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# Appendix A

## Reclamation Plan Checklist and Permit Application

A-1 – Reclamation Plan Checklist and Code Citations

A-2 – Application for Nonmetallic Mining Permit

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## A-1 – Reclamation Plan Checklist and Code Citations

## RECLAMATION PLAN CHECKLIST AND CODE CITATIONS

**IMPORTANT:** *The checklist below is based on a restatement of the reclamation plan requirements of s. NR 135.19. However, it is only a summary, and users should refer to the code text itself when interpretations are needed or in order to resolve any ambiguities. The checklist is included both to assist in the process of preparing and submitting a "complete" reclamation plan for review and for use by plan reviewers. There is no intent to imply that all items on this checklist are necessary in all reclamation plans. Should you have questions on the need for your plan to include a given item, please contact your regulatory authority.*

**NR 135.19(1) PLAN REQUIRED.** An operator who conducts or plans to conduct nonmetallic mining on or after August 1, 2001 shall submit to the regulatory authority a reclamation plan that meets the requirements of this section and complies with the standards of Subch. II. To avoid duplication, the reclamation plans may, by reference, incorporate existing plans and materials that meet the requirements of Chapter NR 135.



### Site Information:

**NR 135.19(2) SITE INFORMATION.** The reclamation plan shall include information sufficient to describe the existing natural and physical conditions of the site, including, but not limited to:



### Maps:

**NR 135.19(2)(a)** Maps of the nonmetallic mining site including the general location, property boundaries, the areal extent, geologic composition and depth of the nonmetallic mineral deposit, the distribution, thickness and type of topsoil, the approximate elevation of ground water, the location of surface waters and the existing drainage patterns.

**Note:** *Some of or all of the information required above may be shown on the same submittal, i.e. the site map required by par. (a) may also show topography required by par. (c).*



**General Location:** Figure 1



**Property Boundaries:** Figure 1



**Areal Extent:** Figure 5



**Geologic Composition and Depth of the Mineral Deposit:** No Map, See Section 3.0



**Distribution, Thickness and Type of Topsoil:** Appendix C



**Approximate Elevation of Ground Water:** Figure 3.2

**Location of Surface Waters: Figure 4**

**Existing Drainage Patterns: Figure 3.1**

**Existing Topography: Figure 1 and 3.1**

*NR 135.19(2)(c)* Existing topography as shown on contour maps of the site at intervals specified by the regulatory authority.

*Note: Some of or all of the information required here may be combined to avoid duplication, e.g. a single map may show anticipated post-mining topography required by par. (c) as well as structures and roads as required by par. (d).*

**Location of Manmade Features: Figures 2**

*NR 135.19(2)(d)* Location of manmade features on or near the site.

**Previously Mined Areas: (IF APPLICABLE) n/a**

*NR 135.19(2)(e)* For existing mines, a plan view drawing showing the location and extent of land previously affected by nonmetallic mining, including the location of stockpiles, wash ponds and sediment basins.

**Biological Information: Section 5.0**

*NR 135.19(2)(b)* Information available to the mine operator on biological resources, plant communities, and wildlife use at and adjacent to the proposed or operating mine site.

**Post-mining Land Use: Section 7.0**

*NR 135.19(3)* POST-MINING LAND USE. *(a)* The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with any applicable state, local or federal laws in effect at the time the plan is submitted.

*Note: A proposed post-mining land use is necessary to determine the type and degree of reclamation needed to correspond with that land use. The post-mining land use will be key in determining the reclamation plan. Final slopes, drainage patterns, site hydrology, seed mixes and the degree of removal of mining-related structures, drainage structures and sediment control structures will be dictated by the approved post-mining land use.*

*NR 135.19(3)(b)* Land used for nonmetallic mineral extraction in areas zoned under an exclusive agricultural use ordinance pursuant to s. 91.75, Stats., shall be restored to agricultural use.

*Note: Section 91.75(9), Stats., contains this requirement. Section 91.01(1), Stats., defines the term "agricultural use".*



## **Reclamation Measures Section 7.0**

*NR 135.19(4)* RECLAMATION MEASURES. The reclamation plan shall include a description of the proposed reclamation, including methods and procedures to be used and a proposed schedule and sequence for the completion of reclamation activities for various stages of reclamation of the nonmetallic mining site. The following shall be included:



### **Earthwork and Grading: Figures 7 and 8; Section 7.1**

*NR 135.19(4)(a)* A description of the proposed earthwork and reclamation, including final slope angles, high wall reduction, benching, terracing and other structural slope stabilization measures.



### **Topsoil: Section 7.2**

*NR 135.19(4)(b)* The methods of topsoil or topsoil substitute material removal, storage, stabilization and conservation that will be used during reclamation.



### **Topography: Figure 7 and 8**

*NR 135.19(4)(c)* A plan or map which shows anticipated topography of the reclaimed site and any water impoundments or artificial lakes needed to support the anticipated future land use of the site.



### **Structures: No new structures to remain. Figure 2 and 7.**

*NR 135.19(4)(d)* A plan or map which shows surface structures, roads and related facilities after the cessation of mining.



### **Cost: Appendix F**

*NR 135.19(4)(e)* The estimated cost of reclamation for each stage of the project or the entire site if reclamation staging is not planned.



### **Revegetation Plan: Section 7.4**

*NR 135.19(4)(f)* A revegetation plan which shall include timing and methods of seed bed preparation, rates and kinds of soil amendments, seed application timing, methods and rates, mulching, netting and any other techniques needed to accomplish soil and slope stabilization.

**Revegetation Standards: Section 7.5**

*NR 135.19(4)(g)* Quantifiable standards for revegetation adequate to show that a sustainable stand of vegetation has been established which will support the approved post-mining land use. Standards for revegetation may be based on the percent vegetative cover, productivity, plant density, diversity or other applicable measures.

**Erosion Control: Figure 5; Section 6**

*NR 135.19(4)(h)* A plan and, if necessary, a narrative showing erosion control measures to be employed during reclamation activities. These shall address how reclamation activities will be conducted to minimize erosion and pollution of surface and groundwater.

**Interim Reclamation: (OPTIONAL) Section 7.7**

*NR 135.19(4)(i)* A description of any areas which will be reclaimed on an interim basis sufficient to qualify for the waiver of fees pursuant to s. NR 135.41 and which will be subsequently disturbed prior to final reclamation. Descriptions shall include an identification of the proposed areas involved, methods of reclamation to comply with the standards in Subch. II and timing of interim and final reclamation.

**Criteria for Successful Reclamation Section 8.0**

*NR 135.19(5)* The reclamation plan shall contain criteria for assuring successful reclamation in accordance with s. NR 135.13.

**Certification of the Reclamation Plan Certification Page**

*NR 135.19(6)* CERTIFICATION OF RECLAMATION PLAN. **(a)** The operator shall provide a signed certification that reclamation will be carried out in accordance with the reclamation plan. The landowner and lessee, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will allow its implementation, except as provided in par. (b).

*NR 135.19(6)(b)* For the following situations, the landowner and lessee, if different from the mine operator, are not required to submit a written certification in accordance with par. (a). For these situations, the operator shall provide written evidence that the landowner and lessee, if different than the operator, have been provided with a written copy of the reclamation plan.

1. The mine operator has submitted a reclamation plan for an existing mine in accordance with s. NR 135.18(1).
2. The operator has submitted a reclamation plan for a new or reopened mine in accordance s. NR 135.18(2) which is located on land for which a lease agreement or memorandum of lease between the landowner and applicant was recorded prior to 8 months following December 1, 2000 (*i.e. August 1, 2001*).

*Note: Please see the certification statement examples in Appendix G for more information.*



**Financial Assurance Section 9.0, Appendix F**

*NR 135.40(1-13)*

*Note: Please see Appendix B, Part 11 and Appendix F for more information on financial assurance.*



**Submitting the Plan**

*NR 135.19(7)* APPROVAL. The regulatory authority shall approve, approve conditionally or deny the reclamation plan in writing in accordance with s. NR 135.21(1)(f) for existing mines and s. NR 135.21(2) for new or reopened mines. Conditional approvals shall be issued according to s. NR 135.21(3), and denials of permit applications shall be made according to s. NR 135.22.

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A-2 – Application for Nonmetallic Mining Permit

## Nonmetallic Mining Reclamation Permit Application New and Reopened Mines

**Notice:** Use of this form is required for any non-metallic mining reclamation permit application filed pursuant to Chapter NR Wis. Adm. Code and the Chippewa County Non-Metallic Mining Reclamation Ordinance. Chippewa County will not consider an application unless all information required in this application form is complete. Non-Metallic mines operating without a permit are subject to penalties as outlined in s. 295.19(3), Wis. Stats., ch. NR 135.43(4), Wis. Adm. Code, and the Chippewa County Non-Metallic Mining Reclamation Ordinance. **Complete all information as directed below.**

**(Print or Type)**

<p>1. Applicant/Operator</p> <p><u>Jim Rooney</u>                  Name of Individual or Company</p> <p><u>13167 County Hwy OO</u>                  Street Address</p> <p><u>Chippewa Falls</u>                      <u>WI</u>                      <u>54729</u>                  City    State                      ZIP Code</p> <p><u>715.720.6288</u>                  Telephone Number (include area code)</p>	<p>2. Property Owners/Lessors (if different from Applicant/Operator)                  (Submit additional owner/lessor information on separate sheet)</p> <p>_____                  Name</p> <p>_____                  Street Address</p> <p>_____                  City    State                      ZIP Code</p> <p>_____                  Telephone Number (include area code)</p>
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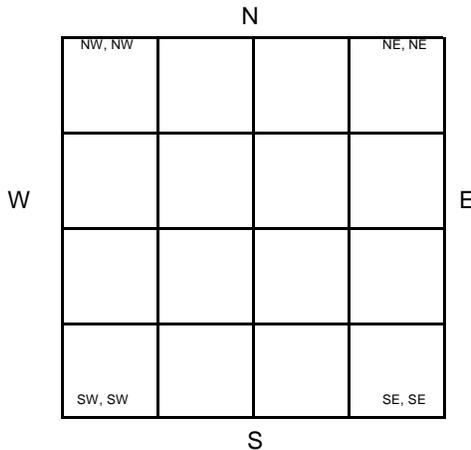
3. **Property Description:** Provide the complete legal description of the property on which the mine is located (example: NW ¼, NE ¼, Section 3, T29N- R6W)

SW1/4 SE1/4 of Section 3, T30N, R8W and NW 1/2,      Sec. 10, T 30N – R 8 W

Town, City, Village of      Eagle Point

Tax Parcel Number(s)      23008-0343-00000000, 23008-1021-00000000, 23008-1012-00000000

4. **General Location Map:** Provide a map showing the location of the property. Hand draw or outline the site location on the **section** map below. Include roads and any other significant features. Section number(s): \_\_\_\_\_ (Draw additional section boxes as needed)



See Figure 1 and 2 of Reclamation Plan.

5. Project Information: (Acreages to report are the total number of active and unreclaimed acres)
- A. Type of deposit proposed for mining Sand and Gravel
- B. Type of processing Crushing of excavated, native material
- C. Approximate total acreage proposed for mine site (life of mine) 8.39 acres
- D. Approximate acreage to be disturbed in first calendar year of operation 2.28 acres, First active year 2015
- E. Current land use of site Recreational Use (Agricultural Zoning)
- F. Land is:  leased  owned by applicant  other, specify \_\_\_\_\_
- G. Estimated total life of mine 20\* years. \*At current usage rate
- H. Other permits held for site (circle): i. DNR-Chapter 30 ii. County Zoning iii. DNR-Stormwater iv. Other: County Conditional Use

6. Threatened or Endangered Species:

Are you aware of any listed threatened or endangered species at the nonmetallic mining site?  Yes  No

If "Yes", attach documentation of the threatened or endangered species. See Section 5.0 of Reclamation Plan

**Note:** Be aware that Chippewa County may, pursuant to s. 29.604(6r), Wis. Stats., consult with the Bureau of Endangered Resources on whether approval of this permit may affect a listed threatened or endangered species. The presence of a listed threatened or endangered species may affect certain aspects of the nonmetallic mining site under the requirements of this statute.

7. Cultural or Historical Resources:

Are you aware of any listed cultural or historical resources at the nonmetallic mining site?  Yes  No

If "Yes", attach documentation of the cultural or historical resource. See Section 2.2.2 of Reclamation Plan

**Note:** Be aware that Chippewa County may, pursuant to s. 44.40, Wis. Stats., consult with the State Historic Preservation Officer on whether approval of this permit may have an adverse affect upon historic property. The presence of historic property may affect certain aspects of the nonmetallic mining site under the requirements of this statute.

8. Wetlands Protection:

Are you aware of any wetlands at the nonmetallic mining site?  Yes  No

If "Yes", documentation of and measure to protect wetlands is required in Reclamation Plan. See Section 5.1 of Reclamation Plan

**Note:** Be aware that Chippewa County shall, pursuant to s. 281.15, Wis. Stats., and ch. NR103, Wis. Adm. Code, require that the nonmetallic mining project meet the wetland water quality standard provisions in ch. NR103. The presence of wetlands may affect certain aspects of the nonmetallic mining site under the requirements of ch. NR103.

9. Reclamation Plan: Submit a reclamation plan conforming to Chippewa County **PLAN SPECIFICATIONS FOR NON-METALLIC MINES IN CHIPPEWA COUNTY** and s. NR135.19 with this permit application. Include any previous regulatory approvals (if applicable) so long as they meet the reclamation standards of the Chippewa County Non-Metallic Mining Reclamation Ordinance.

The landowner and lessee, if different from the operator, must also provide signed certification that they concur with the reclamation plan and will allow its implementation.

I hereby certify as a duly authorized representative that the operator will provide financial assurance as required by s. NR135.40 upon granting of the reclamation permit and before mining begins. I further certify and that if the land containing the mine site is owned or leased by someone other than the operator, the landowner or lessee has been provided with a copy of the reclamation plan submitted with this application as required by s. NR135.19(6) Wis. Adm. Code.

Signature of Applicant or Duly Authorized Representative

7-8-15  
Dated Signed

<b>PERMIT FEES</b>		<i>(To be completed by Chippewa County)</i>	
<b>Total Proposed Size</b> _____		<b>Current Year Active or Unreclaimed Acres</b> _____	
Includes areas currently disturbed or to be disturbed before the end of the current calendar year (includes areas for excavation, stockpiling, processing, conservation practices, and roads). See Section 5C. and 5D.			
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<b>Annual Permit Fee</b> (based on current year total of active and unreclaimed acres)			
County Fee		\$ _____	_____
State Fee		\$ _____	_____
-----			
<b>Plan Review Fee</b> (based on total size of pit)			
		\$ _____	_____
-----			
<b>Public Notice</b>			
		\$ _____	_____
-----			
<b>TOTAL RECLAMATION PERMIT FEE DUE</b>		<b>\$ _____</b>	<b>_____</b>
Make checks payable to <b>Chippewa County Department of Land Conservation and Forest Management</b>			
Please be aware that additional fees may be incurred should a Public Hearing be held for review of this permit. Such fees will be assessed at a later date.			

11. Certification

I hereby certify that the information contained herein is true and accurate. I also certify that I am the applicant or that I am the duly authorized representative of an applicant who is authorized to apply for a permit.

\_\_\_\_\_  
Signature of Applicant or Duly Authorized Representative

7-8-15  
Dated Signed

12. <u>County Permit Information</u> (To be completed by Chippewa County)		
Date Application Received (this form):		
Check Amount: \$	Check No.	Date Received:
Public Notice Dates:		
Financial Assurance Received:		Type:
Financial or Bonding Institution:		
Permit No.		
Date Permit Issued:	Staff Signature	

**Legal Definitions**

<sup>1</sup> Chippewa County Non-Metallic Mining - "Unreclaimed acre" or "unreclaimed acres" means those unreclaimed areas in which nonmetallic mining has occurred after August 1, 2001 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under sub. 30-137.(c). However the terms "Unreclaimed acre" or "unreclaimed acres" do not include:

1. Those areas where reclamation has been completed and certified as reclaimed under sub.30-137.(c).
2. Those areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after August 1, 2001.
3. Those portions of nonmetallic mining sites which are included in a nonmetallic mining reclamation plan approved pursuant to this chapter but are not yet affected by nonmetallic mining.
4. Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiling of materials used for an industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining.
5. For purposes of fees under sub 30-135, those areas within a nonmetallic mining site which the regulatory authority has determined to have been successfully reclaimed on an interim basis in accordance with s. NR 135.41.

<sup>2</sup> Chippewa County Non-Metallic Mining - "Nonmetallic mining site" or "site" means all contiguous areas of present or proposed mining described in par. (a), subject to the qualifications in par. (b).

(a) Nonmetallic mining site means the following:

1. The location where nonmetallic mining is proposed or conducted.
2. Storage and processing areas that are in or contiguous to areas excavated for nonmetallic mining.
3. Areas where nonmetallic mining refuse is deposited.
4. Areas affected by activities such as the construction or improvement of private roads or haulage ways for nonmetallic mining.
5. Areas where grading or regrading is necessary.
6. Areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, revegetation test plots, or channels for surface water diversion, are located.

(b) "Nonmetallic mine site" does not include any of the following areas:

1. Those portions of sites listed in par. (a) not used for nonmetallic mining or purposes related to nonmetallic mining after August 1, 2001.
2. Separate, previously mined areas that are not used for nonmetallic mineral extraction after August 1, 2001 and are not contiguous to mine sites, including separate areas that are connected to active mine sites by public or private roads.
3. Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiles of materials used for an industrial process unrelated to nonmetallic mining.

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# Appendix B

## Property Owner

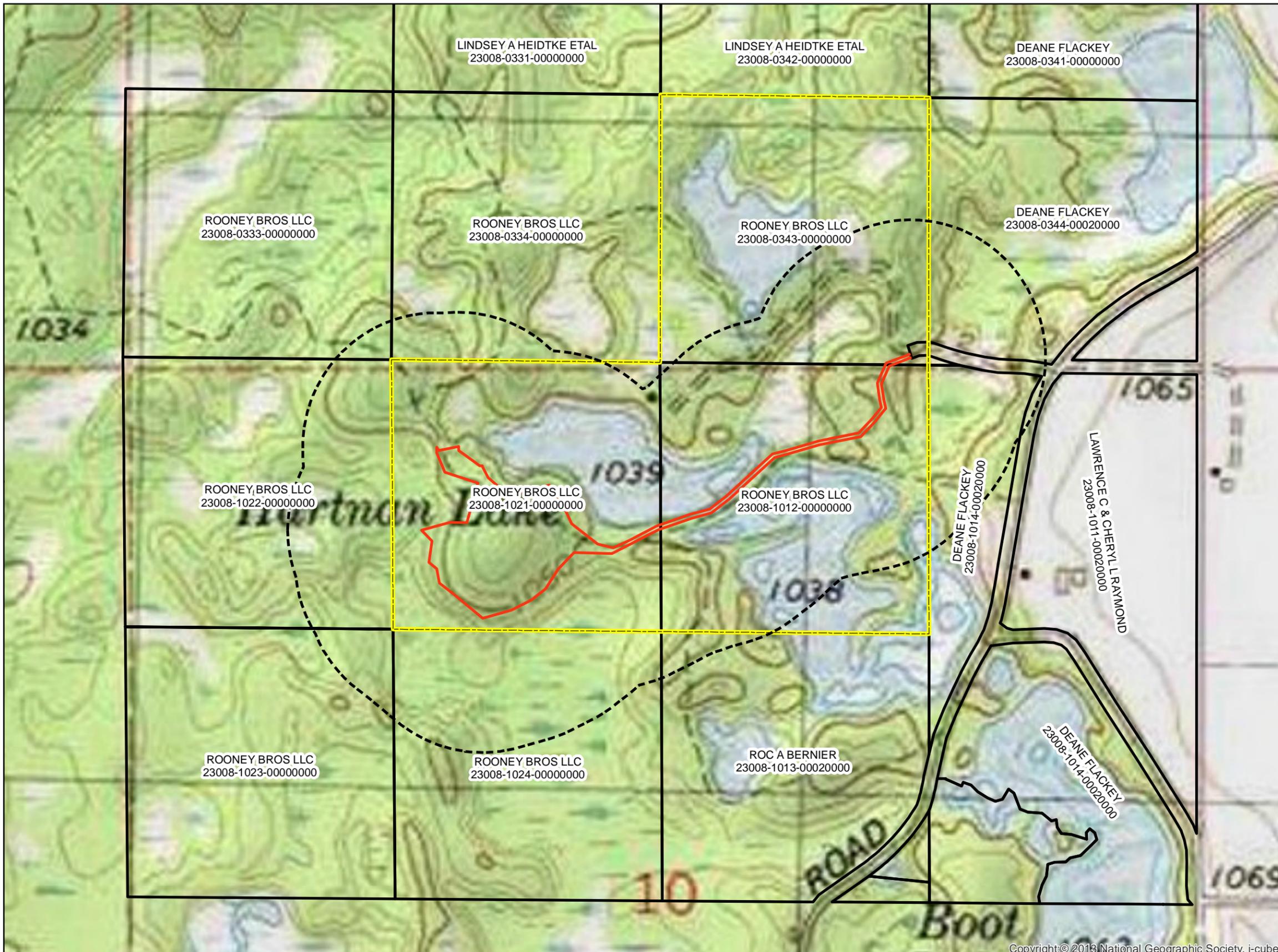
B-1 – Property Owner Map

B-2 – Property Owner Information

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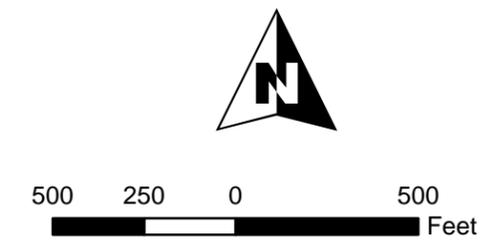
B-1 – Property Owner Map

Path: P:\F\J\HECON\132289\GIS\Maps\B-1 - Property Owner Map rev a.mxd



**Legend**

- Mine Boundary
- Property Boundary
- 660 ft Setback from Mine Boundary
- Parcels



This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.

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WATTS: 800-472-5881  
www.sehinc.com

Project: HECON 132289  
Print Date: 9/29/2015  
Map by: rhenkel  
Projection: NAD 1983 HARN WISCRS  
Chippewa County (US Feet)

# ROONEY PROPERTY

## Town of Eagle Point, Wisconsin

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B-2 – Property Owner Information

## Property Owner Information

Name	Parcel Number	Address
Lindsey A Heidtke ETAL	23008-0331-00000000	6462 186th Ave, Bloomer, WI 54724
Lindsey A Heidtke ETAL	23008-0342-00000000	6462 186th Ave, Bloomer, WI 54724
Deane Flackey	23008-0341-00000000	16877 175th Ave, Bloomer, WI 54724
Rooney Bros LLC	23008-0333-00000000	13167 County Hwy OO, Chippewa Falls, WI 54729
Rooney Bros LLC	23008-0334-00000000	13168 County Hwy OO, Chippewa Falls, WI 54729
Rooney Bros LLC	23008-0343-00000000	13169 County Hwy OO, Chippewa Falls, WI 54729
Deane Flackey	23008-0344-00020000	16877 175th Ave, Bloomer, WI 54724
Lawrence C & Cheryl L Raymond	23008-1011-00020000	17601 167th St, Bloomer, WI 54724
Deane Flackey	23008-1014-00020000	16877 175th Ave, Bloomer, WI 54724
Rooney Bros LLC	23008-1012-00000000	13167 County Hwy OO, Chippewa Falls, WI 54729
Rooney Bros LLC	23008-1021-00000000	13167 County Hwy OO, Chippewa Falls, WI 54729
Rooney Bros LLC	23008-1022-00000000	13168 County Hwy OO, Chippewa Falls, WI 54729
Rooney Bros LLC	23008-1023-00000000	13169 County Hwy OO, Chippewa Falls, WI 54729
Rooney Bros LLC	23008-1024-00000000	13170 County Hwy OO, Chippewa Falls, WI 54729
Roc A Bernier	23008-1013-00020000	17588 165th Street, Bloomer, WI 54724