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SHERBURNE
Planning & Zoning

**Knife River-North Central
IUP Amendment
25-002-4205
Haven Township**

SEC:	2
TWP:	35
RGE:	30
ACRES:	134.8
Agricultural	

APPLICATION NUMBER: IUP-2021-00178

RECEIPT #: 68,410

DATE PAID: 11/10/2021

TOWNSHIP COMMENT FORM

APPLICATION IS HEREBY MADE FOR:

AMEND EXISTING INTERIM USE PERMIT

APPLICANT: KNIFE RIVER CORPORATION-
4787 SHADOW WOOD DRIVE NE SAUK RAPIDS,
MN 56379

PHONE: 320-529-2725 (RON)
CELL PHONE: 320-529-4241 (HOLLY)

E-MAIL: RON.KLINKER@KNIFERIVER.COM

OWNER: STARK, LEWIS & JANET REVOCABLE
1417 55TH AVE SE SAINT CLOUD MN 56304

OTHER CONTACTS:

SHERBURNE COUNTY, MINNESOTA

PID: 25-002-4205

OTHER PARCELS:

PLAT NAME:

DEEDED ACRES: 134.8

LEGAL: H19 S 3-4 OF SW 1-4 & S 1-2 OF NW 1-4 OF SE 1-4, except Sherb Cty row plat # 12 parcel 14
SHERBURNE CTY ROW PLAT# 12 PARCEL# 14

SECTION: 2

TOWNSHIP: 35

HAVEN

RANGE: 30

Agricultural

1571 55TH AVE SE SAINT CLOUD MN 56304

ZONING DISTRICT:

PROPERTY ADDRESS:

EXPLANATION OF REQUEST:

AMEND EXISTING INTERIM USE PERMIT

TOWNSHIP COMMENTS:

APPLICATION IS: APPROVED: DENIED: OTHER:

SIGNATURE OF TOWN BOARD: _____ DATE: _____



Planning and Zoning Administration

Sherburne County Government Center
13880 Business Center Drive
Suite 100
Elk River, MN 55330-4668
zoning@co.sherburne.mn.us
(763) 765-4450
1-800-438-0578

April 8, 2022

Property Owner:
Lewis & Janet Revocable Trust
1417 55th Ave SE
St. Cloud, MN 56304

Mining Operator:
Knife River Inc.
ATTN: Ron Klinker
4787 Shadow Wood Drive NE
Sauk Rapids, MN 56379

Sent to: Ron.Klinker@kniferiver.com

RE: Requesting to amend existing Interim Use Permit for gravel mining at PID# 25-002-4205 (*received 11/10/2021*)

To Whom It May Concern,

This letter is regarding your request for an amendment to an existing Interim Use Permit (IUP) at PID 25-002-4205. You are proposing to amend an existing IUP to eliminate condition # 5. *“No more than 20 acres can be open at any time. Open is defined as an area stripped of its natural vegetation or not reclaimed. This includes but is not limited to stockpiling of materials, crushing spreads and roads. During Zoning's Annual Review for Compliance Knife River will provide the County with Global Positioning Satellite (GPS) data to determine if the open acreage is in compliance with the 20-acre requirement”*. You are also proposing to amend your hours of operation. Your application has been assigned to me for review. Please send all future correspondence to my attention.

At this time your application is *incomplete*. In order for the application to be deemed complete, the Zoning Department requires the following:

1. Township comments are needed. Please contact the Haven Township Clerk and request to be placed on their next agenda. The Township's phone number and email are 320-743-3717 and clerk@haventwp.org. I will forward this letter and all information submitted to the Town Board for their comments.
2. Additional changes or information may be required once the Zoning Office has received comments from other offices/organizations.

Once the required information has been submitted for your project you can be scheduled for the next available public hearing with the County Planning Advisory Board. We reserve the right to postpone this hearing, pursuant to the provisions of Minnesota Statute Section § 15.99.

Please Note:

1. Incomplete applications shall be considered denied one (1) year from the date of the application if the proposal has not obtained the required approvals. The Zoning Administrator may grant one 6-month extension if the Zoning Administrator determines that continuous progress has been made to keep the application moving toward approval.

I look forward to assisting you through the Interim Use Permit process. If you have any questions, please contact me at 763-765-4466 or by email at mitch.glines@co.sherburne.mn.us

Sincerely,



Mitch Glines
Sherburne County Planner

Cc: Haven Township
County Attorney's Office
Sauk Rapids Fire
City of St. Cloud
Benton County
St. Cloud Airport
David Roedel, County Deputy Engineer
Lewis & Janet Stark (Property Owner)



4787 Shadow Wood Dr. NE
Sauk Rapids, MN 56379
(320) 251-9472
(320) 251-0011 FAX

April 7, 2022

Sherburne County Planning & Zoning
Mr. Mitch Glines
13880 Business Center Drive
Elk River, MN 55330

RE: Request to amend existing Interim Use Permit for gravel mining at PID# 25-002-4205

Dear Mr. Glines,

Below please find responses to your letter dated November 23, 2021(copied below) in which you declared our application incomplete. Please see responses in red to your comments.

This letter is regarding your request for an amendment to an existing Interim Use Permit (IUP) at PID 25-002-4205. You are proposing to amend an existing IUP to eliminate condition # 5. *“No more than 20acres can be open at any time. Open is defined as an area stripped of its natural vegetation or not reclaimed. This includes but is not limited to stockpiling of materials, crushing spreads and roads. During Zoning’s Annual Review for Compliance Knife River will provide the County with Global Positioning Satellite (GPS) data to determine if the open acreage is in compliance with the 20-acrerequirement”*. Your application has been assigned to me for review. Please send all future correspondence to my attention.

At this time your application is *incomplete*. In order for the application to be deemed complete, the Zoning Department requires the following:

1. Township comments are needed. Please contact the Haven Township Clerk and request to be placed on their next agenda. The Township’s phone number and email are 320-248-5866 and havenclerk@cloudnet.com. I will forward this letter and all information submitted to the Town Board for their comments.

We will contact Haven Township once we receive notice from Sherburne County that this application is complete.

2. Per “Map A – Existing Conditions” received, after the 2021 restoration area is completed, you will be mining 20 acres. Respond in writing the reason you are requesting to remove the condition of mining 20acres open at any time if this is the case.



4787 Shadow Wood Dr. NE
Sauk Rapids, MN 56379
(320) 251-9472
(320) 251-0011 FAX

This 20 acre limitation severely limits the efficient removal the remaining aggregate reserves at the site. The 20 acres that remain open contain the wash plant area, wash ponds, and stockpile areas. The Stark site serves as a retail aggregate sales pit, servicing contractors in the St. Cloud market area. It is necessary to have adequate space to maintain inventory for these customers along with Knife River products. As seen in the table below, 18.25 acres are consumed with operations that will be needed as the last of the reserves are mined.

This shows a small 1.75 area is available for mining. As the mining pond to the north is enlarged, the available space for stockpiling and washing will shrink. This could cause an area previously restored, to be reopened to accommodate operations and stockpiling. This is not efficient and destroys newly established vegetation.

The twenty-acre limitation severely impedes the restoration process. As the remainder of the site is mined, it is important screening berms are kept in place until mining is completed and final restoration is performed.

While we do not recommend a new limitation on open acres, the table below shows approximately 6 acres within the mining boundary have not yet been opened. It would follow that the maximum open area would likely be 26 acres.

The following show the breakdown of the permitted 67 acres:

Use	Open Acres	Restored Acres
Wash Ponds	3.25	
Wash Plant	8.00	
Stockpiles	6.00	
Specialty Inventory	1.00	
Mining Area	1.75	
Entrance/Scale		1.00
Mining Ponds		6.20
Not Mined		6.00
Restored		33.80
Total	20.00	47.00

Total Permitted Acres 67.00



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Sauk Rapids, MN 56379
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3. “Map B – Mining Conditions” was not provided. Please submit Map B.

Sent previously.

4. Of the 20 acres for mining on the site plan received, how many acres are for actual mining and how many acres are for operational use (i.e. roads, operation area, etc.)?

See item 2 above.

5. Complaints to the Zoning Office regarding the “Stark Pit” range from dust to hours of operation. Are you able to make any additional amendments to the IUP to address these complaints? Are you willing to amend the hours of operation?

Current site operation hours are:

dawn to dusk starting no earlier than 7AM and no later than 9 PM Mon-Thurs and 7AM to 7 PM on Fri and Sat. No mining shall take place on Sundays or legal holidays. No maintenance or any other type of activities may take place after site operation hours.

Crushing will only be allowed weekdays and two Saturdays per year according to site operation hours of permit.

Knife River proposes the following amended hours of operation:

7AM to 7PM Monday through Friday and 7AM to 12PM on Saturday. Maintenance hours are to be limited to 6AM to 7PM Monday through Friday and 6AM to 12PM Saturday. No Sundays or on the following Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving and Christmas.

Crushing Spread Hours limited to Weekdays 7AM – 7:00PM.

6. Additional changes or information may be required once the Zoning Office has received comments from other offices/organizations.

Noted.

Once the required information has been submitted for your project you can be scheduled for the next available public hearing with the County Planning Advisory Board. We reserve the right to postpone this hearing, pursuant to the provisions of Minnesota Statute Section § 15.99.

Please Note:

1. Incomplete applications shall be considered denied one (1) year from the date of the application if the proposal has not obtained the required approvals. The Zoning Administrator may grant one 6-month extension if the Zoning Administrator determines



4787 Shadow Wood Dr. NE
Sauk Rapids, MN 56379
(320) 251-9472
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that continuous progress has been made to keep the application moving toward approval.
Noted.

2. Condition #12 of the existing IUP states, “On a yearly basis an opacity test must be done during the month of July or August, by an independent contractor with test results submitted to the Zoning Department. The County reserves the right to test more than once annually as determined by the Zoning Department.” Has the testing been done? And if so, please forward any testing to the Zoning Dept.

The tests were completed up to the time when the Busse pit was restored. The tests completed were sent to Mitch Glines on 11/19/2021.

If you have questions or require additional information, please contact me.

Sincerely,

Ron Klinker
Environmental and Land Development Manager
Knife River Corporation - North Central



4787 Shadow Wood Dr. NE
Sauk Rapids, MN 56379
(320) 251-9472
(320) 251-0011 FAX

Proposed operation plan received on 11/5/2021. Hours are proposed to be amended per response to review letter.

November 5, 2021

Sherburne County Planning & Zoning
Mr. Mitch Glines
13880 Business Center Drive
Elk River, MN 55330

RE: Stark Interim Use Permit Amendment Application

Dear Mr. Glines:

Please find the requirements of Section 16.2 Subdivision 14 of the Sherburne County Zoning Ordinance. The following information is being provided to request an amendment to a condition placed on the Interim Use Permit Application Number IUP-2017-00854. Specifically, Knife River requests condition 5 limiting the site to 20 open acres be removed.

A. General operating requirements include:

Hours of operation

Crushing/Washing/Hauling/Maintenance =7:00 am - 9:00 pm Monday - Thursday, 7:00 am - 7:00 pm Friday-Saturday. No mining on Sundays or Holidays. Crushing/Maintenance may be allowed on 2 Saturdays per year.

Number of Employees

Typically there would be five employees if mining and washing operations were operating at the same time. If truck hauling is required the number of employees can vary.

Signage

Proper identification and contact information can be found at the entrance of the Stark site per existing Condition 19.

Screening

If needed, proper barriers will be established for the safety of the active area. Screening will be accomplished through the use of stockpiles and existing forest vegetation (surrounding tree lines) as well as the existing berms in place. Topsoil berms will form screens along with natural vegetation surrounding the gravel site.

Bathroom Facilities

Portable satellites will be provided for employees on site.

Waste Disposal

Wastes generated at mining/processing operations include routine equipment maintenance wastes which may include:

- Petroleum soaked rags
- Empty grease tubes
- Empty containers

These wastes are collected and stored in the locked tool van on-site. All wastes are removed from the site and delivered to the Knife River main shop location in Sauk Rapids, MN for proper disposal. If any equipment maintenance is required on-site, a mobile maintenance truck is dispatched to the site and completes the repair, carrying any and all wastes generated with the vehicle for proper disposal at the main shop location.

All municipal type wastes generated by employees on site are collected in trash containers inside the tool van and control shack. When necessary, the waste is transported to the Knife River main shop location in Sauk Rapids, MN for proper disposal.

At the completion of the mining/processing operation, all equipment is removed from the site. No waste material will remain.

Security Plan

Knife River has a gate located at the entrance. The gate will be locked when attendant is not on duty per existing Condition 18.

Noise/Dust/Odor

Knife River will control noise and dust in accordance with existing Conditions 9, 12, and 31. No operations produce distinguishing odor.

B. Minimum Requirements for the mining operation:

1. Non-granular material will not be removed as part of this operation.
2. Vertical faces will be minimized as needed for safe operations.
3. Mining will observe a 40 foot setback from property lines and no closer than the ability to achieve a 2.5:1 slope.
4. The following operations will occur in the permitted area of the Stark gravel site; mining/processing, washing, stripping and storage of topsoil, stocking piling of processed material, and truck hauling. The following type of equipment will be used on site; loader, crusher(s), conveyors, wash plant, generator(s), trucks, dozer, and any additional construction equipment needed. Hauling operations would include various trucks and a loader.
5. All appropriate setbacks will be observed.

6. Knife River operates under National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) permit MNG490003 Nonmetallic Mining/ Associated Activities. A site specific Storm Water Pollution Prevention Plan is in place.

C. Permit Request Information

1. Applicant

Knife River
4787 Shadow Wood Drive NE
Sauk Rapids, MN 56379

Land Owner

Lewis and Janet Stark
1417 55th Avenue SE
St. Cloud, MN 56304

2. PID 25-002-4205, 67.3 acres of the 135-acre parcel in the SW ¼ Section 2, Township 35, Range 30, Haven Township.

3. See attached maps:

Stark Pit Mining Operations Plan Cover Page

Map A -Stark Pit Existing Conditions

- a. See Map A
- b. See Map A
- c. See Map A
- d. See Map A
- e. There are no well in the proposed mining area.

Map B -Stark Pit Mining Conditions

- a. No structures will be erected
- b. See Map B
- c. See Map B
- d. See Map B
- e. See Map B
- f. Stockpiles will be strategically placed around the processing operations and locations vary. Stockpile height is typically 40 feet.
- g. Vehicle parking will be located near the current operations taking place at that time. Trucks will be parked in a designated area or returned to our office locations after operations shut down.
- h. Staging of the site depends on the need and market demand for products.
- i. Knife River will restore the site after the gravel resource has been exhausted and return the land to crop production.

Map C -Stark Pit Restored Conditions

- a. See Map C
 - b. See Map C
 - c. As the gravel deposit is exhausted, if the mined area is not needed for stockpiling, restoration will begin. The area to be mined and reclaimed will depend on the demand for product.
 - d. Knife River will return the land mined to crop production.
- D. The haul route when arriving and leaving the site is Sherburne CR #62.
- E. All restoration requirements will be met.
- F. Performance Securities and Insurance
1. The site is currently bonded at \$20,000
 2. Knife River has provided Certificate of Insurance to Sherburne County

Please feel free to contact me if you have any questions or concerns at (320) 529-4241 or holly.runnoe@kniferiver.com

Sincerely,



Holly Runnoe
Environmental Assistant
Knife River

Enclosures

**SHERBURNE COUNTY
PLANNING & ZONING ADMINISTRATION**

13880 Business Center Drive
Elk River, MN 55330
763-765-4450 or 1-800-438-0578 - Fax: 763-765-4467
E-mail Address: zoning@co.sherburne.mn.us

Application for Interim Use Permit (IUP)

Attachment

Explanation of Request:




Knife River requests an amendment that the following condition *“No more than 20 acres can be open at any time. Open is defined as an area striped of is natural vegetation or not reclaimed. This includes but is not limited to stockpiling of materials, crushing spreads and roads. During Zoning's Annual Review for Compliance Knife River will provide the County with Global Positioning Satellite (GPS) data to determine if the open acreage is in compliance with the 20 acre requirement.”* be eliminated on Interim Use Permit Application Number IUP-2017-00854.

Stark Pit

MINING OPERATIONS PLAN COVER PAGE

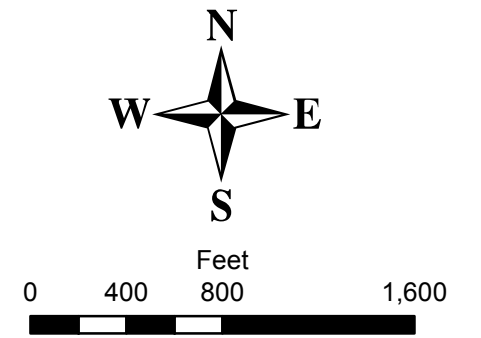
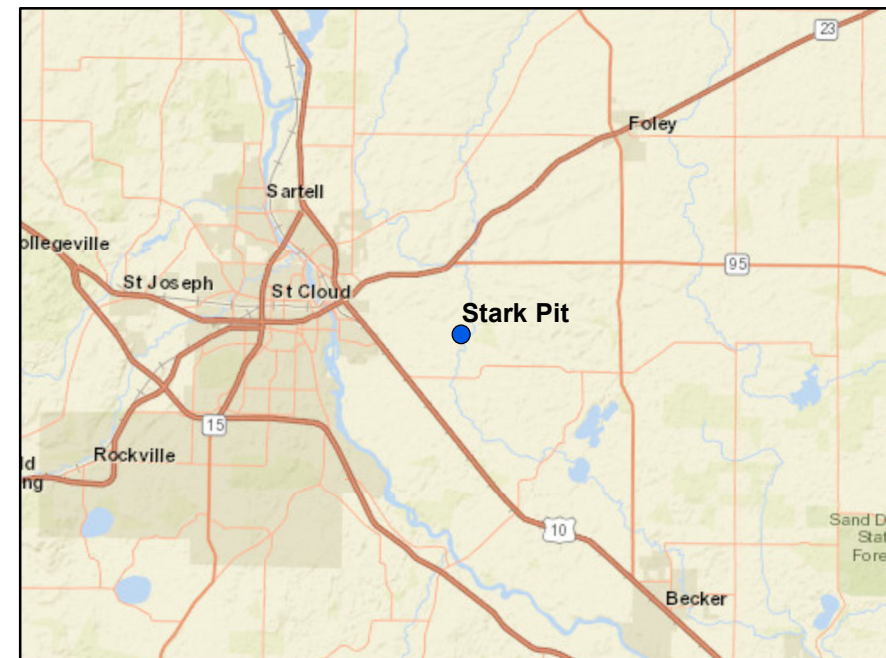
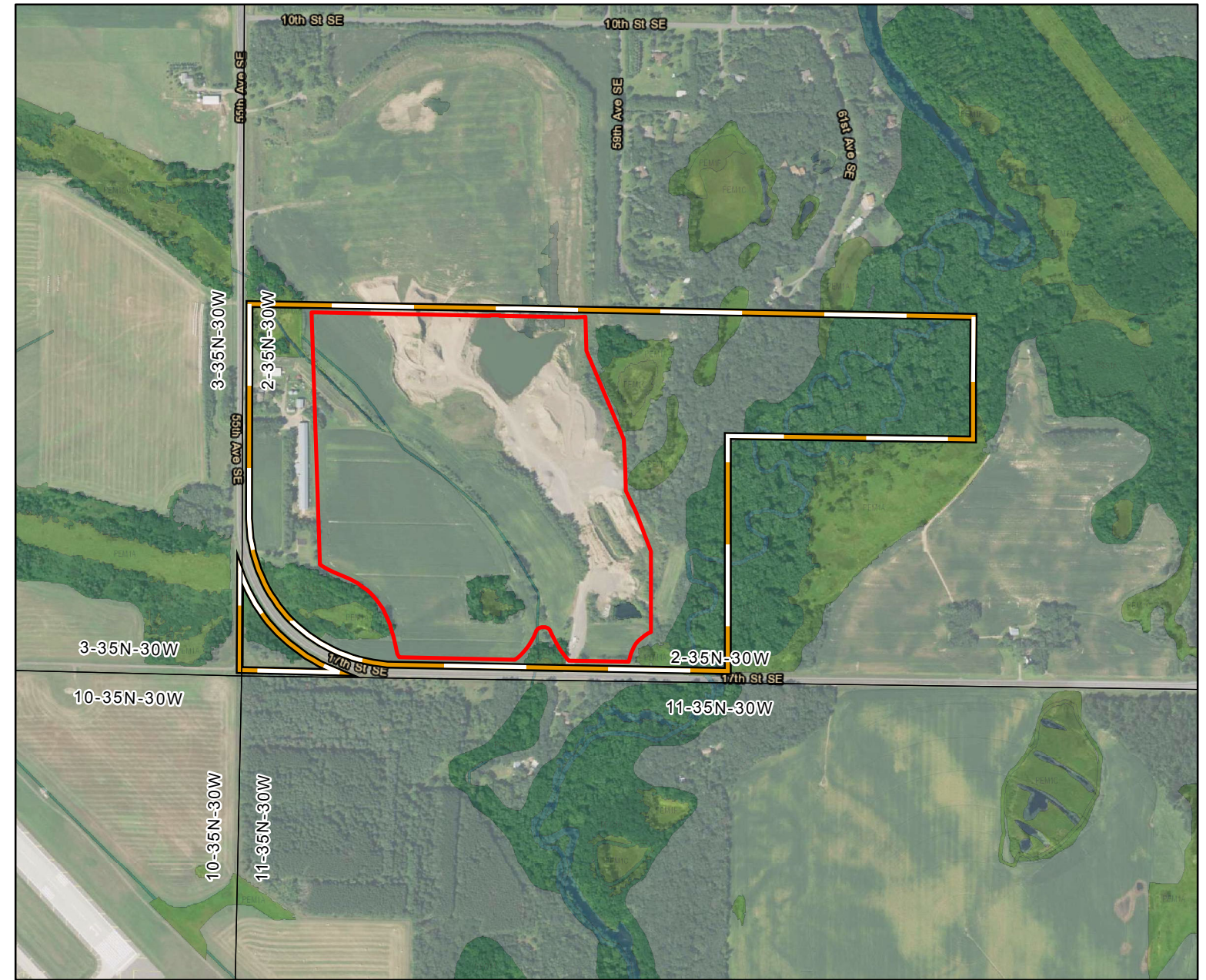
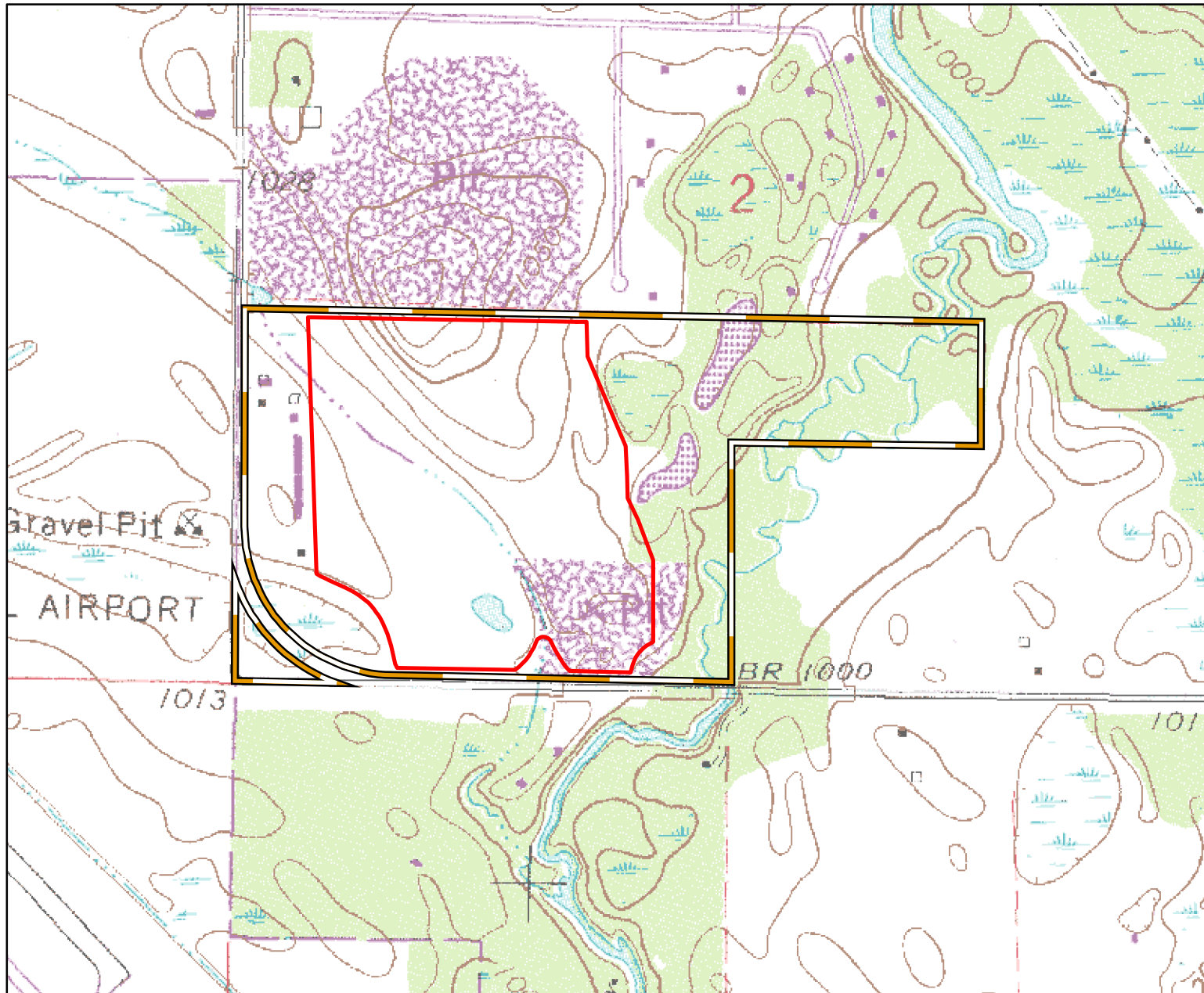
Proposed mining area located in
the SW^{1/4} Section 2. Haven
Township
(T35N, R30W)
Sherburne County Minnesota

Legend

-  Parcel Boundaries
-  PLSS Sections
-  Mining Area

USFWS Wetland Type

- | | | | |
|---|-----------------|---|-------------------------------------|
|  | Freshwater Pond |  | Estuarine & Marine Deepwater |
|  | Lake |  | Estuarine & Marine Wetland |
|  | Riverine |  | Freshwater Emergent Wetland |
|  | Other |  | Freshwater Forested / Shrub Wetland |



Purpose
An operations and processing report regarding the
aforementioned site location.
From Knife River Corporation

Map Author: Jordan Keller

Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community
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RECEIVED
By Mitch Glines at 9:47 am, Dec 08, 2021



AN MDU RESOURCES COMPANY

Stark Pit Existing Conditions

Legend

- Permitted Mining Area
- Open Area
- 2021 Restoration
- Restored
- Restored - Open Water
- Stark Property



300 0 300
Feet

Map Author: Jordan Keller
Map Creation Date: 23 November, 2021
Cartographic Software: ArcGIS 10.2.1

PCS: NAD 1983 CORS96 UTM Zone 15N
Projection: Transverse Mercator
Datum: NAD 1983 CORS96
False Easting: 500,000.0000
False Northing: 0.0000
Central Meridian: -93.0000
Scale Factor: 0.9996
Latitude Of Origin: 0.0000
Units: Meter

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By Mitch Glines at 9:47 am, Dec 08, 2021



KNIFE RIVER

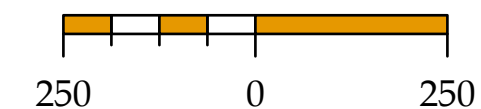
AN MDU RESOURCES COMPANY

Stark Mined Conditions

Legend

- Property Boundary
- Rerouted Ditch
- Mining Boundary
- Contours (ft)
- Open Water
- Delineated Wetlands
- NWI Wetlands

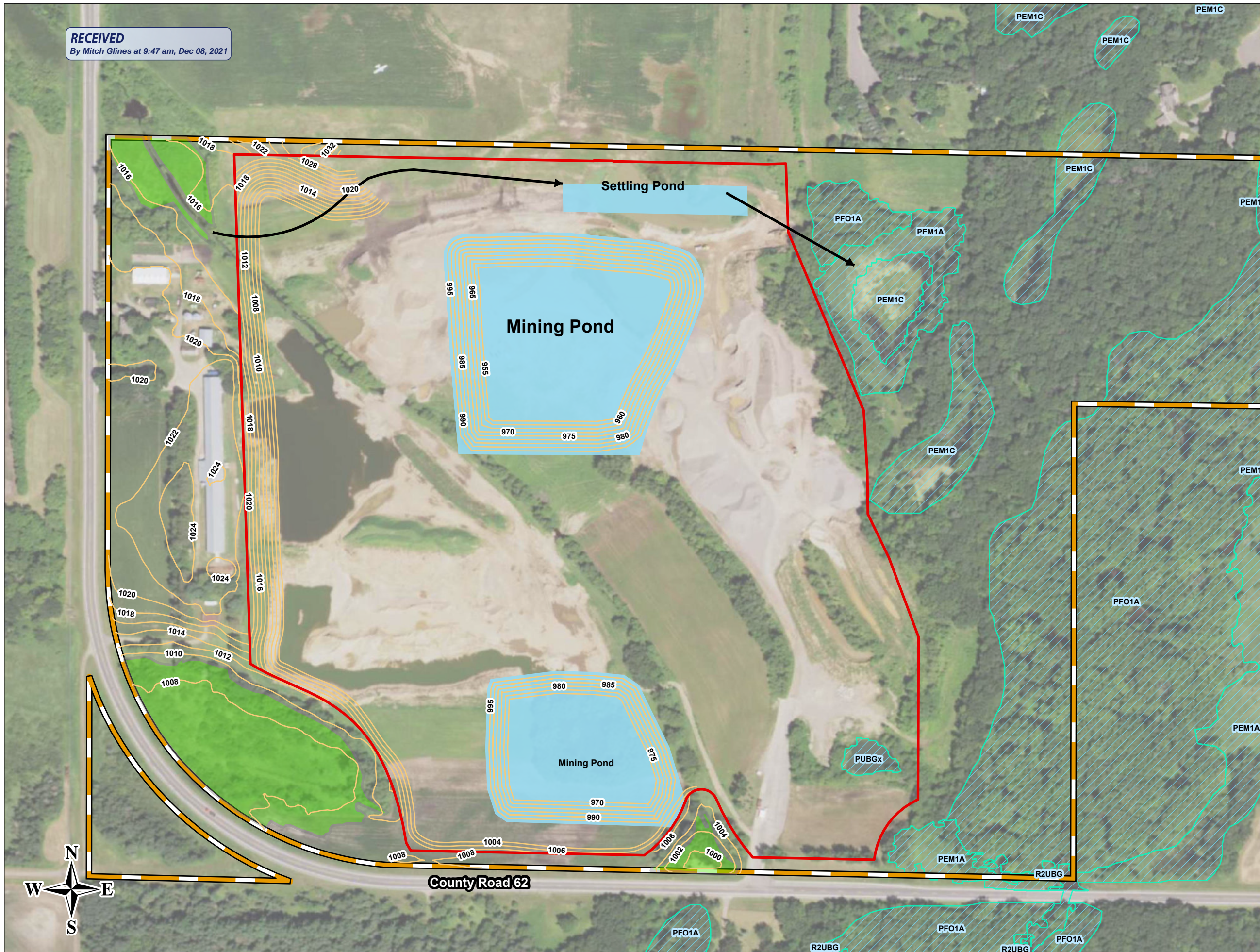
Feet



Map Author:
Map Creation Date: 23 November, 2021
Cartographic Software: ArcGIS 10.2.1

PCS: NAD 1983 CORS96 UTM Zone 15N
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Scale Factor: 0.9996
Latitude Of Origin: 0.0000
Units: Meter

For Knife River Corporation Internal Use Only.



RECEIVED
By Mitch Glines at 9:47 am, Dec 08, 2021

All slopes created or impacted by Knife River Corporation mining operations shall be restored to a minimum slope of 1:5 (20 % Rise).

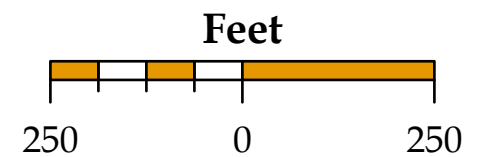


AN MDU RESOURCES COMPANY

Stark Restored Conditions

Legend

- Property Boundary
- Rerouted Ditch
- Mining Boundary
- Contours (ft)
- Open Water
- Delineated Wetlands
- NWI Wetlands



Map Author:
Map Creation Date: 04 November, 2021
Cartographic Software: ArcGIS 10.2.1

PCS: NAD 1983 CORS96 UTM Zone 15N
Projection: Transverse Mercator
Datum: NAD 1983 CORS96
False Easting: 500,000.0000
False Northing: 0.0000
Central Meridian: -93.0000
Scale Factor: 0.9996
Latitude Of Origin: 0.0000
Units: Meter

For Knife River Corporation Internal Use Only.



PID 25-002-4205
Applicant: Knife River
IUP Amendment: Mining acreage

October 27, 2021
Photo by M. Glines



Oct 27, 2021 at 1:16 PM