

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, October 17, 2018

Agenda Item 4

Applicant: Rumpca Excavating

Request: Renewal of Conditional Use Permit for Nonmetallic Mining.

Background:

Rumpca Excavating owns and operates a nonmetallic mine on 80 acres which was expanded in 2002 requiring the issuance of a conditional use permit. The materials mined are gravel and limestone. The operation plan states that the 60 of the 80 acres will be mined and extraction will extend to the elevation of approximately 900 feet.

A policy exception, to the 100 foot setback requirement, was granted by the LMC in April, 2018 to allow for the Rumpca mine to be joined with the neighboring Rohl mine. Much of the extraction this year was done in the Rohl mine. Attempts are being made to complete extraction from the Rohl mine as soon as possible and to complete final reclamation in accordance with the agreement between Rohl, Rumpca and the Kinnickinnic River Land Trust.

Issues Pertaining to the Request:

- The legal description for this property is in the E ½ of the SE ¼ in Section 29, T27N, R19W in the Town of Clifton. The property is zoned General Rural Flexible-8.
- The mining site has approximately 10 unreclaimed acres. Access to the mine is off of County Road MM.
- Portable crushing equipment is brought in to make C/5 Gravel, Recycled C/5 and Screened Hard Rock and trucks are used to haul the product.
- Blasting is conducted by a bonded professional explosive company. Blasting infrequently takes place on this site. No explosives are stored onsite.
- Hours of operation are 7:00 am to 6:00 pm Monday through Friday and 7:00 am to 4:30 pm on Saturday. Blasting is between the hours of 8:00 am to 4:00 pm Monday through Friday. Crushing is between the hours of 7:00 am to 4:30 pm Monday through Friday.
- A 100 foot setback has been maintained for all extraction in all areas of the property except for the portion which borders the Rohl mine. The 100 foot setback is still in effect for all of the property that does not border the Rohl mine.
- A scale and scale house are located on the site.
- Staff received concerns from a nearby landowner, property to the north atop of a hill, regarding the increased visibility of the operation and the possibility of screening (vegetative or berms). Staff inspected the site and believes that the increased visibility is due to the temporary road which

combines the Rumpca and Rohl mines. Staff does not believe that screening is warranted or viable due to the elevation of concerned property and the impending final reclamation of the Rohl mine.

- Staff has contacted the Town of Clifton Chairperson regarding this renewal and no complaints or concerns were reported.
- The current conditions for the permit are:
 1. Applicant shall follow all recommendations and receive all necessary permits from other agencies.
 2. A 100-ft setback shall be maintained from all property lines for all mining activities.
 3. Applicant shall comply with DNR NR 135 Annual Reclamation Permits.
 4. Property owners located within 1000 feet shall be given adequate notice, at least 48 hours, of any blasting, and all blasting shall be done by a certified state licensed blaster.
 5. Well tests for nitrates, suspended solids, and dissolved solids shall be conducted annually for all wells within 1000 feet of the proposed mining operation.
 6. The applicant shall notify the Zoning Office if groundwater is encountered.
 7. Dust control measures shall be implemented along haul roads.
 8. Hours of operation are 7:00 am to 6:00 pm Monday through Friday and 7:00 am to 4:30 pm on Saturday.
 9. Recycling of concrete, asphalt and bricks into Class five materials is allowed.
 10. Reclamation shall be according to submitted plans.
 11. Applicant agrees that any unforeseen erosion issues shall be addressed to the satisfaction of the county.
 12. This CUP renewal shall expire in two years.
 13. A new reclamation plan shall be completed if extraction differs from the approved plan on file.
 14. Any expansion or intensification shall require a new conditional use permit and potentially a rezone depending on the intensity of the use.

Recommendation:

Staff recommends the Land Management Committee consider the above and if determined to be not contrary to the public interest, health, safety or character of the area, renew this conditional use permit with the following conditions:

1. Applicant shall follow all recommendations and receive all necessary permits from other agencies.
2. **A 100-ft setback shall be maintained from all property lines for all mining activities, except in areas for which a policy exception has been granted by the Land Management Committee.**
3. Applicant shall comply with DNR NR 135 Annual Reclamation Permits.
4. Property owners located within 1000 feet shall be given adequate notice, at least 48 hours, of any blasting, and all blasting shall be done by a certified state licensed blaster.
5. Well tests for nitrates, suspended solids, and dissolved solids shall be conducted annually for all wells within 1000 feet of the proposed mining operation.
6. The applicant shall notify the Zoning Office if groundwater is encountered.
7. Dust control measures shall be implemented along haul roads.
8. Hours of operation are 7:00 am to 6:00 pm Monday through Friday and 7:00 am to 4:30 pm on Saturday.
9. Recycling of concrete, asphalt and bricks into Class five materials is allowed.
10. Reclamation shall be according to submitted plans.

Applicant: Rumpca Excavating
Conditional Use Permit Renewal for Nonmetallic Mining
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11. Applicant agrees that any unforeseen erosion issues shall be addressed to the satisfaction of the county.
12. This CUP renewal shall expire in two years.
13. A new reclamation plan shall be completed if extraction differs from the approved plan on file.
14. Any expansion or intensification shall require a new conditional use permit and potentially a rezone depending on the intensity of the use.

Submitted By: Brad Roy
Zoning Administrator

Land Management Committee

Rumpca Excavating CUP Renewal
(October 17, 2018)
Non Metallic Mining

Legend

-  Dwellings
-  CUP Renewal
-  Parcels

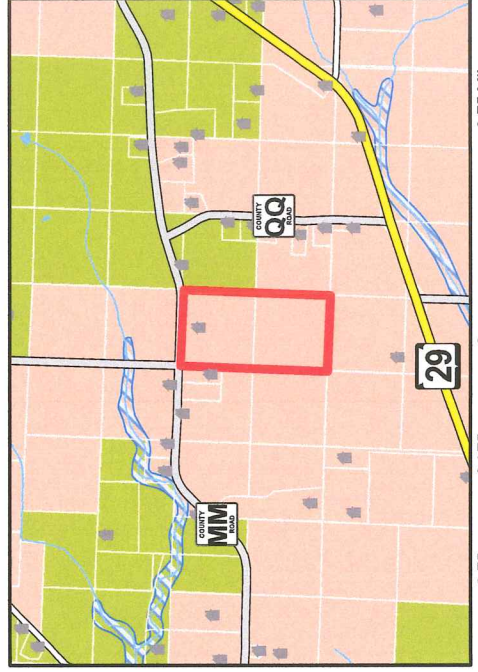
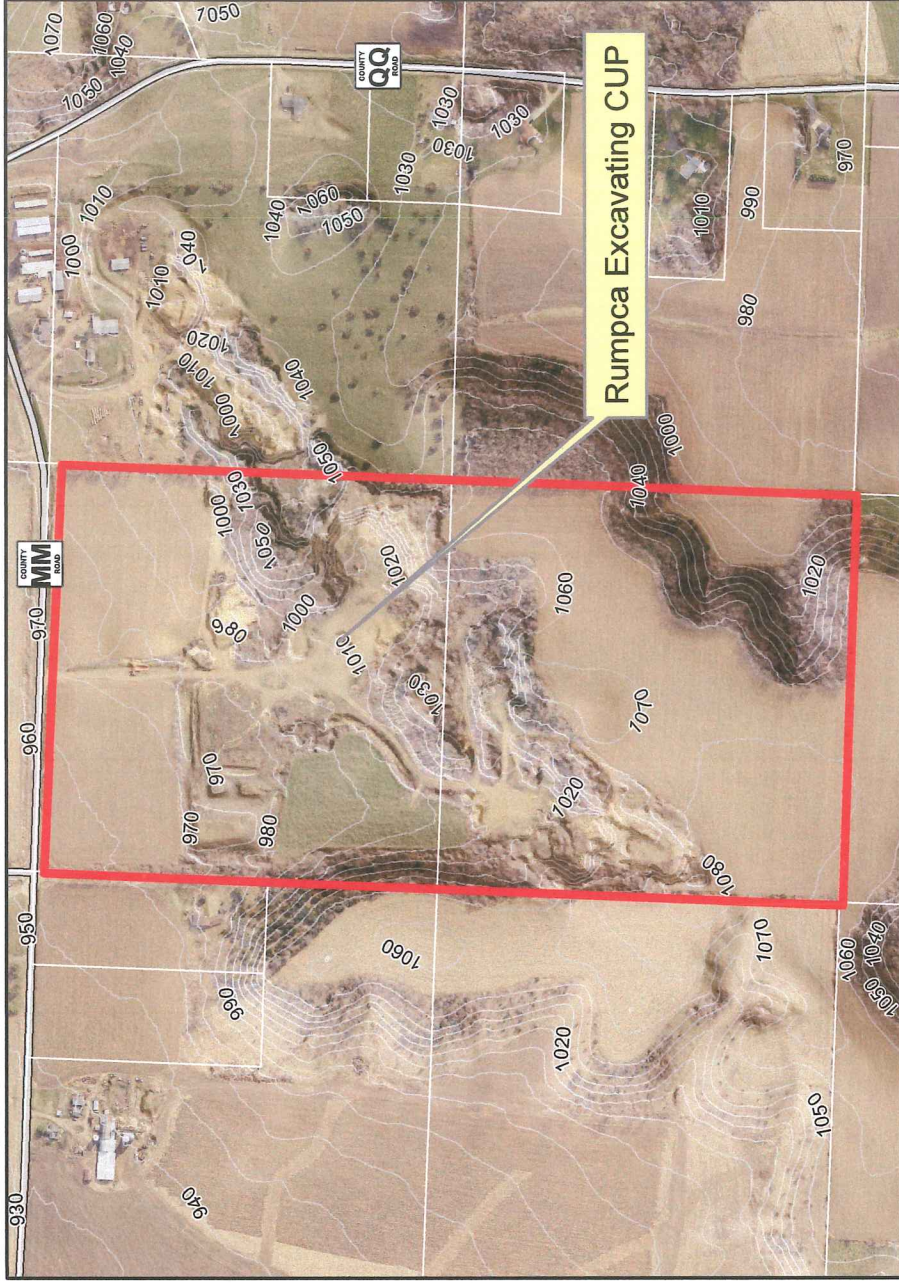
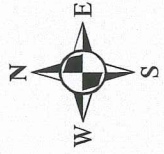
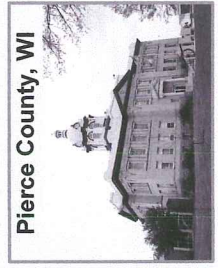
Zoning

-  General Rural Flexible - 8
-  Primary Agriculture

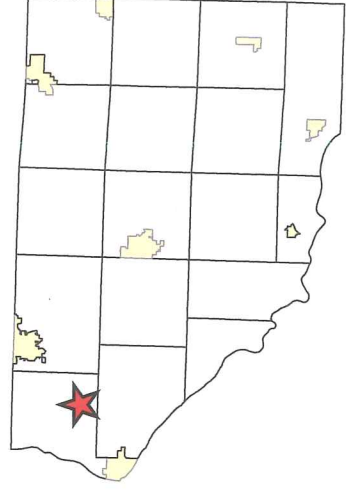
Flood Hazard Zones

-  100 Yr Floodway/
No Base Elev. Det

Orthophotography - 2015 Pierce County



Site Location
W11351 COUNTY RD MM
TOWN OF CLIFTON



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, October 17, 2018

Agenda Item 5

Applicant: Rickey Diesing

Request: Renewal of Conditional Use Permit for Nonmetallic Mining.

Background:

Rick Diesing purchased this property in August 2006. At that time the property had an abandoned mine that had previously been considered to be a “preexisting nonconforming use”. Mining at the site had ceased prior to August of 2001 when NR 135 took effect requiring nonmetallic mining reclamation. Because the use was discontinued prior to 2001, no reclamation had taken place on the site and a new conditional use permit was needed in order to conduct mining activities.

In September of 2006 Rick Diesing obtained a new Conditional Use Permit for Nonmetallic Mining. Bechel Sand and Gravel took over the property in 2013 and continued operating the mine until 2017. In 2017 Rick Diesing obtained the property back.

Sand is mined from the site and waste industrial sand has been deposited in the mine. Portable processing equipment is utilized when necessary. All new mining activity has been consistent with current rules and regulations.

Issues Pertaining to the Request:

- The legal description for this property is in the SW 1/4 of the SE ¼ in Section 5, T24N, R17W in the Town of Isabelle. The property is zoned General Rural.
- The mining site has approximately 3.5 unreclaimed acres; the total extent of the mine will be approximately 6.5 acres. Access to the mine is off of 150th Avenue.
- Sand screening and sizing equipment is placed on the site when necessary. There is no blasting on this site; sand is extracted with excavating equipment and trucks.
- There are numerous residences located within close proximity to the site; staff has not received any complaints about this operation.
- A 100 foot setback will be maintained from property lines for all new extractions.
- Staff has contacted the Town of Isabelle Chairperson regarding this renewal. The Town of Isabelle expressed concern that mine productivity increases and heavy hauling operations in the future may increase road maintenance expenses on 150th Ave.
- The current conditions of the permit are:
 1. Hours of operation remain consistent with daylight hours Monday through Friday, Saturday hours will be 8:00am – 4:00pm.
 2. Applicant shall receive all necessary permits from other agencies.

Applicant: Rickey Diesing
Conditional Use Permit Renewal for Nonmetallic Mining
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3. Applicant shall comply with DNR NR 135 Annual Reclamation Permits.
4. A 100-ft setback shall be maintained from all property lines for all mining activities, which includes stockpiling and equipment placement.
5. Applicant agrees that any unforeseen erosion issues that arise shall be addressed to the satisfaction of the county.
6. Reclamation shall be according to submitted plans and shall be completed within one year of ceasing mining operations.
7. This CUP renewal shall expire in two years.

Recommendation:

Staff recommends the Land Management Committee consider the above and if it is found that no changes or modifications are necessary to protect the public interest, public health, safety or character of the area, renew this conditional use permit with the following conditions:









1. Hours of operation remain consistent with daylight hours Monday through Friday, Saturday hours will be 8:00am – 4:00pm.
2. Applicant shall receive all necessary permits from other agencies.
3. Applicant shall comply with DNR NR 135 Annual Reclamation Permits.
4. A 100-ft setback shall be maintained from all property lines for all mining activities, which includes stockpiling and equipment placement.
5. Applicant agrees that any unforeseen erosion issues that arise shall be addressed to the satisfaction of the county.
6. Reclamation shall be according to submitted plans and shall be completed within one year of ceasing mining operations.
7. This CUP shall expire in two years.

Submitted By: Adam Adank
Zoning Specialist


Land Management Committee

Rickey Diesing CUP Renewal
(October 17, 2018)
Non Metallic Mining

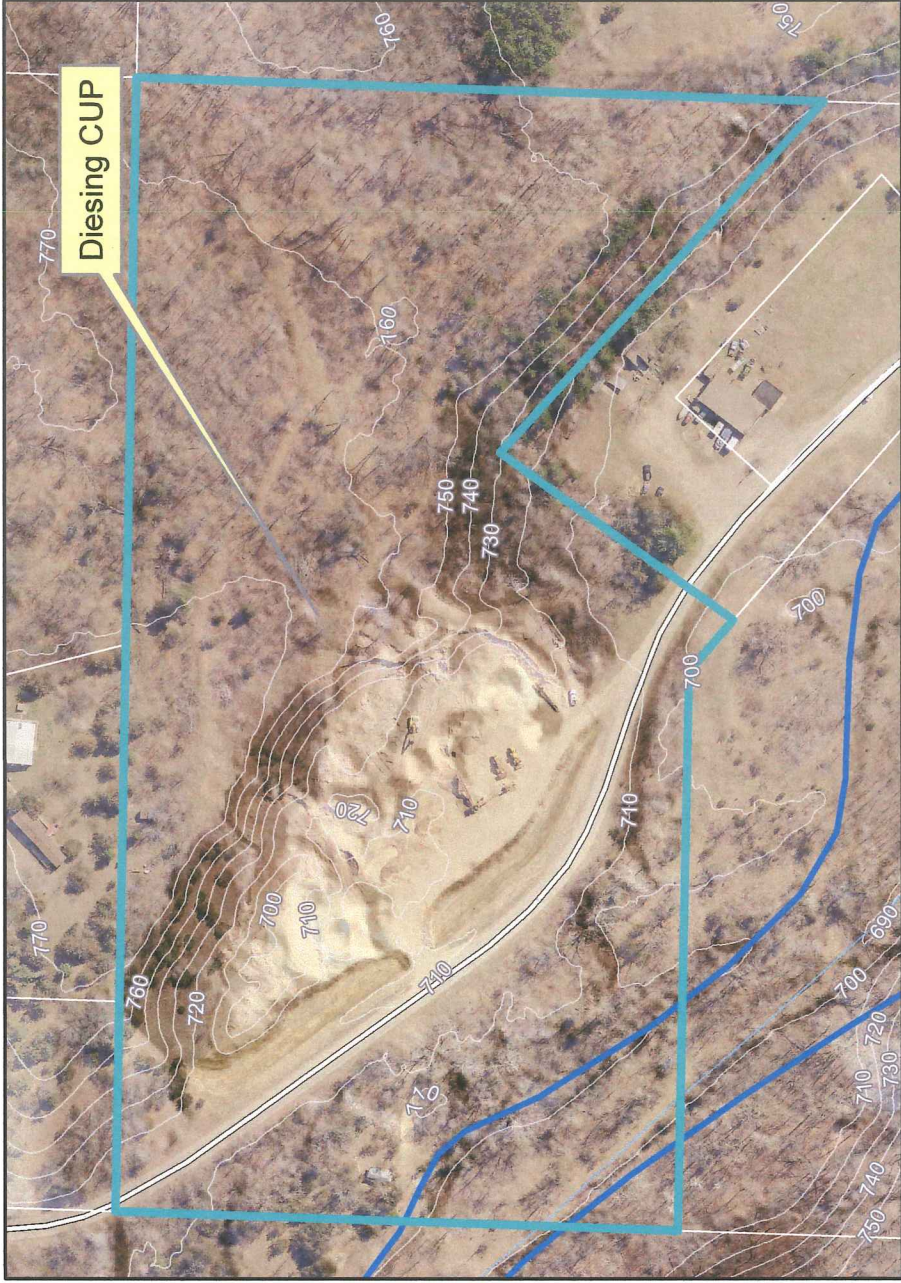
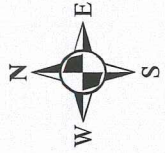
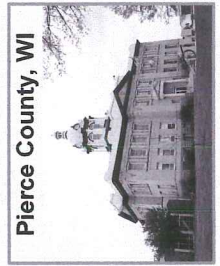
Legend

-  Dwellings
 -  CUP Renewal
 -  Parcels
- ### Zoning
-  Bay City
 -  Commercial
 -  General Rural
 -  Industrial
 -  Rural Residential - 20

Flood Hazard Zones

-  100 Yr Floodway/
No Base Elev. Det

Orthophotography - 2015 Pierce County



Site Location

W6670 150TH ST
Town of Isabelle

