

Permit: C2019-

Key Issued: [Key List](#)

Administrator: [Click here to enter text.](#)

ST. LOUIS COUNTY LAND AND MINERALS DEPARTMENT PERMIT
MISCELLANEOUS SALE OF EARTHEN MATERIAL

PERMITEE (name, address, phone number)	Permit: C2019-
	Expiration date: Click here to enter a date.
	Pit #/Name: Pit List
	Legal:
	Product type: Product Type
ST. LOUIS COUNTY LAND & MINERALS DEPT	Amount Purchased: Click here to enter text. cubic yards
	Rate: \$ Click here to enter text. per cubic yard
	Material Subtotal: \$ Click here to enter text.
	Administrative Fee: \$50.00
	Total Price: \$ Click here to enter text.

The Permittee is hereby authorized to enter upon the following premises and remove therefrom the purchased volume and product type at the rate listed below. This permit shall expire as indicated unless earlier revoked or suspended by the Land Commissioner, and is not refundable, transferable, assignable, or renewable, and is subject to the terms and conditions listed below:

- 1. Permittee hereby agrees to pay to the "St. Louis County Auditor" through the Land Commissioner for this permit, for the total noted above, due upon issuance of this permit.**
- 2. Permit Extensions:** Extensions will not be automatic but considered on the merits of the request. Purchaser must make a request for an extension to the Area Office prior to the permit expiration date. All requests must include a description of why the extension is needed, volume of gravel removed to date, and completed haul records (Exhibit A). No more than one extension will be granted per permit and will not exceed the original permit duration.
3. Permittee shall comply with the laws of the State of Minnesota and any local rules, regulations and ordinances of St. Louis County. Permittee shall specifically exercise care in complying with laws and regulations relating to fire, game, timber, health and pollution. Permittee shall take necessary precautions to keep the premises and surrounding area in a neat and orderly condition and shall dispose of all debris and refuse in an approved landfill.
- 4. Haul Records:** The Earthen Material Permit Removal Record (Exhibit A) must be kept on site with the loader, not in the truck, and be available for inspection at all times. An entry is recorded each time a load leaves the pit. Failure to maintain a current, accurate haul record, available for inspection, constitutes a violation of this permit and will result in the following actions:
 - 4.1. First Violation:** Reminder and documented warning.
 - 4.2. Second Violation:** All activity will stop immediately for the remainder of that work day. Activity can resume the next morning at 7:00 am.

- 4.3. **Third Violation:** The permit and violations will be reviewed by the Land and Minerals Department and the permittee may lose the right to conduct work on St. Louis County land, either as a contractor or subcontractor. In this event, no refunds will be forthcoming, due to failure to adhere to the terms of this permit.
5. **Return of Haul Records and Overrun Payments:** All earthen material removed under this permit shall be accounted for using the Earthen Material Permit Removal Record (Exhibit A). A completed and signed Exhibit A must be returned at permit expiration, including any overrun payment required and the gate key, even if no gravel was removed or removal did not exceed the purchased quantity. There is no refund forthcoming if less than the purchased quantity was removed. No additional gravel permit will be issued to the holder of an expired permit for which a haul record has not been returned. Failure to meet these requirements will result in a listing of "Not in Good Standing" on the Responsible Operators list.
6. Permitted quantities of earthen material are **loose volume** measure. Conversion of weight and bank volume measurements to loose volume measurement shall be at the rate of 1 cubic yard bank measure equals 1.25 cubic yards loose volume measure; and one cubic yard loose volume measure equals 1.4 tons.
7. Removal of any material not specifically included in this permit shall be subject to misdemeanor penalties, civil damages, and minimum damages at triple the sale price per cubic yard for breach of permit terms. The unauthorized cutting or damage of any timber shall be treated as a trespass in violation of Minn. Stat 282.04 and 90.301.
8. **This permit does not give the Permittee exclusive rights to any part or portion of the premises nor any specific access way to the premises.** St. Louis County assumes no responsibility for the condition or maintenance of any road leading into the permit premises.
9. Permittee is prohibited from gating or barricading any road and shall not block driveable roads by parking or leaving unattended vehicles, trailers or equipment on the site.
10. Permittee shall be responsible to fully repair all damage to any road or trail utilized pursuant to this permit.
11. Cut banks are prohibited. Upon completion of permit activity, Permittee shall slope banks to the satisfaction of the Contract Administrator.
12. No material shall be removed from existing stockpile(s) on the premises.
13. Permittee agrees to indemnify, save and hold harmless the County of St. Louis, its agents and employees, from any and all claims, demands, actions or causes of action of whatsoever nature or character arising out of or by reason of the execution or performance of the authorization provided herein and further agrees to defend at his sole cost and expense any actions or proceedings commenced for the purpose of asserting any claim of whatsoever character arising hereunder.
14. The St. Louis County Land Commissioner shall have the power to order suspension of all operations under this permit when, in his judgment, Permittee has not complied with the conditions of the permit. Any material removed during a suspension or revocation of a permit shall be deemed to have been removed in trespass and is subject to all penalties of law. Permittee shall not be entitled to a refund of the permit price if the permit is cancelled, suspended or revoked.
15. The Permittee and any subcontractor performing work pursuant to this permit must be on the Land and Minerals Department's Responsible Operators List.
16. The following insurance must be maintained for the duration of this permit. A Certificate of Insurance for each policy must be on file with the St. Louis County Land and Minerals Department prior to

commencement of any work under this permit. Each certificate must include a 10 day notice of cancellation, non-renewal, or material change to all named and additional insureds.

17. The County reserves the right to rescind any permit not in compliance with these requirements and retains all rights thereafter to pursue any legal remedies against Permittee. All insurance policies shall be open to inspection by the County, and copies of policies shall be submitted to the County upon written request. All subcontractors shall provide evidence of similar coverage.

17.1. **General Liability Insurance**

\$300,000 when the claim is one for death by wrongful act or omission and \$300,000 to any claimant in any other case.

\$1,000,000 for any number of claims arising out of a single occurrence

No Less Than \$2,000,000 Aggregate coverage.

Policy shall include at least premises, operations, completed operations, independent contractors and subcontractors, and contractual liability and environmental liability.

17.2. **Business Automobile Liability Insurance**

\$300,000 for claims for wrongful death and each claimant for other claims.

\$1,000,000 each occurrence.

Must cover owned, non-owned and hired vehicles.

17.3. **Workers' Compensation**

Per statutory requirements, Certificate of Compliance with Minnesota Workers' Compensation Law (Minn. Stat. § 176.182) must be provided.

This permit is subject to and incorporates the following additional terms (if applicable):

NONE

ST. LOUIS COUNTY LAND AND MINERALS DEPT.

I have read, understand and agree to comply with all of the requirements of this permit.

For: Mark Weber
Land Commissioner

By: _____
Land Commissioner's Representative

Permittee Signature

Date Issued

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EXHIBIT A
ST. LOUIS COUNTY LAND AND MINERALS DEPARTMENT
EARTHEN MATERIAL PERMIT REMOVAL RECORD

PERMITEE (name, address, phone number)	Permit: C2019-
	Expiration date: Click here to enter a date.
	Pit #/Name: Pit List
	Legal:
	Product type: Product Type
ST. LOUIS COUNTY LAND & MINERALS DEPT	Amount Purchased: Click here to enter text. Cu yd
	Rate: \$ Click here to enter text. per cubic yard
	Material Subtotal: \$ Click here to enter text.
	Administrative Fee: \$50.00
	Total Price: \$ Click here to enter text.

Permittee must indicate which situation applies, sign and date below, and return this Exhibit A with gate key at permit expiration, to the St. Louis County Land and Minerals Department at the address on your permit.

_____ The enclosed haul record indicates that either no material was removed or the material removed did not exceed the purchased quantity of 150 cubic yards. Under the terms of this permit, no refund is forthcoming and no additional material removal is allowed under this permit.

_____ The enclosed haul record indicates that the material removed exceeds the purchased quantity.

Total material removed: _____ cubic yards

Minus quantity purchased: _____ cubic yards

Overrun: _____ cubic yards

Times price per cubic yard: \$ _____

Overrun balance due: \$ _____

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Please remit balance due in full with the completed haul record. Make checks payable to **St. Louis County Auditor** and mail to the St. Louis County Land and Minerals Department at the address on your permit. Upon receipt of the haul record and overrun payment in full and gate key, this permit will be considered closed.

"I attest that the enclosed haul record is a true and accurate account of all materials removed under this earthen materials permit."

Permittee Signature

Date

