Le Sueur County, MN

Thursday, June 11, 2015

Regular session

Item 2

Traxler Construction

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT: TRAXLER CONSTRUCTION, PAT TRAXLER, LE CENTER, MN

OWNER: BETTY ANN MOLLENHAUER C/O RALPH & EVA FIX, EDINA, MN

PROJECT DESCRIPTION: To allow mineral extraction of 50 acres of a 76.63 acre parcel in an Agriculture "A" District, in the Mineral Resources "MR" Overlay District and the Airport Zoning "AZ" Overlay District. Property is located in the S half of the SE1/4 and the E half of the SE1/4, Section 11, Ottawa Township.

MANDATORY ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW) REQUIRED
THEREFORE THE APPLICATION SHALL BE TABLED UNTIL SUCH TIME THE EAW IS COMPLETE

PURPOSE: It is declared to be the policy of Le Sueur County to provide for the reclamation of land disturbed by mining in order to encourage productive use to include, but not limited to, the planting of forests; the seeding of grasses and legumes for grazing purposes; the planting of crops for harvest; the enhancement of wildlife and aquatic resources; the establishment of recreational residential and industrial sites; and for the conservation, development, management and appropriate use of all the natural resources of such areas for compatible multiple purposes; to aid in maintaining or improving the tax base; and protecting the public health, safety and general welfare of the people, as well as the natural beauty and aesthetic values, in the affected areas of the County.

ZONING ORDINANCE SECTIONS: Sections 8 and 20

DEFINITIONS:

EXTRACTION PIT - Any artificial excavation of the earth exceeding fifty (50) square feet of surface area or two (2) feet in depth, excavated or made by the removal from the natural surface of the earth, of sod, soil, sand, gravel, stone or other natural matter; or made by turning, or breaking or undermining the surface of the earth. Excavations ancillary to other construction of any installation erected or to be erected, built, or placed thereon in conjunction with or immediately following such excavation shall be exempted, if a permit has been issued for such construction for installation.

EXTRACTIVE USE - The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minnesota statutes, sections 93.44 to 93.51 and as amended from time to time.

GOALS AND POLICIES: **2007 COMPREHENSIVE LAND USE PLAN:**

GOAL #6: ***Aggregate resources are a finite resource that is directly impacted by scattered stie development.***

Policy: The County should protect its aggregate resources from premature development.

SITE INFORMATION

LOCATION: **76.63 acre parcel located in Section 11, Ottawa Township**

ZONING: **Agriculture "A", Mineral Resources and Airport Zoning (Zone C) Overlay Districts**

GENERAL SITE DESCRIPTION: **Agricultural**

ACCESS: **State Highway Department**

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag land **South:** Ag land

West: Ag Land, Mining Operations **East:** City of Le Sueur (BioEnergy Facility) and Mining Operations

BACKGROUND INFORMATION

See enclosed narrative.

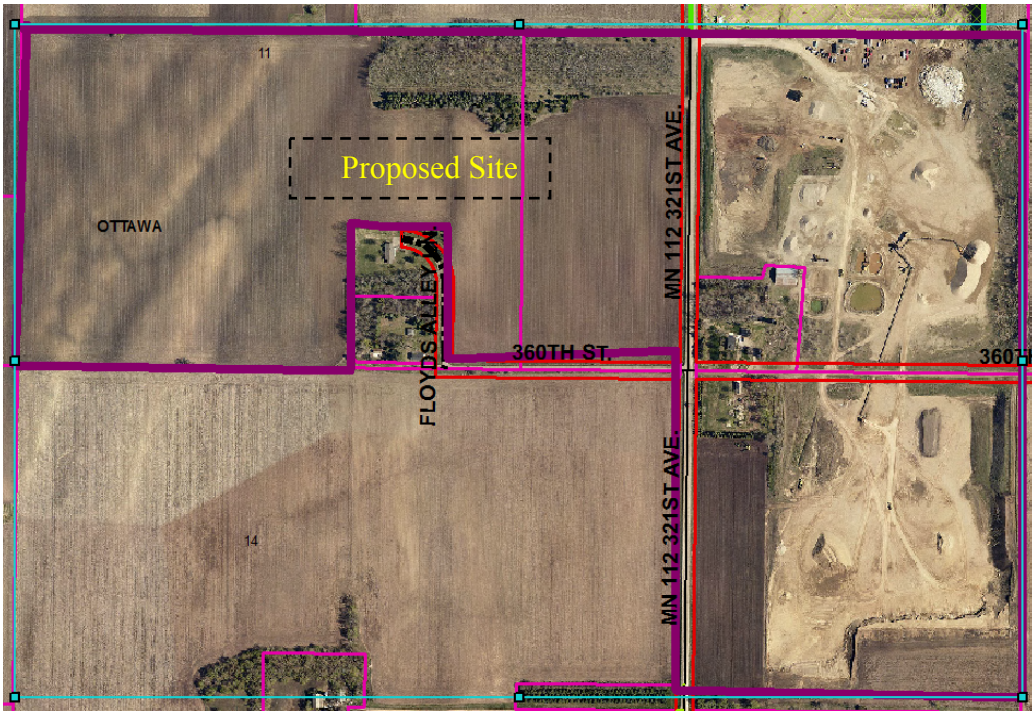
TOWNSHIP BOARD NOTIFICATION

The applicants contacted Tim Griep, Ottawa Township Board member on May 8, 2015.

NATURAL RESOURCES INFORMATION

SHORELAND: The proposal is not located within the Shoreland District.
WETLANDS: According to the National Wetlands Inventory, No wetlands located in the quarter-quarter section where the project is proposed.

SITE PLAN



LAND USE APPLICATION PERFORMANCE STANDARDS
(to be discussed during the Conditional Use Permit process)

ATTACHMENTS

Application, Environmental Assessment Worksheet (EAW)

PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:
*(Please circle one for each item: **A**gree, **D**isagree, Not **A**pplicable.)*

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. **A D NA**

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. **A D NA**

3. The adequate utilities, access roads, drainage and other facilities have been or are being provided. **A D NA**

4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use**. A D NA**

5. The adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **A D NA**

***Recommend** (circle one) **approval / denial / table / of Conditional Use Permit**.*

Le Sueur County

Conditional Use Application

I. Applicant:

Name Patrick Traxler, Traxler Construction, Inc.
Mailing Address 625 Commerce Drive
City Le Center State MN Zip 56057
Phone # 507-317-6820 Phone # 507-357-2235

II. Landowner:

Name Betty Ann Mollenhauer, c/o Ralph and Eva Fix
Mailing Address 7229 Lewis Ridge Parkway
City Edina State MN Zip 55439
Property Address 32314 Floyds Alley Ln
City Le Sueur State MN Zip 56058
Phone # Phone #

III. Parcel Information:

Parcel Number 10.011.5000 and 10.011.5100 Parcel Acreage 76.63 acres, of which 50 acres has gravel
Attach Full Legal Description ***(NOT** abbreviated description from tax statement)*
Township 111N (Ottawa) Range 26W
Section Southwest - Southeast Quarter Section 11
Subdivision Lot Block

IV. Township Notification: Township must be notified of proposed use prior to application.

Ottawa Township notified on May 8, 2015 – 8:20 A.M.
(Township Name) *(Date)*
Board Member Tim Griep regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

a. One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
b. Twenty three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
c. Electronic version of any supporting documents *if available*.
c. Additional copies may be requested as deemed necessary by the Department.
d. Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
e. Appointment is necessary.
f. Applications will not be accepted by mail.

VI. Fees: Must be paid at the time of application.

Conditional Use Permit	$ 750 After-The-Fact fee is **doubled.**
Filing Fee	$ 46
Additional Fees:	
Special Meeting	$ 2,000 ***(additional fee)***
After-The-Fact Penalty	$ 1,500 OR 10% of improvement, whichever is greater

VII. Type of Request:

☐ Self Service Storage ☐ Value Added Agriculture

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☐ School/Church/Cemetery
☐ Retail Nursery/Greenhouse
X Other Gravel Mine Expansion
☐ Antique Sales/Service/Repair
☐ Substation/Transmission Lines etc.

VIII. Description of Request:

a. A full description of request with detailed information must be attached.

The Project is south of the city of Le Sueur, in Ottawa Township, Le Sueur County. Traxler Construction, Inc. currently operates the active gravel mine and processing plant to the east of the proposed gravel mine expansion. Currently, the land is a cultivated farm field and an occupied homestead, with an area of shrubs and trees in the northeastern corner of the property. The majority of land cover is shown as cultivated crops, with smaller portions of shrub/scrub and pasture/hay.

The Project involves advancing the current gravel mining on the east side of Minnesota Trunk Highway (MTH) 112 to the west side of the highway. This land, as well as the existing gravel mine land, is owned by the Mollenhauer family and leased to Traxler Construction, Inc. This is the continuation of a mining program that has been pursued by Traxler Construction, Inc. since 1989 and by others before that.

The gravel material is estimated to extend approximately 50 acres. The pace of mining extraction, estimated at this time to last approximately 20 years, will be determined by the market demand and subject to changing conditions. The anticipated rate is to mine 5 acres a year at 10 feet deep or 3 acres a year at 18-20 feet deep.

This proposal moves the active mining westward and does not change the capacity of the processing plant or the procedures and methods used to harvest the stone; therefore, it is anticipated that the potential impacts revealed in the proposed Traxler Construction Gravel Mine Expansion EAW process would be similar to those experienced at the existing mine.

The anticipated average depth of the mine will be 20 feet, becoming less as it goes further west. The mining involves the removal of overburden to expose the gravel. Traxler Construction, Inc. will strip black dirt and clay from the top of the aggregate base to be mined, placing it along the embankment while mining is being done, so that reclamation will be in process all the time. The estimated depth of overburden (stockpiled as screening berms and for use in the final reclamation process) is 1 to 2 feet of black dirt (topsoil) and 1 to 2 feet of clay. Both the overburden and the gravel material will be removed by the mobile mining equipment. The overburden will be moved internally within the overall mining areas and used to construct berms and to complete reclamation of the existing mining areas, or it will be stored for later use in reclamation or processing for sale. No topsoil will leave the Project site.

Once exposed, the gravel is conveyed to the existing processing plant located to the east of MTH 112.

The proposed mined area will surround two active homes. No adverse potential impacts on the homes and residents are anticipated. The current mine and wash plant are within 100 yards of another farmstead and there have been no complaints of noise or dust. If any issues should arise, Traxler Construction, Inc. would address them.

Reclamation activities will be ongoing as mining is completed in an area. Graded or backfilled areas or banks shall be covered with sufficient topsoil, based on the availability of existing topsoil, to provide for revegetation. Where back-sloping exists, rate of the slopes shall not be less than three (3) feet horizontal to one (1) foot vertical. Banks shall be covered with available topsoil and seeded.

Traxler Construction, Inc. will keep and stockpile whatever topsoil and clay material it can from the top of the surface; keeping this material for reclamation. Clean topsoil and clay may be brought in from residential construction projects and used in reclamation. Back sloping will be done as material is removed; this sloping will be done with filling using sand, clay, and other available topsoil materials. Replanting with natural vegetation, and with recommended grasses such as brome grass, etc.

With the estimated progress of mining into the embankment, Traxler Construction, Inc. will be active in reclamation at all times, so that there will not be ten (10) acres of slope area that is not reclaimed.

Traxler Construction, Inc. will be using the floor of the pit to store material as it is made, so that the area will be over 10 acres. But as a larger area of the floor becomes exhausted, reclamation will progress on the floor as the area becomes available. The reclamation will be the process of spreading out the available topsoil materials on the pit floor and seeding it with the recommended grasses and native vegetation.

The end product for the gravel pit will be a contoured area with various blends of native grasses, some that are seeded manually and some that will come naturally, and in time trees will seed themselves, making a wildlife sanctuary.

b. Complete the following in relationship to the proposed Conditional Use Permit.

1. PROPOSED DAYS AND HOURS OF OPERATION: Pit will open on or before April 15 depending on road restriction and closes on or around November 1 of each year.
Monday – Saturday 6:00 AM to 7:00 PM

2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: No change to the existing mining activity is anticipated.

3. LIST OF PUBLIC HEALTH PLANS:

i. Water Supply:
Bottled water is supplied for employee drinking water. A well on the existing mining processing site provides process water.

ii. Toilet facilities: Portable toilets are provided for employee use. Process water is currently placed in wash water pond and infiltrated, and this will continue.

iii. Solid Waste Collection: No solid or hazardous waste will be generated.

4. FIRE PREVENTION: The City of Le Sueur Fire Department covers this area.

5. SECURITY PLANS: Not Applicable

6. RETAIL SALES: Not applicable.

7. FOOD OR ALCOHOL SERVED OR FOR SALE: Not applicable.

8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (*For example, pedestrian and/or vehicular traffic control.)*
None.

9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:
Level of noise will not change from the existing conditions.

10. EXTERIOR LIGHTING: No additional lighting is anticipated.

11. PARKING AND LOADING: The parking area at the existing mining processing area will continue to be used.

12. SIGNAGE: No additional signage is anticipated.

13. ROAD ACCESS: *(Approved by the road authority)* A culvert will be constructed under Minnesota Trunk Highway (MTH) 112. After this is constructed, there will be no anticipated change to the existing road access or level of use from the existing conditions.

14. CERTIFICATE OF INSURANCE: See Attached Certificate

15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:
(*For example additional licensing and/or permitting)* Le Sueur County permit to mine in the ROW will be applied for if needed. No other permits are anticipated to be needed at this time; if any are determined to be needed in the future, they will be applied for as needed.

IX. Site Plan: Shall include but not limited to the following:
- North point • Lake • Existing Structures • Septic system
- Setbacks • River • Proposed Structures • Well
- Property Lines • Wetland • Lot Dimensions • Access (size & location)
- Road Right-Of-Way • Stream • Ponds • Easements
- Parking *(Size & location-if applicable to application)*
- Landscape, screening and buffering *(if applicable to application)*
- Location of significant trees to be removed *(if applicable to application)*

X. Attachments: shall include but not limited to:

a. **Description of Request**-*See Part VIII for full details and requirements.*
b. **Site Plan**-*See Part IX for full details and requirements.*
c. **Full legal description**-*Not abbreviated description from tax statement.*
d. **Access approval**-*Attach approval in writing from proper road authority.*
e. **Township Notification**-*See Part IV for details and requirements.*
f. **Septic System Compliance Inspection**
g. **Erosion control plan**-*Attach completed and signed plan including map.*
h. **Floor plans and/or blue prints**

XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.
The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.
The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.
Action by the County Board shall be a majority vote of its members.
The Department shall notify the applicant and/or landowner in writing of the County Board decision.
A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

XII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Patrick Menk _____ 5-8-15
Applicant signature Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

_____ 5.08.15
Property Owner signature Date

OFFICE USE ONLY

Request: _____

Pre-App Date _____	Lake Classification _____	Feedlot **500'** **1000'**	**N**
Meeting Date _____	Lake _____	Wetland Type **1-2 3-8**	**N**
60 Day _____	FEMA Panel # 27079C0 _____ D	Water courses **Y**	**N**
Zoning District _____	Flood Zone _____	Bluff **Y**	**N**
☐ Request Description	☐ Access Approval	☐ Septic	**Comp Insp / Design**
☐ Site Plan	☐ Erosion Control Plan	☐ Meeting	**Reg / ATF / Spec**
☐ Full Legal	☐ Blue Prints	☐ Fee $ _____	
☐ Ordinance	☐ Other _____	☐ Penalty $ _____	

☐ Application Complete _____ _____ _____
Planning & Zoning Department Signature Date Permit #

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 05/11/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Marsh Insurance Services, Inc
11 E Newton St., PO Box 270
Rice Lake, WI 54868

CONTACT NAME: Nancy L. Shearrow
PHONE (A/C, No, Ext): (715)234-8148 FAX (A/C, No): (715)234-9336
E-MAIL ADDRESS: Nancy.Shearrow@insurewithmarsh.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : West Bend Mutual Insurance Company	15350
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

Traxler Construction, Inc
625 Commerce Dr
Le Center, MN 56057

COVERAGES **CERTIFICATE NUMBER:** 00000000-0 **REVISION NUMBER:** 51

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:			CPU0462307	02/11/2015	02/11/2016	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG 	$ 1,000,000 $ 200,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
A	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] ALL OWNED AUTOS [X] SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS			CPU0462307	02/11/2015	02/11/2016	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) 	$ 1,000,000 $ $ $ $
A	[X] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $			CUU0580235	02/11/2015	02/11/2016	EACH OCCURRENCE AGGREGATE 	$ 5,000,000 $ 5,000,000 $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [ ] N/A If yes, describe under DESCRIPTION OF OPERATIONS below						[ ] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Le Sueur County
88 South Park Avenue
Le Center, MN 56057

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Nancy L Shearrow (NLS)

ACORD 25 (2014/01)

Printed by NLS on May 11, 2015 at 10:30AM

Traxler Construction, Inc. Gravel Mine Proposed Mining Operations Plan

This Proposed Mining Operations Plan is based on current assumptions for business level and market conditions, as well as the assumption that this is the final mine area. Business levels and market conditions are likely to fluctuate affecting both the timing, as well as the amount of material available for backfill. In addition, review by other agencies is expected as part of securing all necessary permits for the area, and changes may also be recommended by those agencies. Any significant modifications to this Plan will be presented to County staff for review.

Existing Conditions

The Project involves advancing the current gravel mining on the east side of Minnesota Trunk Highway (MTH) 112 to the west side of the highway. This land, as well as the existing gravel mine land, is owned by the Mollenhauer family and leased to Traxler Construction, Inc. This is the continuation of a mining program that has been pursued by Traxler Construction, Inc. since 1989 and by others before that.

Traxler Construction, Inc. currently operates the active gravel mine and processing plant to the east of the proposed gravel mine expansion. Currently, the land is a cultivated farm field and an occupied homestead, with an area of shrubs and trees in the northeastern corner of the property. This proposal moves the active mining westward and does not change the capacity of the processing plant or the procedures and methods used to harvest the stone. No change to existing structures, signage, equipment storage areas, or site access is anticipated.

Stripping, Mining, and Backfilling Processes

It will be necessary to reroute and/or temporarily close State Highway 112 in order to construct a culvert under the highway to transport material to the existing processing plant. The Proposer, Mn/DOT and the County are developing a temporary closure plan. Once this culvert is constructed, the material can be transported underneath the highway through the culvert, thus preserving the existing processing and transportation activities at the existing site.

The actual mining operation will be a continuous and highly integrated process. The gravel material is estimated to extend approximately 50 acres. The pace of mining extraction, estimated at this time to last approximately 20 years, will be determined by the market demand and subject to changing conditions. The anticipated rate is to mine 5 acres a year at 10 feet deep or 3 acres a year at 18-20 feet deep. It is important to note that while an area is being mined, other mining related activities such as backfill, reclamation, overburden removal, and ongoing reclamation will also be ongoing concurrently in order to maintain a continuous mining operation.

The anticipated average depth of the mine will be 20 feet, becoming less as it goes further west. The mining involves the removal of overburden to expose the gravel. Traxler Construction, Inc. will strip black dirt and clay from the top of the aggregate base to be mined, placing it along the embankment while mining is being done, so that reclamation will be in process all the time. The estimated depth of overburden (stockpiled as screening berms and for use in the final reclamation process) is 1 to 2 feet of black dirt (topsoil) and 1 to 2 feet of clay. Both the overburden and the gravel material will be removed by the mobile mining equipment. The overburden will be moved internally within the overall mining areas and used to construct berms and to complete reclamation of the existing mining areas, or it will be stored for later use in reclamation or processing for sale. No topsoil will leave the Project site.

Fill and Soil

Soil types present on the Project are:

Symbol	Map Unit Name	Highly Erodible, Potentially Highly Erodible, Not Highly	Hydrologic Soil Group

		Erodible?	
41B	Estherville sandy loam, 1 to 6 percent slopes	NHEL	A
27A	Dickenson sandy loam, 0 to 2 percent slopes	NHEL	A
8B	Sparta loamy fine sand, 1 to 6 percent slopes	NHEL	A
1855B	Dickenson sandy loam, loamy substratum, 2 to 6 percent slopes	NHEL	A
94B	Terril loam, 1 to 8 percent slopes	NHEL	B
611C	Hawick sandy loam, 6 to 12 percent slopes	NHEL	A
206B	Kasota silt loam, 1 to 6 percent slopes	NHEL	C

The Natural Resources Conservation Service has stated that there are no highly erodible soils in the proposed mine site. (USDA Natural Resources Conservation Service, Highly Erodible Soils, Le Sueur County, Minnesota). No steep slopes (defined as greater than 12 percent slopes) have been identified.

Due to the high infiltration rate of Hydrologic Soil Group A soils, if wastes or chemicals were spilled, they would infiltrate rapidly. There will not be pesticides, fertilizers or other chemicals spread in the mine area. There will not be any permanent or temporary storage of chemicals in the mine area. If there were an accidental spill of fuel or fluids from the mining equipment, spill containment kits are available to handle the spill.

Approximate depth (in feet) to ground water and bedrock.

Minimum depth (in feet**)**		**Average depth**	
Groundwater	84	Groundwater	101.2
Bedrock	155	Bedrock	197.5

Information for depth to groundwater and bedrock from well logs from wells 647224, 469312, 129234, 161349, and 129228. While all five wells had a depth to static water level reported, only two had a depth to bedrock reported. Well 129228 reported a depth of 155 feet to the Prairie Du Chien Group, and well 129234 reported a depth of 240 feet to the Jordan Sandstone.

The mining involves the removal of the overburden to expose the gravel. The overburden consists of topsoil and glacial till. The topsoil will be removed and used to construct screening berms or stockpiled to be used later as a part of final site reclamation. The removal of the glacial till and mining of the gravel will be accomplished with mobile earth moving equipment. No blasting is anticipated. The glacial till will be moved internally within the overall mining areas and used for backfilling areas where the gravel has already been removed for processing, allowing for reclamation to proceed concurrently with mining.

Reclamation activities include the use of heavy construction equipment to backfill the excavation and replace topsoil and large agricultural machinery to seed the area with native plantings. Once the mining has been completed, the resulting mixture of subsoil will be homogenous with similar characteristics of the original soils. Soil tests will be conducted to determine the optimum plant selection for the site and what, if any, soil amendments need to be used to add nutrients or adjust pH. A soil pH of 5.4 to 7.0 is optimal. Topsoil will be respread on the site to a minimum depth of approximately 4 inches. Clean topsoil

and clay may be brought in from residential construction projects and used in reclamation. No topsoil will be removed from the Project area. Reclamation is discussed in more detail in the Reclamation Plan.

Erosion Control Plan
Traxler Construction, Inc. will implement Best Management Practices (BMPs) to prevent contributing to the Minnesota River's impairment for turbidity. One such BMP is the native plantings that will help prevent erosion and sedimentation, and will evapotranspire some of the water.

A summary of other BMPs proposed to address the erosion problems during and after mining include but are not limited to:

- Timely field reconnaissance inspections during surface restoration activities.
- Utilizing applicable BMPs such as fiber rolls and silt fence.
- Filling all erosion channels with topsoil, then reseeding the restored surface.
- Applying appropriate mulch or erosion control fabric to control rill development.
- Placing rock at appropriate culvert inlets and outlets.
- Constructing rock check dams on steep slopes as needed.

Topography
It is anticipated that the general surface contours of the Project site will be similar to the existing contours. A landscape of undulating upland and lowland areas will be created, in order to provide different habitats for plants and animals. Isolated depressions will be created. The slopes shall not be steeper than 4 feet horizontal to 1 foot vertical, to provide a stable and safe condition.

Stormwater
Reclamation will be conducted in a manner that is protective of the minor watershed's water quantity and quality issues. Small isolated depressions will be created that will collect stormwater runoff from the nearby area; these will act like infiltration basins. The basins will give stored water time to infiltrate, recharging water into the underlying aquifers as the soils on site have done in the past. The site will be dry the majority of the time.

Even assuming no upstream infiltration, through the use of infiltration, as well as the various proposed improvements, this Project will not exacerbate any existing Minnesota River impairments or result in any further degradation or adverse impacts to existing water bodies in this vicinity.

Ecological and Biological Resources
DNR Natural Heritage and Non-game Research Program Correspondence Reference No. ERDB 20150194 identified no known occurrences of rare species or native plant communities on the Project site nor within a 1 mile radius of the area.

Wildlife in this part of Le Sueur County includes deer, coyote, turkey, raccoon, rabbit, squirrel, pheasant, skunk, woodchuck, groundhog, gopher, and other birds common in the area. The proposed project may displace the wildlife population that uses the open areas for protection, food and cover. If wildlife is present, it may relocate to other nearby habitat in the area until mining is over. Some species may return after mining and some others may be permanently displaced.

The increased development and spread of diseases such as Dutch Elm Disease and Oak Wilt have impacted trees and woodlands in this region. Trees infected with Dutch elm disease or oak wilt must be removed promptly so they don't infect healthy trees.

In order to prevent the spread of tree diseases, Traxler will avoid carrying out clearing operations in the wooded areas during the peak infection period (April – June), and to treat oak wilt prior to breaking ground.

Vegetation management in infrequently mowed areas – such as ditches and along utility access roads – should be done mechanically (chemicals should not be used). Vegetation management should occur fall through spring (after October 1st and before June 1st).

Environmental Assessment Worksheet

for

Traxler Construction, Inc. Gravel Mine Expansion

Le Sueur County, MN

Prepared by: Bolton & Menk, Inc.

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APPENDIX

Alternative Assessment Worksheet

Note to reviewers: Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the EQB Monitor. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. PROJECT TITLE

Traxler Construction, Inc. Gravel Mine Expansion

2. PROPOSER

Proposer	Traxler Construction, Inc.
Contact Person	Patrick Traxler
Title	Owner
Address	625 Commerce Drive
City, State, ZIP	Le Center, MN 56057
Phone	(507) 357-2235
Email	traxinc@frontiernet.net
Fax	(507) 357-6626

3. RESPONSIBLE GOVERNMENT UNIT (RGU).

RGU	Le Sueur County
Contact Person	Kathy Brockway
Title	Planning & Zoning Administrator
Address	88 South Park Avenue
City, State, ZIP	Le Center, MN 56057-1652
Phone	(507) 357-8209
Email	kbrockway@co.le-sueur.mn.us
Fax	(507) 357-8541

4. REASON FOR EAW PREPARATION (CHECK ONE)

	EIS Scoping	If the EAW or EIS is mandatory, give the EQB rule category subpart number and subpart name:
X	**Mandatory EAW**	4410.4300, subp. 12B, Nonmetallic mineral mining (mandatory EAW).
	Citizen Petition	
	RGU Discretion	
	Proposer Volunteered	

5. PROJECT LOCATION

County		Le Sueur	
City/Township		Ottawa	
Section	**Township**	**Range**	
11	111N	26W	SE quarter, Parcels 10.011.5000 and 10.011.5100

The following items are attached in the Appendix.

Map 1 – General Location Map
Map 2 – Vicinity Map (U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating **project** boundaries.)
Map 3 – Existing Conditions
Map 4 – Existing Land Use
Map 5 – Zoning Map
Map 6 – Land Cover
Map 7 – Soils Map
Map 8 – Prime Farmland and Farmland of Statewide Importance
Map 9 – Hydrologic Soils Group Map
Map 10 – Water Resources, including National Wetland Inventory and Floodplains

Also attached is a draft Reclamation Plan.

6. PROJECT DESCRIPTION

A. Provide a project summary of 50 words or less to be published in the EQB Monitor.

Nonmetallic mineral mining of a 76.63-acre site across Highway 112 from an existing mine and processing plant. The mining will remove overburden to expose gravel that underlies approximately 50 acres of the site, which will be conveyed under the highway to the existing processing plant. Reclamation will be concurrent with mining.

B. Give a complete description of the proposed project and related new construction. Attach additional sheets as necessary. Emphasize construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes. Include modifications to existing equipment or industrial processes and significant demolition, removal or remodeling of existing structures. Indicate the timing and duration of construction activities

The general location of the proposed mine site is shown on Map 1. The Project boundary is shown on the USGS topo background in Map 2. The Project is south of the city of Le Sueur, in Ottawa Township, Le Sueur County. Traxler Construction, Inc. currently operates the active gravel mine and processing plant to the east of the proposed gravel mine expansion. Currently, the land is a cultivated farm field and an occupied homestead, with an area of shrubs and trees in the northeastern corner of the property. Existing conditions are shown on Map 3. Existing land use shows the area as Agricultural

on Map 4. The majority of land cover is shown as cultivated crops, with smaller portions of shrub/scrub and pasture/hay, as seen on Map 6.

The Project involves advancing the current gravel mining on the east side of Minnesota Trunk Highway (MTH) 112 to the west side of the highway. This land, as well as the existing gravel mine land, is owned by the Mollenhauer family and leased to Traxler Construction, Inc. This is the continuation of a mining program that has been pursued by Traxler Construction, Inc. since 1989 and by others before that.

The gravel material is estimated to extend approximately 50 acres. The pace of mining extraction, estimated at this time to last approximately 20 years, will be determined by the market demand and subject to changing conditions. The anticipated rate is to mine 5 acres a year at 10 feet deep or 3 acres a year at 18-20 feet deep.

This proposal moves the active mining westward and does not change the capacity of the processing plant or the procedures and methods used to harvest the stone; therefore, it is anticipated that the potential impacts revealed in this (the proposed Traxler Construction Gravel Mine Expansion) EAW process would be similar to those experienced at the existing mine.

The anticipated average depth of the mine will be 20 feet, becoming less as it goes further west. The mining involves the removal of overburden to expose the gravel. Traxler Construction, Inc. will strip black dirt and clay from the top of the aggregate base to be mined, placing it along the embankment while mining is being done, so that reclamation will be in process all the time. The estimated depth of overburden (stockpiled as screening berms and for use in the final reclamation process) is 1 to 2 feet of black dirt (topsoil) and 1 to 2 feet of clay. Both the overburden and the gravel material will be removed by the mobile mining equipment. The overburden will be moved internally within the overall mining areas and used to construct berms and to complete reclamation of the existing mining areas, or it will be stored for later use in reclamation or processing for sale. No topsoil will leave the Project site.

Once exposed, the gravel is conveyed to the existing processing plant located to the east of MTH 112., shown on Map 2.

The proposed mined area will surround two active homes. No adverse potential impacts on the homes and residents are anticipated. The current mine and wash plant are within 100 yards of another farmstead and there have been no complaints of noise or dust. If any issues should arise, Traxler Construction, Inc. would address them.

Reclamation activities will be ongoing as mining is completed in an area. Graded or backfilled areas or banks shall be covered with sufficient topsoil, based on the availability of existing topsoil, to provide for revegetation. Where back-sloping exists, rate of the slopes shall not be less than four (4) feet horizontal to one (1) foot vertical. Banks shall be covered with available topsoil and seeded.

Traxler Construction, Inc. will keep and stockpile whatever topsoil and clay material it can from the top of the surface; keeping this material for reclamation. Clean topsoil and clay may be brought in from residential construction projects and used in reclamation. Back sloping will be done as material is removed; this sloping will be done with filling using sand, clay, and other available topsoil materials. Replanting with natural vegetation, and with recommended grasses such as brome grass, etc.

With the estimated progress of mining into the embankment, Traxler Construction, Inc. will be active in reclamation at all times, so that there will not be ten (10) acres of slope area that is not reclaimed.

Traxler Construction, Inc. will be using the floor of the pit to store material as it is made, so that the area will be over 10 acres. But as a larger area of the floor becomes exhausted, reclamation will progress on the floor as the area becomes available. The reclamation will be the process of spreading out the available topsoil materials on the pit floor and seeding it with the recommended grasses and native vegetation.

The end product for the gravel pit will be a contoured area with various blends of native grasses, some that are seeded manually and some that will come naturally, and in time trees will seed themselves, making a wildlife sanctuary. See the reclamation plan attachment for more information.

C. Explain the project purpose; if the project will be carried out by a governmental unit,

explain the need for the project and identify its beneficiaries

The Proposer has leased land west of its existing mines for the purpose of continuing its business of mining gravel. The project will not be carried out by a governmental unit. The mining and processing of the gravel provides the material needed in the construction and agriculture industries. The beneficiaries of the project will be Traxler Construction, Inc. (the Proposer), the Mollenhauer family (the land owners), developers, contractors and the nearby community that will use the material for construction and agriculture.

D. Are future stages of this development, including development on any outlots, planned or likely to happen? If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

☒ No

☐ Yes

It is not likely that the adjacent land would be mined in the future.

E. Is this project a subsequent stage of previous project? If yes, briefly describe the past development, timeline and any past environmental review.

☐ No

☒ Yes

The project involves advancing the current gravel mining on the east side of Minnesota Trunk Highway (MTH) 112 to the west of the highway shown on Map 2. This land, as well as the existing gravel mine land, is owned by the Mollenhauer family and leased to Traxler Construction, Inc. This is the continuation of a mining program that has been pursued by Traxler Construction, Inc. since 1989 and by others before that.

Traxler Construction, Inc. is not aware of any previous environmental reviews. It is likely that no previous environmental reviews were done because none were required.

7. PROJECT MAGNITUDE DATA

A. The cumulative totals of the parameters called for should be given for each major development scenario, except that information on "manufacturing," "other industrial," "institutional," and "agricultural."

Total Project Acreage:		76.63 acres, of which approximately 50 acres contain gravel				
No. of Residential Units	Unattached	N/A	Attached	N/A	Max units per building	N/A
Commercial, industrial or institutional building area (gross floor space)					0	
Indicate areas of specific uses (in square feet)						
Commercial Office	0	Commercial – Retail	0	Industrial – Business Office Park	0	
Industrial – Light	0	Industrial – Heavy	0	Manufacturing	0	
Institutional	0	Agricultural	0	Building height (If over 2 stories, compare to	0	

				heights of nearby buildings)	
Other commercial (specify)		None			

8. PERMITS AND APPROVALS REQUIRED

A. List all known local, state and federal permits, approvals, and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure.

Unit of Government	Type of Application	Status
Le Sueur County	Conditional Use Permit (CUP) for mine expansion	Applied for (decision pending EAW)
Le Sueur County	Permission to mine in County right-of-ways	To be requested
Minnesota Pollution Control Agency ("MPCA")	Air emissions (Equipment)	To be applied for as necessary
MPCA	NPDES / SDS, National Pollution Discharge Elimination System/State Disposal System Construction Activity Permit for initial mine opening tasks.	Modification to be applied for as necessary
Minnesota Department of Natural Resources ("MDNR")	Water Appropriations	To be applied for as necessary

9. LAND USE

A. Describe current and recent past land use and development on the site and on adjacent lands. Discuss project compatibility with adjacent and nearby land uses. Indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazards due to past site uses, such as soil contamination or abandoned storage tanks, or proximity to nearby hazardous liquid or gas pipelines.

Traxler Construction, Inc. currently operates the active gravel mine and processing plant to the east of the proposed gravel mine expansion. Currently, the land is a cultivated farm field and an occupied homestead, with an area of shrubs and trees in the northeastern corner of the property. It has been in this use for many years. Land use maps are attached in the Appendix. Existing conditions are shown on Map 3. Existing land use shows the area as Agricultural on Map 4. The majority of land cover is shown as cultivated crops, with smaller portions of shrub/scrub and pasture/hay, as seen on Map 6. The existing nearby land uses include gravel mining, biofuel plant, residences and agriculture. The proposed mined area will surround two active residences, shown on Map 3. There are no known railroads, overhead power lines, liquid or gas pipelines in the near vicinity.

A search of the MPCA's What's in My Neighborhood website found there are no known environmental hazards on the Project site due to past site uses. Nearby activities that are listed are:

1. Traxler Construction, Inc's existing gravel mine and processing plant, which has an active industrial stormwater permit MNRNE38BJ, which has a No Exposure Exclusion, effective start 7/15/2014.

2. Joe Rohlfing Farm 2, which has a registered feedlot 079-99691. This site is to the southeast of the Project.

3. Ron Widmer Farm, which has a registered feedlot 079-66572. This site is to the southeast of the Project.

4. Hometown BioEnergy is to the northeast of the Project and has multiple MPCA listings: An active construction stormwater permit C00035028, effective start 12/14/2012; an active tank site 125882 (3 aboveground tanks installed September 2013); an active air permit 07900050, effective start 5/3/2012; and an active wastewater discharger permit MN0070149, effective start 4/30/2012 and a minor permit modification 6/16/2014.

10. COVER TYPES

A. Estimate the acreage of the site with each of the following cover types before and after development. If **before** and **after** totals are not equal, explain why.

	Before	After		Before	After
Types 1-8 wetlands	0	0	**Lawn/landscaping**	0.01	0.01
Wooded/forest	2.17	0	**Impervious surfaces**	0.61	0.61
Brush/grassland	10.12	0	**Other (describe)** Gravel pit, eventually restored to a combination of grassland, woodland and pond	0	76.01
Cropland	63.73	0			
			Total	76.63 acres	76.63 acres

The amount and location of cover types after completion of mining activity will be specified in a reclamation plan to be approved by the County in conjunction with the Conditional Use Permit process, but the intention for the reclamation of mined areas is for grassland with scattered trees and a pond.

11. FISH, WILDLIFE AND ECOLOGICALLY SENSITIVE RESOURCES

A. Identify fish and wildlife resources and habitats on or near the site and describe how they would be affected by the project. Describe any measures to be taken to minimize or avoid impacts.

Wildlife in this part of Le Sueur County includes deer, coyote, turkey, raccoon, rabbit, squirrel, pheasant, skunk, woodchuck, groundhog, gopher, and other birds common in the area. The proposed project may displace the wildlife population that uses the open areas for protection, food and cover. If wildlife is present, it may relocate to other nearby habitat in the area until mining is over. Some species may return after mining and some others may be permanently displaced.

The increased development and spread of diseases such as Dutch Elm Disease and Oak Wilt have impacted trees and woodlands in this region. Trees infected with Dutch elm disease or oak wilt must be removed promptly so they don't infect healthy trees.

In order to prevent the spread of tree diseases, the Project Proposer will be encouraged to avoid carrying out clearing operations in the wooded areas during the peak infection period (April – June), and to treat oak wilt prior to breaking ground.

Vegetation management in infrequently mowed areas – such as ditches and along utility access roads – should be done mechanically (chemicals should not be used). Vegetation management should occur fall through spring (after October 1st and before June 1st).

B. Are any state-listed (endangered, threatened or special concern) species, rare plant communities or other sensitive ecological resources such as native prairie habitat, colonial waterbird nesting colonies or regionally rare plant communities on or near the site?

If yes, describe the resource and how it would be affected by the project. Indicate if a site survey of the resources has been conducted and describe the results. If the DNR Natural Heritage and Non-game Research Program has been contacted give the correspondence reference number. Describe measures to minimize or avoid adverse impacts.

☒ No

☐ Yes

DNR Natural Heritage and Non-game Research Program Correspondence Reference No. ERDB 20150194 identified no known occurrences of rare species or native plant communities on the Project site nor within a 1 mile radius of the area.

12. PHYSICAL IMPACTS ON WATER RESOURCES

A. Will the project involve the physical or hydrologic alteration, such as dredging, filling, stream diversion, outfall structure, diking, and impoundment, of any surface waters such as a lake, pond, wetland, stream or drainage ditch?

If yes, identify water resource affected and give the DNR Protected Waters Inventory number(s) if the water resources affected are on the PWI. Describe alternatives considered and proposed mitigation measures to minimize impacts.

☒ No

☐ Yes

The site is in the Minnesota River watershed, and is within 1 mile of and drains to River Segment 07020012-507, which is impaired for Fecal Coliform; Mercury in Fish Tissue; PCB in Fish Tissue; and Turbidity. The Minnesota River is to the west of the Project. The Project is not within 1 mile of Le Sueur Creek, which lies to the east. The location of the Project in relation to the Minnesota River and Le Sueur Creek is shown on Map 2.

There are no National Wetland Inventory wetlands, FEMA floodways, or protected waters within the project boundary, as shown on Map 10. The Project has almost entirely Hydrologic Soil Group Type A soils, which have a high infiltration rate, so no wetlands are anticipated on the site.

13. WATER USE

A. Will the project involve installation or abandonment of any water wells, connection to or changes in any public water supply or appropriation of any ground or surface water (including dewatering)?

If yes, as applicable, give location and purpose of any new wells; public supply

affected, changes to be made, and water quantities to be used; the source, duration, quantity and purpose of any appropriations; and unique well numbers and DNR appropriation permit numbers, if known. Identify any existing and new wells on the site map. If there are no wells known on site, explain methodology used to determine.

☒ No

☐ Yes

There is not a well to supply drinking water for the existing mine employees. Employees are provided bottled water for drinking. This practice will be continued for the Project.

There is a deep supply well at the existing mine that provides process water to the existing processing plant. The gravel from the proposed mine will be conveyed under the highway to the existing mine processing area where it will be washed. All wash water will be placed in the pond and infiltrated into the ground, as it has been at the existing mine.

The proposer has leased the existing homestead located within the project boundary, and there is another active residence that will be surrounded on three sides by the proposed mine. There is a well associated with each of those homesteads (Well Numbers 469312 and 647224). No change to the wells associated with these homesteads is anticipated. The existing mining activity does not involve dewatering to allow mining below the water table, and the proposed mine is not anticipated to need dewatering, either.

14. WATER-RELATED LAND USE MANAGEMENT DISTRICT

A. Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district?

If yes, identify the district and discuss project compatibility with district land use restrictions.

☒ No

☐ Yes

There are no National Wetland Inventory wetlands, FEMA floodways, or protected waters within the project boundary, as shown on Map 10. The Project is not within a shoreland zoning district nor a state or federally designated wild or scenic river land use district.

15. WATER SURFACE USE

A. Will the project change the number or type of watercraft on any water body?

If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.

☒ No

☐ Yes

16. EROSION AND SEDIMENTATION

A. Give the acreage to be graded or excavated and the cubic yards of soil to be moved.

Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.

Acres	50	**Cubic Yards**	The topsoil located above the gravel deposits to be mined will be moved during mining as described in item 6(b) (Project Description). The total amounts of these materials to be moved throughout the life of the project cannot be identified at this time.

Soil types in and near the proposed area to be mined are shown on **Map 7**. Soil types present on the Project are:

Symbol	Map Unit Name	Highly Erodible, Potentially Highly Erodible, Not Highly Erodible?
41B	Estherville sandy loam, 1 to 6 percent slopes	NHEL
27A	Dickenson sandy loam, 0 to 2 percent slopes	NHEL
8B	Sparta loamy fine sand, 1 to 6 percent slopes	NHEL
1855B	Dickenson sandy loam, loamy substratum, 2 to 6 percent slopes	NHEL
94B	Terril loam, 1 to 8 percent slopes	NHEL
611C	Hawick sandy loam, 6 to 12 percent slopes	NHEL
206B	Kasota silt loam, 1 to 6 percent slopes	NHEL

The Natural Resources Conservation Service has stated that there are no highly erodible soils in the proposed mine site. (USDA Natural Resources Conservation Service, Highly Erodible Soils, Le Sueur County, Minnesota). No steep slopes (defined as greater than 12 percent slopes) have been identified.

Reclamation will be ongoing with the mining process. Once an area has been completely mined, it will be covered with stockpiled topsoil and seeded with grasses to prevent erosion as described below. Graded or backfilled areas or banks shall be covered with sufficient topsoil, based on the availability of existing topsoil, to provide for revegetation. Where back-sloping exists, rate of the slopes shall not be less than three (3) feet horizontal to one (1) foot vertical. Banks shall be covered with available topsoil and seeded.

Traxler Construction, Inc. will keep and stockpile whatever topsoil and clay material it can from the top of the surface; keeping this material for reclamation. Back sloping will be done as material is removed; this sloping will be done with filling with sand, clay, and other available topsoil materials. Replanting with natural vegetation, and with recommended grasses such as brome grass, etc.

With the estimated progress of mining into the embankment, Traxler Construction, Inc. will be active in reclamation at all times, so that there will not be ten (10) acres of slope area that is not reclaimed.

Traxler Construction, Inc. will be using the floor of the pit to store material as it is made, so that the area will be over 10 acres. But as a larger area of the floor becomes exhausted, reclamation will progress on the floor as the area becomes available. The reclamation will be the process of spreading out the available topsoil materials on the pit floor and seeding it with the recommended grasses and native vegetation.

The end product for the gravel pit will be a contoured area with various blends of native grasses, some that are seeded manually and some that will come naturally, and in time trees will seed themselves, making a wildlife sanctuary.

17. WATER QUALITY: SURFACE WATER RUNOFF

A. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any storm water

pollution prevention plans.

This section identifies the selected technique for long-term treatment of storm water runoff, as well as rate and volume mitigation measures meeting State, County and City requirements. Storm water runoff from construction sites was addressed in Item 16. The goals of this section include the following:

- Identification of waters receiving runoff from the mining area.
- Limitation of post-mining discharges to pre-mining discharges for the 2-, 10-, and 100-year rainfall events.
- Emphasis on importance of reducing runoff volumes typically seen with mining.

The design elements that are recommended to be put in place for each of these factors to provide protection for the drainageways/river are as follows:

- There will be no increase in either the volume or rate of discharge from the storm water treatment facilities from any design storm with a statistical recurrence interval of less than two years.
- Storm water management systems will infiltrate storm water.

B. Detailed Information

The storm water management system for the Project area will be designed to manage runoff so as to prevent negative impacts upon the Minnesota River water quality.

Quality and Quantity of Storm Water Before and After Mining

The volume and rate of runoff water generated by the Project area is expected to be lower during mining due to the excavation nature of the process and the infiltration occurring, and once the mined area has been reclaimed, the volume and rate are expected to be similar to a grassland. There will be more Total Suspended Solids (TSS) during mining, but once the mined areas are reclaimed, the vegetation is expected to lower the TSS. It is the Proposer's goal to make sure the storm water quantity and quality stay the same as or better than current conditions.

Changes in Runoff Due to Land Use Changes

Currently, the land use in the study area that is proposed to be mined is agricultural. See land use discussion in Item 10. Runoff quantity and quality is typically changed when an area is converted between natural grassland, agriculture, active mining and reclaimed landscapes. Agricultural row crops, which require plowing each planting season, disturb the soil and cause increased runoff when compared to natural grasslands. Often herbicides, pesticides and fertilizers are used on agricultural lands, some of which is picked up by stormwater. Mine sites, due to the nature of the excavation process, typically infiltrate more runoff, do not use herbicides, pesticides or fertilizer, but do provide higher loadings of TSS than natural grasslands. Intact ecologic and hydrologic functions in natural grasslands control the nutrient export of these natural vegetation systems. Reclaimed mine areas function similar to natural grasslands in terms of stormwater quantity and quality. These factors are discussed below.

Volume

Volume of runoff is directly related to land uses. The runoff from agricultural areas can be extremely high in volume, high in sediment load and high in nutrients. The change from intense agricultural to mining land uses leads to changes in watershed hydrology and pollutant load rates, and due to the excavation nature of mining, can actually lead to a reduction in volume of runoff because water does not leave the mine and eventually infiltrates into the ground. Once the mined areas are reclaimed, they acts similar to grasslands. The high soil infiltration rates in natural grasslands lead to low surface runoff rates. In most cases the surface runoff rates are less than 10% of the annual precipitation for these plant communities.

Pollutants

A scientific literature review and discussion of hydrologic regimes, nutrient cycling mechanisms and

phosphorus loading factors for natural plant communities was completed as part of the Detailed Assessment of Phosphorus Sources to Minnesota Watersheds - Non-Agricultural Rural Runoff Technical Memorandum for the Detailed Assessment of Phosphorus Sources to Minnesota Watersheds prepared for the Minnesota Pollution Control Agency (2004). Human activities in urban watersheds lead to a larger range of pollutants and greater quantities of these pollutants when compared to natural vegetative land cover. The high soil infiltration rates in natural plant communities lead to low surface runoff rates, little soil loss via erosion and thus low rates of nutrient (total nitrogen and total phosphorus) export to surface waters. In most cases the phosphorus export rates for natural plant communities are below 0.169 kilograms of phosphorus per hectare per year (0.151 pounds per acre per year).

The runoff from agricultural areas can be extremely high in volume, high in sediment load and high in nutrients (fertilizers), herbicides and pesticides. Agricultural land uses, especially crop production, typically generates higher runoff sediment loads than either urban or natural conditions. The increased runoff, along with human activities, increases the types of pollutants and delivery rate of these pollutants to surface waters. The impacts of the increased runoff volumes and pollutant mass to downstream waters often lead to declines in water quality and ecological function.

The increased loading of nutrients, especially phosphorus, leads to eutrophication of lakes and wetlands, as well as stream systems. The resulting eutrophication leads to increased algal growth, decreased water clarity and loss of recreational uses, as well as human health concerns, increased periphyton growth and increased treatment costs for industrial uses of water. Remediation of the resulting water quality problems is costly and many times may not fully restore water to the pre-impacted conditions.

The use of herbicides, pesticides and fertilizers in agriculture raises questions about their impacts on water resources and how they can be controlled. Minnesota state law now prohibits the use of phosphorus containing fertilizers on turf grass except during the establishment periods. This has reduced the contribution of phosphorus from this source. Pesticides running off into streams is a concern in any area where there are farm fields near riparian habitats. The use of infiltration and the absence of pesticides and fertilizers used in the Project area will reduce pesticide levels in nearby rivers, wetlands and streams.

The change from intense agricultural to mining land uses can actually lead to a reduction in some pollutants and thus improvements in water quality, because reclamation will be ongoing with mining activity, and once a portion of the Project has been completely mined, it will be reclaimed into grassland with scattered trees. The change from agricultural uses to mining uses and eventually reclaimed land means that the soil won't be tilled up every year, thus reducing erosion caused by annual tilling and will reduce the amount of pesticide and fertilizer runoff as compared to active farming.

Infiltration Practices

The majority of the soils within the study boundary are of HSG Type A, with small areas of Type B and C. See Map 9 for Hydrologic Classifications of soils in the EAW area. The Type A soils allow for high infiltration, the Type B soils allow for moderate infiltration, and the Type C soils are slightly slower.

Stormwater during mining will be handled through infiltration. The close interaction of surface water and groundwater make it very important to determine depth to seasonally high groundwater, depth to bedrock, condition of bedrock and potential for groundwater mounding when considering infiltration practices for handling stormwater. The minimum depth to water reported for five nearby wells was 85 feet below ground surface and the minimum depth to bedrock was 155 feet. Thus, even though the mine will remove soil that the water would have otherwise infiltrated through, adverse impacts from mine stormwater to the groundwater are not anticipated due to the adequate depth of the groundwater and bedrock.

Once the areas have been reclaimed, infiltration will still be occurring. Natural grassland vegetation will also be established, which will help soak up and evapotranspire stormwater.

Storm Water Pollution Prevention Plans

Adverse stormwater impacts will be mitigated by using infiltration, reclamation using natural grassland vegetation, and other applicable BMPs where ever feasible. Berming and/or diversion around mining areas will reduce the amount of stormwater entering the mined area.

Traxler Construction, Inc's existing gravel mine and processing plant, has an active industrial stormwater permit MNRNE38BJ, and has a No Exposure Exclusion. It is anticipated that the industrial stormwater permit will be modified to include the gravel mine expansion area.

C. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.

Storm water runoff from the Project area travels west. The entire area is within the Minnesota River watershed, so the runoff from the area eventually drains to the Minnesota River.

Pre-development land use for the Project area is predominantly cultivated row cropland, which contributes higher amounts of phosphorus when compared to urban or undisturbed land uses. According to previous studies, agricultural runoff is usually considered a more important cause of phosphorus loading and lake eutrophication than is urban runoff.

Because a large portion of the soils in the Project area have high infiltration rates (Type A soils), infiltration will be used to reduce storm water volumes and recharge groundwater, as well as help reduce TSS loading.

Although the Minnesota River is not within the Project boundaries, the Project area ultimately drains to the River. The site is within 1 mile of and drains to River Segment 07020012-507, which is impaired for Fecal Coliform; Mercury in Fish Tissue; PCB in Fish Tissue; and Turbidity. Infiltration of stormwater at the Project site will help ensure that the Project does not adversely affect the Minnesota River, neither in quantity nor quality.

D. Summary of Impacts

The potential impacts of unmitigated mining in the Project area are increases in storm water runoff quantity and decrease in surface water quality. These impacts will be mitigated by using infiltration, reclamation using natural grassland vegetation, and other applicable BMPs wherever feasible. The stormwater system will be designed to ensure that runoff quantity leaving the site will not increase and that the water quality will be maintained or improved.

18. WATER QUALITY: WASTEWATER

A. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.

Portable toilet facilities will be utilized at the proposed site, so no sanitary wastewater will be produced. No municipal wastewater will be produced by the mine. The only wastewater generated by the mine project will result from the processing (washing) of the gravel.

The existing houses and other buildings on site will not be impacted by mining. Any municipal wastewater generated by these homes will be disposed of by the existing septic system.

B. Describe waste treatment methods or pollution prevention efforts and give estimates of composition after treatment. Identify receiving waters, including major downstream water bodies, and estimate the discharge impact on the quality of receiving waters. If the project involves on-site sewage systems, discuss the suitability of site conditions for such systems.

The gravel processing water will be placed in the wash water pond and infiltrated into the ground, as the processing has been currently operating.

C. If wastes will be discharged into a publicly owned treatment facility, identify the

facility, describe any pretreatment provisions and discuss the facility's ability to handle the volume and composition of wastes, identifying any improvements necessary.

No wastes will be discharged into a publicly owned treatment facility.

D. If the project requires disposal of liquid animal manure, describe disposal technique and location and discuss capacity to handle the volume and composition of manure. Identify any improvements necessary. Describe any required setbacks for land disposal systems.

The Project does not require disposal of liquid animal manure.

19. GEOLOGIC HAZARDS AND SOIL CONDITIONS

A. Approximate depth (in feet) to ground water and bedrock.

Minimum depth (in feet)		**Average depth**	
Groundwater	84	Groundwater	101.2
Bedrock	155	Bedrock	197.5

Information for depth to groundwater and bedrock from well logs from wells 647224, 469312, 129234, 161349, and 129228. While all five wells had a depth to static water level reported, only two had a depth to bedrock reported. Well 129228 reported a depth of 155 feet to the Prairie Du Chien Group, and well 129234 reported a depth of 240 feet to the Jordan Sandstone.

Describe any of the following geologic site hazards to ground water and also identify them on the site map: sinkholes, shallow limestone formations or karst conditions. Describe measures to avoid or minimize environmental problems due to any of these hazards.

There are no known geologic hazards in the vicinity.

B. Describe the soils on the site, giving NRCS (SCS) classifications, if known. Discuss soil granularity and potential for groundwater contamination from wastes or chemicals spread or spilled onto the soils. Discuss any mitigation measures to prevent such contamination.

Map 7 is a soils map of the area. Map 9 shows the Hydrologic Soil Groups.

Soil types present on the Project are:

Symbol	**Map Unit Name**	**Hydrologic Soil Group**
41B	Estherville sandy loam, 1 to 6 percent slopes	A
27A	Dickenson sandy loam, 0 to 2 percent slopes	A
8B	Sparta loamy fine sand, 1 to 6 percent slopes	A
1855B	Dickenson sandy loam, loamy substratum, 2 to 6 percent slopes	A
94B	Terril loam, 1 to 8 percent slopes	B
611C	Hawick sandy loam, 6 to 12 percent slopes	A
206B	Kasota silt loam, 1 to 6 percent slopes	C

Due to the high infiltration rate of A soils, if wastes or chemicals were spilled, they would infiltrate rapidly. There will not be pesticides, fertilizers or other chemicals spread in the mine area. There will not be any permanent or temporary storage of chemicals in the mine area. If there were an accidental

spill of fuel or fluids from the mining equipment, spill containment kits are available to handle the spill.

20. SOLID WASTES, HAZARDOUS WASTES, STORAGE TANKS

A. Describe types, amounts and compositions of solid or hazardous wastes, including solid animal manure, sludge and ash, produced during construction and operation. Identify method and location of disposal. For projects generating municipal solid waste, indicate if there is a source separation plan; describe how the project will be modified for recycling. If hazardous waste is generated, indicate if there is a hazardous waste minimization plan and routine hazardous waste reduction assessments.

No solid or hazardous wastes will be generated on site as part of the mining process.

The existing houses and other buildings on site will not be impacted by mining. Any municipal waste generated by these homes will be disposed of by a licensed waste hauler.

B. Identify any toxic or hazardous materials to be used or present at the site and identify measures to be used to prevent them from contaminating groundwater. If the use of toxic or hazardous materials will lead to a regulated waste, discharge or emission, discuss any alternatives considered to minimize or eliminate the waste, discharge or emission.

No blasting agents will be used as part of the mining process. No toxic or hazardous materials will be used on site as part of the mining process.

C. Indicate the number, location, size and use of any above or below ground tanks to store petroleum products or other materials, except water. Describe any emergency response containment plans.

There are no above or below ground tanks to store petroleum product or other materials on the existing mine area nor on the proposed mine area.

21. TRAFFIC

A. Provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. If the project is within the Twin Cities metropolitan area, discuss its impact on the regional transportation system.

Parking spaces added NA

Existing spaces (if project involves expansion) NA

Estimated total average daily traffic generated NA

Estimated maximum peak hour traffic generated (if known)
NA

Time of occurrence NA

There is an existing parking area with the existing mine site east of MTH 112 where employee and customers park. However, the existing parking area is a gravel surface and there are no markings designating the number of parking spaces.

The Proposer intends to move the active mining operation westward, to the proposed mine site west of

MTH 112. However, the proposer intends to keep the processing plant in the existing location east of MTH 112. The Proposer has requested that a culvert be constructed under MTH 112 to allow the gravel to be conveyed underneath the highway to the existing processing plant on the east side of the highway. The Proposer and Le Sueur County are developing a temporary road closure plan to allow construction of the culvert and conveyor system under MTH 112.

The Proposer does not intend to change the capacity of the existing processing plant or the procedures and methods used to harvest the stone; therefore, it is anticipated that no additional traffic will be generated and no additional parking will be needed. The mine related vehicle traffic volumes on public roadways should therefore remain similar to existing levels.

With the move of active mining operations west of MTH 112, employees may change where they park as some may park at the existing mine near the processing plant while others may park at the active mine location. If this occurs traffic patterns will change, however no major traffic impacts are anticipated.

The Annual Average Daily Traffic (AADT) on MTH 112 in 2011 was 820 vehicles. Historically between 1992 and today the AADT on MTH 112 has ranged between 820 vehicles (2011) to 1200 vehicles (1996). It is anticipated the AADT will remain within this range in the foreseeable future.

The proposed mine expansion is located in Le Sueur County which is not in the Twin Cities metropolitan area and therefore has no direct impact on the Twin Cities regional transportation system.

22. VEHICLE-RELATED AIR EMISSIONS

A. Estimate the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts. Note: If the project involves 500 or more parking spaces, consult EAW Guidelines about whether a detailed air quality analysis is needed.

Vehicle-related air emissions will not be changed as a result of this Project. Employee and customer vehicles will continue to be parked and loaded at the existing processing plant site located to the east of the proposed mine. The trucks used to transport the gravel after processing will use the existing highway access point to the existing processing plant. The mining vehicles will operate in the same way they have been; no change to the number of vehicles or the rate they are operated is anticipated.

23. STATIONARY SOURCE AIR EMISSIONS

A. Describe the type, sources, quantities and compositions of any emissions from stationary sources of air emissions such as boilers, exhaust stacks or fugitive dust sources. Include any hazardous air pollutants (consult EAW Guidelines for a listing) and any greenhouse gases (such as carbon dioxide, methane, nitrous oxide) and ozone-depleting chemicals (chloro-fluorocarbons, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride). Also describe any proposed pollution prevention techniques and proposed air pollution control devices. Describe the impacts on air quality.

Stationary source air emissions from crushers, conveyors, or other stationary sources will not be changed as a result of this Project. The current processing equipment at the active gravel mine site will continue to process in the location and at the level as it has been.

The current gravel mine does not operate under a state air permit, therefore potential emissions are not available. The Project is not anticipated to need a state air permit. The Project Proposer will cooperate with the MPCA if it is determined that the Project would require an air permit.

24. ODORS, NOISE AND DUST

A. Will the project generate odors, noise or dust during construction or during operation?

If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life. (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

☐ No

☒ Yes

The past years of experience with mining in this area has shown that the proposed Project will not generate odors.

Levels of noise and dust for the Project will not be changed from the existing conditions. The Project would be mining at approximately the same rate, with the same methods as the current gravel mine, and during the same hours of the day. No additional gravel processing equipment is proposed to be constructed, and the existing equipment will operate during the same hours of the day as it currently does. The Project is not anticipated to change the noise and dust levels from what is currently occurring. No blasting will take place as a part of this Project.

The current gravel mine does not operate under a state air permit, therefore potential emissions are not available. The Project is not anticipated to need a state air permit. The Project Proposer will cooperate with the MPCA if it is determined that the Project would require an air permit.

25. NEARBY RESOURCES

A. Are any of the following resources on or in proximity to the site?

If yes, describe the resource and identify any project-related impacts on the resource. Describe any measures to minimize or avoid adverse impacts.

Archaeological, historical or architectural resources?

☐ No

☒ Yes

According to the Minnesota State Historic Preservation Office's (SHPO) cultural resources database, three historical properties (LE-LSC-038, -039, and -040), one landscape (LE-OTW-010), and one archaeological site (21LE0095) have been recorded within one mile of the proposed mine expansion. The historical properties include a brewery cave and office and a barn that are located within a deep draw, more than ½ mile to the northwest from the proposed mine. These properties were considered not eligible for listing on the National Register of Historic Places in 2012.

White Rock Bluffs (LE-OTW-010) are an outcrop of Jordan Sandstone and the Prairie du Chien Group along the Minnesota River. First described by William Keating in 1824, these bluffs were purportedly used for raw material and as a regional gathering place. The Bluffs are as close as ½ mile from the proposed mine and will not be physically impacted.

Archaeological site 21LE0095 is a lithic scatter of unknown age. The property has not been evaluated, but is over ½ mile from the proposed mine and physical impacts to it are not anticipated. No known archaeological sites are located within the project area, however, SHPO does not have any records of an archaeological survey having taken place here and there may be archaeological materials that have not yet been identified.

Prime or unique farmlands or land within an agricultural preserve?

☐ No

☒ Yes

Refer to Map 7 for soils locations and Map 8 for Prime Farmland and Farmland of Statewide Importance. Soil information from the Natural Resources Conservation Service (USDA Natural Resources Conservation Service identifies prime farmlands and farmlands of statewide importance within the boundaries of the proposed mining area. The U.S. Department of Agriculture defines "prime farmland soils" as soils that are best suited to food, feed, forage, fiber and oilseed crops. The soils that are considered prime farmland are 27A, Dickinson sandy loam; 94B, Terril loam; 206B, Kasota silt loam; and 1855B, Dickinson sandy loam, loamy substratum. The U.S. Department of Agriculture defines "farmland of statewide importance" as land, in addition to prime farmlands, that is of statewide importance for the production of food, feed, forage, fiber and oilseed crops. The soil that is considered farmland of statewide importance is 41B, Estherville sandy loam. More information about the criteria for prime and important farmland can be obtained at the local office of the Natural Resources Conservation Service.

Designated parks, recreation areas or trails?

☒ No

☐ Yes

Scenic views and vistas?

☒ No

☐ Yes

Other unique resources?

☒ No

☐ Yes

26. VISUAL IMPACTS

A. Will the project create adverse visual impacts during construction or operation? Such as glare from intense lights, lights visible in wilderness areas and large visible plumes from cooling towers or exhaust stacks?

If yes, explain.

☒ No

☐ Yes

There is no lighting anticipated to be placed on the Project site. There is one light pole on the current mine site to light the scale shack. This light is a security light that turns on with a sensor. No adverse visual impacts are anticipated.

27. COMPATIBILITY WITH PLANS AND LAND USE REGULATIONS

A. Is the project subject to an adopted local comprehensive plan, land use plan or

regulation, or other applicable land use, water, or resource management plan of a local, regional, state or federal agency?

If yes, describe the plan, discuss its compatibility with the project and explain how any conflicts will be resolved.

If no, explain.

☐ No

☒ Yes

Le Sueur County has adopted a zoning map (http://www.co.le-sueur.mn.us/document_center/ZONINGaerial_Reduced.pdf) and zoning ordinances (http://www.co.le-sueur.mn.us/document_center/ZoningOrdinance.pdf). The Project site is in the Agricultural zoning district. This district allows mineral extraction as a Conditional Use. The Project site is also in the Mineral Resources Overlay District and Le Sueur Municipal Airport's Safety Zone C. The Airport Zoning regulates the height of buildings and vegetation around the airport. No buildings will be added as part of this Project, and none of the trees in the reclamation plan will be taller than the existing trees on the Project site.

The County has a Comprehensive Plan adopted July 24, 2007 (http://www.co.le-sueur.mn.us/document_center/Le_Sueur_County_Comprehensive_Land_Use_Plan.pdf) and gravel mining at the Project site complies with the Comprehensive Plan. Goal #6 in the Comprehensive Plan set forth plans to prevent development on areas identified as aggregate resources. The Project site is identified as "High Value Aggregate" in the Aggregate Resource Areas figure in the Comprehensive Plan.

28. IMPACT ON INFRASTRUCTURE AND PUBLIC SERVICE

A. Will new or expanded utilities, roads, other infrastructure or public services be required to serve the project?

If yes, describe the new or additional infrastructure or services needed.

☐ No

☒ Yes

It will be necessary to reroute and/or temporarily close State Highway 112 in order to construct a culvert under the highway to transport material to the existing processing plant. The Proposer, Mn/DOT and the County are developing a temporary closure plan. Discussion of the impact of the project on road infrastructure is discussed in Section 21. Traffic.

There are no railroads, overhead power lines, gas or liquid pipelines in the vicinity of the Project. Other new or expanded utilities, infrastructure or public services will not be required to serve the proposed project.

29. CUMULATIVE IMPACTS

A. Minnesota Rule part 4410.1700, subpart 7, item B requires that the RGU consider the "cumulative potential effects of related or anticipated future projects" when determining the need for an environmental impact statement. Identify any past, present or reasonably foreseeable future projects that may interact with the project described in this EAW in such a way as to cause cumulative impacts. Describe the nature of the cumulative impacts and summarize any other available information relevant to determining whether there is potential for significant environmental

effects due to cumulative impacts (or discuss each cumulative impact under appropriate item(s) elsewhere on this form).

The primary cumulative potential effect of the proposed gravel expansion mine is a change of land use from agricultural to mining and eventually, to a reclaimed grassland with scattered trees that will provide wildlife habitat.

There are other mines in the vicinity, including the current gravel mine to the east of the Project site, as well as Unimin's mines in Ottawa and Kasota, to name only a few. The Le Sueur County Comprehensive Plan includes an Extraction Areas figure showing many gravel pits, quarries, and sand pits in the County. As defined in MN Rules part 4410.0200, subpart 11a, for the purpose of describing cumulative potential effects, it is not required to list or analyze the impacts of individual past actions, it is sufficient to consider the current aggregate effects of past actions. The analysis in this section focuses on evaluating the contributions of past projects to cumulative potential effects. The current aggregate effects of past projects along with the future Project are considered in this evaluation. The Project's location within a Mineral Resources Overlay District and an area that has a number of active mining operations contributes most directly to past projects for which cumulative potential effects may be relevant. The following sections identify and discuss the cumulative potential effects based upon locating within the Mineral Resources Overlay District.

1. Wildlife Habitat and Natural Plant Communities

Past projects, including agriculture, have resulted in the elimination of many of the original natural plant communities and wildlife habitat on both the Project Area itself as well as on property surrounding the Project Area which are primarily developed, mined or utilized for agriculture. Original vegetation has been removed over much of the Project Area and much of the surrounding properties. Wildlife habitat is now largely concentrated in the landscapes adjacent to the Minnesota River where the floodplain has limited past development and will limit future development. There are no native plant communities within the Project Area and only limited areas of wildlife habitat, therefore there is very little if any potential for cumulative effects to these resources as a result of this project. The Project will include reclamation of areas to be mined; future reclamation activities on the mining portions of the Project will have a positive impact on the biodiversity of the Project Area and surrounding areas. During the reclamation process, water bodies will be created and native plant species will be re-introduced to the area, possibly adding biodiversity to an area currently devoid of diversity due to past development.

Mining activity is progressive in nature and reclamation occurs in phases along with the progression of mining so that 100% of the area will not be disturbed at one time. The majority of area currently subject to mining activity is subject to reclamation plans which have goals of reclaiming the area to provide more diverse and higher quality habitat than currently exists today. The Unimin North Mine and Kasota Mine are subject to reclamation plans and reclamation is an on-going process at those facilities. Therefore when considering the reclamation requirements and currently approved and proposed reclamation plans of nearby projects and the proposed reclamation plan of the Project itself, there is no potential for significant cumulative effect on wildlife and natural plant communities.

2. Ground Water Quantity and Quality

The area surrounding the Project Area is primarily gravel mining, agricultural, or the Hometown BioEnergy biofuel plant. Of the five wells nearby, two are used for irrigation and the other three are domestic supply. This Project does not include adding a well or dewatering, so no cumulative impacts on groundwater quantity are anticipated.

No chemicals are used in the mining process at the current gravel mine site. Spill containment kits are available should there be a spill or leak of fuel or engine fluid from the mining equipment. Cumulative potential effects to water quality are not anticipated as a result of the Project.

3. Surface and Wastewater

The Project Proposer intend to infiltrate stormwater into the ground as much as possible, thus lessening stormwater runoff volume and improve stormwater quality leaving the Project site.

Cumulative effects from existing or future projects could result from "run-in" if substantial impervious

surface development directs excessive surface water to the Project Area. Impacts could result in water quality issues. The Le Sueur County Comprehensive Plan states that the areas of aggregate resources shall be protected from development pressure, so substantial impervious surface development is unlikely. Berming and/or diversion around mining areas will eliminate this potential cumulative effect.

The gravel processing water will be placed in the wash water pond and infiltrated into the ground, as the processing has been currently operating.

Wastewater generation will not be increased beyond what is currently produced at the existing gravel mine and processing equipment as a result of this Project, and thus cumulative effects are not anticipated.

4. Traffic

Cumulative effects to traffic in the area have been estimated to be minimal. The rate of mining and the location of the processing equipment will not change. Therefore, there will not be an increase in truck traffic in the area, nor a change in location where trucks would access the highway.

5. Air

The current gravel mine does not operate under a state air permit, therefore potential emissions are not available. The Project would be mining at approximately the same rate, with the same methods as the current gravel mine. No additional gravel processing equipment is proposed to be constructed. The Project is not anticipated to need a state air permit.

Hometown BioEnergy, to the northeast of the Project, has an active state air permit. There are other sand mining, sand processing, and quarry activities nearby to the proposed Project. The SMC pits and the Vetter Stone Quarry do not operate under a state air permit; therefore, their potential emissions are not available. However, Unimin operates with an individual state permit. From its air permit, the potential to emit (PTE) particulate matter (PM) is 73.3 tpy and 36.7 tpy of PM10. This is considered a state permit in regards to air permitting rules.

Unimin voluntarily conducts perimeter monitoring for environmental exposure to airborne respirable nuisance dust, including silica. Although the purpose of this monitoring is used with comparison to the occupational standard of silica, results showed that none of the sampling events exceeded the occupational standard. In fact, none of the samples even resulted in Total Dust levels (which also include fugitive dust from organic topsoil and other nuisance dust) that were above the 0.1 mg/m3 occupational industrial standard limit for respirable silica. In conclusion, it was determined that Unimin does not have a problem associated with ambient impacts of particulates or respirable silica dust.

The MPCA regulates individual air permits using federal and state guidelines. The MPCA also monitors cumulative potential effects using regional ambient air monitors and other statistical tools. The Project Proposer will cooperate with the MPCA if it is determined that the Project would require an air permit. In conclusion, the Project Proposer considers the cumulative effect from their facility to be insignificant, and that no further analysis is required.

6. Noise

The Project would be mining at approximately the same rate, with the same methods as the current gravel mine, and during the same hours of the day. No blasting will be done as a part of this Project. No additional gravel processing equipment is proposed to be constructed, and the existing equipment will operate during the same hours of the day as it currently does. The Project is not anticipated to change the noise levels from what is currently occurring. The Project will not have a significant cumulative potential effect on noise levels at receptor sites within the area.

30. OTHER POTENTIAL ENVIRONMENTAL IMPACTS

A. If the project may cause any adverse environmental impacts not addressed by items 1 to 28, identify and discuss them here, along with any proposed mitigation.

There are no other potential environmental impacts that have not already been discussed above.

31. SUMMARY OF ISSUES

A. List any impacts and issues identified above that may require further investigation before the project is begun. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

No are no anticipated further investigations before the project begins.

1. Wildlife Habitat and Natural Plant Communities

Mitigation for loss of wildlife habitat will be through reclaiming the mined areas. Planting of grasses and trees and creation of a pond will provide higher quality wildlife habitat than the agricultural field that is currently on the Project site.

2. Ground Water Quantity and Quality

No dewatering or additional wells are anticipated. The existing processing equipment has a supply well and that use will not change. No chemicals are used in the mining process at the current gravel mine site. Spill containment kits are available should there be a spill or leak of fuel or engine fluid from the mining equipment.

3. Surface and Wastewater

The potential impacts of unmitigated mining in the Project area are increases in storm water runoff quantity and decrease in surface water quality. These impacts will be mitigated by using infiltration, reclamation using natural grassland vegetation, and other applicable BMPs wherever feasible. Surface water will be allowed to infiltrate into the ground, thus lessening the runoff rates when compared to existing runoff rates. The stormwater system will be designed to ensure that runoff quantity leaving the site will not increase and that the water quality will be maintained or improved.

4. Traffic

Traffic will be detoured for a short period of time while the culvert is constructed under Highway 112. The Project Proposer has prepared a detour plan. After the construction is completed, traffic levels and patterns are anticipated to revert to the existing levels and access points.

5. Air

The current gravel mine does not operate under a state air permit, therefore potential emissions are not available. The Project would be mining at approximately the same rate, with the same methods as the current gravel mine. No additional gravel processing equipment is proposed to be constructed. The Project is not anticipated to need a state air permit.

6. Noise

The Project would be mining at approximately the same rate, with the same methods as the current gravel mine, and during the same hours of the day. No blasting will be done as a part of this Project. No additional gravel processing equipment is proposed to be constructed, and the existing equipment will operate during the same hours of the day as it currently does. The Project is not anticipated to change the noise levels from what is currently occurring.

RESPONSIBLE GOVERNMENT UNIT (RGU) CERTIFICATION

The Environmental Quality Board will only accept SIGNED Environmental Assessment Worksheets for public notice in the EQB Monitor.

I hereby certify that:

The information contained in this document is accurate and complete to the best of my knowledge.

The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9b and 60, respectively.

Copies of this EAW are being sent to the entire EQB distribution list.

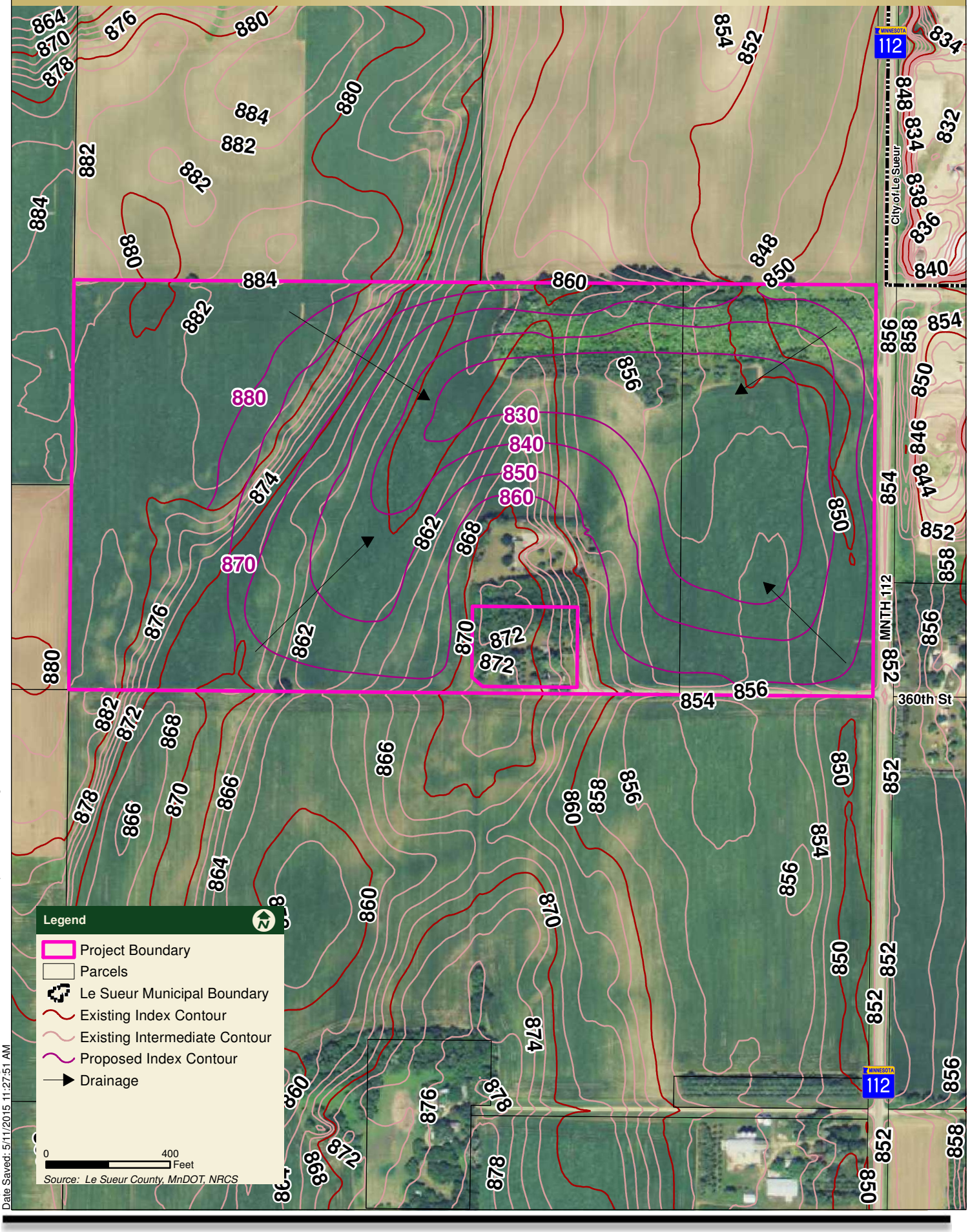
RGU Le Sueur County

Signature

Title

Date

APPENDIX



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Appendix

Traxler Construction, Inc. Gravel Mine Reclamation Plan

This Reclamation Plan is based on current assumptions for business level and market conditions, as well as the assumption that this is the final mine area. Business levels and market conditions are likely to fluctuate affecting both the timing, as well as the amount of material available for backfill. In addition, review by other agencies is expected as part of securing all necessary permits for the area, and changes may also be recommended by those agencies. Any significant modifications to this Reclamation Plan will be presented to County staff for review. This Reclamation Plan now includes the reclamation of the existing mine because the overburden from the proposed mine will be used to reclaim the existing mine.

Stripping, Mining, and Backfilling Processes

The actual mining operation will be a continuous and highly integrated process. The gravel material is estimated to extend approximately 50 acres. The pace of mining extraction, estimated at this time to last approximately 20 years, will be determined by the market demand and subject to changing conditions. The anticipated rate is to mine 5 acres a year at 10 feet deep or 3 acres a year at 18-20 feet deep. It is important to note that while an area is being mined, other mining related activities such as backfill, reclamation, overburden removal, and ongoing reclamation will also be ongoing concurrently in order to maintain a continuous mining operation.

The anticipated average depth of the mine will be 20 feet, becoming less as it goes further west. The mining involves the removal of overburden to expose the gravel. Traxler Construction, Inc. will strip black dirt and clay from the top of the aggregate base to be mined, placing it along the embankment while mining is being done, so that reclamation will be in process all the time. The estimated depth of overburden (stockpiled as screening berms and for use in the final reclamation process) is 1 to 2 feet of black dirt (topsoil) and 1 to 2 feet of clay. Both the overburden and the gravel material will be removed by the mobile mining equipment. The overburden will be moved internally within the overall mining areas and used to construct berms and to complete reclamation of the existing mining areas, or it will be stored for later use in reclamation or processing for sale. No topsoil will leave the Project site.

Fill and Soil

The mining involves the removal of the overburden to expose the gravel. The overburden consists of topsoil and glacial till. The topsoil will be removed and used to construct screening berms or stockpiled to be used later as a part of final site reclamation. The removal of the glacial till and mining of the gravel will be accomplished with mobile earth moving equipment. No blasting is anticipated. The glacial till will be moved internally within the overall mining areas and used for backfilling areas where the gravel has already been removed for processing, allowing for reclamation to proceed concurrently with mining.

Reclamation activities include the use of heavy construction equipment to backfill the excavation and replace topsoil and large agricultural machinery to seed the area with native plantings. Once the mining has been completed, the resulting mixture of subsoil will be homogenous with similar characteristics of the original soils. Soil tests will be conducted to determine the optimum plant selection for the site and what, if any, soil amendments need to be used to add nutrients or adjust pH. A soil pH of 5.4 to 7.0 is optimal. Topsoil will be respread on the site to a minimum depth of approximately 4 inches. Clean topsoil and clay may be brought in from residential construction projects and used in reclamation. No topsoil will be removed from the Project area.

Erosion Control Plan

Traxler Construction, Inc. will implement Best Management Practices (BMPs) to prevent contributing to the Minnesota River's impairment for turbidity. One such BMP is the native plantings that will help prevent erosion and sedimentation, and will evapotranspire some of the water.

A summary of other BMPs proposed to address the erosion problems during and after mining include but are not limited to:

- Timely field reconnaissance inspections during surface restoration activities.
- Utilizing applicable BMPs such as fiber rolls and silt fence.
- Filling all erosion channels with topsoil, then reseeding the restored surface.
- Applying appropriate mulch or erosion control fabric to control rill development.
- Placing rock at appropriate culvert inlets and outlets.
- Constructing rock check dams on steep slopes as needed.

Topography

It is anticipated that the general surface contours of the Project site will be similar to the existing contours. A landscape of undulating upland and lowland areas will be created, in order to provide different habitats for plants and animals. Isolated depressions will be created. The slopes shall not be steeper than 4 feet horizontal to 1 foot vertical, to provide a stable and safe condition.

End Use of Site

It is proposed to reclaim the site as an oak savanna consisting of native grasses, wildflowers (forbs), shrubs and deciduous hardwood species, especially bur oak and northern pin oak. The sandy, well drained soils are well suited for this proposed end use. The result will be wildlife habitat. Vegetation will be chosen at the time of planting on the reclaimed areas; projected plant seed mixes are included herein. In addition, various other habitat enhancements such as food plots, brush piles, and artificial nesting structures will be used to encourage the development of wildlife populations. No mining-related structures or processing plants will be on the Project area during mining, and therefore will not need to be removed during reclamation.

Stormwater

Reclamation will be conducted in a manner that is protective of the minor watershed's water quantity and quality issues. Small isolated depressions will be created that will collect stormwater runoff from the nearby area; these will act like infiltration basins. The basins will give stored water time to infiltrate, recharging water into the underlying aquifers as the soils on site have done in the past. The site will be dry the majority of the time.

Even assuming no upstream infiltration, through the use of infiltration, as well as the various proposed improvements, this Project will not exacerbate any existing Minnesota River impairments or result in any further degradation or adverse impacts to existing water bodies in this vicinity.

Wetlands

No National Wetlands Inventory wetlands are on the Project site.

Roads

The proposed mine will require the temporary closing of Highway 112 for a culvert to be constructed, but otherwise will not result in relocating any roads.

Vegetation and Planting

Planting

The vegetated berms will be a mixture of trees, shrubs and tall grasses to provide adequate screening. Specific trees are listed because these trees are also found in the nearby Chamberlain Woods SNA, and these plantings would help blend the Project site into the surrounding area. In addition, planting diversity in tree species will help prevent significant impacts from disease or insects. Grass and forb seed planting

rates of 84.5 lbs/acre (includes cover crop) with a 10-10-20 fertilizer at 400 lbs/acre (dependent on soil testing to determine proper amount of soil amendments) and MNDOT Type 3 mulch at 2 tons/acre are recommended (based on MNDOT District Seeding Recommendations).

Plants for Lowland Sites
Use State Seed Mixes 35-241 Mesic Prairie General or 36-211 Woodland Edge South & West.

Shrubs
Cornus sericea - Red Osier Dogwood
Cephalanthus occidentalis - Buttonbush
Shrubs should be planted at least 6 feet apart on center.

Plants for Upland Sites
Use State Seed Mixes 32-241 Native Construction, 36-211 Woodland Edge South & West, or 35-221 Dry Prairie General.

Shrubs
Amelanchier alnifolia - Serviceberry
Cornus sericea - Red Osier Dogwood
Cornus racemosa – Gray Dogwood
Shrubs should be planted at least 6 feet apart on center.

Trees
Quercus ellipsoidalis - Northern Pin Oak
Quercus macrocarpa - Bur Oak

All trees should be planted at least 50 feet apart on center.

Vegetation Management
When establishing vegetation in an area, controlling noxious weeds and monitoring successful establishment of vegetation is very important. Noxious weeds in Minnesota include: hemp (annual); bull thistle, garlic mustard, musk thistle, and plumeless thistle (biennial); Canada thistle, perennial sowthistle, leafy spurge, field bindweed, poison ivy, and purple loosestrife (perennial).

Chemical control of annual weeds works best when an herbicide is applied in the spring to actively growing, young weeds. Mechanical control, such as mowing, is also effective against annuals.
Control of biennials, via herbicides, are most effective when applied when applied during the first year's growth. If treatment is delayed until the second year, early season application of an herbicide, or mowing, before bloom is recommended.

The best methods of perennial weed management in a perennial prairie ecosystem are mechanical (mowing) or chemical (herbicides). Fall herbicide applications can provide some of the best perennial weed control during the season. However, it is important to realize that herbicides alone, or one herbicide application will generally not eradicate a perennial weed population. Application of herbicides in spring, or frequent mowing during the summer is also effective in controlling growth till fall. However, mowing alone may take several growing seasons to effectively control perennial weed populations.

Prescribed burning is another method of perennial weed management. A prescribed burn will be conducted starting the third year after planting, as described in the maintenance section herein.

Inspections and Maintenance

The Project Proposer will inspect the plantings at least annually to evaluate planting success. Trees and shrubs lost to mortality will be replanted within the same year inspected. Areas where grass and forb seeding was not successful will be replanted within one month of inspection (depending on contractor availability). The Project Proposer will contract with a company specializing in native plant seeding and maintenance to provide assistance for the establishment of the plantings described within this plan.

The Project Proposer will inspect the site on a weekly basis after construction until vegetation has become established to identify erosion problems. Areas of erosion will be corrected and reseeded within one week.

The DNR publication "Going Native: A Prairie Restoration Handbook for Minnesota Landowners" (http://files.dnr.state.mn.us/assistance/backyard/prairierestoration/goingnative.pdf) has a helpful year by year expectation and maintenance outline. This has been summarized here.

Year One Expectations
The prairie won't look like much after the first growing season. Prairie plants will probably only have one or two small leaves above ground. The site will look messy, and annual weeds may still be present.

Year One Maintenance
During the planting year, annual weeds will be controlled by mowing. Prairie seedlings will be putting most of their energy into their roots in the first year, and won't get very tall. For the first mowing, the mower will be set to cut higher than the seedlings, usually four to five inches. The weeds will not be allowed to get higher than six to eight inches tall, which usually requires mowing an additional two to three times in a season. Mowing will continue until late September. A mulching or flail mower will be used so that it is less likely to smother the small prairie plants with grass clippings. Alternatively, thick cuttings left after mowing should be removed or raked off. The weeds will not be allowed to go to seed. This can happen very quickly, especially when there's been a lot of rain. The site will be monitored frequently during the first year's growing season (approximately monthly). Weeds or invading tree seedlings will not be pulled in the first year, to prevent pulling up or damaging native seedlings in the process.

Year Two Expectations
Short-lived prairie perennials like wild bergamot will become established, and might even bloom. Annual weeds should be nearly gone. Black-eyed Susan is reseeding itself profusely.

Year Two Maintenance
The site will be mowed to six to eight inches in the spring as soon as weeds begin to grow. Efforts will be made not to disturb the soil, which can encourage weed seed germination. If the cuttings are heavy and thick, they will be raked off. Mowing will be limited in the second growing season to one or two times, no shorter than eight inches and only if needed to control weeds. The mowing will be timed before the weeds flower. Sweet clover will be pulled or mowed the second year before it flowers. It will not be allowed to go to seed. Sweet clover seeds are stimulated to germinate by fire, and can be a long-term problem. If necessary, spot applications of glyphosate will be used, being careful not to kill nearby native seedlings, or weeds will be pulled manually to control them. The site will be monitored for noxious weeds such as non-native grasses, leafy spurge, Canada thistle, spotted knapweed, mullein, curly dock, wild parsnip, and burdock, which can invade quickly. These will be spot-sprayed, as discussed in the Vegetation Management section above.

Year Three Expectations
Short-lived prairie perennials like black-eyed Susan, so prolific in the first few years, will be joined by other grasses and forbs. Long-lived native perennials like big bluestem, little bluestem, switchgrass,

Indian grass, side-oats grama and rattlesnake master will become established. Purple coneflower, compass plant, and white and purple prairie clover will begin to flower.

Year Three Maintenance
A prescribed burn will be conducted starting the third year if there is enough plant litter to provide fuel for the fire. The area to be burned will be mowed before the burn to lower flame height and create a safer, more subdued burn. Areas that don't have a good growth of native plants after the burn will be interseeded.

Year Four and Beyond Expectations
More conservative species like prairie dropseed, prairie cinquefoil, New Jersey tea, wild indigo, and Culver's root will start to hold their own after about six years. Some prairie plants might take as long as 10 years or more to bloom.

Year Four and Beyond Long-Term Maintenance
Management techniques such as rotationally burning, or mowing and raking will be continued each year. Fertilizing will only occur if the site is mowed regularly, being careful not to favor weeds. In order to maintain or increase species diversity, areas where the vegetation is not thriving will be interseeded or planted with seedlings. Weeds will be regularly monitored, especially in areas that have been disturbed, and they will be eliminated before they become a widespread problem. There should not be a need to water the site.

Vertical Profile of the Reclaimed Area

Minimum depth of the restored topsoil = 4 inches (ranges up to 18 inches)

Depth of imported clean clay material (optional) = up to 12 inches

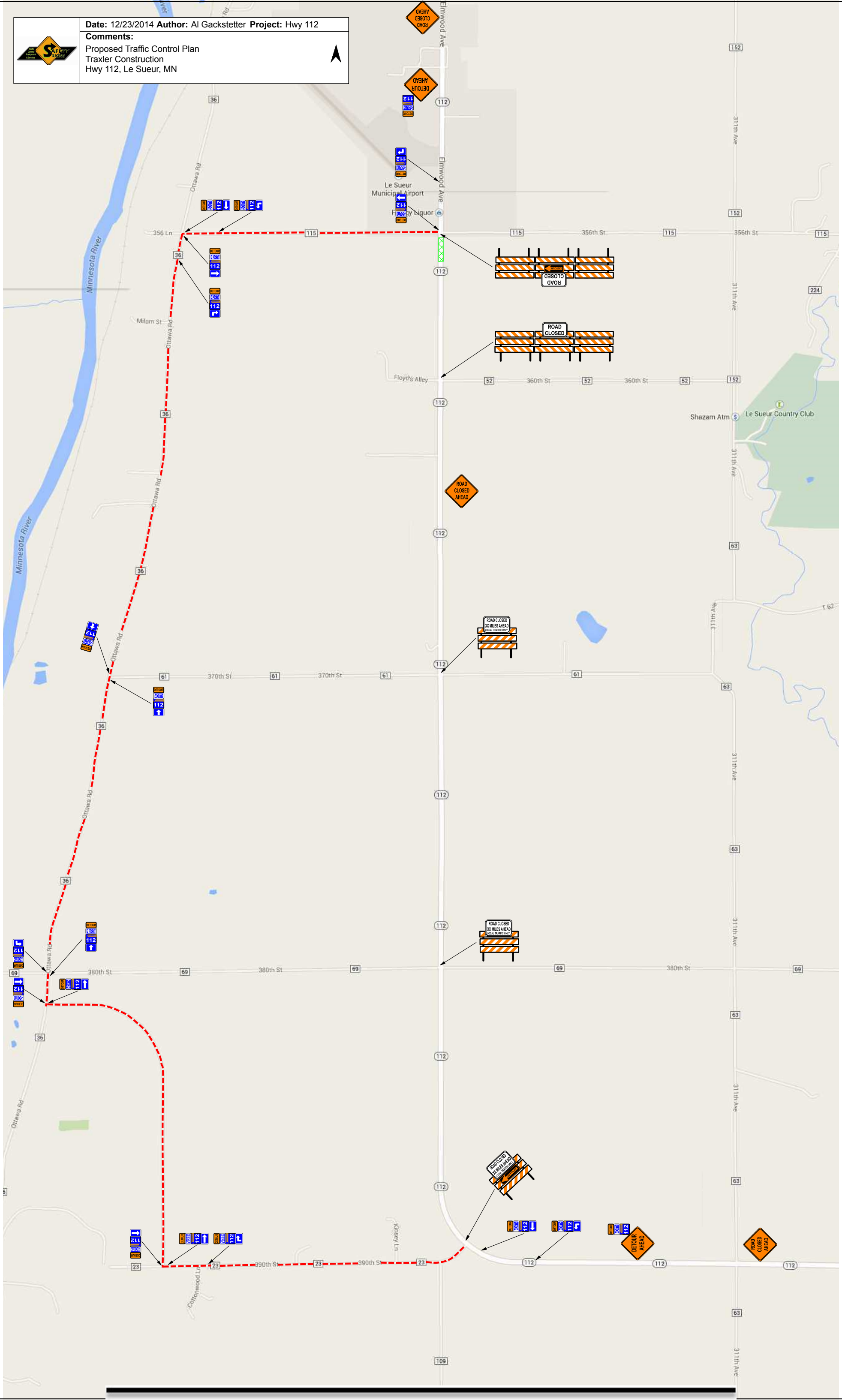
Depth of graded in-situ/un-mined material = varies

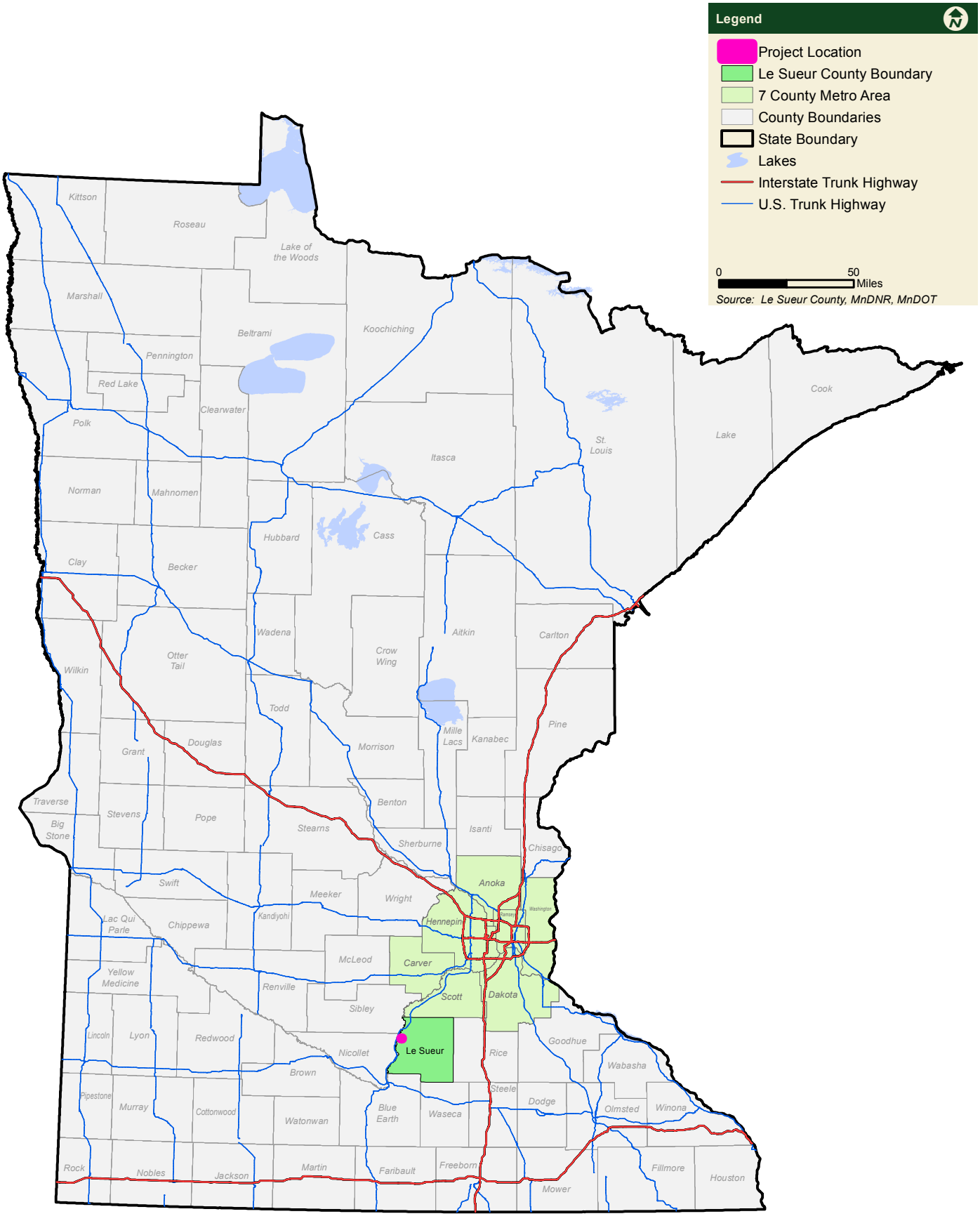
(Minimum depth to groundwater in nearby wells is 84 feet, so water table is not shown in this profile.)

Date: 12/23/2014 **Author:** Al Gackstetter **Project:** Hwy 112

Comments:

Proposed Traffic Control Plan
Traxler Construction
Hwy 112, Le Sueur, MN





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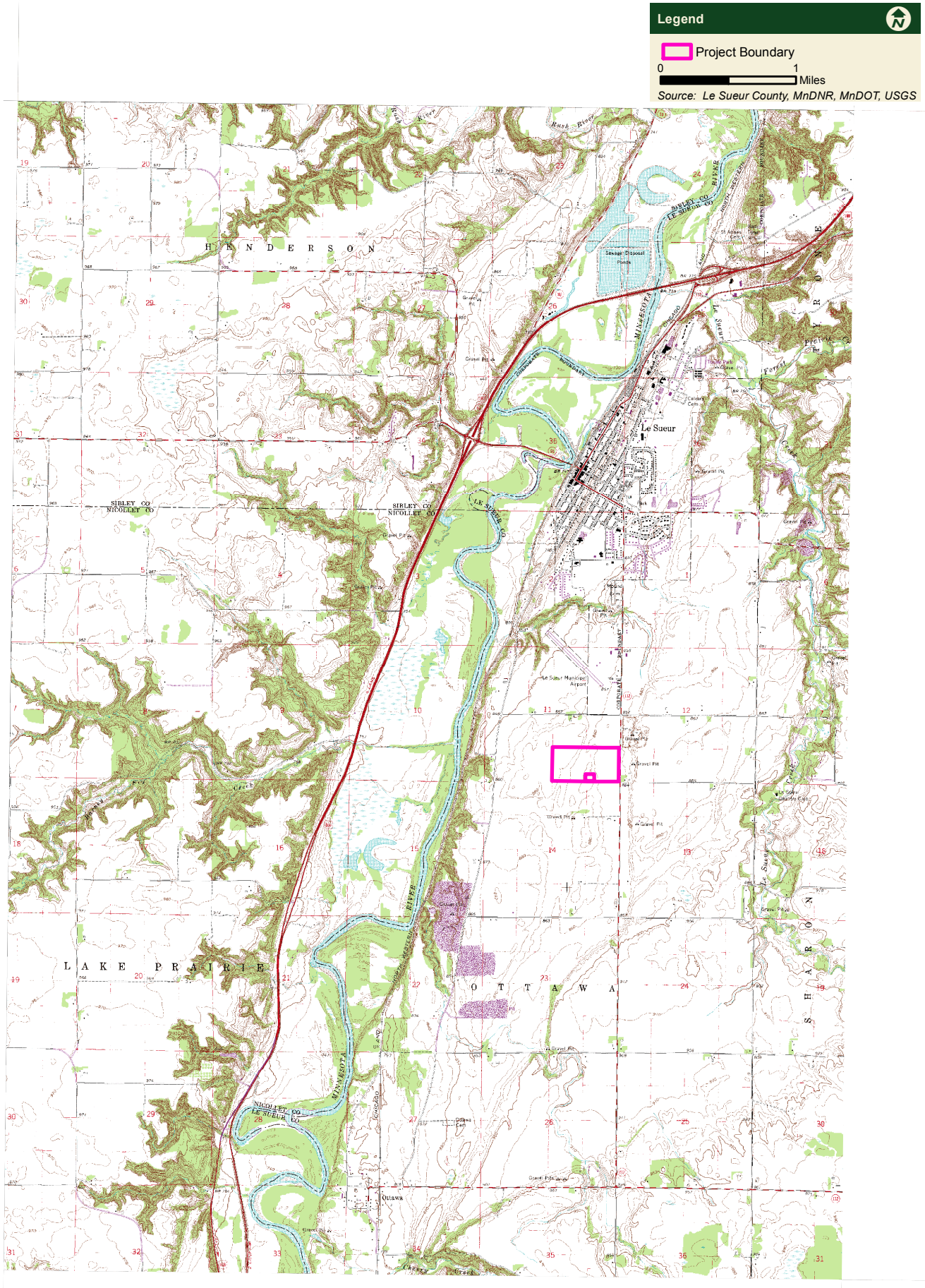

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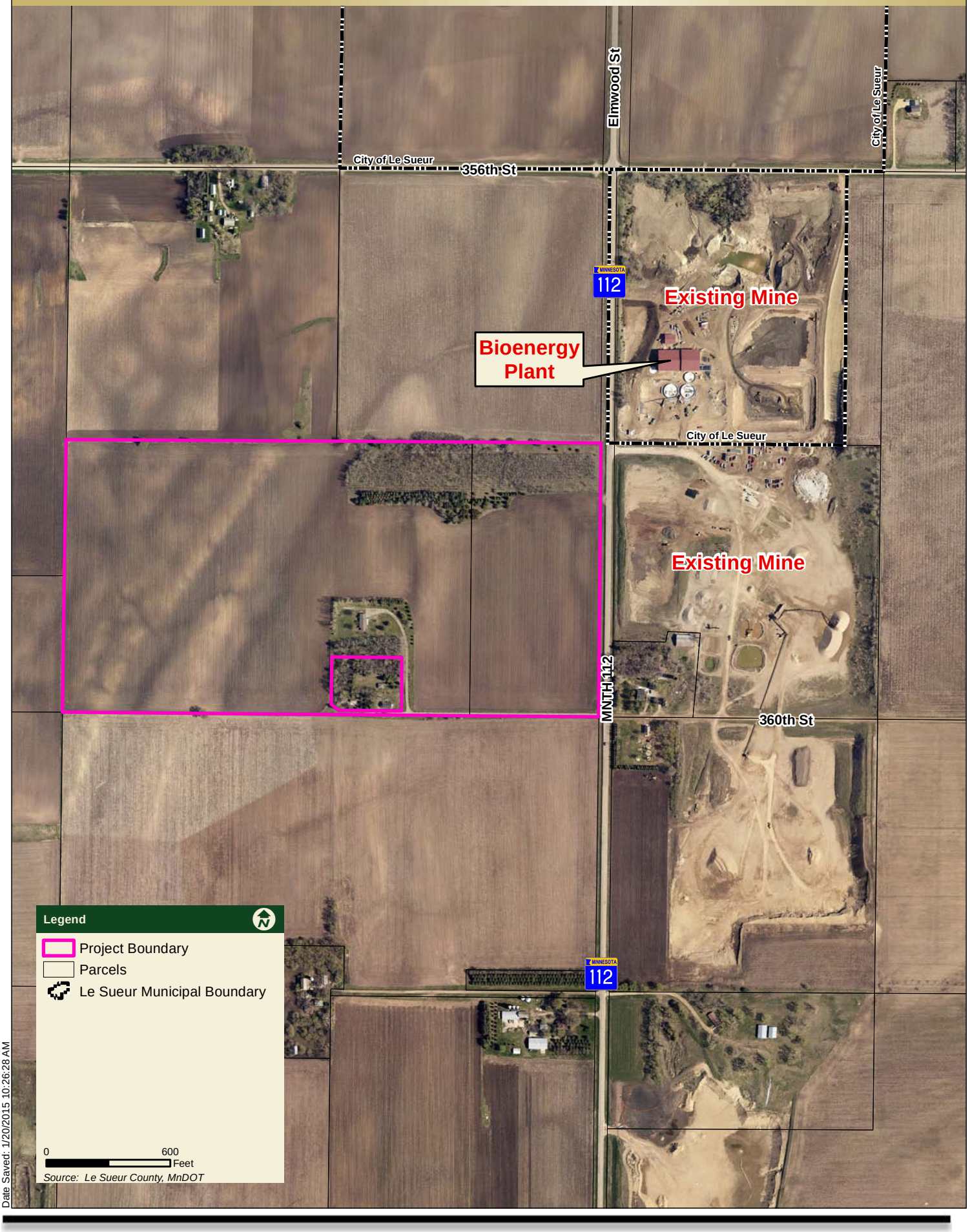

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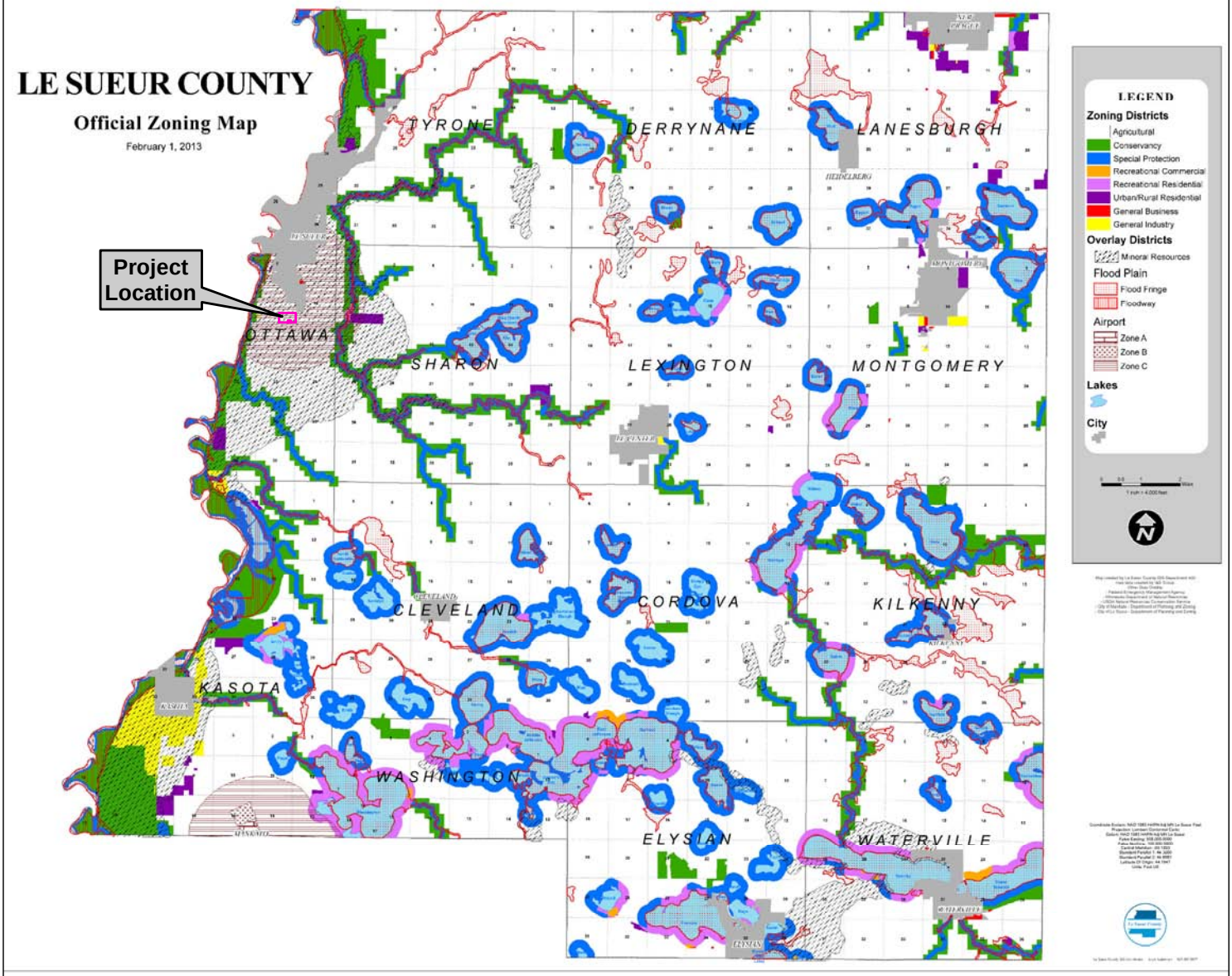

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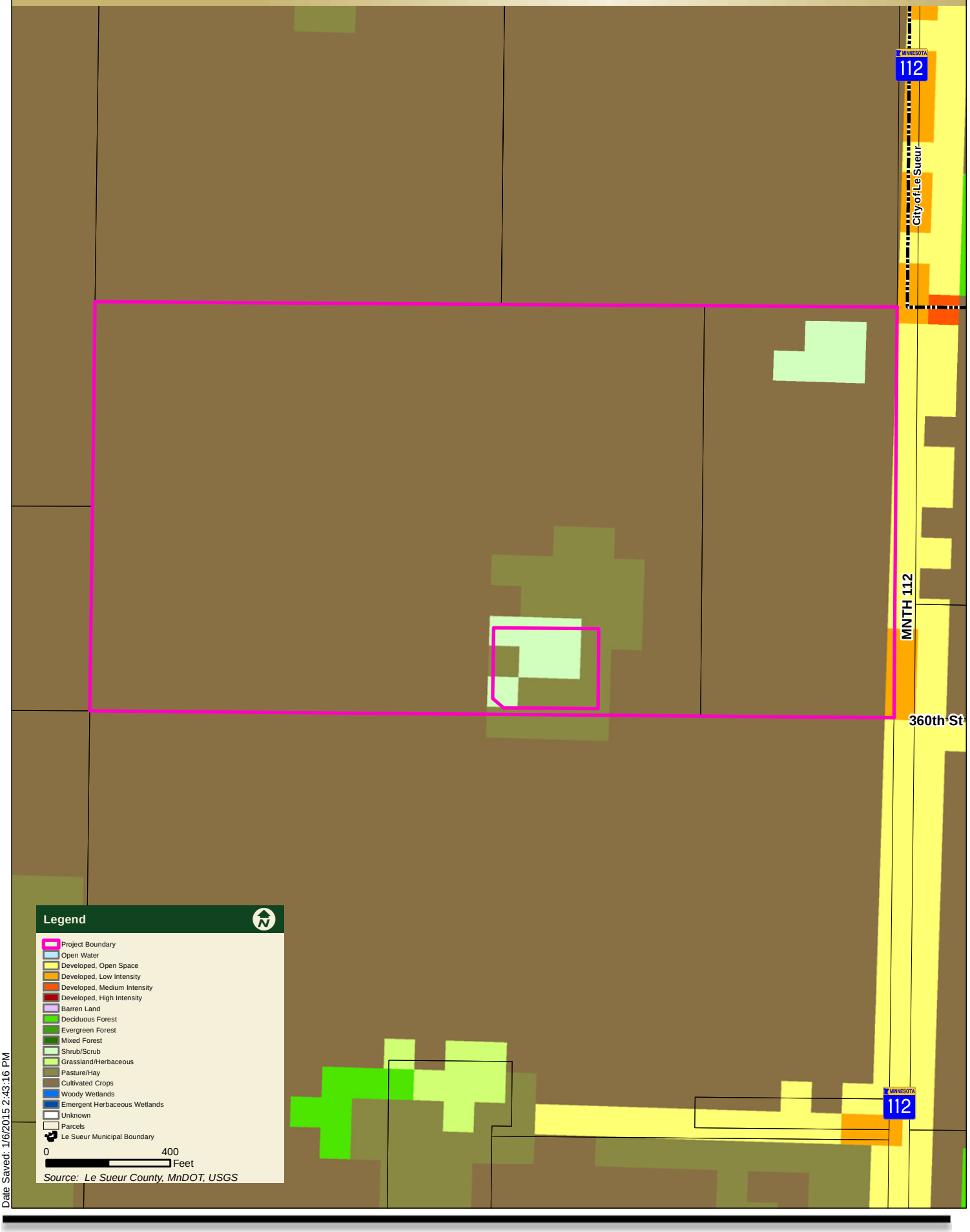

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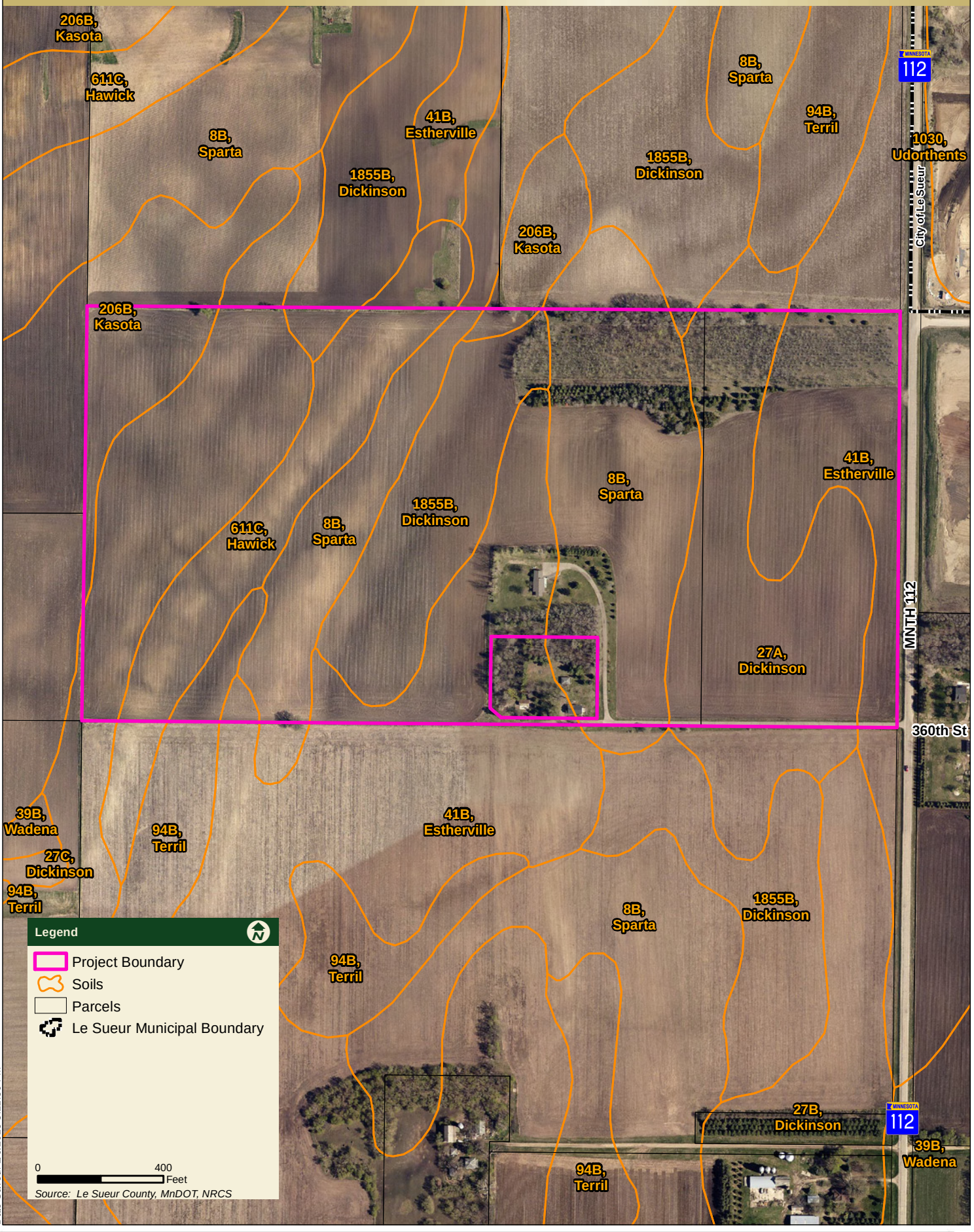

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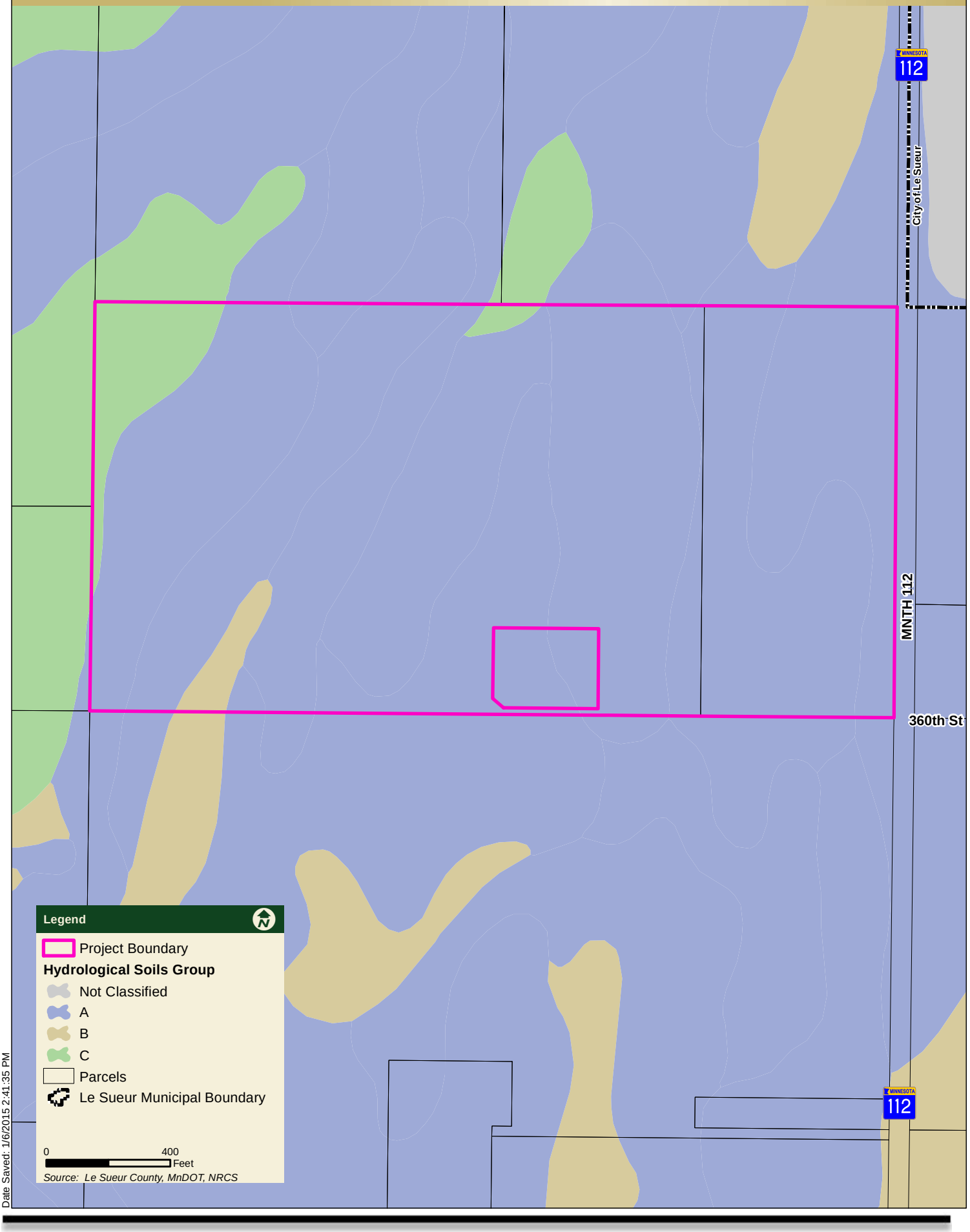

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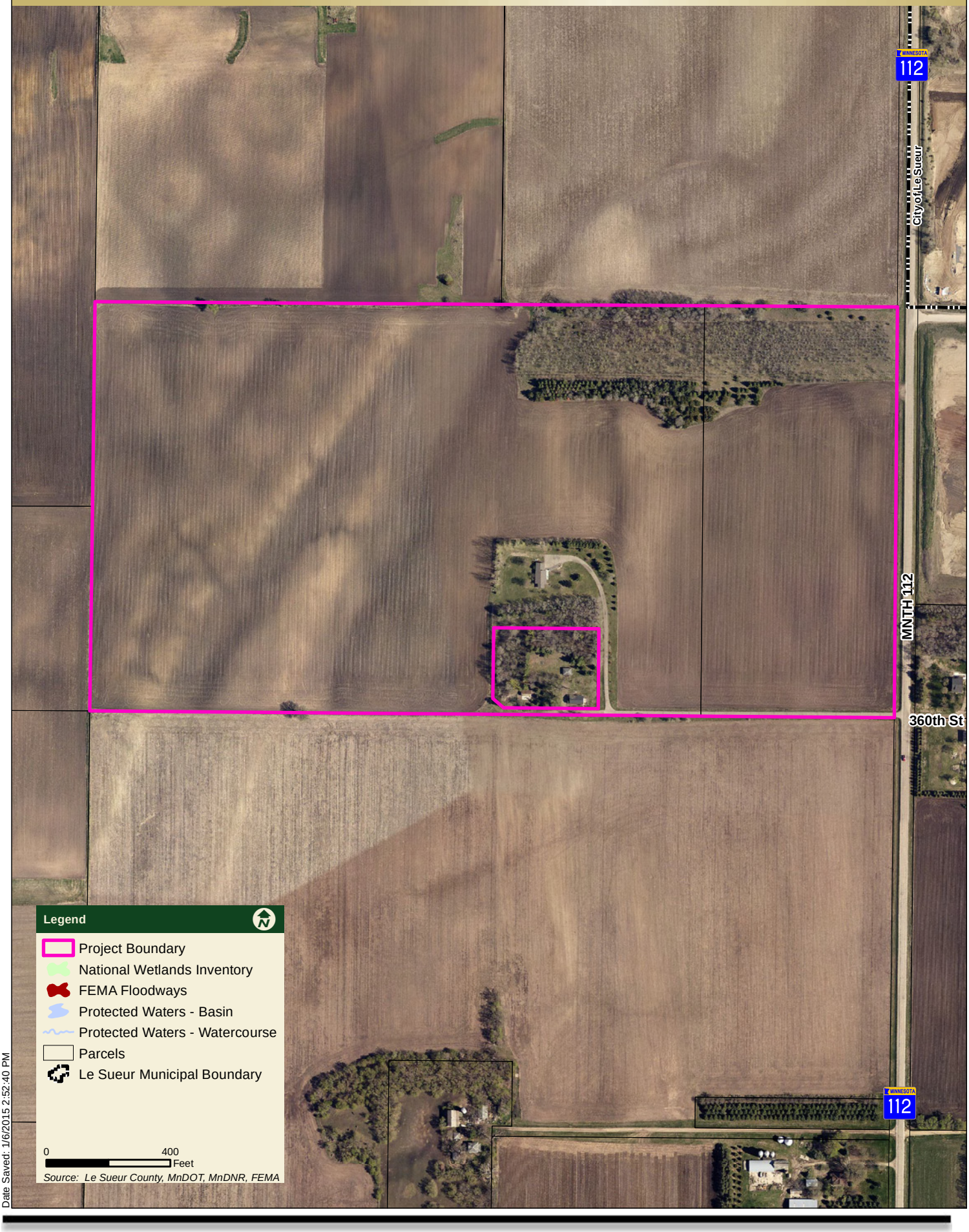

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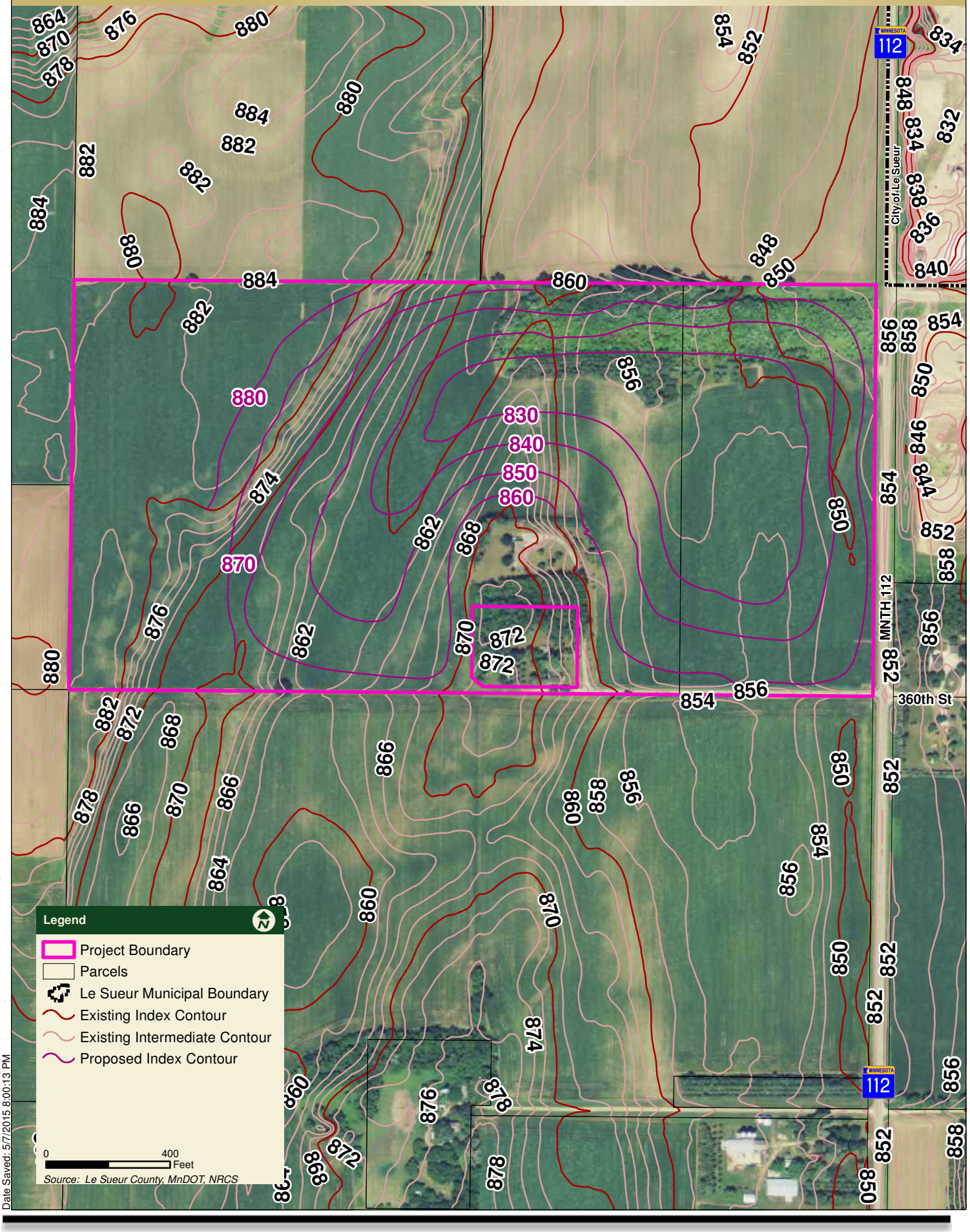

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