

Minnehaha County Planning & Zoning

August 5, 2025

AUG 07 2025

Knife River LLC.
1500 N Sweetman Place
Sioux Falls, SD 57107

Dear Petitioner:

At a meeting held on July 28, 2025, the Minnehaha County Planning Commission conducted a public hearing on Conditional Use Permit #25-43 to amend CUP #20-38 to Expand Rock Extraction Quarry on the properties legally described as: SW¼ (Ex. RY & H-1, H-2 & H-3) Section 14; PT NW¼ NW¼ Lying N of Township Road Section 23; Lot 1 Kuehl's Addition NW¼ Section 23; Tract 2 Hunters Addition NW¼ Section 23; Tract 3 Hunters Addition NW¼ Section 23; and All That PT NW¼ Lying E of RR ROW & E of Highway (Ex. Hunters Addition & Ex. Kuehl's Addition) Section 23 all within T102N-R48W Brandon Township.

After due consideration, Conditional Use Permit #25-43 was approved by the Planning Commission with the following conditions:

- 1) An annual fee shall be paid to the County in accordance with Section 15.14 of the zoning regulations. (Note: An annual fee of \$10 per acre of unreclaimed land is assessed to the operator.)
- 2) There shall be no fuel storage allowed in areas designated as a ground water protection area or flood plain.
- 3) Hours of operation shall be from 7:00 am to 6:00 pm on weekdays and 8:00 am to noon on Saturdays.
- 4) That on-site dewatering shall only be for use in dust control, road projects and rock washing. Any off-site dewatering shall follow the non-point discharge elimination system (NPDES) permit for the site.
- 5) The ambient air quality standards for total suspended particulate matter shall be 150 micrograms per cubic meter of air as a 24-hour average not to be exceeded more than once a year, and 60 micrograms per cubic meter of air as an annual arithmetic mean. The standards for PM (10 micrometers or less in size) shall be consistent with the regulations of the State of South Dakota.
- 6) The County Planning Department shall direct the operator to install air quality sampling stations if the standards appear to be exceeded. Such monitoring shall be at the operator's expense.
- 7) The sound level from on-site operations shall not exceed an average of 55 decibels recorded over a 10-minute period measured at the nearest residence.
- 8) That one (1) off-street parking place for each employee and two (2) customer off-street parking spaces shall be provided.
- 9) The boundaries of the extraction area shall conform to the site plan submitted with the application.



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- 10) Topsoil shall remain on the site and be used in final reclamation.
- 11) Only clean fill shall be used as backfill.
- 12) There shall be no storage or accumulation of inoperable or discarded equipment or parts.
- 13) That earth berms and vegetation shall be constructed in the areas where the mining operation is directly adjacent to a public road or residence as required by the 1990 Revised Zoning Ordinance for Minnehaha County in Section 12.08 (G).
- 14) That all mining activity is concluded by January 1, 2060, and that reclamation shall be in accordance with the plan filed with the State and outlined in the application and all reclamation of the site shall be completed by December 31, 2061, in accordance to all requirements outlined in Article 12(G) of the Minnehaha County Zoning Ordinance.
- 15) That if one (1) or more acres of area is disturbed the applicant is required to obtain a General Permit from the Department of Environment and Natural Resources.
- 16) That the applicant provides the Minnehaha County Auditor with a surety bond or cash in the amount of \$5,000.00.
- 17) The applicant shall abide by all regulations outlined in Minnehaha County Floodplain Management Ordinance, MC32-03, when working in the 100-year floodplain and/or floodway.
- 18) The rock extraction operations shall be secured during non-working hours by means of gates and fencing. The property shall be continuously secured until all required reclamation activities have been completed.
- 19) All existing shelter belts around the rock extraction areas shall be maintained.
- 20) A non-point discharge elimination system (NPDES) permit shall be obtained for all applicable areas of rock extraction.
- 21) All other required federal and state permits shall be obtained for the facility.
- 22) The facility shall comply with all plans submitted to the planning staff.

Please note that a building permit is still required prior to construction of any building, and all conditional use permits expire by limitation and become null and void if the building, work or use authorized by such conditional use permit is not commenced within two years from the date of approval.

Sincerely,

A handwritten signature in black ink that reads "Scott Anderson". The signature is written in a cursive, flowing style.

Scott Anderson
Planning Director