

**COLD SPRING GRANITE COMPANY
LARGE SCALE MINE PERMIT 8 AMENDMENT CONDITIONS**

General

1. The conditional approval of this permit amendment application incorporates by reference those representations made by Cold Spring Granite, as to plans, specifications, operations, environmental impacts, and reclamation as contained in the permit amendment application submitted April 6, 2022, and supplemental information submitted on April 12, 13, 25, and 29 and May 3 and 5, 2022. The representations contained in these documents are general conditions of this permit amendment unless modified by a future technical revision, amendment, or permit, or modified by other conditions imposed by the board.
2. This permit amendment and all rights under it are expressly conditioned on the truth of representations made by the applicant, Cold Spring Granite, its officers, and employees in the permit amendment application and supporting documentation relating to the application. Should any material representation prove to be false, this permit amendment and all rights under it may be canceled by the board.
3. This permit amendment is conditioned upon compliance with all applicable laws and regulations.
4. The operation shall be conducted in compliance with all Grant County zoning requirements.
5. Cold Spring Granite shall abide by the recommendations, proposed at the time of permit amendment approval, by the South Dakota State Archaeologist, the South Dakota Department of Game, Fish and Parks, and the South Dakota Department of Health, except as modified or restated in these conditions.

Other Permits

1. Cold Spring Granite shall obtain, as necessary, any additional storm water or surface water discharge permits for the permit amendment areas. This also includes appropriate modifications to the surface water discharge permit, and if required, new surface water discharge and storm water permits.
2. These conditions do not change the requirements of other existing permits, including surface water discharge and storm water permits.

Sedimentation and Erosion Control

1. Surface water runoff from the site shall not cause South Dakota Surface Water Discharge permit requirements, or water quality standards, as appropriate, to be violated.
2. Erosion and sedimentation controls shall be in place and functional during all phases of clearing, earthwork, construction, mining, and reclamation, and during the postclosure period in the permit amendment areas.
3. Cold Spring Granite shall install rock check dams, diversion ditches, or other adequate structures as needed to minimize channelization and erosion from surface runoff. Surface water diversions and final reclamation drainage channels must meet the requirements of ARSD 74:29:07:09.
4. Interim sedimentation and erosion controls shall be used on disturbed land during clearing, construction, mining, and reclamation until these areas are stabilized, in accordance with Cold Spring's General Storm Water Construction Permit.
5. Cold Spring Granite shall submit a sediment control map for the permit amendment areas showing sediment control locations and type prior to any new land disturbance in those areas.
6. Cold Spring Granite shall inspect, clean out, repair, or upgrade the sediment controls as necessary to maintain compliance with its storm water permit as applicable.

Air Quality

1. Cold Spring Granite shall effectively control fugitive dust and other air emissions during all phases of construction and operation in the permit amendment areas. Dust control measures shall include the use of water trucks, dust suppressants, dust filters on equipment, and revegetating disturbed areas as soon as practicable.
2. Cold Spring Granite shall notify the department within five working days of written complaints from landowners adjacent to the operation concerning fugitive dust. The department, on finding that a complaint is based in fact on potential permit violations, may require Cold Spring Granite to develop a mitigation plan to correct the potential violation. The completion date for the mitigation plan will be set at the time of the department's request.

Wildlife Protection

1. Cold Spring Granite shall install structures to protect wildlife and make every effort to contain solutions and chemicals, and keep areas harmful to wildlife in a condition where

access by wildlife is eliminated. This should include, but is not limited to, storage ponds, drainage ways, and ancillary buildings.

2. Cold Spring Granite shall promptly notify the Department of Game, Fish and Parks of species or critical habitat of species listed as state or federal rare, threatened, or endangered that are located in the permit area.

Reclamation

1. Available topsoil or other material suitable for use as a plant growing medium in the permit amendment areas shall be stripped and stockpiled for use in reclamation. Topsoil stockpiles shall be clearly labeled and shall be stabilized to prevent wind and water erosion. Berms and/or other sediment and erosion control structures shall be installed on and around topsoil stockpiles to minimize erosional loss of soil resources. Topsoil shall not be used as backfill material.
2. Prior to final closure and bond release, Cold Spring Granite shall maintain sufficient access to reclaimed areas to allow for any necessary reclamation maintenance. Roads which are not necessary for future use shall be reclaimed after the successful reclamation of all affected areas.
3. Pursuant to ARSD 74:29:08, Cold Spring Granite shall conduct concurrent and interim reclamation on all permit amendment areas where mining or land disturbance is completed.

Reclamation Surety

1. Based on the additional disturbed acreage for the overburden (sand) stockpile and pre-1971 grout pile removal permit amendment areas and other adjustments, the department calculated a new bond for Large Scale Mine Permit 8 and 487 of \$1,450,400 which is a \$472,800 increase over the current bond. Cold Spring Granite shall submit the additional bond prior to issuance of the mine permit amendment.
2. Additional bonding for the other permit amendment areas (grout crushing pads, topsoil stockpile, and block storage) shall be submitted in phases prior to any construction or disturbance associated with these areas.
3. Pursuant to SDCL 45-6B-27, the department and the board reserve the right to adjust the reclamation surety amount for inflation, for unanticipated conditions, and for modifications to the permit by technical revision or amendment. The reclamation surety may also be adjusted downwards as reclamation work is completed.