclamation, the highwall face(s) shall be left in a safe and stable condition. All loose material and rock overhangs will be removed from the crest of the highwall. Unconsolidated material at the crest of the highwall will be gently sloped within ten feet of the rock face to help prevent material from falling over the highwall rim. The rock faces will be sealed to remove loose material that may be prone to dislodging or falling. Refer to Figure 2 — All permanent vertical rock faces in excess of 15 feet, which remain at the conclusion of mining, will be safeguarded from the public by installing a 3-wire barbed-wire fence along the rim of the highwall, as well as a permanent vegetative berm with a minimum height of four feet or a row of large boulders.

Description of Grading Methods:

Equipment:

Backhoes, haul trucks, loaders and scrapers.

Grading Methods:

Backhoes, haul trucks, front-end loaders and scrapers will be used to load and haul the overburden and topsoil to the reclamation area. Dozers will be used to achieve the final grade, slope, and drainage.
Proposed Final Features:

The proposed final features will include the gravel access road, locking gate and the erosion control berm along the western boundary of the quarry.

RE-VEGETATION MEASURES:

Seed Mixes, Seeding Rates and Schedule:

The graded toe-slopes, back-slopes, erosion control and safety berms and will be seeded with WisDOT Specifications of Section 630.2.1.1 General Requirements of WisDOT seed mix 70, 70A or 75. Sowing rate will be 1.0 pounds per 1000 square feet. Nurse crop will consist of 1.5 pounds per 1000 square feet. The seed mixture will be applied once all grading of the disturbed area is complete. Seed application typically occurs two to fourteen days after completion of grading to prevent erosion and will be conducted based on current weather conditions (seeding should be conducted during calm conditions and not prior to heavy rainfall), season (seeding is not typically done during winter months) and availability of personnel. If seeding cannot be completed within a day after final grading, the graded areas will be lightly raked prior to seeding to allow for optimum seed contact and growth opportunity. Upon reclamation completion, there will be 70% of native vegetation cover on all disturbed areas before temporary erosion control measures are removed.

Seed Bed Preparation Methods:

The seed mixture will be scattered uniformly over the graded areas with hand seeders and will be lightly raked to cover the seed with approximately 1/4" of overburden material or topsoil. The seeded areas will be covered with mulch, typically consisting of hay or straw, immediately after seeding. The mulch will be uniformly spread over the seeded areas according to WisDOT Specifications outlined above.

Erosion control measures, such as berm construction, seeding, mulching, and water diversion, silt fence, and/or bale check installation, etc. will be implemented, as needed, to temporarily and permanently control drainage and erosion of newly graded and seeded areas during the reclamation process. All erosion control measures will be inspected periodically to ensure proper operation and will be repaired or replaced as necessary. Temporary erosion control measures will be removed once site shows evidence of stabilization (70% minimum vegetative cover).

CRITERIA FOR ASSESSING RECLAMATION:

Revegetation at this site will consist of planting grasses on disturbed areas which are not pond or exposed highwall areas, including all graded 3:1 (horizontal:vertical) slopes at the exposed base of and upper surface of the highwall and berms. Successful vegetative growth is expected to occur within 9 to 12 months of the seeding date. Kraemer personnel will inspect the seed growth on a regular basis to be certain there is adequate cover for erosion control. 70% minimum vegetated cover within 12 months with minimal signs of erosion will be considered successful reclamation. Successful vegetation will be determined by placing a one-meter square grid on five random locations of the seeded area to determine percent coverage. If successful vegetation is not achieved by 12 months, additional seed will be added to unsuccessful areas until successful vegetation and erosion control is achieved.
FINANCIAL ASSURANCE WORKSHEET:

Activity                                      Cost

1. Blasting highwall to obtain slope
   *Blasting highwalls will not be necessary to achieve slope according to the submitted reclamation plan.* $0.00

2. Building and equipment removal
   *No buildings or equipment are on-site.* $500

3. Utilities abandonment/removal
   *No utilities are on-site.* $0.00

4. Well abandonment
   *No wells are on-site.* $0.00

5. Concrete roads/fixture removal
   *Entrance road will remain on-site for owner's use to access property.* $0.00

6. Import gravel
   *Gravel will not need to be imported to complete reclamation.* $0.00

7. Grading (Includes mobilization/demobilization to site)
   Grade site to stable slope (80 hours @ $195.00 per hour) $15,600.00

8. Import topsoil
   *Topsoil will not need to be imported to complete reclamation.* $0.00

9. Distribute stockpiled topsoil (20 hours @ $750.00 per hour) $15,000.00

10. Tilling (Includes mobilization/demobilization to site)
    *Tilling will be done by hand, not machine.* $1,500.00
    Labor: 20 hours @ $750.00 per hour

11. Seeding/revegetation (Includes mobilization/demobilization to site)
    Seed mixture: $2.00 per pound @ 20 pounds per acre = $40.00 per acre
    Mulch: $4.00 per hay bale @ 75 hay bales per acre = $300.00 per acre
    Labor: 2 acres/day @ 10 hours/day @ $75.00/hour = $375.00
    per acre Total Acres to Reclaim: 6.0 acres
    Total Cost: $715.00 per acre @ 6.0 acres = $4,290.00

12. Fencing (includes three strands of barbed-wire fence and posts)
    2640 linear feet of fence @ $100/1320 feet = $200.00 (1 strand)
    3 strands = $200.00 * 3 = $600.00
    Posts: $6.00 per post @ 300 posts = $1800.00
    Labor: 2600 linear feet completed in 40 hours @ $75.00/hour = $3,000.00

   $5,400.00
13. Stormwater/Drainage

*Stormwater controls will remain
After reclamation is complete.*

14. Berm Construction (Includes mobilization/demobilization to site)
Construct berm to restrict access to quarry face
Labor: 60 hours @ $75.00 per hour

15. Erosion Control during reclamation
Estimate needing a maximum of 300 hay bales for
erosion control and/or 4,100 linear feet of silt fence
Hay Bales: $4.00 per bale @300 bales = $1200
Silt Fence: $1.00 per linear foot @ 4,100 feet = $4,100
Labor: 40 hours @ $75.00 per hour = $3,000.00

Labor: 10 hours @ 75.00 per hour = $750.00

17. Wall Stabilization (scaling to remove loose materials)

Total: $65,840.00

This reclamation plan anticipates that nonmetallic mining will disturb approximately 23.0 of the total
80.0 acres of the property. Approximately 6 acres of this will be vegetated post construction with the
remaining area being rock slopes and open water. The cost to reclaim the entire 23.0 acres is estimated
to be $65,840. According to this figure, the cost to reclaim is $2,862.60 per active acre ($65,840/23.0
acres). The reclamation bond amount should reflect the number of acres that are disturbed per year and
should be modified annually to reflect significant changes. At the time of this submittal and for the
anticipated future, a maximum of 23 acres are considered disturbed (active) at the Mikkola Quarry and
it is requested that the reclamation bond be set at $65,840.
PERMIT LIST:

WPDES Permit WI-00465115-3 (Current)
USACE Wetland IP-NO-2017-02341-WMS (Current)
WDNR Wetland IP-NO-2018-16-00389 (Current)
WDNR CH 30 for permanent pond (Future)

ATTACHMENTS

**ATTACHMENT 1 - WDNR_USACE WETLAND PERMITS**
**ATTACHMENT 2 - PHOTO'S**
**ATTACHMENT 3 - MAPS AND FIGURES**

<table>
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<tr>
<th>Map 1</th>
<th>2019 Plat Map</th>
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<td>Map 2</td>
<td>2019 Topographic Map</td>
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<td>2019 Aerial Map</td>
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<td>Map 6</td>
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<td>Soil Map</td>
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<td>Map 9</td>
<td>Topographic map Prior to Mining</td>
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<td>FIG 1</td>
<td>Schematic Cross Section (A-A')</td>
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<td></td>
<td>Schematic Cross Section (B-B')</td>
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</tbody>
</table>
CERTIFICATION:

Operator:

As an authorized representative of The Kraemer Company, L.L.C, I certify that the proposed reclamation of the site referenced in this document will be carried out in accordance with the proposed reclamation plan and any subsequent, approved changes.

Applicant's Signature (Joseph P Kraemer, Vice President)  Date

Owner and/or Lessee:

I certify that I concur with the reclamation plan submitted and will allow its implementation.

Landowner's Signature  Date

(If the mine operator has submitted a reclamation plan for an existing mine in accordance with an automatic permit or if the operator has submitted a reclamation plan for a new or reopened mine which is located on land for which a lease agreement or memorandum of lease between the landowner and applicant was recorded prior to August 1, 2001, a certification is not required from the owner or lessee. However, the operator must provide written evidence that the landowner and lessee, if different from the operator, has been provided with a written copy of the reclamation plan.)
Map 4. Topographic Map showing the approximate elevation of groundwater for the Mikkola Quarry.

Elevation of groundwater is estimated at between 910' and 950' (datum is mean sea level) based on the surrounding well log information (see groundwater elevations plotted on topographic map).

(Information from the Bureau of Drinking Water and Groundwater CD, Wisconsin Department of Natural Resources & Wisconsin Well Constructor’s Reports of Douglas County CD, Wisconsin Geological and Natural History Survey)
Well Construction Report
WISCONSIN UNIQUE WELL NUMBER
OR444

Property Owner
LAPOLE, NORMAN

Telephone Number
-

Address
4142 S Cty Rd F

City
MAPLE

County


State
WI

Zip Code
54854

State of Water Supply System: DG/2
Department Of Natural Resources, Box 7921
Madison, WI 53707

Form 3309-77/1
(Rev 12/00)

1. Well Location

T 17

E = Town C = City V = Village

of

MAPLE

Street Address or Read Name and Number
4142 S Cty Rd F

Owner Sent Label? Y

Variance Issued? Y

More Geology?

2. Gev/Lot

or SW 1/4 of

Sec 26

1/4 of

48 N R1 W

Latiude

North

Longitude

West

3. Well Serves

# of homes and or
(cg: barn, restaurant, church, school, industry, etc

High Capacity:

Well? Y

Property? N

Reason for replaced or reconstructed Well?

OLD WELL GOT DIRTY

1. Drilled 2 Drive-Point J=Jacked 4=Other

4. Is the well located upslope or downslope and not downslope from any contamination sources, including those on neighboring properties? Y

N

Well located in floodplain?

N

Distance in feet from well to nearest: (including proposed)

1. Landfill

2. Building Overhang

3. 1 Septic 2 Holding Tank

4. Sewage Absorption Unit

5. Nonconforming Pit

6. Buried Home Heating Oil Tank

7. Buried Petroleum Tank

8. 1 Shoreline 2 Swimming Pool

5. Drillhole Dimensions and Construction Method

Dia.(in.) From To Upper Enlarged Drillhole

8.8 surface 87

6.0 87 118

6. Casting Liner Screen Material, Weight, Specification

Dia.(in.) Screen type, material & slot size

6.0 PLAIN END IPSCO ASTM A 533 .280

19.97 surface 87

State of Water Level

36.0 feet B ground surface

11. Well Int. A Grade

16 in. A= Above B=Below

Dia.(in.) Screen type, material & slot size

6.0 PLAIN END IPSCO ASTM A 533 .280

19.97 surface 87

7. Great or Other Sealing Material

Method

PLUMING

Kind of Sealing Material

BENTONITE & CUTTINGS

Dia.(in.) Screen type, material & slot size

6.0 PLAIN END IPSCO ASTM A 533 .280

19.97 surface 87

8. Additional Comments?

9. State Water Level

36.0 feet B ground surface

16 in. A= Above B=Below

Dia.(in.) Screen type, material & slot size

6.0 PLAIN END IPSCO ASTM A 533 .280

19.97 surface 87

10. Pump Test

Pumping level: 96.0 ft below surface

Pumping at: 20.0 gpm M 4.000 hrs

Developed? Y

Disinfected? Y

Capped? Y

11. Well Int. A Grade

16 in. A= Above B=Below

Dia.(in.) Screen type, material & slot size

6.0 PLAIN END IPSCO ASTM A 533 .280

19.97 surface 87

12. Did you notify the owner of the need to permanently abandon and fill all unused wells on this property? Y

If so, explain

TO BE DONE

13. Initials of Well Constructor or Supervisory Driller

Date Signed

KL 3/20/01

Initials of Dill Rig Operator (Mandatory unless same as above)

Date Signed

PC 3/26/01
### Well Construction Report

**WISCONSIN UNIQUE WELL NUMBER**: NX575

**Owner**: LUOSTASI, SUE
**Address**: 11336 E HENDRICKSON

**City**: MAPLE, WI 54854

**Well Construction**: KEITH R. LIND
**Address**: 10945 E HWY 2

<table>
<thead>
<tr>
<th>1. Well Location</th>
<th>T = Township C = City V = Village of MAPLE</th>
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<tbody>
<tr>
<td>Direct Address or Name and Number</td>
<td>E HENDRICKSON RD</td>
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<tr>
<th>2. Well Type</th>
<th>1 = New</th>
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<tr>
<td>2 = Replacement</td>
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<tr>
<th>3. Reason for Replacement</th>
<th>3. Reason for replaced or reconstructed Well?</th>
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<th>4. Distance in feet from well to nearest (including proposed)</th>
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<tbody>
<tr>
<td>1. Landfill</td>
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<td>2. Building Overhang</td>
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<thead>
<tr>
<th>5. Drillhole Dimensions and Construction Method</th>
</tr>
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<tbody>
<tr>
<td>Dia. (in.)</td>
</tr>
<tr>
<td>X - 1. Rotary - Mud Circulation</td>
</tr>
<tr>
<td>X - 2. Rotary - Air</td>
</tr>
<tr>
<td>X - 3. Rotary - Air and Foam</td>
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<tr>
<td>X - 4. Drill-Through Carrying Hammer</td>
</tr>
<tr>
<td>X - 5. Reverse Rotary</td>
</tr>
<tr>
<td>X - 6. Cable-tool Bit</td>
</tr>
<tr>
<td>X - 7. Temp. Outer Casing</td>
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<thead>
<tr>
<th>6. Casing Length Screen Material, Weight, Specification</th>
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<tbody>
<tr>
<td>Dia. (in.)</td>
</tr>
<tr>
<td>Manufacturer &amp; Method of Assembly</td>
</tr>
<tr>
<td>Screen type, material &amp; slot size</td>
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</tbody>
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<thead>
<tr>
<th>7. Grout or Other Sealing Material Method</th>
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</thead>
<tbody>
<tr>
<td>Dia. (in.)</td>
</tr>
<tr>
<td>Screen type, material &amp; slot size</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. Geologic Notes</th>
</tr>
</thead>
</table>

### Additional Comments
- Variance Issued? Y
- Owner Sent Label? Y
- More Geology?
### Well Construction Report

**WISCONSIN UNIQUE WELL NUMBER**: OI851

**Property Owner**: ANDERSON, DICK

**Address**: 11694 E LINDGREN RD

**City**: MAPLE

**County or Well Location**: DOUGLAS

**State**: WI

**Zip Code**: 54854

**Well Completion Date**: May 13, 2000

**State of Private Water Systems**: DG/2

**Department Of Natural Resources, Box 7921**

**Madison, WI 53707**

**Form 3300-77**

**Rev 12/00**

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**1. Well Location**

- **Town/City/Village**: MAPLE
- **Street Address or Road Name and Number**: E LINDGREN RD
- **Lot#**: 11694

---

**2. Well Type**: 1 - New

---

**3. Well Serves**: # of homes and/or (e.g., barn, restaurant, church, school, industry, etc.):

- **High Capacity**: N
- **Well?**: N
- **Property?**: N

---

**4. Is the well located on slope or embankment and not downhill from any contamination sources, including those on neighboring properties?** Y

---

**5. Drillhole Dimensions and Construction Method**

<table>
<thead>
<tr>
<th>Dia (in)</th>
<th>From To</th>
<th>Upper Enlarged Drillhole</th>
<th>Lower Open Bedrock</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.8</td>
<td>surface</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>6.0</td>
<td>40</td>
<td>240</td>
<td></td>
</tr>
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</table>

**6. Casing Liner Screen Material, Weight, Specification**

<table>
<thead>
<tr>
<th>Dia (in)</th>
<th>Material</th>
<th>Weight</th>
<th>Spec Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.0</td>
<td>PLAIN END IPSDC ASTM A536 286</td>
<td>16.97</td>
<td>surface 40</td>
</tr>
</tbody>
</table>

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**7. Grout or Other Sealing Material**

- **Method**: BRAIDEN HEAD
- **Kind of Sealing Material**: NEAT CEMENT

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**8. State Water Level**

- **Ground surface**: 25.0 feet
- **Above**: 16 in.
- **Below**: 16 in.

**9. Well Is**: A Grade

**10. Pump Test**

- **Pumping level**: 200.0 ft. below surface
- **Pumping at**: 5.0 GPM 2.00 hrs

**11. Initial of Well Constructor or Supervising Driller**

**Date Signed**: 6/28/00

---

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**12. Did you notify the owner of the need to permanently abandon and fill all unused wells on this property?**

**If no, explain**

---

---

**13. Initials of Well Constructor or Supervisory Driller**

**Date Signed**: 6/28/00

---

---

**Additional Comments?**

**Variance Issued?**

**Owner Sent Label?** Y

**More Geology?**
# Well Construction Report

**WISCONSIN UNIQUE WELL NUMBER:** CB778

**Property Owner:** JERRY ZIMMER

**Address:** RT 1, MAPLE, WI 54854

## 1. Well Location

- **Location:** T 43, R 16, S 154, Section 36, Town of Maple, Village of Maple, Government Quarter or SW 1/4 of NE 1/4 of Section 36, 148, N, M 1 W, Section 2, Township 16 North, Range 3 West of the 1st P.M.

- **Latitude:** 41° 12' 0" N
- **Longitude:** 89° 31' 37" W
- **Depth:** 300 FT

## 2. Well Construction

- **Well Contractor:** LIND LARRY WELL
- **License No:** 432
- **Public Well Plan Approval:** Common Well # 54854

## 3. Well Serves

- **# of homes and/or units:** N
- **Setbacks or setbacks from any contamination sources:** Y
- **Distance from well to nearest:** (including proposed)
  - Landfill: 50
  - Building Overhang: 50
  - Septic Field: 50
  - Holding Tank: 50
  - Sewage Absorption Unit: 50
  - Nonconforming Pit: 50
  - Buried Home Heating Oil Tank: 50
  - Buried Petroleum Tank: 50
  - Shoreline 2: Swimming Pool: 50

## 4. Drilled Details and Construction Method

<table>
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<tr>
<th>Dia. (in.)</th>
<th>From To</th>
<th>Upper Enlarged Diameter</th>
<th>Lower Open Bedrock</th>
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<tbody>
<tr>
<td>8.8</td>
<td>surface</td>
<td>62</td>
<td>82</td>
</tr>
<tr>
<td>6.0</td>
<td>62 300</td>
<td></td>
<td>82</td>
</tr>
</tbody>
</table>

## 5. Casing Details

- **Material:** Plain End ASTM A-53-A Wall
- **Thickness:** 280 FEMC
- **Screen Type:** Surface

## 6. Screen Type, Material, and Size

- **Material & Weight:** 82.0
- **Manufacturer & Method of Assembly:** SUPERFAST

## 7. Grout or Other Sealing Material

- **Method:** PUMPING
- **Kind of Sealing Material:** BENTONITE
- **Screen Type:** Surface

## 8. Well Location

- **State Water Level:** 25.0 feet B below surface

## 9. Pump Test

- **Pumping Level:** 200.0 ft. below surface
- **Pumping at:** 5.0 GPM for 2.00 hrs

## 10. Initials of Well Constructor or Supervisor's Date Signed

- **Initials of Well Constructor or Supervisor:** LL
- **Date Signed:** 7/19/86

## 11. Initials of Well Inspector (Mandatory unless saved as above)

- **Initials of Well Inspector:** LL
- **Date Signed:** 7/19/86

---

**Additional Comments:**
- **Owner Sent Label:** Y
- **More Geology:**
Map 5. General Geologic Composition of the Mikkola Quarry.
Map 8. Soil Map of the Mikkola Quarry.
Section 35, T48N, R11W, Maple Township, Douglas County.
Soils present include Allendale loamy fine sand (226A), Metonga-rock outcrop complex (309C, 309E), Capitola muck (623A), Kellogg loamy fine sand (513C), Eaglebay sandy loam(656B), Sultz sand (674C, 674E) and Sarona sandy loam (873C, 873D).

(Information from the Douglas County Soil Survey)

METONGA

VERY STONY - Well drained loamy soil. Hard rock is at a depth of 20 to 40 inches. Low available water capacity. This soil is not hydric. The maximum allowable erosion rate is 2 tons/acre/year. ROCK OUTCROP - This component is not hydric.


Kellogg loamy fine sand, 6 to 15 percent slopes

Moderately well drained sandy over clayey soil. Moderate available water capacity. This soil is not hydric. The maximum allowable erosion rate is 4 tons/acre/year. Potentially highly erodible. Not prime farmland. The land capability subclass is 4E.

Eagleby sandy loam, 0 to 6 percent slopes

Moderately well drained loamy over clayey soil. Moderate available water capacity. This soil is not hydric, but the map unit commonly contains hydric inclusions. The maximum allowable erosion rate is 3 tons/acre/year. Potentially highly erodible. Prime farmland. The land capability subclass is 2E.


Soil Descriptions of the Miikkola Quarry.

Section 35, T48N, R11W, Maple Township, Douglas County.

Soils present include Allendale loamy fine sand (226A), Metonga-rock outcrop complex (309C, 309E), Capitola muck (623A), Kellogg loamy fine sand (513C), Eagleby sandy loam (656B), Sulz sand (674C, 674E) and Sarona sandy loam (873C, 873D).

(Information from the Douglas County Soil Survey)
May 29, 2018

The Kraemer Company, LLC
Bob Jewel
PO Box 235
Plain, WI 53577

Dear Mr. Jewel:

The Department has completed review of your proposal. Mikkola Quarry Mine Expansion, Maple, Wisconsin. The Department has determined that your project meets state standards. Enclosed is your state wetland permit which approves your project and lists the conditions which must be followed. Please read your permit carefully so that you are fully aware of what is expected of you.

Your enclosed state water quality certification confirms the state certification necessary for proceeding under an approval pursuant to a federal permit issued by the Army Corps of Engineers.

Please note you are required to submit photographs of the completed project within 7 days after you’ve finished construction. This helps both of us to document the completion of the project and compliance with the permit conditions.

Your next step will be to notify me of the date on which you plan to start construction and again after your project is complete.

If you have any questions about your permit, please call me at (715) 392-0803 or email Steven.LaValley@wisconsin.gov.

Sincerely,

Steven LaValley
Water Management Specialist

cc: Bill Sande - Project Manager, U.S. Army Corps of Engineers
    Steven Rannenberg - Douglas County Zoning Administrator
    Pam Schense - Mitigation Coordinator - WT/3
    Scott Weyandt – Weyandt LLC.
Kramer Company is hereby granted under Section 281.36, Wisconsin Statutes, and 33 U.S.C.S §1341 (CWA §401) a permit for wetland fill or disturbance near unnamed stream (WBIC 5001139), in the Town of Maple, Douglas County, also described as being in the SE1/4 of the NE1/4 of Section 35, Township 48 North, Range 11 West, subject to the following conditions:

PERMIT

1. You must notify Steven LaValley at phone (715) 392-0803 or email Steven.LaValley@wisconsin.gov before starting the discharge and again not more than 5 days after the discharge is complete.

2. You must complete the discharge as described on or before September 1, 2023. If you will not complete the discharge by this date, you must submit a written request for an extension prior to the expiration date of the permit. Your request must identify the requested extension date and the reason for the extension. A permit extension may be granted, for good cause, by the Department. You may not begin or continue construction after the original permit expiration date unless the Department grants a new permit or permit extension in writing.

3. This permit does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.

4. You are responsible for obtaining any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers before starting your project.

5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance.

6. The Department may modify or revoke this permit if the project is not completed according to the terms of the permit, or if the Department determines the activity results in significant adverse impact to wetland functional values, in significant adverse impact to water quality, or in other significant adverse environmental consequences.

7. You must post a copy of this permit at a conspicuous location on the project site, for at least five days prior to construction, and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.

8. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.

9. You must submit a series of photographs to the Department, within one week of completion of work on the site. The photographs must be taken from different vantage points and depict all work authorized by this permit.
10. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 281.36 (13), Wis. Stats., for any violations of Section 281.36, Wisconsin Statutes, or this permit.

11. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Adm. Code. The technical standards are found at: http://dnr.wi.gov/topic/stormwater/standards/const_standards.html.

12. Authorization hereby granted by the Department is transferable to any person upon prior written approval of the transfer by the Department.

13. All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use.

The following steps must be taken _every time_ you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.

1. **Inspect and remove** aquatic plants, animals, and mud from your equipment.

2. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps.

3. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.

4. **Wash your equipment** with hot (>140° F) and/or high-pressure water,

   - OR -

   Allow your equipment to **dry thoroughly for 5 days**.

**FINDINGS OF FACT**

1. Kramer Company has filed an application for a permit for wetland fill or disturbance near unnamed stream (WBIC 5001139), in the Town of Maple, Douglas County, also described as being in the SE1/4 of the NE1/4 of Section 35, Township 48 North, Range 11 West.

2. The project for the Mikkola Quarry Mine Expansion, Maple WI. The project will affect a total of 0.94 acres of wetland, since the substrate material the wetlands overlay will be removed.

3. The applicant proposed to compensate for wetland losses through mitigation. The Department evaluated the wetland mitigation proposal and determined that on-site mitigation was not feasible and the purchase of mitigation bank credits could fulfill the compensation obligation. The mitigation plan proposed the purchase of 1.33 acres of mitigation credits to compensate for the .94 acres of wetland lost. The credits were
purchased June 26, 2018 and an Affidavit of Bank Credit Purchase was submitted to the Department fulfilling the compensation obligation.

4. No practicable alternative exists which would avoid adverse impacts to wetlands, and the project will result in the least environmentally damaging practicable alternative taking into consideration practicable alternatives that avoid wetland impacts. Wetland boundaries were mapped and a functional assessment done. The expansion of the quarry was laid out to avoid impacting higher value wetlands and taking an area of wetlands that have low functional values.

5. All practicable measures to minimize adverse impacts to the functional values of the wetland have been taken. The quarry expansion was laid out to take rock that is near the surface and drawn to avoid and buffer wetlands that have moderate to high diversity and function.

6. The proposed project will not result in significant adverse impacts to wetland functional values, significant impacts to water quality, or other significant adverse environmental consequences. The areas to be impacted are dominated by Phalaris arundinacea and other invasive plants and avoid the areas dominated by Cedar. The impacted area has low ability to buffer storm water flow, and filter storm water.

7. The Department has completed an investigation of the project site and has evaluated the project as described in the application and plans.

8. The Department of Natural Resources has determined that the agency's review of the proposed project constitutes an equivalent analysis action under s. NR 150.20(2), Wis. Adm. Code. The Department has considered the impacts on the human environment, alternatives to the proposed projects and has provided opportunities for public disclosure and comment. The Department has completed all procedural requirements of s. 1.11(2)(c), Wis. Stats., and NR 150, Wis. Adm. Code for this project.

9. The Department of Natural Resources and the applicant have completed all procedural requirements and the project as permitted will comply with all applicable requirements of Sections 281.36, Wis. Statutes, Wisconsin Statutes and Chapters NR 103, of the Wisconsin Administrative Code.

CONCLUSIONS OF LAW

1. The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for the construction and maintenance of this project.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.
To request a contested case hearing of any individual permit decision pursuant to section 281.36 (3q), Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707-7921. The petition shall be in writing, shall be dated and signed by the petitioner, and shall include as an attachment a copy of the decision for which administrative review is sought. If you are not the applicant, you must simultaneously provide a copy of the petition to the applicant. If you wish to request a stay of the project, you must provide information, as outlined below, to show that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment. If you are not the permit applicant, you must provide a copy of the petition to the permit applicant at the same time that you serve the petition on the Department.

The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

A request for contested case hearing must meet the requirements of section 281.36 (3q), Wis. Stats., and section NR 2.03, Wis. Adm. Code, and if the petitioner is not the applicant the petition must include the following information:

1. A description of the objection that is sufficiently specific to allow the department to determine which provisions of this section may be violated if the proposed discharge under the wetland individual permit is allowed to proceed.

2. A description of the facts supporting the petition that is sufficiently specific to determine how the petitioner believes the discharge, as proposed, may result in a violation of the provisions of this section.

3. A commitment by the petitioner to appear at the administrative hearing and present information supporting the petitioner's objection.

4. If the petition contains a request for a stay of the project, the petition must also include information showing that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment.

Dated at Superior Service Center, Wisconsin on June 29, 2018.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By ________________________________
Steven LaValley
Water Management Specialist
Regulatory File No. 2017-02341-WMS

Mr. Bob Jewel  
The Kraemer Company  
P.O. Box 235  
Plain, Wisconsin 53577

Dear Mr. Jewel:

This letter concerns your request for Department of the Army authorization to discharge dredged and fill material in wetlands adjacent to a tributary to Bardon Creek to expand the Mikkola Quarry. The project site is in Section 35, Township 48 North, Range 11 West, Douglas County, Wisconsin.

The discharge of dredged or fill material proposed within waters of the United States is authorized under the provisions of Letter of Permission LOP-06-WI, provided the work complies with the enclosed General Conditions and is constructed in accordance with the enclosed drawings labeled MVP-2017-02341-WMS, pages 1 of 2 through page 2 of 2, which are hereby incorporated as part of this Letter of Permission. The authorized work includes:

1. The discharge of dredged and fill material into 0.92-acre of wetlands. Wetland loss by wetland type includes; 0.35-acre of alder thicket wetlands and 0.57-acre of forested wetlands.

2. The discharge of dredged and fill material below the plane of the ordinary high water mark along 285 linear feet of an unnamed intermittent stream.

The authorization is subject to the enclosed General and Standard Conditions and the following special conditions:

1. The loss of 0.92-acre of wetland shall be compensated for by debiting 0.55 wetland credit from the Lake Superior Wetland Mitigation Bank in Douglas County and 0.78 wetland credit from the Chequamegon Wetland Mitigation Bank in Ashland County, Wisconsin. The Affidavits of Bank Credit Purchase dated (June 25, 2018 and June 26, 2018, respectively, satisfies this condition.

This authorization is contingent on your compliance with the enclosed Section 401 Water Quality Certification (WQC), issued for the project by the Wisconsin Department of Natural Resources on May 29, 2018 (IP-NO-2018-16-00389).

This Letter of Permission is issued under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344). The time limit for completing this authorized work ends three years from the date of this letter. This Federal authorization does not obviate the need to obtain other Federal, state or local authorizations required by law.
This letter constitutes an initial proffered permit and contains a signed copy of the preliminary jurisdictional determination (JD) for your project. Also enclosed is a Notification of Administrative Appeal Options and Process (NAP) fact sheet and Request for Appeal (RFA) form which provide information regarding your right to object to these determinations.

If you object to the terms and/or conditions of this initial proffered permit, please see Section I-A and complete Section II of the RFA and submit it to the District Engineer in accordance with 33 CFR 331. Your objections to the initial proffered permit must be received by the St. Paul District Office within 60 days of the date of the NAP or you will forfeit your right to challenge the terms or conditions of the permit.

Before accepting the RFA, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. § 331.5, and that it has been received by the District or Division Office within 60 days of the date of the NAP.

It is not necessary to submit an RFA form to the Corps District or Division Office if you do not object to the initial proffered permit.

The preliminary JD prepared for the site described above is not appealable. The preliminary JD is a written indication that there may be waters or wetlands subject to federal jurisdiction on the site or an indication of the approximate location(s) of waters or wetlands on a parcel. If you wish to receive an approved jurisdictional determination, please see Section I-E. If this preliminary JD is acceptable, please sign and date both copies of the preliminary JD form and return one copy to the address below within 30 days from the date of this letter.

If you have any questions, please contact Bill Sande in our Hayward office at (651) 290-5882 or william.m.sande@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

for Samuel L. Calkins
Colonel, Corps of Engineers
District Commander

Enclosures:
LOP 06-WI General and Standard Conditions
Preliminary Jurisdictional Determination
Notification of Administrative Appeal Options and Process (NAP) fact sheet and Request for Appeal (RFA) form
Drawing 2017-02341-WMS

Copy furnished to:
Steve LaValley, WDNR, Superior
Scott Weyandt, Weyandt LLC, Iron River

Page 2 of 2
DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
1313 BELKNAP STREET, ROOM 206
SUPERIOR, WI 54880
715 – 395-1380 / FAX 715 – 395-7643

APPLICATION FOR PERMIT: ☑ CONDITIONAL-USE
APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE & DATE ON THIS PAGE.

TO WHOM IT MAY CONCERN: The undersigned hereby applies for a permit to do work herein described in this application. The undersigned agrees that all work will be done in accordance with the Douglas County Zoning, Shoreland Zoning, Subdivision Control, Floodplain Ordinances and with all laws of the State of Wisconsin applicable to said premises. Do not start any construction until this office has issued a permit. Failure to obtain the necessary permits will result in a double permit fee and/or citation.

CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

<table>
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<th>Applicant / Operator</th>
<th>Property Owners / Lessor(s) (if different from Applicant)</th>
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<tr>
<td><strong>Alliance Steel Construction</strong></td>
<td>Joanne E Garcia</td>
</tr>
<tr>
<td>Address</td>
<td>Address</td>
</tr>
<tr>
<td>3500 N 12th St</td>
<td>4145 E County Road B</td>
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<tr>
<td>Phone Number (please complete this field)</td>
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PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

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<th>N Range 13</th>
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Nonmetallic Mine (Renewal) - Nonmetallic Mining Permit Number: YR-0047

5-Year Renewal CU Permit #: 9064

By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary. I hereby agree to terms and conditions on following site sketch page.

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Vendor #: 884230

Signature of Operator Date: ____________________________

Revised 10-12-2016

ZC Hq = 06-10-2020
April 13, 2020

Alliance Steel
3500 N 12th St
Superior, WI 54880

This letter is regarding the Alliance Steel mine located at 5996 Mabel Nelson Rd, South Range, WI parcel #OA-022-00428-00, Non-Metallic Mining Permit #19-0047, Conditional-Use Permit #9064. The reclamation plan and financial assurance are under review as part of the June Conditional-Use Permit expiration.

The following revisions are recommended:

- A signed ‘Authorization of Agent to Act on Property Owner’s Behalf’ (attached) should be submitted to the zoning office.

- Mining activities along the eastern property boundary appear to extend onto the adjacent parcel. Please cease disturbance activities in this area and discuss with the adjacent property any reclamation activities the adjacent property owner desires you to perform.

- The current post-mining seeding includes a mix of non-native species. This should be corrected to a native species mix such as WisDOT mix 70, 70A or 75 and the reclamation costs and financial assurance appropriately adjusted.

- The current reclamation plan defines forest as the post-mining land use. Please correct the plan to include plans to plant trees, number of trees planted per acre and/or survival rate of trees per acre and cost estimate to plant trees.

- Please update the reclamation plan to include successful reclamation will include 70% vegetative cover with sufficient native species coverage.

- The reclamation calculation lacks an estimate for stabilization of rock walls. This should be added to the estimate and financial assurance adjusted accordingly.

- Please update all reclamation costs to reflect the above changes. It is also noted in the reclamation plan that costs are estimated for salaried employees. The reclamation cost estimate should reflect the cost Douglas County would incur if Alliance Steel did not perform the reclamation. Please adjust the financial assurance estimate to include labor costs and other expenses left out of the original estimate.

The 2019 annual permit renewal reported 3 inactive acres, 1 interim reclaimed acres and 1.5 permanently reclaimed acres. To classify acreage as permanently reclaimed, an inspection and approval must be granted.
through the Zoning or Land Conservation Department. You currently have no acreage approved as reclaimed. If you desire to have acreage enter the phase of interim reclamation where you have ceased mining in an area and are actively progressing toward meeting the requirements of the reclamation plan, you may contact the Land Conservation Department to ensure the property is on track to meeting reclamation goals. If you are actively mining in areas of the mine, this acreage must be reported as active. The 2019 annual permit renewal reported a total of 5.5 acres of total disturbance. This is an increase from acreage reported previous years. Please see the attached map where 3.7 total acres of disturbance are estimated. If you desire to certify acreage as reclaimed please contact the Land Conservation Department at 715-395-1266 to make an appointment to have your mine inspected.

The financial assurance on file must be appropriate for the acres which are disturbed. The current disturbed acreage is just under 4 acres, and according to your reclamation plan could increase to 11.1 acres. It is a violation of your permit to mine greater acreage than the amount of financial assurance in place. Please use the adjusted reclamation cost in the updated reclamation plan to ensure the appropriate amount of financial assurance is on file for the acres disturbed. The current financial assurance on file is a bond in the amount of $10,500 for mine #9064 on Mable Nelson Road and #18223 located on Old Lyman Lake Road. $3,255 of this is assumed to be for mine #9064 on Mable Nelson Road. Please ensure updated financial assurance follows the attached guidance including being made payable to Douglas County.

For questions regarding the reclamation plan updates, please contact the Douglas County Land Conservationist at 715-395-1266 or Ashley.vandevoort@douglascountywi.org.

Sincerely,

Zach DeVoe
Land Services Director

Attachments:
Authorization of Agent to Act on Property Owner’s Behalf
Reclamation Plan
Mine Area
Financial Assurance Guidance
Non-Metallic Mining Reclamation Plan

5996 E. Mabel Nelson Road
Town of Oakland, Wisconsin

ICECOR PROJECT #102004003

January 26th, 2004

CIVIL ENGINEERING
ENVIRONMENTAL ENGINEERING
INDUSTRIAL HYGIENE
SAFETY
HYDROGEOLOGY
GEOLOGY

(PHONE) 715-395-0985 • (FAX) 715-392-6180 • EMAIL: icecorink.net • P.O. Box 1105, Superior, WI 54881
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<td>Post-Mining Land Use</td>
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<td>2.01</td>
<td>Earthwork and Grading</td>
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<td>2.011</td>
<td>Rock Walls</td>
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<td>2.012</td>
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</tr>
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<td>High Wall Reduction</td>
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<td>Topsoil</td>
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<td>2.03</td>
<td>Topography</td>
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<td>2.04</td>
<td>Structures</td>
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<td>2.05</td>
<td>Re-Vegetation Plan</td>
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<td>2.051</td>
<td>Dormant Seeding Recommendations</td>
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<tr>
<td>2.052</td>
<td>Temporary Seeding Recommendations</td>
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</tr>
<tr>
<td>2.053</td>
<td>Permanent Seeding Recommendations</td>
<td>6</td>
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<tr>
<td>2.054</td>
<td>Re-Vegetation Standards</td>
<td>6</td>
</tr>
<tr>
<td>2.06</td>
<td>Erosion Control</td>
<td>6</td>
</tr>
<tr>
<td>2.07</td>
<td>Interim Reclamation</td>
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</tr>
<tr>
<td>2.08</td>
<td>Cost</td>
<td>7</td>
</tr>
<tr>
<td>3.0</td>
<td>Criteria for Successful Remediation</td>
<td>8</td>
</tr>
<tr>
<td>4.0</td>
<td>Certification of the Reclamation Plan</td>
<td>8</td>
</tr>
<tr>
<td>5.0</td>
<td>Financial Assurance</td>
<td>8</td>
</tr>
<tr>
<td>6.0</td>
<td>Plan Submission</td>
<td>9</td>
</tr>
</tbody>
</table>

## FIGURES

- **Figure 1** Site Location Map
- **Figure 2** Site Map
- **Figure 2a** Active Area Map
- **Figure 3** Post Mining Map
- **Figure 4** Bedrock Type Map
- **Figure 15** Depth to Groundwater map

Aerial Photograph of Site
Plat Map
1.0 SITE INFORMATION

The following is information regarding the non-metallic mining operation, Tax Parcel No. #0A-022-00428-00.

1.01 General Location/Property Boundaries

The operation is located at 5996 E. Mabel/Nelson Road in the Town of Oakland, Wisconsin. It is located in the NE 1/4 of the SE 1/4, in Section 9, Range 14W, Township 47N in Douglas County, Wisconsin. The property is owned by Mr. Harold Larson (et. Al.), and the mining pit is operated by Alliance Steel Construction. Figure 1 presents the general location of the site, and the enclosed plat page indicates size and parcel ownership in the local area of the operation. The property is approximately 40 acres in size and the existing facility layout is presented on Figures 2 and 2a.

1.02 Geological Composition

The mineral deposit is a Middle Proterozoic volcanic rock (Pleistocene Geology of the Superior Region, 1985). At the site, the volcanic rock appears to be a fine grained gabbro. Rock is present at the surface in much of the area, but till or stream sediment may be a few meters or more thick in many areas.

1.03 Distribution, Thickness, and Type of Topsoil

The unconsolidated materials atop bedrock are approximately 0-6 feet in thickness and consist of glacial till [sandy silt and clay soils] (Pleistocene Geology of the Superior Region, 1985). Soil above bedrock is very thin along the crest of the ridge running through the site, and gets thicker to the north and south of the ridge.

Where the unconsolidated materials have been enriched by organic matter at the surface, approximately 5-7 inches of topsoil has developed. The topsoil is a sandy silty loam that is hydric along the northern half of the site.

1.04 Approximate Elevation of Groundwater

As per the enclosed Figure 15 from the Northwest Regional Planning Commission, the approximate depth to groundwater in the vicinity of the operation is greater than 50 feet below the ground surface (BGS).

1.05 Location of Surface Water

As per the enclosed Figure 1, a tributary to the Little Amnicon River is located approximately 243 feet south of the southern property boundary and the Little Amnicon River is located approximately 3600 feet southeast of the southern property boundary. The Little Amnicon River discharges to the Amnicon River east of the site,
which eventually discharges to Lake Superior 12 miles northeast of the site. The enclosed aerial photograph depicts a purple shaded polygon along the northern part of the site which indicates the presence of mapped wetlands.

1.06 Existing Topography and Drainage Patterns

The site is located along a ridge feature trending southwest-northeast which is a drainage divide (Figure 1). The major drainage direction from the active pit area is to the southeast. Runoff from the active pit area will migrate to the southeast and enter a small tributary that flows to the east and discharges to the Little Amnicon River. Runoff north of the active pit area migrates to the north-northwest and enters tributaries which discharge to Bluff Creek, which eventually discharges to Allouez Bay and Lake Superior north of the site. The surface south of the active pit area slopes moderately to steeply to the southeast, and to the north it slopes gently to the north-northeast.

1.07 Location of Man Made Features

Manmade features are depicted on Figure 1, Figure 2, Figure 2a, and on the enclosed aerial photograph with super-imposed property boundaries. The features present on the subject site are the driveway into the site, the weigh scale and small scale building, and the active pit area at the southeast corner of the site. An separate active non-metallic mining operation is visible west of the site on Figure 1 and the aerial photograph.

1.08 Previously Mined Areas

Figures 2 and 2a present the limits of the previously mined areas at the site, which are also visible on the enclosed aerial photograph. The current area of previously mined area at the site is approximately 2.3 acres. Figure 1 and the aerial photograph present the location of the existing mine area west of the site which is owned and operated by a different owner.

1.09 Biological Information

The north, west, and south sides of the mining site are forested and the vegetation is composed of trees, shrubs, and herbs. Trees present include quaking aspen, maples, and conifers. Shrubs include beaked hazel brush and tag alder is present along the northern and southern sides of the property. Herbs are mostly grasses present in the forest under story. The area to the east of the active pit area is composed mostly of shrubs and grasses which slope downwards into the forested area south of the site.

The area is inhabited by animal species including whitetail deer, rabbit, fox, and grouse.
1.10 Post-Mining Land Use

Post mining land use will be Forestry (F-1), which is consistent with the current land use in this zoning district. The property will be held privately and not used as a recreation area open to the public.

2.0 RECLAMATION MEASURES

The following reclamation measures are proposed to reclaim and stabilize the mined areas of the property when active operations are discontinued. The measures will occur within six (6) months of the area’s depletion. Planning will be performed so seeding operations will occur within the accepted growing season as specified in the re-vegetation plan. If conditions other than those anticipated or addressed in this document occur in the intervening years, an amended reclamation plan will be prepared and submitted for approval as necessary to address and incorporate the changes.

2.01 Earthwork and Grading

Earthwork and grading operations will conform to the proposed final contours on Figure 3. Adjustments in the final contours will be made as necessary depending on the final extents of mining operations. Areas outside the disturbance limit of the pit will remain in their original vegetative condition.

2.011 Rock Walls

Because the property will be privately held at the completion of mining activities, the sheer rock walls will be left standing. Loose rock material will be removed, leaving competent walls that are not expected to collapse. Since a potential risk to safety exists, warning signs will be posted along the top of the rock walls. Grading of unconsolidated materials will be performed to direct drainage away from the lip of the rock walls. Loose rock (riprap) will be placed at the foot of the rock walls to reduce erosion from any runoff cascading over the top of the walls.

2.012 Final Slope Angles

All vegetated slopes shall be graded to provide a maximum 3:1 side slope. Side slopes shall be terraced to provide flat areas that will blend into existing topography, which will help minimize erosion by slowing the velocity of runoff.

2.013 High Wall Reduction

In areas where high walls of unconsolidated materials are present, all loose material shall be removed. Where a potential risk to safety exists, warning signs will be posted. It is expected that high walls will be composed of a stable rock
and not unconsolidated materials, in which case follow Section 2.011. If practicable, high walls of unconsolidated materials should be benched at 3 foot vertical to 3 foot horizontal intervals to minimize safety and erosion hazards.

2.02 Topsoil

As the existing pit area is expanded, topsoil will be removed and stockpiled away from mining operations. Stumps, roots, large rocks, and other non-earth materials will be removed or screened from the soil prior to stockpiling. Once the soil is stockpiled, silt fence will be placed around the base of the pile and then the stockpile will be seeded using the mixture for temporary seeding. A traffic access opening in the silt fence is allowed as long as it is located on ground at a higher elevation than the stockpile area, and runoff from the silt fenced area will not exit this opening and allow sediment to escape with runoff.

Once the reclamation process begins, the topsoil will be placed evenly over the entire pit area and then seeded as described in the permanent seeding recommendations. The topsoil will be spread thick enough to support vegetative growth, and additional topsoil will be imported in necessary to accomplish this goal.

2.03 Topography

The final topography will be determined upon completion of the non-metallic mining operations. The final contours will reflect the maximum 3:1 slope requirements, and should reflect the general intent of the proposed final contours on Figure 3. It is anticipated that rock walls will surround most of the pit area as indicated on Figure 3. Soils should be sloped from the base of the rock walls at the 3:1 ratio, creating a flat area within the bordering rock walls that slopes gently to the east. Runoff will exit the southeast corner of the reclaimed area as sheetflow and enter the wooded area south of the site. If runoff is channeled by manmade or natural processes, a small depression (pond) area should be located at the southeast corner to remove sediment from storm water runoff. The entrance and exit of the pond should have riprap inhibit erosion.

2.04 Structures

The existing road into the site will remain after reclamation, for access purposes. Roadways into the pit bottom will be sloped (maximum of 3:1) and vegetated. The weigh scale, scale building, and any other structures will be removed.
2.05  Re-Vegetation Plan

Upon completion of construction, all disturbed areas within the site boundaries will be seeded and mulched within 24 hours. If construction is completed after September 15th, a temporary seeding of winter wheat or rye (or a dormant seeding) shall be made following seeding rates and recommendations listed in following sections. All required tests and materials such as seed, lime, fertilizer, and mulch shall be obtained and present on-site prior to the completion of construction.

1. In lieu of a soil test, fertilizer shall be applied at a rate of 300 lbs of 20-20-20 and 2 tons of 80-85 lime or equivalent per acre.
2. Seed mixtures will be applied at pure live seed rates.
3. Mulch materials shall be applied and secured within 48 hours of the completion of construction. Mulch materials shall be spread at the recommended rate so as not to hamper the establishment of the planned vegetation.

All topsoil and seed bed preparation shall be completed prior to the start of the seeding operation. All components involved with the establishment of vegetation and stabilization of the project shall be performed in accordance with specified sections of the reclamation plan.

2.051 Dormant Seeding Recommendations

Dormant seeding is seeding performed after November 1st, and is not recommended as part of this plan.

2.052 Temporary Seeding Recommendations

Temporary seeding is performed from September 16th to October 1st, and shall consist of winter wheat or rye applied at a rate of 2 bushels/acre. It is anticipated that approximately 11.1 acres of disturbed/graded area could need to be seeded.

Winter Wheat or Rye 2.0 bushels/acre 22.2 bushels needed
2.053 Permanent Seeding Recommendations

Optimum permanent seeding dates are:
- May 1st to June 15th for spring seeding
- July 15th to August 15th for fall seeding

It is anticipated that approximately 11.1 acres of disturbed/graded area could need to be seeded. Seeding recommendations are as follows:

<table>
<thead>
<tr>
<th>Grass Type</th>
<th>Rate</th>
<th>Seed Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentucky Bluegrass</td>
<td>4 lbs/acre</td>
<td>44.4 lbs</td>
</tr>
<tr>
<td>Creeping Red Fescue</td>
<td>3 lbs/acre</td>
<td>33.3 lbs</td>
</tr>
<tr>
<td>Perennial or Annual Ryegrass</td>
<td>1 lbs/acre</td>
<td>11.1 lbs</td>
</tr>
<tr>
<td>Fertilizer</td>
<td>300 lb/acre</td>
<td>3330 lbs</td>
</tr>
<tr>
<td>Lime</td>
<td>2 ton/acre</td>
<td>22.2 tons</td>
</tr>
<tr>
<td>Mulch</td>
<td>60 bales/acre</td>
<td>666 bales</td>
</tr>
</tbody>
</table>

2.054 Re-Vegetation Standards

The standards for the re-vegetation of the pit area are as follows:

1. Seeding, fertilizing, and mulching shall be performed as per the re-vegetation plan.
2. Vegetation shall be considered complete when there is a uniform dense vegetative cover in all of the seeded areas.
3. All erosion control measures shall be maintained until vegetation is fully established.
4. If it is determined that the seeding has failed, the area shall be re-seeded as soon as feasible.

2.06 Erosion Control

Erosion control measures during reclamation are recommended to follow NRCS or DOT standards and specifications and shall include, but are not limited to, silt fence, erosion mat, riprap, and seeding.

Silt fence should be installed at the southern end of the property along the active mining areas to prevent sediment from entering the tributary to the Little Amnicon River. If the runoff is channelized by mechanical or natural processes, a small depression (pond) area should be located at the southeast corner to remove sediment from storm water runoff. The entrance and exit of the pond should have riprap inhibit erosion.
2.07 Interim Reclamation

Active mining has started in the southeast corner of the property and will proceed to the west. Depending on need and market for materials, an estimated 1-3 acres will be mined each year. The surrounding rock walls of the pit and limited access locations to the pit floor make significant interim reclamation operations unlikely. The pit floor will be used for mining traffic, crushing, and stockpiling operations throughout the active mining life of the pit. If un-used portions of the mining site are present that will not be disturbed by machinery, these areas should be stabilized and vegetated as feasible.

2.08 Cost

The following cost estimate has been provided for implementing and completing the reclamation of the estimated final mining area of 11.1 acres:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Prep. Prior to Grading</td>
<td>Small Dozer for 4 hrs</td>
<td>$200.00</td>
</tr>
<tr>
<td>Topsoil Spread, Finish Grading, Compacting</td>
<td>Small Dozer for 24 hrs</td>
<td>$1,200.00</td>
</tr>
<tr>
<td></td>
<td>Backhoe for 24 hrs</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Seed</td>
<td>88.8 lbs @ $6/lb</td>
<td>$533.00</td>
</tr>
<tr>
<td>Fertilizer</td>
<td>3330 lbs @ $0.30/lb</td>
<td>$999.00</td>
</tr>
<tr>
<td>Lime</td>
<td>22.2 tons @ $16/ton</td>
<td>$355.00</td>
</tr>
<tr>
<td>Mulch</td>
<td>666 bales @ $3.25/bale</td>
<td>$2,165.00</td>
</tr>
<tr>
<td>Cost to Spread Seed, Fert, Lime, Mulch by Landscaper (Inc. Watering)</td>
<td>16 hrs @ $50/hr</td>
<td>$800.00</td>
</tr>
<tr>
<td>Site Maint. Until Approval</td>
<td>Lump</td>
<td>$500.00</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$7,952.00</td>
</tr>
<tr>
<td></td>
<td>Bond Amount</td>
<td>$8,000.00</td>
</tr>
</tbody>
</table>

Employees are expected to perform most of the reclamation work. Because they are on salary, separate costs for labor aren’t included in equipment rates listed above. A landscaping contractor will likely be retained to place and water the gardening materials. If contractors are employed for other portions of this work, costs will likely increase above this estimate.
3.0 CRITERIA FOR SUCCESSFUL REMEDIATION

Reclamation will be complete when the following have been met:
1. Seeded areas support vegetative cover.
2. Erosion control measures are no longer necessary and are removed.
3. Un-natural erosion is not present on the site.
4. The slopes meet the requirements of the plan.
5. All criteria listed in the reclamation plan have been met.

On-site inspection will verify that the conditions and requirements of the reclamation plan have been met, The County Zoning Department will have final authority to determine if the reclamation has been successful.

4.0 CERTIFICATION OF THE RECLAMATION PLAN

I hereby certify, as duly authorized representative or agent that Alliance Steel Construction will comply with the provisions of this reclamation plan, the applicable County non-metallic mining reclamation ordinance, as well as the statewide non-metallic mining reclamation standards established in ss.NR135.05 through NR135.15 Wisconsin Administrative Code. And that best management practices are installed and maintained.

[Signature]
Signature of Applicant or Duly Authorized Agent

[Date]
Date Signed

5.0 FINANCIAL ASSURANCE

A bond has been provided to Douglas County, by Alliance Steel Construction, for the amount detailed in Section 2.08 "Costs", as guarantee against the cost of reclamation should the pit be abandoned and the County have to perform the reclamation.
6.0 PLAN SUBMISSION

I/we, as landowner(s) or lessee(s) of the property described herein, do hereby certify that I/we have reviewed the reclamation plan submitted by Alliance Steel Construction, concur with it's provisions, and agree to permit its implementation.

[Signature of Landowner or Lessee]

3-16-04
Date Signed

[Signature of Landowner or Lessee]

Jan 29-04
Date Signed

[Signature of Landowner or Lessee]

1-29-04
Date Signed

[Signature of Landowner or Lessee]

Date Signed
FIGURE 2a
5966 E. Mable Nelson Rd
Douglas County, Wisconsin

ACTIVE AREA MAP
CREATED BY: MLK
DRAWN BY: LMK
DATE: 1/24/04
PROJECT #: 102004003

EXISTING CONTOUR LINE (FEET)
ROCK WALL
PROPERTY BORDER
SCALE AND WEIGHT STATION

ICECOR
I C ENVIRONMENTAL CORPORATION
Figure 15
Depth to Groundwater

Depth to Water Table
- 0 - 20 Feet
- 20 - 50 Feet
- > 50 Feet

Source: All data extracted from the Wisconsin Department of Natural Resources GIS data library. Original source scale varies.

This project was funded by Douglas County, Wisconsin Department of Natural Resources, and the Wisconsin Coastal Management Program.
APPENDIX F
FINANCIAL ASSURANCE

The objective of financial assurance is to ensure that the regulatory authority has access to funds necessary to implement site reclamation in the event that the operator does not perform the agreed-upon duties. The funds shall accurately reflect the cost for the RA to hire outside help to perform reclamation. The main purpose of financial assurance is to ensure that the operator will faithfully execute the requirements of the approved reclamation plan, the applicable reclamation ordinance and Ch. NR 135. Refer specifically to s. NR 135.40 for details of state wide financial assurance requirements, as well as the applicable county or municipal reclamation ordinances.

The mine reclamation plan should be structured to keep the number of unreclaimed acres to a minimum at any given point in time. This can be accomplished by mining in phases: extract the material and promptly perform reclamation prior to initiating mining elsewhere. Generally, a smaller amount of acreage being affected by mining will result in less financial assurance to be posted. It is even plausible that one bond (or other means of financial assurance) could be posted to cover the various mining phases (intermittent mining) dictated in the mine reclamation plan.

Because much of the financial assurance is dependent upon the mine reclamation plan, it is important for an operator who has drafted a plan to contact the RA and bring them up to date. At this point, the RA shall decide if the plan will require revisions or if it can be accepted as is. In any case, the plan must meet the requirements of Ch. NR 135.

The following list has been created to serve as a flow chart for operators to follow when drafting their financial assurance. The list is only a summary of the requirements of s. NR 135.40 and users should refer to the official code or contact their regulatory authority for specific requirements.

1. The operator contacts the regulatory authority and discusses their plans for a post-mining land use. Eventually, both parties shall reach consensus.

2. The operator prepares the reclamation plan, accounting and tallying the costs as the plan is being drafted. In the reclamation plan, the operator should suggest an amount to put-up for financial assurance.

3. The reclamation plan is submitted to the regulatory authority.

4. If the plan is approved, the RA must provide written notification to the operator specifying the amount of financial assurance required per s. NR 135.40(1).

5. As a condition of the permit, financial assurance, which must be payable exclusively to the regulatory authority, is filed with the RA per s. NR 135.40(2).

6. A bond or an alternate option must be established to cover financial assurance per s. NR 135.40(4). (A short list with a brief description shall follow).

7. The amount of financial assurance is reviewed periodically by the RA to assure that it equals
outstanding reclamation costs per s. NR 135.40(3).

8. The length of financial assurance is dictated by the period of time required to establish the post-mining land use specified in the approved mine reclamation plan. This may extend beyond the permit if required to accomplish reclamation per s. NR 135.40(3).

9. Any interest from the financial assurance must be paid to the operator per s. NR 135.40(4).

A few options that may benefit smaller operators in satisfying financial assurance requirements have been included within the administrative code. For instance, it is possible that, at the discretion of the RA, a combination of financial assurance methods, including a lien on the property on which the nonmetallic mining site occurs, may be selected. The RA may also accept a lesser initial amount of financial assurance, provided the permittee initiates a process that continuously increases the amount until it is adequate to reflect the costs of reclamation.

**Brief Description of Financial Assurance Options**

- **Bond** - collateral; also known as a performance or forfeiture bond; an instrument provided by a surety company; a 3-party agreement that serves as a guarantee that the provider will pay costs associated with fulfilling the permittee’s obligations in the event of a default

- **Cash** - collateral; a deposit with the RA to guarantee performance of obligations under a reclamation permit

- **Certificate of deposit** - collateral; a deposit with the RA to guarantee performance of obligations under a reclamation permit

- **Irrevocable letter of credit** - similar to a bond with the bank or financial institution taking the place of a surety; established solely for the purpose of guaranteeing performance of obligations under a reclamation permit

- **Irrevocable trust** - trust created by the permittee solely for the purpose of guaranteeing performance of obligations under a reclamation permit

- **Escrow account** - account with a bank or financial institution established by the permittee to satisfy the financial assurance requirements (i.e. to guarantee the performance of the reclamation activities described in a reclamation permit)

- **Net worth test** - Method in which a permittee provides sufficient financial data to demonstrate compliance with minimum financial standards, which is accompanied with the opinion of an independent certified public accountant in order to establish proof of financial responsibility

- **Government securities** - a deposit with the RA to guarantee performance of obligations under reclamation permit
• Alternative methods for small operators - A blend of different options that could include a regular payment (based on production or gross sales) to an escrow account or other financial instrument designed to grow to the amount necessary to guarantee reclamation at the expected time of final reclamation. This probably would be set up along with a lien on the property that would serve as collateral to guarantee performance of reclamation obligations.

### Some Items to Consider in Calculating Financial Assurance

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost per Unit</th>
<th>Number of Units</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Grading and Regrading</strong></td>
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<tr>
<td>Activities necessary to ensure soil and slope stabilization</td>
<td></td>
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<td></td>
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<tr>
<td>Erosion control materials</td>
<td></td>
<td></td>
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<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
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<tr>
<td><strong>Topsoil Prep</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scarification of subsoil or underlying materials prior to topsoil redistribution</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Equipment and labor</td>
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<td></td>
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<tr>
<td><strong>Topsoil</strong></td>
<td></td>
<td></td>
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<tr>
<td>Creating or purchasing substitute topsoil (if necessary)</td>
<td></td>
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<td></td>
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<tr>
<td>Application of substitute topsoil</td>
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<tr>
<td>Reapplying stockpiled topsoil</td>
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<tr>
<td>Soil amendments, lime and/or fertilizer</td>
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<tr>
<td>Equipment and labor</td>
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<tr>
<td><strong>Revegetation and Seeding</strong></td>
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<tr>
<td>Seeding/transplanting</td>
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<tr>
<td>Seed costs and misc. materials</td>
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<td>Seeding and transplanting Costs</td>
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<tr>
<td>Equipment and labor</td>
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<tr>
<td><strong>Vegetation Stabilization</strong></td>
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<tr>
<td>Mulching, netting or other stabilization materials</td>
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<td></td>
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<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Short-term Site Maintenance</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Covers period until declaration of completion (DOC):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional seed, vegetation, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Long-term Site Maintenance</strong></td>
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<td></td>
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</tr>
<tr>
<td>Covers period between DOC and certificate of completion of reclamation (near time when financial assurance may be returned):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional seed, vegetation, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
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</tbody>
</table>

**TOTAL**
DOUGLAS COUNTY PERMIT

ISSUE DATE
06/13/2017

CONDITIONAL-USE# 9064

MAILING ADDRESS
ALLIANCE STEEL CONSTRUCTION
3500 N 12TH ST
SUPERIOR WI 54880

TOWN OF OAKLAND

PARCEL(S): OA-022-00428-00

PROPERTY ADDRESS 5996 E MABEL NELSON RD

LEGAL DESCRIPTION: NE SE 9-47-13

SECTION 09 TOWN 47 N RANGE 13 W

FOR NON-METALLIC MINE (RENEWAL)

CONDITIONS: The following minimum requirements must be met for all land uses:

06-06-2017 - Douglas County Zoning Committee conditionally approved three year renewal of nonmetallic mine permit. Town’s conditional approval dated 06-13-2017 received and on file. All conditions associated with this permit are listed on Page 2 (attached). This permit should be considered incomplete without Page 2 attached. cc: Joanne E Garcia (property owner), 4145 E County Road B, Superior, WI 54880

This is not a building permit. Check with your Town Chairman for information concerning township building requirements or permits for any structure. The Wisconsin Uniform Dwelling Code requires that all towns issue building permits for new dwellings and additions to existing dwellings. Please contact the appropriate town clerk for obtaining permits.

ZONING AUTHORITY
Land-Use and Conditional-Use Permits:

This permit will expire **one year** after date of issuance if construction is not commenced or **two years** from date of issuance. Changes in plans or specifications shall not be made without approval of the Zoning Administrator.

This permit may be revoked if any of the information given in the application is found to have been misrepresented.

Chapter 26.03 WI Statutes states “no person may harvest any raw forest products until 14 days after notifying the County Clerk of the person’s proposal to harvest.” Contact the Douglas County Clerks office at (715) 395-1568.

Commercial buildings may also require permits from the State of Wisconsin; Department of Commerce; Division of Safety and Buildings.

All Permits:

It is the **property owner** and/or **contractor’s responsibility** to ensure that conditions of all recorded easements are met. These may include, but may not be limited to: sewer systems, power lines, gas lines, telephone cables, cable television, pipelines, roads and private access. For additional information, it is recommended that you contact the local sanitary district, power, gas, telephone, cable & pipeline companies, and local municipality, as applicable. Recorded easements should also be referenced on the property owner’s deed.

**Driveway Access Recommendations (for emergency services):**

To protect the property owner and family you must provide adequate access/turn-around capabilities for emergency vehicles (i.e., ambulance, fire fighting equipment, snow plow, etc.), the following guidelines are recommended as **MINIMUM** standards by the Director of the Office of Emergency Management:

Highway / road turn-off to property entrance road must be a minimum of 20 feet in length.

Width of driveway access road must be a minimum of 20 feet.

Overhead clearance must be a minimum of 16 feet.

Parking or turn-around area - any alignment to provide adequate exit capabilities for emergency equipment.

**Driveway Permits / Culvert Requirements:**

Town Roads – appropriate Town Clerk

County Roads: Kevin Schmid, Douglas County Hwy. Department @ (715) 374-2575

US / State Highways: Dan Anderson, WI DOT @ (715) 635-5059,
Daniel.Anderson@dot.wi.gov

IF PROPERTY IS IN FOREST CROP, NOTIFY THE TOWN AND THE DEPARTMENT OF NATURAL RESOURCES.
DOUGLAS COUNTY, WISCONSIN
Planning, Zoning and Land Information Offices
1313 Belknap Street, Room 206
Superior, WI 54880

CONDITIONS OF PERMIT: 9064
As approved by Zoning Committee 06-06-2017

Tax Parcel I.D. Number: OA-022-00428-00
Proposed Use: Non-Metallic Mining Permit (3-Year Renewal)

ISSUED: 06-13-2017
(5996 E Mabel Nelson Rd)

NMM Permit Number: YR-0047

CONDITIONS:

1 This permit approved for three-year period, expiring 06-06-2020.

2 Must comply with Ordinance 8.0, Section VI, Sub. 6.2. Reclamation plan on file reviewed by Douglas County Land & Water Conservation and determined adequate for permit renewal.

3 Must comply with Ordinance 8.9 to include NR-135 annual reporting requirements.

4 Financial insurance instrument on file should be commensurate to cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135. Financial assurance on file reviewed and deemed adequate. Zoning Office to receive confirmation of annual or bi-annual certificate renewal.

5 Must comply with all conditions of Town of Oakland Nonmetallic Mining Ordinance.

6

7

8

This page is intended to be a part of above numbered permit and should be included in any copies or other duplication of this permit.

Permit Continuation of Conditions
DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE  
1313 BELKNAP STREET, ROOM 206  
SUPERIOR, WI 54880  
715 – 395-1380 / FAX 715 – 395-7643

APPLICATION FOR PERMIT: ☑ CONDITIONAL-USE  
APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE & DATE ON THIS PAGE.

TO WHOM IT MAY CONCERN: The undersigned hereby applies for a permit to do work herein described in this application. The undersigned agrees that all work will be done in accordance with the Douglas County Zoning, Shoreland Zoning, Subdivision Control, Floodplain Ordinances and with all laws of the State of Wisconsin applicable to said premises. Do not start any construction until this office has issued a permit. Failure to obtain the necessary permits will result in a double permit fee and/or citation.

CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

<table>
<thead>
<tr>
<th>Applicant / Operator</th>
<th>Property Owners / Lessors (if different from Applicant)</th>
</tr>
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<tbody>
<tr>
<td><strong>Alliance Steel Construction</strong></td>
<td><strong>Nancy K. Paine</strong></td>
</tr>
<tr>
<td>Address</td>
<td>Address</td>
</tr>
<tr>
<td>3500 N 12th St</td>
<td>12 Belknap Shores</td>
</tr>
<tr>
<td>City, State, Zip Code</td>
<td>City, State, Zip Code</td>
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<tr>
<td>Superior, WI 54880</td>
<td>Superior, WI 54880</td>
</tr>
<tr>
<td>Phone Number</td>
<td>Phone Number</td>
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**PROPERTY DESCRIPTION:** Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

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<thead>
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<td>Town of:</td>
<td>Oakland</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parcel Acreage or Size:</td>
<td>80 Acres</td>
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<tr>
<td>Property Address:</td>
<td>5607 S Old Lyman Lake Rd</td>
<td></td>
<td></td>
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<tr>
<td>Legal Description:</td>
<td>NW NE &amp; NE NE 17-47-13</td>
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<tr>
<td>Name of Adjacent Lake or Stream:</td>
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<td>Wetlands: Yes</td>
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<td>Zone District: F-1</td>
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**Nonmetallic Mine (Renewal) - Nonmetallic Mining Permit Number:** YR-0048  
**5-Year Renewal** CU Permit #: 18223

By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary. I hereby agree to terms and conditions on following site sketch page.

---

**Signature of Operator**  
Date

<table>
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<tr>
<th>Type</th>
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<tr>
<td>RP Review</td>
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<tr>
<td>Vendor #</td>
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---

Revised 10-12-2019

**2C Hrs = 06-10-2020**
Alliance Steel
3500 N 12th St
Superior, WI 54880

This letter is regarding the Alliance Steel mine located on old Lyman Lake Rd in the Town of Oakland, WI parcel #OA-022-00554-00 and OA-022-00553-00, Non-Metallic Mining Permit #20-0048, Conditional-Use Permit #18223. The reclamation plan and financial assurance are under review as part of the June Conditional-Use Permit expiration.

The following revisions are recommended:
- A fire number must be acquired for the site. You can acquire one by contacting 715-395-1380.
- The reclamation plan states that no buildings will be erected on the site. Please revise the reclamation plan to include the constructed building and the plans are for the building upon reclamation.
- The current post-mining seeding includes a mix of non-native species. This should be corrected to a native species mix such as WisDOT mix 70, 70A or 75 and the reclamation costs and financial assurance appropriately adjusted.
- The current reclamation plan defines forest as the post-mining land use. Please correct the plan to include plans to plant trees, number of trees planted per acre and/or survival rate of trees per acre and cost estimate to plant trees.
- Please update the reclamation plan to include successful reclamation will include 70% vegetative cover with sufficient native species coverage.
- The reclamation calculation lacks an estimate for stabilization of rock walls. This should be added to the estimate and financial assurance adjusted accordingly.
- Please update all reclamation costs to reflect the above changes. It is also noted in the reclamation plan that costs are estimated for salaried employees. The reclamation cost estimate should reflect the cost Douglas County would incur if Alliance Steel did not perform the reclamation. Please adjust the financial assurance estimate to include labor costs and other expenses left out of the original estimate.

The reclamation plan also shows in the designs two stormwater detention areas located on the northwest and the southwest portion of the mine areas. These are intended to catch runoff water from the site and allow sediment to settle from the water before leaving the detention area as sheet flow into the surrounding woods.
and wetlands. These features do not appear to be constructed on the site and need to be added to be in compliance with your plan and permit.

Your reclamation plan states 14.7 acres may be mined. The current disturbed acreage at the site is roughly 8.7 acres. You are currently operating within your plan specifications. If in the future when you intend to certify acreage as reclaimed, please contact the Land Conservation Department at 715-395-1266 to make an appointment to have your mine inspected.

The financial assurance on file must be appropriate for the acres which are disturbed. The current disturbed acreage is just under 9 acres, and according to your reclamation plan could increase to 14.7 acres. It is a violation of your permit to mine greater acreage than the amount of financial assurance in place. Please use the adjusted reclamation cost in the updated reclamation plan to ensure the appropriate amount of financial assurance is on file for the acres disturbed. The current financial assurance on file is a bond in the amount of $10,500 for mine #18223 on Old Lyman Lake Road and #9064 located on Mabel Nelson Road. $7,245 of this is assumed to be for mine #18223 on Old Lyman Lake Road. Please ensure updated financial assurance follows the attached guidance including being made payable to Douglas County.

For questions regarding the reclamation plan updates, please contact the Douglas County Land Conservationist at 715-395-1266 or Ashley.vandervoort@douglascountywi.org.

Sincerely,

Zach DeVoe
Land Services Director

Attachments:
Reclamation Plan
Mine Area
Financial Assurance Guidance

(715) 395-1380  Planning / Zoning – Permits
GIS
(715) 395-7643  FAX
www.DouglasCountyWI.org

(715) 395-1570  Land Information /
Web Page:
Non-Metallic Mining Reclamation Plan

Proposed Site, Old Lyman Lake Road
Town of Oakland, Wisconsin

ICECOR PROJECT #102004007

April 24th, 2004

PASSED REVIEW

CIVIL ENGINEERING
ENVIRONMENTAL ENGINEERING
INDUSTRIAL HYGIENE
SAFETY
HYDROGEOLOGY
GEOLOGY
March 10, 2004

Douglas County Planning, Zoning & Land Information Office
1313 Belknap Street, Room 206
Superior, WI 54880

RE: Additional Information, Application for Land Use and Conditional-Use Permit, Tax Parcel #OA0220055300 and #OA0220055400, Town of Oakland, Douglas County, WI
ICECOR Project #102004007

Dear Sir/Ma’am:

Enclosed is the Application for Land Use and Conditional-Use Permit for the above mentioned site. An operations plan and reclamation plan are currently being created for the proposed facility, but were not completed at the time of this submission. The following additional information has been provided to aid in the evaluation of this permit request.

Site Information

The site consists of the following undeveloped parcels:

<table>
<thead>
<tr>
<th>Tax Parcel</th>
<th>Acres</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>#OA0220055300</td>
<td>40</td>
<td>NE 1/4, NE 1/4, Sec 17, R 13W, T47N</td>
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<tr>
<td>#OA0220055400</td>
<td>40</td>
<td>NW 1/4, NE 1/4, Sec 17, R 13W, T47N</td>
</tr>
</tbody>
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The site appears to be located on E. Mable/Nelson Road, but tax information for the property to the north indicated that the road may be the Old Lyman Lake Road. I have included two maps (Figures 1 and 2) that present the location of the proposed site. There isn’t a fire number for the site. The fire number/address for the property immediately to the north is 5527 S. Old Lyman Lake Road.

The best way to get to the site is to take Hwy 35 south out of Superior to Pattison Park, then to east on County Road B, then north on County Road K. Approximately 3 miles north on County Road K, take E. Mable/Nelson Road to the west. The road will make an “L” then continue approximately ½ mile and the road will bend to the south (Old Lyman Lake Road?). The site is on the west side approximately ½ mile from the bend to the south.

Proposed Operations

The entrance road and approximate boundaries of the proposed non-metallic mining operation have been sketched in on top of the enclosed aerial photograph with imposed property boundaries and tax parcel numbers. The operation will remove sand, gravel, and rock to approximately 12 feet BGS. The facility will be seasonal (non-winter months) and be operated Monday - Friday from 8am to 5pm. Buildings will...
not be erected at the facility. Excavators and loaders will mine and stockpile the materials, which will be hauled out as needed by the facility owner. A screening plant (not use wash water) may be used to sort different size materials into separate stockpiles. The proposed initial size of the mining operation is approximately 800' x 800', which may change depending on the types of materials encountered. Operations will not begin until Douglas County approves the operations and reclamation plans to be submitted to the Zoning Office.

If the board has questions or needs additional information to evaluate this permit request, please call and I will provide the requested information. Mr. Paine or an ICECOR representative will be available if board members require assistance in locating the site.

Sincerely,
IC ENVIRONMENTAL CORPORATION

MICHAEL L. KOHN
Project manager/Hydrogeologist

cc: Mr. and Mrs. Paine, Property Owners
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FIGURES

Figure 1 Site Location Map
Figure 2 Site Map
Figure 3 Post Mining Map
Figure 4 Bedrock Type Map
Figure 15 Depth to Groundwater map

Aerial Photograph of Site
1.0 SITE INFORMATION

The following is information regarding the proposed non-metallic mining operation, Tax Parcel No's. #0A-022-00553-00 and #0A-022-00554-00.

1.01 General Location/Property Boundaries

The operation is being proposed in two parcels located at on the Old Lyman Lake Road in the Town of Oakland, Wisconsin. The parcels (#OA0220055300 and #OA0220055400) are located in the NW 1/4 of the NE 1/4, and the NE 1/4 of the NE 1/4, in Section 17, Range 13W, Township 47N in Douglas County, Wisconsin. The property is owned by Mr. Fred and Mrs. Nancy Paine, and the mining pit will be operated by their company D&N General Construction. Figure 1 presents the general location of the site. The property is approximately 80 acres (two parcels) in size and the proposed facility (approx. 14.7 acres) is presented on Figure 2. The only manmade features currently present at the site are old trails and an grass road accessing the parcels from the Old Lyman Lake Road.

1.02 Description of Operations

The operation will remove sand, gravel, and rock to approximately 15 feet BGS. The facility will be seasonal (non-winter months) and be operated Monday - Friday from 8am to 5pm. Buildings will not be erected at the facility. Excavators and loaders will mine and stockpile the materials, which will be hauled out as needed by the facility owner. A screening plant (not use wash water) may be used to sort different size materials into separate stockpiles. The proposed initial size of the mining operation is approximately 800' x 800', which may change depending on the types of materials encountered.

1.03 Geological Composition

The unconsolidated materials atop bedrock are approximately 15-25+ feet in thickness and consist of glacial till [sands, silts, and clay soils] (Pleistocene Geology of the Superior Region, 1985). Test pits have been constructed throughout the proposed mining area which confirm the presence and thickness of these materials.

The bedrock beneath the unconsolidated materials is a Middle Proterozoic volcanic rock (Pleistocene Geology of the Superior Region, 1985). At the site, the volcanic rock appears to be a fine grained gabbro. Rock is present below the surface in much of the area, and the unconsolidated materials appear to be 15-25 feet or more thick in many areas.

Page-1-
1.04 Distribution, Thickness, and Type of Topsoil

Where the unconsolidated materials have been enriched by organic matter at the surface, approximately 5-7 inches of topsoil has developed. The topsoil is a sandy silty loam that is hydric in wetlands northwest, west and south of the proposed mining area.

1.05 Approximate Elevation of Groundwater

As per the enclosed Figure 15 from the Northwest Regional Planning Commission, the approximate depth to groundwater in the vicinity of the operation is greater than 50 feet below the ground surface (BGS).

1.06 Location of Surface Water

As per the enclosed Figure 1, a tributary to the Little Amnicon River is located approximately 1800 feet south of the southern property boundary which discharges into the Little Amnicon River downgradient of the site. The Little Amnicon River discharges to the Amnicon River east of the site, which eventually discharges to Lake Superior 14 miles northeast of the site. The enclosed aerial photograph depicts a purple shaded polygon along the northeastern corner of the western parcel and south of the eastern parcel, which indicates the presence of mapped wetlands.

1.07 Existing Topography and Drainage Patterns

The site is located along a ridge feature trending southwest-northeast which is a drainage divide (Figures 1 and 2). The major drainage directions from the proposed active mining area is to the north, south, and west. Runoff migrated downslope as sheet flow until discharge enters wetlands northwest, west, and south of the site. The wetlands eventually discharge to a small tributary that flows to the east and discharges to the Little Amnicon River. Slopes on the ridge are steeper to the east and shallower to the west within the proposed mining area. Topography flattens out west and south of the site into wetland areas.

1.08 Location of Man Made Features

Manmade features are depicted on Figures 1 and 2, and on the enclosed aerial photograph with super-imposed property boundaries. The feature present at the proposed mining site is the trails and grass access road into the site off the Old Lyman Lake Road. Farm buildings are visible on the aerial photograph north of the subject site.
1.09 Previously Mined Areas

Mining has not been performed previously at the subject site, and the only manmade existing manmade feature is the trails and access road into the site. Figure 1 presents the locations of active mining operations on Nelson/E. Mable Road east-northeast of the site. Reuben Johnson and Alliance Construction operate non-metallic mining operations at these locations.

1.10 Biological Information

The proposed mining area is forested and the vegetation is composed of trees, shrubs, and herbs. Trees present include maples, quaking aspen, birches, and conifers. Shrubs include beaked hazel brush and tag alder. Herbs are mostly grasses and ferns present in the forest under story. The area along the ridge and side slopes is mostly large tree wooded forests, grading downwards to grassy and shrub area with more conifers at the base of the slopes. The bases of the slopes eventually turn into wetland areas near the property boundaries to the west and south.

The area is inhabited by animal species including whitetail deer, rabbit, fox, and grouse.

1.11 Post-Mining Land Use

Post mining land use will be Forestry (F-1), which is consistent with the current land use in this zoning district. The property will be held privately and not used as a recreation area open to the public.

2.0 RECLAMATION MEASURES

The following reclamation measures are proposed to reclaim and stabilize the mined areas of the property when active operations are discontinued. The measures will occur within six (6) months of the area's depletion. Planning will be performed so seeding operations will occur within the accepted growing season as specified in the re-vegetation plan. If conditions other than those anticipated or addressed in this document occur in the intervening years, an amended reclamation plan will be prepared and submitted for approval as necessary to address and incorporate the changes.

2.01 Earthwork and Grading

Earthwork and grading operations will conform to the proposed final contours on Figure 3. Adjustments in the final contours will be made as necessary depending on the final extents of mining operations. Areas outside the disturbance limit of the pit will remain in their original vegetative condition.
2.011 Rock Walls

Because the property will be privately held at the completion of mining activities, any sheer rock walls will be left standing. Loose rock material will be removed, leaving competent walls that are not expected to collapse. Since a potential risk to safety exists, warning signs will be posted along the top of the rock walls. Grading of unconsolidated materials will be performed to direct drainage away from the lip of the rock walls. Loose rock (rip rap) will be placed at the foot of the rock walls to reduce erosion from any runoff cascading over the top of the walls.

2.012 Final Slope Angles

All vegetated slopes shall be graded to provide a maximum 3:1 side slope. Side slopes shall be terraced to provide flat areas that will blend into existing topography, which will help minimize erosion by slowing the velocity of runoff.

2.013 High Wall Reduction

In areas where high walls of unconsolidated materials are present, all loose material shall be removed. Where a potential risk to safety exists, warning signs will be posted. If practicable, high walls of unconsolidated materials should be benched at 3 foot vertical to 3 foot horizontal intervals to minimize safety and erosion hazards. If high walls are composed of a stable rock and not unconsolidated materials, follow Section 2.011. In addition, fencing will be installed to restrict access to potentially unsafe areas.

2.02 Topsoil

As the existing pit area is expanded, topsoil will be removed and stockpiled away from mining operations. Stumps, roots, large rocks, and other non-earth materials will be removed/screened from the soil prior to stockpiling. Once the soil is stockpiled, silt fence will be placed around the base of the pile and then the stockpile will be seeded using the mixture for temporary seeding. A traffic access opening in the silt fence is allowed as long as it is located on ground at a higher elevation than the stockpile area, and runoff from the silt fenced area will not exit this opening and allow sediment to escape with runoff.

Once the reclamation process begins, the topsoil will be placed evenly over the entire pit area and then seeded as described in the permanent seeding recommendations. The topsoil will be spread thick enough to support vegetative growth, and additional topsoil will be imported if necessary to accomplish this goal.
2.03 **Topography**

The final topography will be determined upon completion of the non-metallic mining operations. The final contours will reflect the maximum 3:1 slope requirements, and should reflect the general intent of the proposed final contours on Figure 3. It is anticipated that unconsolidated vegetated slopes will surround most of the pit area as indicated on Figure 3. Soils should be sloped at the 3:1 ratio, creating a flat area within the proposed pit area that slopes gently to the northwest and southwest corners of the proposed pit area. Runoff migrate to these low areas as sheet flow and ponding of water in these areas is expected. It is expected that the ponded corners of the pit area will develop into wetland areas. If runoff is channelized by manmade or natural processes, the runoff will be directed to the ponded corners to remove sediment from storm water runoff. Any channelized entrances to the ponded areas should have riprap to inhibit erosion.

2.04 **Structures**

The existing road into the site will remain after reclamation, for access purposes. Roadways into the pit bottom will be sloped (maximum of 3:1) and vegetated. Although not proposed, any structures erected will be removed at the end of active mining operations.

2.05 **Re-Vegetation Plan**

Upon completion of construction, all disturbed areas within the site boundaries will be seeded and mulched within 24 hours. If construction is completed after September 15th, a temporary seeding of winter wheat or rye (or a dormant seeding) shall be made following seeding rates and recommendations listed in following sections. All required tests and materials such as seed, lime, fertilizer, and mulch shall be obtained and present on-site prior to the completion of construction.

1. In lieu of a soil test, fertilizer shall be applied at a rate of 300 lbs of 20-20-20 and 2 tons of 80-85 lime or equivalent per acre.
2. Seed mixtures will be applied at pure live seed rates.
3. Mulch materials shall be applied and secured within 48 hours of the completion of construction. Mulch materials shall be spread at the recommended rate so as not to hamper the establishment of the planned vegetation.

All topsoil and seed bed preparation shall be completed prior to the start of the seeding operation. All components involved with the establishment of vegetation and stabilization of the project shall be performed in accordance with specified sections of the reclamation plan.
2.051 Dormant Seeding Recommendations

Dormant seeding is seeding performed after November 1st, and is not recommended as part of this plan.

2.052 Temporary Seeding Recommendations

Temporary seeding is performed from September 16th to October 1st, and shall consist of winter wheat or rye applied at a rate of 2 bushels/acre. It is anticipated that approximately 14.7 acres of disturbed/graded area could need to be seeded.

Winter Wheat or Rye 2.0 bushels/acre 29.4 bushels needed

2.053 Permanent Seeding Recommendations

Optimum permanent seeding dates are:
May 1st to June 15th for spring seeding
July 15th to August 15th for fall seeding

It is anticipated that approximately 14.7 acres of disturbed/graded area could need to be seeded. Seeding recommendations are as follows:

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<th>Rate: 4 lbs/acre</th>
<th>Seed Needed: 58.8 lbs</th>
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<tbody>
<tr>
<td>Creeping Red Fescue</td>
<td>Rate: 3 lbs/acre</td>
<td>Seed Needed: 44.1 lbs</td>
</tr>
<tr>
<td>Perennial or Annual Ryegrass</td>
<td>Rate: 1 lbs/acre</td>
<td>Seed Needed: 14.7 lbs</td>
</tr>
<tr>
<td>Fertilizer</td>
<td>Rate: 300 lb/acre</td>
<td>Need: 4410 lbs</td>
</tr>
<tr>
<td>Lime</td>
<td>Rate: 2 ton/acre</td>
<td>Need: 29.4 tons</td>
</tr>
<tr>
<td>Mulch</td>
<td>Rate: 60 bales/acre</td>
<td>Need: 882 bales</td>
</tr>
</tbody>
</table>

2.054 Re-Vegetation Standards

The standards for the re-vegetation of the pit area are as follows:
1. Seeding, fertilizing, and mulching shall be performed as per the re-vegetation plan.
2. Vegetation shall be considered complete when there is a uniform dense vegetative cover in all of the seeded areas.
3. All erosion control measures shall be maintained until vegetation is fully established.
4. If it is determined that the seeding has failed, the area shall be reseeded as soon as feasible.
2.06 Erosion Control

Erosion control measures during reclamation are recommended to follow NRCS or DOT standards and specifications and shall include, but are not limited to, silt fence, erosion mat, riprap, and seeding.

Silt fence should be installed at the north, west, and south sides of the property along the active mining areas to prevent sediment from entering the wetlands and tributary to the Little Amnicon River. If the runoff is channelized by mechanical or natural processes, a small depression (pond) area should be located immediately downgradient to remove sediment from storm water runoff. The entrance and exit of the pond should have riprap inhibit erosion.

2.07 Interim Reclamation

Active mining has not been started at the subject property. Depending on need and market for materials, an estimated 1-3 acres will be mined each year. The surrounding highwalls surrounding the pit at the final mining extents will need to be sloped at a 3:1 ratio and vegetated as an interim measure when mining is completed in those areas. Limited access locations to the pit floor make significant interim reclamation operations in this area unlikely. The pit floor will be used for mining traffic, sorting, and stockpiling operations throughout the active mining life of the pit. If un-used portions of the mining site are present that will not be disturbed by machinery, these areas should be stabilized and vegetated as feasible.

2.08 Cost

The following cost estimate has been provided for implementing and completing the reclamation of the estimated final mining area of 14.7 acres.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Prep. Prior to Grading</td>
<td>Small Dozer for 5 hrs</td>
<td>$ 225.00</td>
</tr>
<tr>
<td>Topsoil Spread, Finish Grading,</td>
<td>Small Dozer for 30 hrs</td>
<td>$ 1,500.00</td>
</tr>
<tr>
<td>Compacting</td>
<td>Backhoe for 30 hrs</td>
<td>$ 1,500.00</td>
</tr>
<tr>
<td>Seed</td>
<td>117.6 lbs @ $6/lb</td>
<td>$ 705.60</td>
</tr>
<tr>
<td>Fertilizer</td>
<td>4410 lbs @ $0.30/lb</td>
<td>$ 1,323.00</td>
</tr>
<tr>
<td>Lime</td>
<td>29.4 tons @ $16/ton</td>
<td>$ 470.40</td>
</tr>
<tr>
<td>Mulch</td>
<td>882 bales @ $3.25/bale</td>
<td>$ 2,866.50</td>
</tr>
<tr>
<td>Cost to Spread Seed, Fert, Lime,</td>
<td>20 hrs @ $50/hr</td>
<td>$ 1,000.00</td>
</tr>
<tr>
<td>Mulch by Landscaper (Inc. Watering)</td>
<td>Lump</td>
<td>$ 600.00</td>
</tr>
<tr>
<td>Site Maint. Until Approval</td>
<td>Total</td>
<td>$10,190.50</td>
</tr>
<tr>
<td></td>
<td>Bond Amount</td>
<td>$10,500.00</td>
</tr>
</tbody>
</table>
Employees are expected to perform most of the reclamation work. Because they are on salary, separate costs for labor aren’t included in equipment rates listed above. A landscaping contractor will likely be retained to place and water the gardening materials. If contractors are employed for other portions of this work, costs will likely increase above this estimate.

3.0 CRITERIA FOR SUCCESSFUL REMEDIATION

Reclamation will be complete when the following have been met:
1. Seeded areas support vegetative cover.
2. Erosion control measures are no longer necessary and are removed.
3. Un-natural erosion is not present on the site.
4. The slopes meet the requirements of the plan.
5. All criteria listed in the reclamation plan have been met.

On-site inspection will verify that the conditions and requirements of the reclamation plan have been met, The County Zoning Department will have final authority to determine if the reclamation has been successful.

4.0 CERTIFICATION OF THE RECLAMATION PLAN

I hereby certify, as duly authorized representative or agent that D&N General Construction (Fred and Nancy Paine) will comply with the provisions of this reclamation plan, the applicable County non-metallic mining reclamation ordinance, as well as the statewide non-metallic mining reclamation standards established in ss.NR135.05 through NR135.15 Wisconsin Administrative Code. And that best management practices are installed and maintained.

[Signature]
Signature of Applicant or Duly Authorized Agent

[Date]
Date Signed

5.0 FINANCIAL ASSURANCE

A bond has been provided to Douglas County, by D&N General Construction (Fred and Nancy Paine), for the amount detailed in Section 2.08 "Costs", as guarantee against the cost of reclamation should the pit be abandoned and the County have to perform the reclamation.
6.0 PLAN SUBMISSION

I/we, as landowner(s) or lessee(s) of the property described herein, do hereby certify that I/we have reviewed the reclamation plan submitted by D&N General Construction (Fred and Nancy Paine), concur with its provisions, and agree to permit its implementation.

Signature of Landowner or Lessee

Date Signed

Signature of Landowner or Lessee

Date Signed

Signature of Landowner or Lessee

Date Signed

Signature of Landowner or Lessee

Date Signed
Figure 4
Bedrock Type

Bedrock Type

- Sandstone, Shale, and Conglomerate
- Lava flows (mostly basalt)

Source: All data extracted from the Wisconsin Department of Natural Resources' GIS data library. Original scale varies.

This project was funded by Douglas County Wisconsin Department of Natural Resources, and the Wisconsin Coastal Management Program.
Figure 15
Depth to Groundwater
APPENDIX F

FINANCIAL ASSURANCE

The objective of financial assurance is to ensure that the regulatory authority has access to funds necessary to implement site reclamation in the event that the operator does not perform the agreed-upon duties. The funds shall accurately reflect the cost for the RA to hire outside help to perform reclamation. The main purpose of financial assurance is to ensure that the operator will faithfully execute the requirements of the approved reclamation plan, the applicable reclamation ordinance and Ch. NR 135. Refer specifically to s. NR 135.40 for details of state wide financial assurance requirements, as well as the applicable county or municipal reclamation ordinances.

The mine reclamation plan should be structured to keep the number of unreclaimed acres to a minimum at any given point in time. This can be accomplished by mining in phases: extract the material and promptly perform reclamation prior to initiating mining elsewhere. Generally, a smaller amount of acreage being affected by mining will result in less financial assurance to be posted. It is even plausible that one bond (or other means of financial assurance) could be posted to cover the various mining phases (intermittent mining) dictated in the mine reclamation plan.

Because much of the financial assurance is dependent upon the mine reclamation plan, it is important for an operator who has drafted a plan to contact the RA and bring them up to date. At this point, the RA shall decide if the plan will require revisions or if it can be accepted as is. In any case, the plan must meet the requirements of Ch. NR 135.

The following list has been created to serve as a flow chart for operators to follow when drafting their financial assurance. The list is only a summary of the requirements of s. NR 135.40 and users should refer to the official code or contact their regulatory authority for specific requirements.

1. The operator contacts the regulatory authority and discusses their plans for a post-mining land use. Eventually, both parties shall reach consensus.

2. The operator prepares the reclamation plan, accounting and tallying the costs as the plan is being drafted. In the reclamation plan, the operator should suggest an amount to put-up for financial assurance.

3. The reclamation plan is submitted to the regulatory authority.

4. If the plan is approved, the RA must provide written notification to the operator specifying the amount of financial assurance required per s. NR 135.40(1).

5. As a condition of the permit, financial assurance, which must be payable exclusively to the regulatory authority, is filed with the RA per s. NR 135.40(2).

6. A bond or an alternate option must be established to cover financial assurance per s. NR 135.40(4). (A short list with a brief description shall follow).

7. The amount of financial assurance is reviewed periodically by the RA to assure that it equals
outstanding reclamation costs per s. NR 135.40(3).

8. The length of financial assurance is dictated by the period of time required to establish the post-mining land use specified in the approved mine reclamation plan. This may extend beyond the permit if required to accomplish reclamation per s. NR 135.40(3).

9. Any interest from the financial assurance must be paid to the operator per s. NR 135.40(4).

A few options that may benefit smaller operators in satisfying financial assurance requirements have been included within the administrative code. For instance, it is possible that, at the discretion of the RA, a combination of financial assurance methods, including a lien on the property on which the nonmetallic mining site occurs, may be selected. The RA may also accept a lesser initial amount of financial assurance, provided the permittee initiates a process that continuously increases the amount until it is adequate to reflect the costs of reclamation.

**Brief Description of Financial Assurance Options**

- **Bond** - collateral; also known as a performance or forfeiture bond; an instrument provided by a surety company; a 3-party agreement that serves as a guarantee that the provider will pay costs associated with fulfilling the permittee's obligations in the event of a default

- **Cash** - collateral; a deposit with the RA to guarantee performance of obligations under a reclamation permit

- **Certificate of deposit** - collateral; a deposit with the RA to guarantee performance of obligations under a reclamation permit

- **Irrevocable letter of credit** - similar to a bond with the bank or financial institution taking the place of a surety; established solely for the purpose of guaranteeing performance of obligations under a reclamation permit

- **Irrevocable trust** - trust created by the permittee solely for the purpose of guaranteeing performance of obligations under a reclamation permit

- **Escrow account** - account with a bank or financial institution established by the permittee to satisfy the financial assurance requirements (i.e. to guarantee the performance of the reclamation activities described in a reclamation permit)

- **Net worth test** - Method in which a permittee provides sufficient financial data to demonstrate compliance with minimum financial standards, which is accompanied with the opinion of an independent certified public accountant in order to establish proof of financial responsibility

- **Government securities** - a deposit with the RA to guarantee performance of obligations under reclamation permit
**Alternative methods for small operators** - A blend of different options that could include a regular payment (based on production or gross sales) to an escrow account or other financial instrument designed to grow to the amount necessary to guarantee reclamation at the expected time of final reclamation. This probably would be set up along with a lien on the property that would serve as collateral to guarantee performance of reclamation obligations.

### Some Items to Consider in Calculating Financial Assurance

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost per Unit</th>
<th>Number of Units</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Grading and Regrading</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activities necessary to ensure soil and slope stabilization</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Erosion control materials</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Topsoil Prep</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scarification of subsoil or underlying materials prior to topsoil redistribution</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Topsoil</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Creating or purchasing substitute topsoil (if necessary)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application of substitute topsoil</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Reapplying stockpiled topsoil</td>
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</tr>
<tr>
<td>Soil amendments, lime and/or fertilizer</td>
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</tr>
<tr>
<td>Equipment and labor</td>
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<td></td>
</tr>
<tr>
<td><strong>Revegetation and Seeding</strong></td>
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<tr>
<td>Seeding/transplanting</td>
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<tr>
<td>Seed costs and misc. materials</td>
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<tr>
<td>Seeding and transplanting Costs</td>
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<tr>
<td>Equipment and labor</td>
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</tr>
<tr>
<td><strong>Vegetation Stabilization</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Mulching, netting or other stabilization materials</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Short-term Site Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covers period until declaration of completion (DOC):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional seed, vegetation, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Long-term Site Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covers period between DOC and certificate of completion of reclamation (near time when financial assurance may be returned):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional seed, vegetation, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and labor</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL**
DOUGLAS COUNTY PERMIT

ISSUE DATE
06/13/2017

CONDITIONAL-USE#
18223

TOWN OF OAKLAND

MAILING ADDRESS
ALLIANCE STEEL CONSTRUCTION
3500 N 12TH ST
SUPERIOR WI 54880

PARCEL(S):
OA-022-00553-00, OA-022-00554-00

PROPERTY ADDRESS
5607 S OLD LYMAN LAKE RD

LEGAL DESCRIPTION:
NE NE 17-47-13DESC 434 RP 796DOC# 692352

FOR
NON-METALLIC MINE (RENEWAL)

CONDITIONS: The following minimum requirements must be met for all land uses:

YR-0048

06-06-2017 - Douglas County Zoning Committee conditionally approved three year renewal of nonmetallic mine permit. Town's conditional approval dated 06-13-2017 received and on file. All conditions associated with this permit are listed on Page 2 (attached). This permit should be considered incomplete without Page 2 attached.
cc: Nancy K Paine (property owner), 12 Belknap Shores, Superior, WI 54880

This is not a building permit. Check with your Town Chairman for information concerning township building requirements or permits for any structure. The Wisconsin Uniform Dwelling Code requires that all towns issue building permits for new dwellings and additions to existing dwellings. Please contact the appropriate town clerk for obtaining permits.
CONDITIONS OF PERMIT: 18223

As approved by Zoning Committee 06-06-2017

Tax Parcel I.D. Number: OA-022-00553-00, OA-022-00554-00

Proposed Use: Non-Metallic Mining Permit (3-Year Renewal)

ISSUED: 06-13-2017

(5607 S Old Lyman Lake Rd)

NMM Permit Number: YR-0048

CONDITIONS:

1. This permit approved for three-year period, expiring 06-06-2020.

2. Must comply with Ordinance 8.0, Section VI, Sub. 6.2. Reclamation plan on file reviewed by Douglas County Land & Water Conservation and determined adequate for permit renewal.

3. Must comply with Ordinance 8.9 to include NR-135 annual reporting requirements.

4. Financial insurance instrument on file should be commensurate to cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135. Financial assurance on file reviewed and deemed adequate. Zoning Office to receive confirmation of annual or bi-annual certificate renewal.

5. Must comply with all conditions of Town of Oakland Nonmetallic Mining Ordinance.

This page is intended to be a part of above numbered permit and should be included in any copies or other duplication of this permit.

Permit Continuation of Conditions
DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
1313 BELKNAP STREET, ROOM 206
SUPERIOR, WI 54880
715 – 395-1380 / FAX 715 – 395-7643

APPLICATION FOR PERMIT: □ LAND-USE ✓ CONDITIONAL-USE

APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE & DATE ON THIS PAGE.

TO WHOM IT MAY CONCERN: The undersigned hereby applies for a permit to do work herein described in this application. The undersigned agrees that all work will be done in accordance with the Douglas County Zoning, Shoreland Zoning, Subdivision Control, Floodplain Ordinances and with all laws of the State of Wisconsin applicable to said premises. Do not start any construction until this office has issued a permit. Failure to obtain the necessary permits will result in a double permit fee and/or citation.

CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

<table>
<thead>
<tr>
<th>Applicant / Operator</th>
<th>Property Owners / Lessees (if different from Applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dairyland Township (attn: Matt Holter)</td>
<td>Town of Dairyland</td>
</tr>
<tr>
<td>Address</td>
<td>Address</td>
</tr>
<tr>
<td>15208 S State Highway 35</td>
<td>15208 S State Highway 35</td>
</tr>
<tr>
<td>City, State, Zip Code</td>
<td>City, State, Zip Code</td>
</tr>
<tr>
<td>Dairyland, WI 54830</td>
<td>Dairyland, WI 54830</td>
</tr>
<tr>
<td>Phone Number (please complete this field)</td>
<td>Phone Number (please complete this field)</td>
</tr>
<tr>
<td>715-296-1012</td>
<td>715-244-3000</td>
</tr>
</tbody>
</table>

PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

Tax Parcel #: DA-010-00582-00
Town of: Dairyland
Property Address: 15502 S Pit Rd
Legal Description: SW-1/4 14-43-15

Name of Adjacent Lake or Stream: Wetlands: ✓ Yes □ No Zone District F-1

Nonmetallic Mine (Renewal) - Nonmetallic Mining Permit Number: YR-0062
3-Year Renewal CU Permit #: 21355

By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary. I hereby agree to terms and conditions on following site sketch page.

Signature of Operator: [Signature]
Date: 5/13/2020

<table>
<thead>
<tr>
<th>Type</th>
<th>Amount</th>
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<tr>
<td>RP Review</td>
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<tr>
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<td>1302181</td>
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</tbody>
</table>

Revised 10-12-2016

ZC H7 = 06-10-2020
April 13, 2020

Town of Dairyland  
792 E Kingsdale Rd  
Dairyland, WI 54830

This letter is regarding the mine located at 15502 S Pit Rd, Dairyland, WI parcel #DA-010-00582-00, Non-Metallic Mine permit #20-0062, Conditional-Use Permit #21355. The reclamation plan is under review as part of the June Conditional-Use Permit renewal.

As of the 2019 aerial photo (attached), there is standing water covering a portion of the active mine area. The current reclamation plan (attached) does not include open water as the post-mining land use. If it is intended to have standing water on the site when mining is complete, the reclamation plan will need to be updated to reflect this change. All necessary permits must also be acquired for from the Wisconsin DNR (Chapter 30 Permit). Please contact DNRWMSPublicInquiry@wisconsin.gov or 608-267-3125 for assistance with permitting.

Please also see the attached mine reclamation plan checklist. Please expand your reclamation plan to include all items on this checklist.

If no additional mining is intended in the area with standing water, it is advised to consider reclaiming that acreage over the next few years. This possibly will result in reduced permit fees in the future.

Thank you for your review of the above requests. Please contact Ashley Vande Voort at Ashley.vandervoort@douglascountywi.org or 715-395-1266 to discuss your reclamation plan updates.

Sincerely,

Zach DeVoe  
Land Services Director

Enc

(715) 395-1380 Planning / Zoning – Permits  
(715) 395-7643 FAX  
(715) 395-1340 Surveyor

(715) 395-1570 Land Information / GIS  
Web Page: www.DouglasCountyWI.org
TOWN OF DAIRYLAND
Douglas County, Wisconsin
Dairyland, WI 54830

CLOSURE/RECLAMATION PLAN FOR GRAVEL PIT ON TOWNSHIP PROPERTY

Location: T43 R15, Sec. 14, NW1/4 SW1/4, Town of Dairyland, Douglas County.

Type of operation: Pit run sand/gravel, and crushing for class 5 road material.

Area: 2-5 acres at present, may be enlarged as necessary as material is removed.

Estimated life of pit: Ten to fifty years.

Closure at end of life of pit: Area would be filled, sloped, and graded to specifications in force at that time. Area would then be seeded and/or re-forested by planting of trees.