

Minnesota Department of Natural Resources

Division of Ecological and Water Resources
500 Lafayette Road, St. Paul, MN 55155



July 25, 2014

Tracie Erickson
23148 State Highway 16
Rushford, Minnesota 55971

RE: DNR Silica Sand Mining Trout Stream Setback Permit, Ferndale Creek, Erickson
Silica Sand Mine, Houston County

Dear Mr. Erickson:

We understand that you have started mining silica sand at your mine in Houston County. As we stated in our letter of April 16, 2014, the 2013 law states that silica sand mining in the region including Houston County is prohibited within one mile of a designated trout stream unless a silica sand mining trout stream setback permit has been issued by the DNR. Since you are within one mile of Ferndale Brook, a designated trout stream, a trout stream setback permit is required.

We have determined that due to the lapse in your conditional use permit, subsequently reinstated by the county, your mining qualifies as a new project and is subject to the setback permit requirement. Therefore, you must cease mining until you apply for and receive a setback permit.

In order to assist you in your application, I have enclosed a document describing the application process for a silica sand mining trout stream setback permit. The key points of this permit process include:

- pre-application meeting and site visit with affected agencies;
- hydrogeological evaluation that will include at least one year of monitoring of springs and other significant water features prior to application;
- permit application including mining and reclamation plans, stream and wetland resources report, hydrogeologic evaluation report, groundwater and stream water monitoring plan; and
- financial assurance bond.

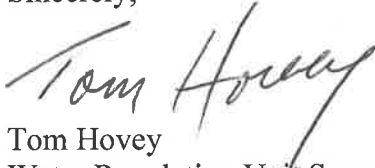
The results of the hydrogeologic evaluation may result in a buffer distance adjacent to the trout stream that cannot be mined, or the denial of a permit to mine within one mile of the trout stream. Please note that these requirements are in addition to applicable environmental review requirements.

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Please confirm within five (5) business days that mining operations have ceased and acknowledge the need to obtain a permit before resuming operations at the mine.

Please feel free to contact me if you have further questions. I can be reached at (651) 259-5654, tom.hovey@state.mn.us, or the above address.

Sincerely,



Tom Hovey
Water Regulation Unit Supervisor

Enclosure

c: Bob Scanlan, Houston County Planning and Zoning Director
Rick Frank, Houston County Environmental Services Director
Teresa Walter, Chair – Houston County Board of Commissioners
Will Seuffert, Director - Environmental Quality Board
Tom Landwehr, Commissioner – Department of Natural Resources
Scot Johnson, SE Groundwater Specialist – Department of Natural Resources