



Staff Report

Date of Meeting: February 19, 2013

To: City Council

From: Kristina Handt, Administrator

Re: Supplemental Staff Report for Zavoral Documents

Agenda Item #: 9.b-d)

Staff has a few minor changes to the documents for the Zavoral Project since they were posted on Feb. 15th. Council should vote on whether or not to make these corrections.

CUP Resolution:

If it is the Council's intention to begin the 3.3 year time frame 30 days after all permits required for the start of mining operations are obtained, the middle of the third line in the fourth WHEREAS should read: "30 days after all permits required prior to the start of mining operations are obtained;" The list of permits required for the project include the DNR Take Permit for the Butternut Trees, if necessary. Since that permit may be obtained at a later date, staff suggests the above language in red for clarification purposes. For consistency, any changes made in this section should also be carried over to Condition #79 in the CUP and 8.1.4 in the Compliance and Reclamation Agreement.

Condition #46, 50, and 69: change "and" to "or" so it reads: The City or its consultants..."

AOP Resolution:

Condition #15: misspelling should be corrected to read "ACGIH"

Condition #15, 20 and 29: change "and" to "or" so it reads: "The City or its consultants..."

Condition #30: "reach" should be "each"

Compliance Resolution:

Correct spelling of "COMPLIANCE" in the title.

Compliance and Reclamation Agreement:

2.15: Need to add "Air Emissions Permit from MPCA" to be consistent with CUP

2.16: delete the last sentence and replace with: "Permitted Activities specifically does not include the mining of any minerals other than gravel or sand for construction purposes. Permitted Activities does not include mining silica sand ("frac" sand) for industrial purposes, hydraulic

fracturing activities or any processing activities of any kind including but not limited to asphalt or concrete processing.”

8.2.4 Delete and change to: “Expiration of the required reclamation monitoring periods as set forth in the Conditional Use Permit.”