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September 18, 2019

Tom Gapinske
Northern Sands Wisconsin, LLC
923 S. Hastings Way #310
Eau Claire, WI 54701

Thank you for the timely submittal of the additional information submitted in the Addendum to the Follow-up Baseline Report dated September 13, 2019 (hereafter referred to as "Addendum"), to meet the requirements of Nonmetallic Mine Reclamation Permit #2015-01.

The Department of Land Conservation and Forest Management (LCFM) has reviewed this submittal, and has determined that while it provides nearly all of the information required under the LCFM's letter of review dated August 7, 2019, one deficiency exists, which requires further attention.

The following letter of review has been prepared by the LCFM to document the extent of conformance with the requirements established in the August 7, 2019 request from the LCFM.

For ease of understanding, this letter contains the text from the August 7, 2019 LCFM letter of review, where deficiencies in the June 14, 2019 report were identified and additional information was requested. The requests for additional information are depicted here in *grey italics*.

Bulleted comments shown in **red** indicate areas of remaining deficiency that require resubmittal of Map Figure 2 to satisfy the requirements of Permit #2015-01.

Bulleted comments shown in **bolded black** indicate that the information provided in the Addendum, as provided by NSW, meets the requirements established in the August 7, 2019 review letter.

The results of the current review are as follows:

The LCFM's August 7, 2019 Review Letter states on page 4:

- *Please provide further information, either in the map figures or in the text of the June 14, 2019 report, that details the furthest areal extent of mining in proximity to mapped wetlands and surface water features that transect the western mine boundary. In addition, please include any anticipated separation distances or setbacks from the mine boundary and mapped wetlands, where no excavation or mining activities will occur.*

Map figures 1 and 2 and text on page 3 of the Addendum by Northern Sands Wisconsin (NSW), depict the areal extent of mining in proximity to mapped wetlands. Separation distances are labeled on the map figures, and setbacks are discussed in the text.

- **Permit #2015-01 stipulates in condition 4.d. that** *“A continuous riparian corridor and vegetative buffer shall be established to prevent environmental pollution and meet standards for surface water and wetland protection, as established in NR 135.07. The buffer shall be established to be 100 feet from the boundary of wetlands and centerline of watercourses with defined bed and banks. No mining or mine-related activities are permitted within this buffer.”*

Although the information provided in the Addendum, is adequate in meeting the requirements of the LCFM’s August 7, 2019 Review Letter, it does not meet the requirements of condition 4.d. of Permit #2015-01.

The separation distance between Mine Cell 1b boundary and Wetland ID 9, as depicted and labeled in Figure 2 of the Addendum, is 75.1 feet.

Therefore, to meet condition 4.d. of Permit #2015-01, NSW must adjust the boundary of the planned mining or mine-related activities in Mine Cell 1b, as depicted in Map Figure 2, to establish a 100 foot buffer from the boundary of Wetland ID 9.

The LCFM’s August 7, 2019 Review Letter states on page 4:

- *Please provide further information, either in map figures or in text, that details the surface elevations of mapped wetlands and the anticipated surface elevation (in feet Mean Sea Level) of excavations planned adjacent the western mine boundary.*
- **NSW, in Figures 1 and 2 of the Addendum, provides the surface elevations of mapped wetlands and anticipated surface elevation of excavations planned adjacent the western mine boundary.**

Recognizing the information provided, this meets the requirements of the LCFM Review Letter, dated August 7, 2019.

The LCFM’s August 7, 2019 Review Letter states on page 4:

- *Please provide an explanation of how surface runoff, contributed from watersheds and wetlands within sub-watersheds 1, 31, 42, 51, and 100 will be managed as part of mining activities, including:*
 - 1. Any measures that will be used to manage stormwater runoff contributed to the mine from the adjacent parcels, and*
 - 2. Any measures that will be used to avoid, minimize, or mitigate possible impacts to mapped wetlands resulting from planned mining activities, using stormwater management, contemporaneous mine reclamation or other measures to mitigate any wetland takings. Please note this is required under condition 4.b.(ii) of Permit #2015-01.*

1. NSW, on pages 3-4 of the Addendum, describes the general Phase 1 stormwater controls. This meets the requirements of the LCFM Review Letter dated August 7, 2019.

Please note, per condition 5.d. of Permit #2015-01, NSW is required to submit stormwater plan designs to LCFM before the start of Phase 1 mining in conjunction with the WPDES permit application submittal to the Wisconsin

Department of Natural Resources. Also note, the 100 foot buffer stipulated in Permit #2015-01 should be taken into account when planning stormwater controls.

2. NSW, on page 4 of the Addendum, describes measures to avoid and minimize impacts to wetlands. NSW states in paragraph 5 of page 4, "Phase 1 mine cell development or excavation does not necessitate wetland mitigation or "taking." This fulfills the requirement specified in condition 4.b.(ii) of Permit #2015-01.

To maintain compliance with Permit #2015-01, please submit all required information to the LCFM prior to the start of mining, and no later than September 26, 2019.

I am available to address any questions you may have regarding these remaining points of clarification and can be reached at (715) 738-2592.

Thank you for your ongoing cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ethan Hau', written in a cursive style.

Ethan Hau
Land Resource Technician

c: D. Masterpole, Dept. Director/County Conservationist
T. Pauls, Chippewa Co. Asst. Corporation Counsel
S. Haake, Howard Town Clerk