Redwood County Environmental Office -- PO Box 130, Redwood Falls, MN 56283 Phone: (507) 637-4023



Application for Extraction Interim Use Permit

		and the second s	Permit	#: 3-22	1	Date: 4-10-24	<u>{</u>
Address: 28502 395th St.	City:	Renville	norry (deep language salangin) gepubli hasa bujunsaranya.	Sta	ite: MN	Zip: 56284	
Parcel #: 52-005-4060 Township:	Delhi	Section	: 5	Twp #:	113	_ Range:36	
Legal Description:							
West 1/2, of SE 1/4							
nation about the Extraction:					***************************************		Name of Street
Zoning District: Agricultural							
Soil Type 1: Topsoil/Clay (3-5 ft)							
Soil Type 2: Sand/Gravel (5-18 ft)			Otherwise and country before a resemble wheels are			
General description of the extraction:	NOTICE: Change	of land u	se may	affect you	r property	y taxes.	
Gravel and aggregate materials will be extr construction and private development.	acted & process	ed on site	to be us	sed for high	ıway		
Number of acres to be extracted: 24							
Type of Road: Township Rig	ht-of-Way widtl	n measur	ed from	n centerlin	e	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Setbacks: (Please enter in feet)							
Setbacks: (Please enter in feet) Setback from the Center of the Road	!: 50 ft						
	l: 50 ft Direction	– 1: Eas	st				
Setback from the Center of the Road			st	_			
Setback from the Center of the Road Side Yard Setback:15'	Direction Direction						
Setback from the Center of the Road Side Yard Setback: 15' Side Yard Setback: 300 ft (river)	Direction Direction Direction	South			mum 10 v	vears)	
Setback from the Center of the Road Side Yard Setback: 15' Side Yard Setback: 300 ft (river) Starting Date: 4/1/2024	Direction Direction	South		 (maxi	mum 10 y	vears)	
Setback from the Center of the Road Side Yard Setback: 15' Side Yard Setback: 300 ft (river)	Direction Direction Direction Date of Comp	: South	/1/2034		·		
Setback from the Center of the Road Side Yard Setback: 15' Side Yard Setback: 300 ft (river) Starting Date: 4/1/2024 Drainage Plan:	Direction Direction Direction Date of Comp	: South	/1/2034		·		
Setback from the Center of the Road Side Yard Setback: 15' Side Yard Setback: 300 ft (river) Starting Date: 4/1/2024 Drainage Plan: All drainage will be directed back into Landscape and screening plans: Earthen berms will be constructed alo	Direction Direction Direction Date of Comp	South letion: 4	/1/2034 nere it v	will infiltra	ate on-sit	e.	
Setback from the Center of the Road Side Yard Setback: 15' Side Yard Setback: 300 ft (river) Starting Date: 4/1/2024 Drainage Plan: All drainage will be directed back into Landscape and screening plans:	Direction Direction Direction Date of Comp	South letion: 4	/1/2034 nere it v	will infiltra	ate on-sit	e.	

Statement addressing noise, vibration, glare, heat, smoke, particle matter, odors, exterior lighting, toxic or noxious matter, dust, etc:

Water will be applied to haul route as needed to reduce dust. High quality mufflers and berm screening will reduce noise and visual pollution. No other pollutants will be produced. Reclamation plan: (Attach Map) See attached reclamation plan... \$50,000 **Estimated Cost of Reclamation:** Applicant Information: Van Eps Lucas Last Name: First Name: Duininck, Inc. **Business Name:** City: Prinsburg 7 408 6th St. Address: **Zip:** 56281 State: MN **Cell Phone:** 320-905-1369 Home Phone: 320-978-6011 **Email** lucas.vaneps@duininck.com **Operator Information:** (Complete only if different from Applicant) First Name: Last Name: Business Name Address State: MN Home Phone: Cell Phone: Email: **Land Owner Information:** (Complete only if different from Applicant) First Name: Leroy Last Name: Pedersen State: MN Zip: 56284City: Renville 28502 395th St. Address: Home Phone: N/A Cell Phone: Son-in-Law: Jeff Quast 612-355-9213 Email: N/A I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any conditional use permit issued in reliance upon this information is voidable at the election of Redwood County. Land Owner Signature: Le Rof & Volerse Date: 4-16-24 Please attach the following information: A detailed site map. This must include: soil types, topography, location of watercourses, outline of maximum area to be excavated, setbacks from property lines, vertical profile of area to be excavated including overburden, proposed and existing locations of any structures, stockpiles or operation areas, location and names of roads, railroads, known tile lines, proposed fences, utility rights-of-way, planned entrances and exits for operation area, road routes for heavy equipment and any signs being posted. Office Use Only: * The section below is to be filled out by the Environmental Office Staff Extraction Fee: \$700.00 Receipt #: 332417 Date Approved: Application Received: 4 - 10 - 2024 **Commission Action: County Board Action:** Date: ____ Approved: ____ Approved: Date: Disapproved: Disapproved:

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Duininck Inc. Conditional Use Permit Application

for

Gravel Pit Operations

March 1, 2024

Application for a Conditional Use Permit to allow for the mining, crushing, screening, and processing of gravel, granular materials, as well as all related stockpiling.

Delhi Township Redwood County, Minnesota

Property Owner:

Leroy Pedersen 28502 395th St

Renville, MN 56284

1. APPLICANT

Duininck Inc. Attn: Jason Ver Steeg P.O. Box 208 Prinsburg, MN 56281

2. LANDOWNER

Leroy Pedersen 28502 395th St Renville, MN 56284

3. LEGAL DESCRIPTION

The W ½, of the SE ¼ of Section 5, Township 113 North, Range 36 West, Redwood County, Minnesota.

4. CURRENT LAND USE

Most recently, the land that lies within the proposed boundary has been in a mix of CRP, wooded area, and homestead. It is not currently being used for any sort of other commercial or residential applications. This 80-acre parcel is bordered on the north, east, and west farm or pastureland and on the south by the Rice Creek valley. The topography of the site is fairly flat on the north side of the site and then falls off sharply on the south side of the site to Rice Creek. The northeast portion of the site drains to a wetland on the NE corner of the property. The original conditions and contours of the site are shown on plan sheet 1 of 3 entitled *Existing Conditions*.

5. PROPOSED USE

A Conditional Use Permit is being requested to mine and process gravel and granular materials. The total area of gravel to be mined will be approximately 24 acres. The materials taken from the property are planned to continue being used primarily for roadway construction and maintenance, as well as for development in the private sector. By bringing additional sand and gravel into a competitive market, there will continue to be a favorable impact on the cost of developing and maintaining private and public improvements.

6. DUST CONTROL

Dust will be controlled with a water truck as needed along the 1 ¼ mile stretch of township road and gravel driveway leading to the pit. Water will either be

gathered on site or from an appropriate source nearby. All necessary permits will be obtained if necessary.

7. NOISE CONTROL

There are several measures that will continue to be taken to assure that the noise level that is generated from the crushing and hauling operations will be at an acceptable level. First of all, all equipment is kept in good working order and is equipped with high quality mufflers to eliminate a good portion of the noise before it is even released into the environment. Secondly, earthen berms would be built before any mining begins adjacent to the pit on the west next to the driveway as well as the NW and SW sides to screen the pit from the property owner and those using the dead end road. These are built from the organic material that was stripped off of the pit prior to the commencement of excavation or crushing operations. Finally, the excavation and crushing operations will be staged in such a way that the excavation will actually be cutting into the hills, making the walls of the pit natural sound barriers.

8. EROSION AND STORM WATER CONTROL PLAN

There are several steps that will be taken to control erosion on this site.

- 1. The excavation plan calls for a flattening of the slopes, which will slow the water down significantly. This will prevent the soil particles from being dislodged from their present location.
- 2. Great care will be taken not to disturb more land than is necessary for the removal of gravel and granular materials at the time that the excavation is taking place.
- 3. The land will be restored according to the reclamation plan as soon as excavation of gravel and granular materials is complete.

PROPOSED MINING OPERATION PLAN

1. GENERAL

The material that is excavated from this pit will be used to service the market for gravel and granular materials throughout this area of the state. There is certainly a continually growing need for these materials in the construction industry. This need is fueled by the continued development of residences, industries, and the ever changing highway system. Many of the good quality deposits of gravel and granular materials have either been exhausted or have been built over by development. This pit would provide an excellent source of high quality gravel

and granular materials and would definitely have a positive impact on the cost of maintaining and developing public and private improvements.

2. SEQUENCING OF THE MINING AND CRUSHING OPERATION

The first stage of the mining operation will be to strip overburden off of the site. This overburden will to be stockpiled along the west end of the pit. This provides a natural noise barrier as well as making the pit more aesthetically pleasing. A screening unit and crusher will then be moved in to the pit to start processing the gravel and granular material. The material will be excavated and processed starting from the northwest corner and working to the southeast. The processed material will be stockpiled in the pit and then transported to projects as needed.

After all granular materials have been removed, the site will be graded so that it is in substantial conformance with the contours shown on plan sheet 3 of 3 labeled *Reclamation Plan*, in as much as it is possible. The pit will then be restored as set forth in this plan.

Since the need for the materials present in this pit are generally dependent on the competitive bidding process, there is no practical way to give an accurate estimation of the duration of the mining operation. I can, however, make a couple of generalizations about the mining process. When a crusher is mobilized into a pit, it is generally at that location for 1-4 weeks, depending on the amount of material that is needed for the projects in close proximity to the pit. After the material is crushed and/or screened, the stockpile is generally removed from the pit and brought to the project in which it is needed within a year of when it is crushed. A sketch of the probable site layout is shown on plan sheet 2 of 3 labeled *Proposed Conditions*.

3. HOURS OF OPERATION

The hours of operation will generally be from 6:00 a.m. until 8:00 p.m. Occasionally, we may operate later than 8:00 p.m. if it is needed to complete daily operations on the current project.

4. RECLAMATION PLAN

The natural habitat of the area that is disturbed will be restored, in as much as it is possible, resulting in returning this gravel pit area to recreational/wildlife land after completion of mining. This will be done by being careful not to disturb any more land that is necessary for the removal of the aggregates and also by beginning the reclamation process as soon as possible after the material is removed. The reclamation plan includes the following aspects:

- A. The site shall be graded so that it is in substantial conformance with the proposed contours, in as much as it is possible. This will result in a drainage pattern to the northwest.
- B. All slopes greater that 3:1 will be flattened, resulting in a gently rolling topography and substantial conformity to the land immediately surrounding the site, which will minimize erosion due to rainfall.
- C. A minimum of 3" topsoil will be placed on all disturbed areas. The quality of the topsoil that is placed will be at least equal to the topsoil of the immediately surrounding area.
- D. A suitable natural vegetation consisting of legumes and grasses will be planted.

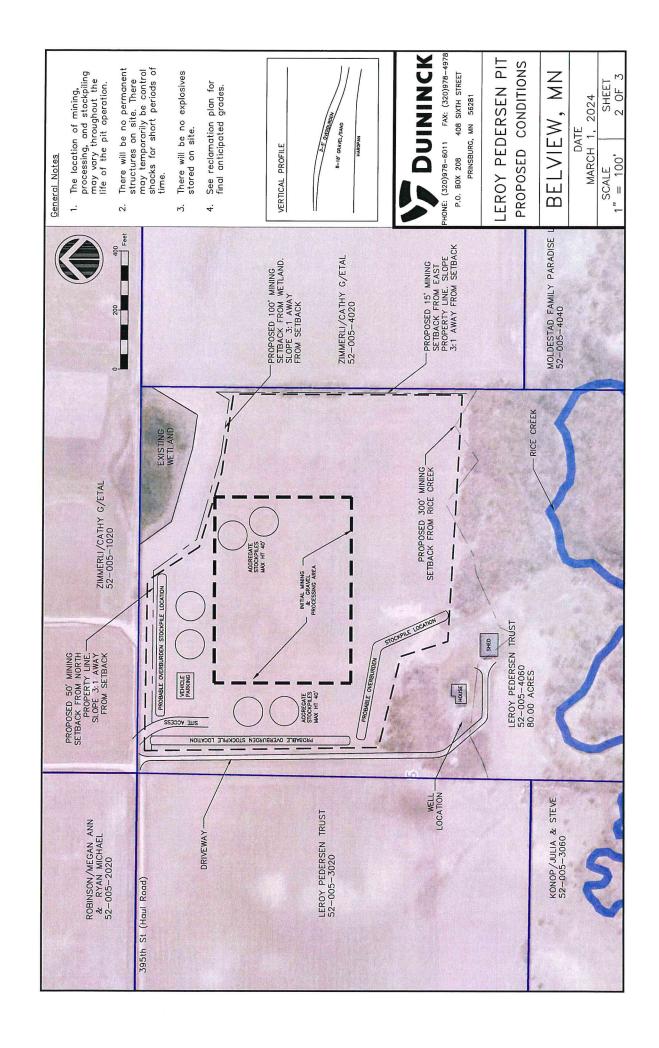
A visual representation of the reclamation plan is included on plan sheet 3 of 3, labeled *Reclamation Plan*.

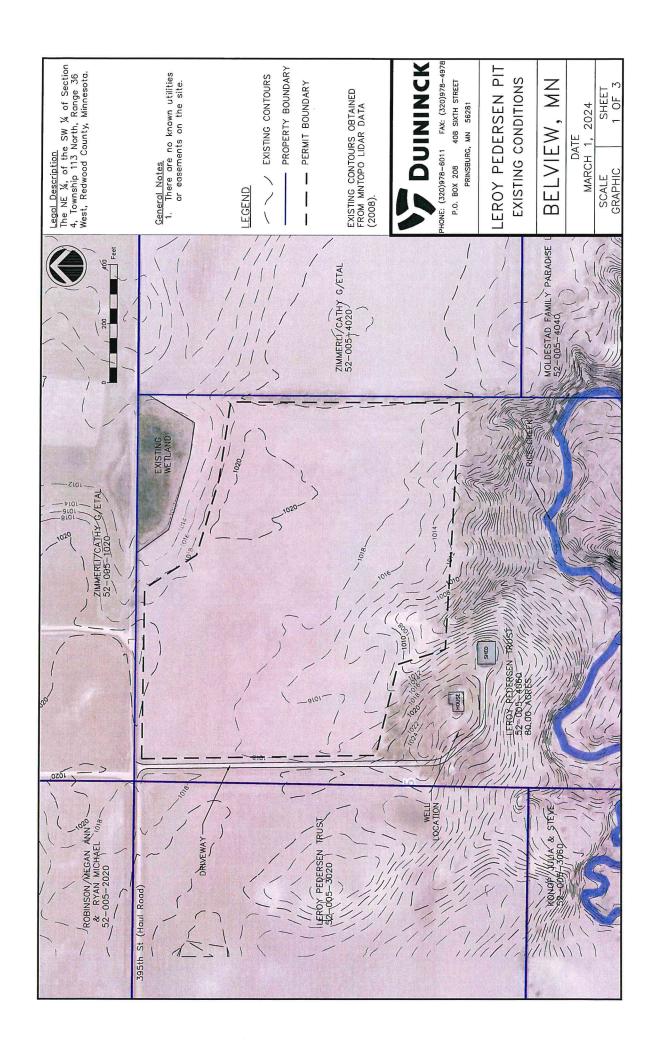
This estimated cost associated with this reclamation activity is \$50,000.

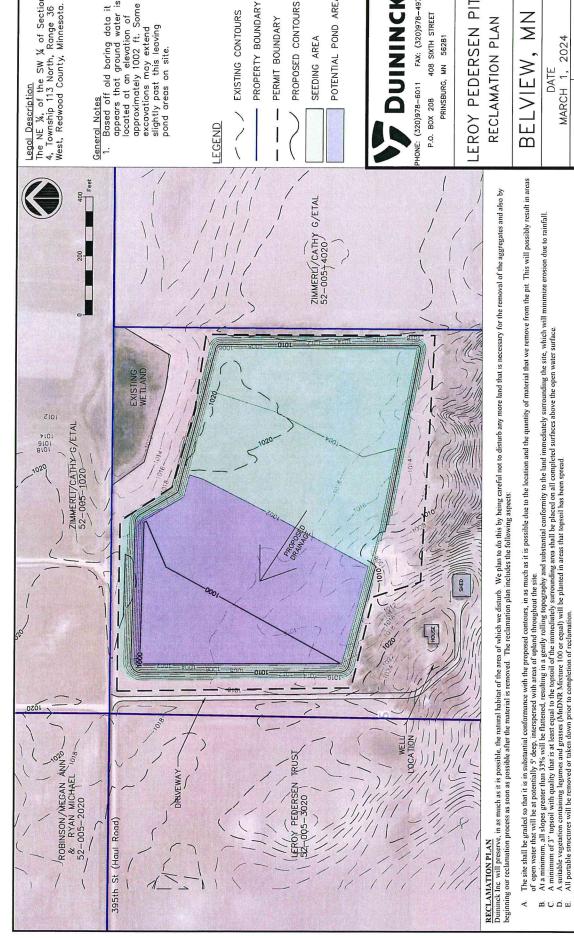
SUMMARY

The materials that are available in this property are of very high quality and would provide excellent building material for today's roads and developments. It would also provide a more competitive market for gravel and asphalt in this area, resulting in taxpayer savings. If a conditional use permit is granted, every effort will be made to cooperate with the conditions that are placed upon this operation and to reclaim the property as well, making it an attractive site for generations to come.

Based on all of this, we respectfully request that a conditional use permit be granted for the mining and processing of gravel and granular materials that are available on this property.







of Section

General Notes

1. Based off old boring data it appears that ground water is located at an elevation of approximately 1002 ft. Some excavations may extend slightly past this leaving pond areas on site.

PROPERTY BOUNDARY EXISTING CONTOURS

PROPOSED CONTOURS PERMIT BOUNDARY

SEEDING AREA

POTENTIAL POND AREA

DUINING

IONE: (320)978-6011 FAX: (320)978-4978 408 SIXTH STREET

PRINSBURG, MN 56281

LEROY PEDERSEN PIT

Z S BELVIEW,

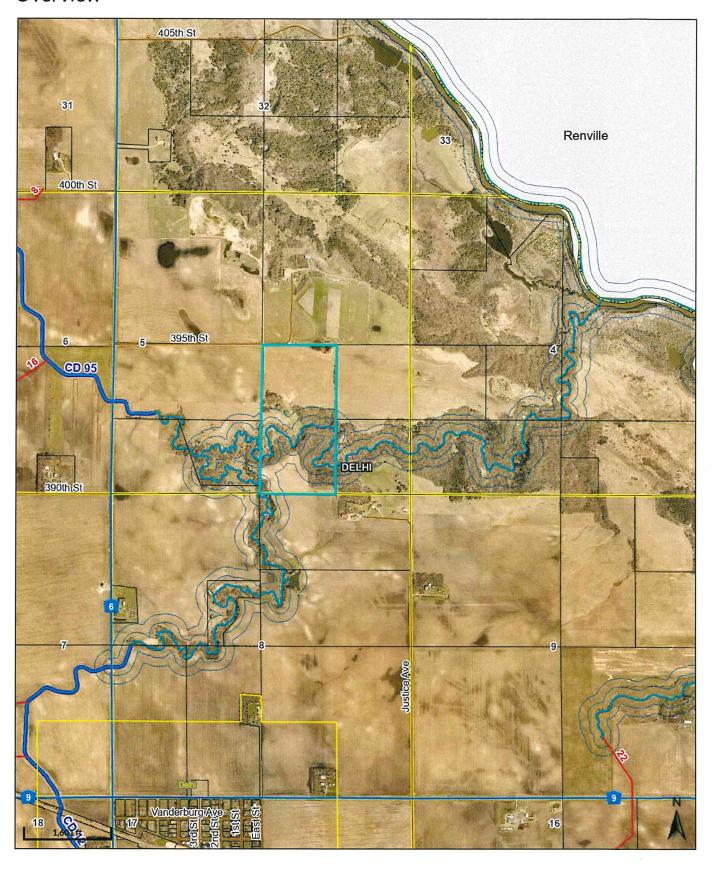
2024 DATE MARCH 1,

SHEET OF SCALE GRAPHIC

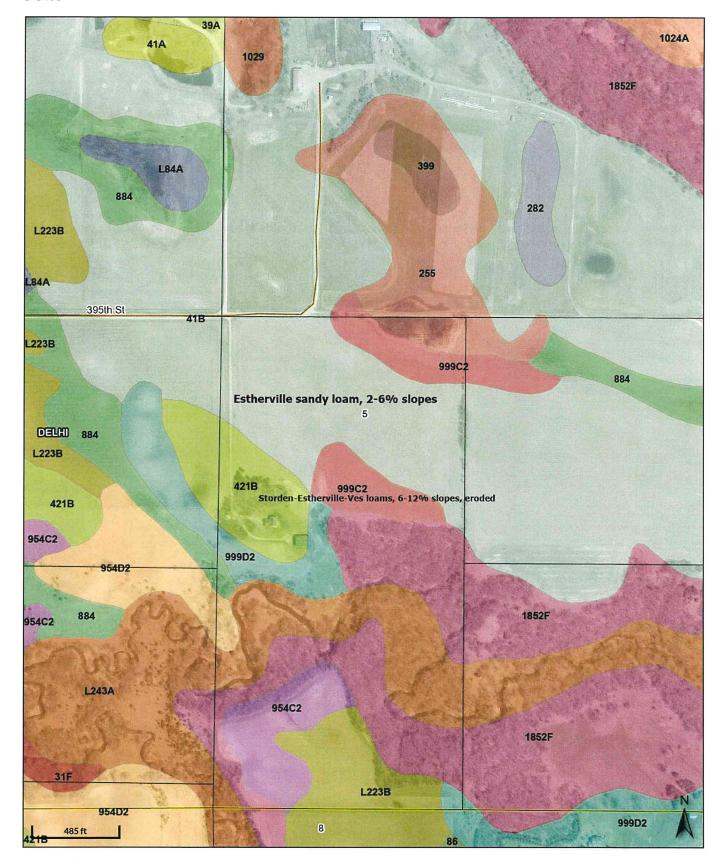
In addition, interim reclamation, or flattening of slopes to provide additional safety, will be done on a periodic basis throughout the life of the permit

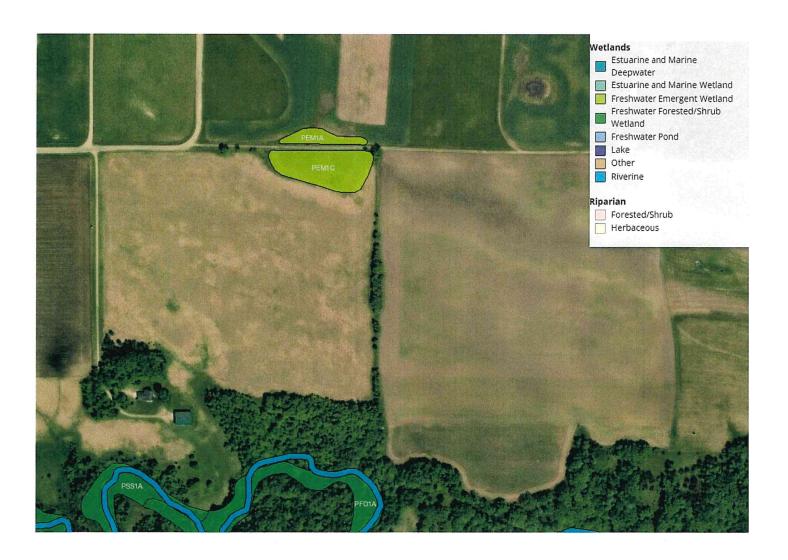
E D C E

Overview



Soils





Conditions Permit No. 3-24 (Duininck Inc. – Pedersen Pit)

- 1. The permit holder shall comply with all applicable laws, rules, and regulations, including but not limited to Redwood County Zoning Ordinance, as hereafter amended from time to time. The permit holder shall abide by all MSHA requirements. The permit holder shall comply with all federal, state and local laws and rules regarding wetlands.
- 2. The permit holder shall allow the Redwood County Environmental Office to inspect the site for all purposes permitted by law whenever deemed necessary by the Redwood County Environmental Office.
- 3. The permit holder shall have proper warning signs posted along 395th Street and County Hwy 6 during times that material is being hauled into or out of the site. The warning signs shall conform to the requirements and guidelines as provided in the Minnesota Manual on Uniform Traffic Control Devices.
- 4. All waste and refuse generated by or from the Interim use must be disposed of in the manner provided by the applicable local, state, and federal statutes, rules, and regulations. A copy of all disposal records and receipts must be kept on file for no less than five (5) years and provided to the Redwood County Environmental Office upon request.
- 5. The permit holder shall contact all relevant local, state, and federal authorities/entities and inquire as to whether a permit and/or license is required. If a permit and/or license is required, the permit holder shall apply for and obtain any and all required permits and/or licenses. A copy of all such permits and/or licenses shall be provided to the Redwood County Environmental Office upon request.
- 6. The permit holder shall not allow the Interim use to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. The permit holder shall not allow the Interim use to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. Adequate measures shall be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of the foregoing will constitute a nuisance now or in the future.
- 7. Hours of operation shall be 6:00 a.m. to 8:00 p.m., with the exception of pumping, which may be done at any time.
- 8. The permit holder shall not exceed the boundary limits described and set forth in the *Application for Extraction Interim Use Permit*. The permit holder shall keep any pit, excavation, or impounded waters within the limits for which the particular permit is granted. The completion date of this *Extraction Interim Use Permit* will be April 1, 2034.
- 9. If any other equipment (i.e. hotmix plant, etc.) other than excavation and aggregate processing equipment used at the site shall require a new conditional use permit. The excavation site shall not be used for a demolition site unless the permit holder obtains the proper permits from the State and Minnesota and Redwood County.
- 10. Adequate access roads, drainage, and other necessary facilities shall be provided at all times and shall continue to be provided by the permit holder now and in the future.

- 11. There shall be no excavation in the bluff impact zones. Fill or excavated material must not be placed in bluff impact zones. The bluff impact zone is the bluff and land located within 20 feet from the top of the bluff. Processing machinery must be located at least 30 feet from the top of the bluff.
- 12. The permit holder shall at all times properly guard and keep any pit or excavation in such condition so as not be dangerous from caving or sliding banks. The permit holder shall properly drain, fill, or level any pit or excavation after created so as to make the same safe and healthful which shall be determined by the Board of Commissioners. The permit holder shall grade the site after the excavation and extraction has been completed so as to render it usable. The site shall be reclaimed according to the reclamation plan included in the *Extraction Interim Use Permit*: (1) the site will be graded to a 3:1 (run to rise) slope; (2) reserved topsoil will be spread on the site and thereafter seeded with approved seed where required to avoid erosion and an unsightly mar on the landscape. The site shall be clean and free of all debris, including stockpiles, when the *Extraction Interim Use Permit* reaches its completion date.
- 13. The permit holder shall post a bond or irrevocable letter of credit in the amount of \$62,500.00, which is 125% of the estimated cost of reclamation. Further, the bond, cash deposit, irrevocable letter of credit, or other security shall remain in full force and effect for a minimum of one year beyond the completion date of *Extraction Interim Use Permit*.
- 14. The permit holder shall maintain bodily injury, property damage, and public liability insurance in the amount of at least \$1,500,000 per occurrence during the life of the extraction operation and shall provide proof of the same to the Redwood County Environmental Office.
- 15. No excavation or stockpiling shall occur until the permit holder, or permit holder's agent, provides the \$62,500.00 reclamation security and proof of bodily injury, property damage, and public liability insurance, to the Redwood County Environmental Office.
- 16. The Redwood County Planning Commission shall review the Interim use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the Interim use permit and/or requiring the permit holder to reapply for an Interim use permit, if:

 1) The Redwood County Environmental Office acquires information previously unavailable that indicates the terms and conditions of the permit do not accurately represent the actual circumstances of the permitted facility or the Interim use; 2) It is discovered subsequent to the issuance of the permit the permit holder failed to disclose all facts relevant to the issuance of the permit or submitted false or misleading information to the Redwood County Environmental Office, the Redwood County Planning Commission, or the Redwood County Board of Commissioners; 3) The Redwood County Environmental Office determines the permitted facility or Interim use endangers human health or the environment; and/or (4) The permit holder violates any of the herein described conditions, the Redwood County Ordinances, State statutes, or Federal laws.



REDWOOD COUNTY PLANNING COMMISSION

Duininck, Inc. - Pedersen Site Extraction Interim Use Permit Application #3-24 May 28, 2024

FINDINGS OF FACT

ORDINANCE CRITERIA - The Planning Commission may recommend the granting of a Conditional Use Permit in any district provided the proposed use is listed as a conditional use for the district and upon a showing that the standards and criteria stated in this Ordinance will be satisfied and that the use is in harmony with the general purposes and intent of this Ordinance and the Comprehensive Plan.

In determining whether the proposed use is in harmony with the general purposes and intent of the Ordinance and the Comprehensive Plan, the Planning Commission shall consider and make findings on the following questions:

mpacts on area property uses were raised at the hearing, and why will they, or why wond enjoyment of other property in the area?

3)	What potential impacts on property values or future development were raised at the hearing, and why will they, or why won't they, impact the neighboring properties?
)	What infrastructure is needed to support the proposed use, and how will it be provided?
	How do the goals, purpose, and policies of the Zoning Ordinance and Comprehensive Plan apply to the proposed project?
	NAME: DATE:

TO:

Whom It May Concern

FROM:

Jeanette Pidde

Land Use and Zoning Supervisor

Redwood County Environmental Office

DATE:

May 10, 2024

RE:

Notice of Public Hearing on Application for Extraction Interim Use Permit

Southwest Minnesota

Please find enclosed a *Notice of Public Hearing* regarding an *Application for Extraction Interim Use Permit* submitted by Lucas Van Eps of Duininck, Inc., on behalf of landowner LeRoy Pedersen, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283 for the mining, crushing, screening, processing, and stockpiling of gravel and granular material on the following described real property:

The W½ of the SE¼ of Section 5, Township 113 North, Range 36 West, Redwood County, Minnesota.

A public hearing thereon will be held before the Redwood County Planning Commission at the Planning Commission meeting scheduled at 1:00 p.m. on Tuesday, the 28th day of May, 2024, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet of the incorporated areas and/or one-quarter (1/4) of a mile of the affected property or the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number of landowners in the unincorporated areas, the township in which the affected property is located, and all municipalities within two (2) miles of the property are required to be notified in writing of the time and place of the public hearing.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at Environmental@co.redwood.mn.us, or by mail at *Redwood County Environmental Office*, *P.O. Box 130, Redwood Falls, MN 56283*, and/or attend the public hearing at the time and date set forth in the *Notice of Public Hearing*.

enclosure

cc: Duininck, Inc. (w/encl.)



NOTICE OF PUBLIC HEARING

An Application for Extraction Interim Use Permit has been filed by Lucas Van Eps of Duininck, Inc., on behalf of landowner LeRoy Pedersen, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.420 and 153.283 for the mining, crushing, screening, processing, and stockpiling of gravel and granular material on the following described real property:

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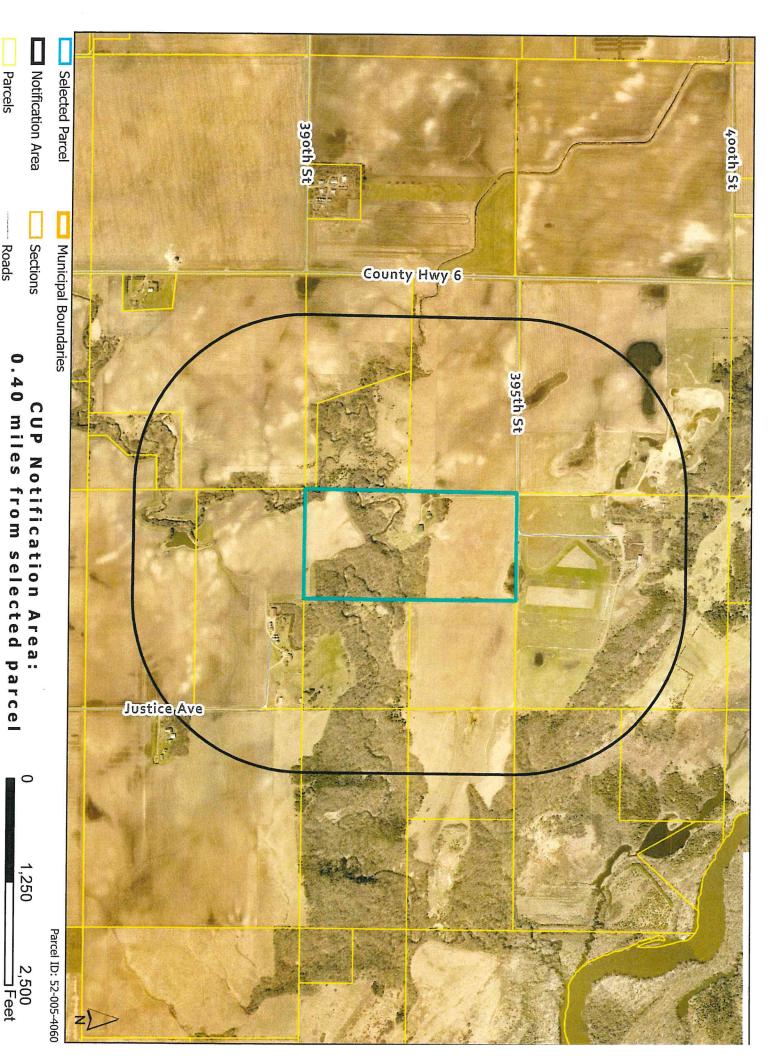
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DATED: May 10, 2024

Jeanette Pidde

Land Use and Zoning Supervisor

Redwood County Environmental Office



Parcels

Roads

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STAT	E OF MINNESOTA)
COU) ss NTY OF REDWOOD)
RE:	Application for Interim Extraction Interim Use Permit submitted by Lucas Van Eps of Duininck, Inc., on behalf of landowner LeRoy Pederson; Permit Application No. 3-24
oath, l	I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon nereby state a copy of the following:
	Notice of Public Hearing on Application for Extraction Interim Use Permit; and Notice of Public Hearing
were o	luly served upon:
	- See Attached -
	Plosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope nited States Postal Service mailbox located at Redwood Falls, Minnesota on the 13th May 2024. Lali Ortega Environmental Administrative Assistant
2024,	Subscribed and sworn to before me, a Notary Public, on this let day of Man, by Lali Ortega.

JEANETTE ELIZABETH PIDDE Notary Public-Minnesota My Commission Expires Jan. 31, 2028

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APPLICANT L	ם כ	520043040 Z	520042060 S	520052020 R	520092020 P	520053020 P	520042040 C	520081020 N	520081040 N	520054040 N	520082060 K	520053040 C
LUCAS VAN EPS, DUININCK, INC.	DELHI TOWNSHIP % CARRIE WERNER, CLERK	ZIMMERLI/CATHY G/ETAL	STATE OF MN - DNR	ROBINSON/MEGAN ANN/&	PEDERSEN/ROBERT L/ETAL	PEDERSEN/LEROY E/TRUST	OZMENT/BROCK E	MOLDESTAD/WILLIAM H/SR	MOLDESTAD/SCOTT T	MOLDESTAD FAMILY PARADISE LLP	KONOP/JULIA & STEVE	CARBERT/DONALD S & JANET A
408 6TH ST	36898 COUNTY HWY 6	3610 E TAMARRON DR	500 LAFAYETTE RD	28596 395 ST	38683 JUSTICE AVE	28502 395 ST	2008 35TH AVE SE	38870 JUSTICE AVE	375 FRANKLIN AVE	18918 EMBRY AVE	818 5TH ST N	36190 675 AVE
PRINSBURG	REDWOOD FALLS	BLOOMINGTON	STPAUL	RENVILLE	REDWOOD FALLS	RENVILLE	MINOT	REDWOOD FALLS	DELHI	FARMINGTON	COLD SPRING	FRANKLIN
<u> </u>	Z Z Z	Z	≤	≤	₹	Z	B	≤	≤	<u>≤</u>	₹	Z.
56281	56283	47408	55155-4045	56284	56283-2502	56284	58701	56283	56283	55024	56320	55333