

**Wood County Land and Water Conservation Department
 Nonmetallic Mining Reclamation – Permit Application
 111 West Jackson Street, Wisconsin Rapids, WI 54495-8095;
 Phone: 715-421-8475**



Permit Exemption Application

The Wood County Land and Water Conservation Department will not consider your application unless you complete and submit all information required by this application form. Nonmetallic mines operating without a permit or an exemption are subject to penalties as outlined in s. 295.19(3), and ch. NR 135.43(4), Wis. Adm. Code and Wood County Ordinance 802. Faxed reclamation plans will not be accepted.

Personally identifiable information on this form will be used solely for program administration and enforcement and is not intended to be used for other purposes. Information will also be available as required under Wisconsin's Open Records Law [s. 19.31-19.39, Wis. Stats.] upon written request.

TYPE OR PRINT CLEARLY IN BLACK INK.

APPLICANT AND OPERATOR MAILING ADDRESSES		PROPERTY DESCRIPTION		
Applicant Name		Tax Parcel Number		
Street Address		Town	1/4	1/4
City, State, Zip Code		T	N	R E Section
Email		DESCRIPTION OF EXCAVATION SITE		
Phone Number (715) Fax ()		Describe purpose of excavation:		
Operator Name (if different than above)				
Street Address				
City, State, Zip Code				
Email				
Phone Number () Fax ()				
LANDOWNER MAILING ADDRESS				
Landowner Name (if different than above)				
Street Address				
City, State, Zip Code				
Phone Number ()				

DEFINITIONS

“Landowner” means the person who has title to land in fee simple or who holds a land contract for the land. A landowner is not a person who owns nonmetallic mineral rights to land, if a different person possesses title to that land in fee simple or holds a land contract for that land.

“Operator” means any person who is engaged in, or who has applied for a permit to engage in, nonmetallic mining, whether individually, jointly or through subsidiaries, agents, employees, contractors or subcontractors.

“Nonmetallic mineral” means a product, commodity or material consisting principally of naturally occurring, organic or inorganic, nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil.

EXEMPTIONS

The site may qualify for an exemption for the following reasons
(place an X next to any that apply to the site):

- ___ (1) Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the WI DNR under sec . 30.19, 30.195 or 30.20, Stats. and complies with Chapter NR340, Wisconsin Administrative Code.
- ___ (2) Excavations subject to the permit and reclamation requirements of sec. 30.30 or 30.31, Stats.
- ___ (3) Excavations or grading by a person solely for domestic or farm use at the person's residence or farm.
- ___ (4) Excavations or grading conducted for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.
- ___ (5) Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.
- ___ (6) Excavations for building construction purposes conducted on the building site.
- ___ (7) Nonmetallic mining at nonmetallic mining sites that affects less than one acre of total area over the life of the mine, including stockpiles, roads and active digging.
- ___ (8) Any mining operation, the reclamation of which is required in a permit obtained under ch.293, Stats.
- ___ (9) Any activities required to prepare, operate or close a solid waste disposal facility under ch. 289, Stats., or a hazardous waste disposal facility under ch. 291, Stats., that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this ordinance apply to activities related to solid waste or hazardous waste disposal that are conducted at a nonmetallic mining site that is not on the property where the solid waste or hazardous waste disposal facility is located, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.
- ___ (10) (a) Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the Wisconsin Department of Transportation concerning the restoration of the nonmetallic mining site.
(b) This exemption only applies to a nonmetallic mining operation with limited purpose and duration where the Wisconsin Department of Transportation actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. The duration of the exemption shall be specific to the length of the Wisconsin Department of Transportation contract for construction of a specific transportation project.
(c) If a nonmetallic mining site covered under pars. (a) and (b) is used to concurrently supply materials for projects unrelated to the Wisconsin Department of Transportation project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under Wisconsin Department of Transportation contract and supervision.
- ___ (11) The primary purpose of the excavation is unrelated to nonmetallic mining, and sale or use of the excavated material is only incidental to the primary purpose of the excavation. Determinations for this shall be performed on a case by case basis and in concurrence with the WI DNR.

WETLAND PROTECTION	FLOODPLAIN/ShORELAND PERMITS
Are you aware of any wetlands located on the site? <input type="checkbox"/> Yes. (If yes, provide documentation.) <input type="checkbox"/> No The non-metallic mining project must meet water quality standards as required by NR 103. The presence of wetlands may affect certain aspects of the non-metallic mining site.	Are floodplain or shoreland permits required from Wood County Planning and Zoning for this site? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, date issued: _____ Permit Number: _____ Wood County Planning and Zoning 715-421-8466
TOWN ZONING	MINERAL RIGHTS
Has the town where the mine site is located been contacted to inquire about any town zoning requirements? <input type="checkbox"/> Yes Date: _____ <input type="checkbox"/> No	Who possesses mineral rights on the property where the mine site is located? <input type="checkbox"/> Operator <input type="checkbox"/> Landowner <input type="checkbox"/> Other _____
EXEMPTION CERTIFICATE	
<p>I, the undersigned, hereby apply for a Nonmetallic Mining Reclamation Permit Exemption and certify that all the information above and attached is true and correct to the best of my knowledge. I affirm that all work performed will be done in accordance with the Wood County Ordinance 802 and with all other applicable laws and regulations. I understand that is the site conditions upon which an exemption was granted change in the future; I must notify the Wood County Land and Water Conservation Department (LWCD) immediately.</p> <p>I hereby certify and understand the requirements of the Nonmetallic Mining Reclamation Permit Exemption as follows: 1) Submit a map of the excavation area, 2) Notify Wood County Land and Water Conservation Department (LWCD) after one year so an onsite inspection can be completed and 3) No excavated materials may leave the site for a profit.</p> <p>Operator Signature: _____ Date: _____</p> <p>I hereby certify and understand the requirements of the Nonmetallic Mining Reclamation Permit Exemption as follows: 1) Submit a map of the excavation area, 2) Notify Wood County Land and Water Conservation Department (LWCD) after one year so an onsite inspection can be completed and 3) No excavated materials may leave the site for a profit.</p> <p>Landowner Signature: _____ Date: _____</p>	
HOLD HARMLESS AND INDEMNIFICATION	
<p>Applicant agrees that (s/he, it) shall protect, indemnify, and hold harmless the County and its respective officers, officials, employees, and agents from and against all actions, claims, costs, damages, demands, expenses, judgments, liabilities, losses, suits, and attorney's fees resulting from the negligence or fault of the applicant or the applicant's officers, officials, employees and agents arising out of, resulting from or in any manner connected with this application or any resulting permit. This includes payment of reasonable attorney's fees and costs incurred by Wood County.</p> <p>Signature: _____ Date: _____</p>	
GENERAL REVIEW PROCESS	
<ul style="list-style-type: none"> * Staff shall review exemption application request within 30 days after the application is deemed complete. * Staff shall make a determination to approve, deny, or request additional information from applicant. * Once approved staff will send a copy of the approved exemption form to applicant. * After the one year exemption phase has expired conduct an onsite inspection of excavation, GPS perimeter of excavation, document with photos, close out site file or refer to Wood County Corporation Counsel. 	
COMPLETE RECLAMATION PERMIT EXEMPTION	
For the regulatory authority to consider this application complete, it must include these items: <input type="checkbox"/> Permit exemption application form complete and signed, by all parties. <input type="checkbox"/> Map of excavation area, including acreage	

Exemption Certification

I hereby certify, as a duly authorized representative or agent of the operator that the information contained herein is true and accurate. I understand that if the site conditions upon which an exemption was granted change in the future, I must notify the Wood County Land Conservation Department immediately.

Operator Signature: _____ **Date:** _____
Signature, Title Date

Landowner Signature: _____ **Date:** _____

For County Use Only

Exemption Status

_____ Approved _____ Denied

Conditions and or reasons for approval/denial:

This site exemption request shall be approved under the following conditions:

1. The pond must be completed within 1 year.
2. Total disturbed area must affect less than one acre.
3. If the owner/operator at any time cannot meet these conditions, they shall notify the Land Conservation Department and may be required to obtain a Nonmetallic Mining Reclamation Permit. A fine would be issued at that time.

County Signature: _____ Date: _____

Signature (County Conservationist, or that person's representative)