

# PLANNING & ZONING ADVISORY COMMISSION AGENDA

**Date:** November 18, 2024

**Time:** Following the adjournment of the Board of Adjustments & Appeals meeting (doors open at 6:45 p.m.)

**Location:** County Board Room - Government Center, 501 S. Minnesota Avenue, St. Peter

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Copies of the meeting agenda and packet are available on the Nicollet County website at: [www.co.nicollet.mn.us/Agendas](http://www.co.nicollet.mn.us/Agendas)

Questions or comments regarding the meeting can be directed to the Nicollet County Property Services Department by calling 507-934-7070, or by email to [niccopermitapps@co.nicollet.mn.us](mailto:niccopermitapps@co.nicollet.mn.us).

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1. Call to Order
2. Roll Call
3. Silence Your Cell Phone
4. Review of Cancellations and Additions
5. Approval of Minutes: *October 21, 2024*
6. Public Appearances
7. **PUBLIC HEARING: PLN24-18**
  - Applicant: Jeffrey E Leonard
  - Landowner: Jeffrey E Leonard
  - Request: RLS 81
  - Location: Government Lots 5, 2, & 1, & Part of Bed of Fox Lake, Section 17-110-27, in Traverse Township
  - Parcel Number: 12.017.0210, 12.017.0205, & 12.017.0400
  - Zoning Specialist: John Zehnder
8. **PUBLIC HEARING: PLN24-19**
  - Applicant: Michaletz Properties, LLC
  - Landowner: Michaletz Properties, LLC
  - Request: Modification of Conditional Use Permit to Increase Number of Special Events, Extend Operating Hours, and Change Allowed Firearm Caliber
  - Location: Part of the Eastern 1/2 of the Southwest 1/4, and Part of the Southeast 1/4, of Section 1-109-30 in Courtland Township
  - Parcel Number: 04.201.0210 & 04.201.0800
  - Zoning Specialist: John Zehnder
9. Review Permits
10. Old Business
11. Other Business
12. Communications
13. Adjourn

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## Mission Statement

Providing efficient services with innovation and accountability.

## Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

## Core Values

Leadership. Integrity.  
Accountability.  
Efficiency. Innovation.





## PLANNING COMMISSION REGULAR MONTHLY MEETING MINUTES

|                         |                  |                               |
|-------------------------|------------------|-------------------------------|
| <b>OCTOBER 21, 2024</b> | <b>8:32 p.m.</b> | <b>E.O.C. CONFERENCE ROOM</b> |
|-------------------------|------------------|-------------------------------|

| ROLL CALL | MEMBERS PRESENT                                                                                                                                                                                                                                                                                                                                             | MEMBERS ABSENT EXCUSED                                                                                                                                                                                                                                                                                          | NICOLLET COUNTY STAFF PRESENT                                                                                                                                                                                                                                                      |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           | <input checked="" type="checkbox"/> Lloyd Hoffmann<br><input checked="" type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input checked="" type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input checked="" type="checkbox"/> Dave Ubel, <i>Chair</i><br><input checked="" type="checkbox"/> Kurt Zins, <i>Commissioner</i> | <input type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input checked="" type="checkbox"/> Randy Schwab<br><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> | <input checked="" type="checkbox"/> John Zehnder, Zoning Specialist (ZS)<br><input checked="" type="checkbox"/> Justin Hughes, Assistant County Attorney (ACA)<br><input checked="" type="checkbox"/> Crystal Madden, Recording Secretary<br><input type="checkbox"/> Other Staff: |

|                                                |       |
|------------------------------------------------|-------|
| <b>REVIEW OF CANCELLATIONS &amp; ADDITIONS</b> | None. |
|------------------------------------------------|-------|

| APPROVAL OF SEPTEMBER 16, 2024 MINUTES | MOTION                                                                                                                                                                                                                                                                                                          | SECOND                                                                                                                                                                                                                                                                                                          |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPROVE                                | <input checked="" type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> | <input type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input checked="" type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> |
| <b>VOTE TO APPROVE MINUTES</b>         | <input checked="" type="checkbox"/> PASS <input type="checkbox"/> FAIL                                                                                                                                                                                                                                          | VOTE: 5 - 0                                                                                                                                                                                                                                                                                                     |

|                           |       |
|---------------------------|-------|
| <b>PUBLIC APPEARANCES</b> | None. |
|---------------------------|-------|

| CONDITIONAL USE PUBLIC HEARINGS        |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PLN24-16</b>                        | <b>APPLICANT/LANDOWNER: Jason Tews with United Farmers Cooperative / United Farmers Cooperative</b>                                                                                                                                                                                                                                                                                                             |
| <b>DESCRIPTION OF REQUEST</b>          | Replat<br>PIDs: 06.103.0210, 0300, 06.103.0300, 06.103.0905, 06.103.0915                                                                                                                                                                                                                                                                                                                                        |
| <b>CONFLICT OF INTEREST</b>            | None.                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>SITE VISIT &amp; PUBLIC CONTACT</b> | Commissioner Zins, and commission members Hoffmann, Thoreson & Ubel visited the site. There was no contact with commission members from members of the public.                                                                                                                                                                                                                                                  |
| <b>STAFF REPORT PRESENTED BY</b>       | ZS Zehnder                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>APPLICANT TESTIMONY</b>             | Present to represent the application was Jason Tews with United Farmers Cooperative located at 123 Woods Drive, Le Sueur and Greg Hauptert, with Sobalvarro & Hauptert located at 3601 18 <sup>th</sup> Street South, St. Cloud.                                                                                                                                                                                |
| <b>PUBLIC TESTIMONY</b>                | No one was present to provide public testimony. No other correspondence was received.                                                                                                                                                                                                                                                                                                                           |
| <b>COMMISSIONER DISCUSSION</b>         | Further discussion between the applicant, commission members, and staff took place. Member Thoreson motioned to amend recommended condition #2 to extend the deadline to one hundred twenty (120) days of approval for good cause to allow the applicant time to gain approval for the road vacation request from the township. Member Laven seconded the motion, and a vote on the motion passed 5-0 in favor. |

| COMMISSION ACTION - MOTION                     | MOTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                          | SECOND                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RECOMMEND APPROVAL with conditions, as amended | <div><input type="checkbox"/> Lloyd Hoffmann</div> <div><input checked="" type="checkbox"/> Justin Laven</div> <div><input type="checkbox"/> Randy Schwab</div> <div><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i></div> <div><input type="checkbox"/> Dave Ubel, <i>Chair</i></div> <div><input type="checkbox"/> Kurt Zins, <i>Commissioner</i></div>                                                                                                                                                                                                                                                                     |                                          | <div><input type="checkbox"/> Lloyd Hoffmann</div> <div><input type="checkbox"/> Justin Laven</div> <div><input type="checkbox"/> Randy Schwab</div> <div><input checked="" type="checkbox"/> Jon Thoreson, <i>Vice Chair</i></div> <div><input type="checkbox"/> Dave Ubel, <i>Chair</i></div> <div><input type="checkbox"/> Kurt Zins, <i>Commissioner</i></div> |
| CONDITIONS OF THE REPLAT REQUEST               | <div>1. The applicant undertakes the project according to the plans and specifications submitted to the county with the application.</div> <div>2. The final plat of “UFC Addition” shall be recorded at the Nicollet County Recorder’s Office within one hundred twenty (120) days of approval due to good cause of the road vacation application process with the township.</div> <div>3. The applicant shall obtain all required signatures on the final plat prior to its recording.</div> <div>4. The applicant shall complete the right-of-way vacation process with Lafayette Township prior to recording the final plat.</div> |                                          |                                                                                                                                                                                                                                                                                                                                                                    |
| COMMISSION ACTION – VOTE ON MOTION             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                          |                                                                                                                                                                                                                                                                                                                                                                    |
| RECOMMEND APPROVAL with conditions, as amended | <div><input checked="" type="checkbox"/> PASS</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <div><input type="checkbox"/> FAIL</div> | VOTE: 5 - 0                                                                                                                                                                                                                                                                                                                                                        |

| CONDITIONAL USE PUBLIC HEARINGS                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PLN24-15                                           | APPLICANT/LANDOWNER: Jason Tews with United Farmers Cooperative / United Farmers Cooperative                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                 |
| DESCRIPTION OF REQUEST                             | Conditional Use Permit for a grain bin and support structures greater than one-hundred (100) feet in height located within the Limited Industry Zoning District.<br>PID: 06.103.0300 & 06.103.0400                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                 |
| CONFLICT OF INTEREST                               | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 |
| SITE VISIT & PUBLIC CONTACT                        | Commissioner Zins, commission members Hoffmann, Thoreson & Ubel visited the site. There was no contact with commission members from members of the public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                 |
| STAFF REPORT PRESENTED BY                          | ZS Zehnder                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                 |
| APPLICANT TESTIMONY                                | Present to represent the application was Jason Tews with United Farmers Cooperative located at 123 Woods Drive, Le Sueur and Greg Haupt, with Sobalvarro & Haupt located at 3601 18 <sup>th</sup> Street South, St. Cloud.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                 |
| PUBLIC TESTIMONY                                   | No one was present to provide public testimony. No other correspondence was received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 |
| COMMISSIONER DISCUSSION                            | Further discussion between the applicant, commission members, and staff took place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                 |
| COMMISSION ACTION - MOTION                         | MOTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SECOND                                                                                                                                                                                                                                                                                                          |
| RECOMMEND APPROVAL with conditions, as recommended | <input type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input checked="" type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> Lloyd Hoffmann<br><input checked="" type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> |
| CONDITIONS OF THE CONDITIONAL USE PERMIT           | <ol style="list-style-type: none"> <li>1. The applicant undertakes the project according to the plans and specifications submitted to the county with the application.</li> <li>2. The county may enter onto the premises at reasonable times and in a reasonable manner ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.</li> <li>3. The applicant must apply for a zoning permit before beginning construction on any new facilities</li> <li>4. The zoning permit is invalid if the holder has not substantially completed the structure within the period of time allowed on the zoning permit connected with this conditional use permit.</li> <li>5. The applicant must record the final plat for "UFC Addition" to formally eliminate lot lines before applying for the zoning permit.</li> </ol> |                                                                                                                                                                                                                                                                                                                 |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | 6. The applicant must submit an abandonment form completed by a licensed installer for the septic system on parcel 06.103.0400 before applying for the zoning permit.<br>7. The applicant must submit a driveway/access permit from the Minnesota Department of Transportation before beginning work on the new driveway and access location.<br>8. The use of any portion of the bin for signs, other than warning or equipment information signage, is prohibited.<br>9. This conditional use permit only applies to the “middle bin” as depicted in the site plan and does not include either “future bin”. |
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#### COMMISSION ACTION – VOTE ON MOTION

|                                                    |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                 |               |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| RECOMMEND APPROVAL with conditions, as recommended | <input checked="" type="checkbox"/> PASS                                                                                                                                                                                                                                                                        | <input type="checkbox"/> FAIL                                                                                                                                                                                                                                                                                   | VOTE: 5 - 0   |
| <b>COMMISSION ACTION – ADOPT FINDINGS</b>          | <b>MOTION</b>                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                 | <b>SECOND</b> |
| Adopt the Findings of Fact, as stated              | <input checked="" type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> | <input type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input checked="" type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> |               |
| <b>VOTE TO ADOPT THE FINDINGS OF FACT</b>          | <input checked="" type="checkbox"/> PASS                                                                                                                                                                                                                                                                        | <input type="checkbox"/> FAIL                                                                                                                                                                                                                                                                                   | VOTE: 5 – 0   |

#### ADDITIONAL ITEMS

|                                |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                 |               |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>REVIEW ZONING PERMITS</b>   | The commission members had no questions for staff.                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                 |               |
| <b>OLD BUSINESS</b>            | None.                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 |               |
| <b>OTHER BUSINESS</b>          | None.                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 |               |
| <b>COMMUNICATIONS</b>          | None.                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 |               |
| <b>ADJOURN MEETING</b>         | <b>MOTION</b>                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                 | <b>SECOND</b> |
| <b>09:26 PM</b>                | <input type="checkbox"/> Lloyd Hoffmann<br><input type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input checked="" type="checkbox"/> Kurt Zins, <i>Commissioner</i> | <input type="checkbox"/> Lloyd Hoffmann<br><input checked="" type="checkbox"/> Justin Laven<br><input type="checkbox"/> Randy Schwab<br><input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i><br><input type="checkbox"/> Dave Ubel, <i>Chair</i><br><input type="checkbox"/> Kurt Zins, <i>Commissioner</i> |               |
| <b>VOTE TO ADJOURN MEETING</b> | <input checked="" type="checkbox"/> CARRIED                                                                                                                                                                                                                                                                     | <input type="checkbox"/> FAILED                                                                                                                                                                                                                                                                                 | VOTE: 5 – 0   |

|                                            |  |             |                   |
|--------------------------------------------|--|-------------|-------------------|
| <b>DAVE UBEL,<br/>CHAIR</b>                |  | <b>DATE</b> | <b>11/18/2024</b> |
| <b>JOHN ZEHNDER,<br/>ZONING SPECIALIST</b> |  | <b>DATE</b> | <b>11/18/2024</b> |





**REGISTERED LAND SURVEY  
NO. 81**

**Jeffrey E. Leonard**

**PLN24-18**

# NICOLLET COUNTY PLANNING & ZONING ADVISORY COMMISSION

|                             |                                                                                                  |
|-----------------------------|--------------------------------------------------------------------------------------------------|
| <b>SUBJECT</b>              | PLN24-18: Registered Land Survey No. 81                                                          |
| <b>APPLICANT</b>            | Jeffrey E. Leonard                                                                               |
| <b>LANDOWNER</b>            | Jeffrey E. Leonard                                                                               |
| <b>LOCATION</b>             | Government Lots 5, 2, & 1, & Part of Bed of Fox Lake,<br>Section 17-110-27, in Traverse Township |
| <b>PARCEL NO</b>            | 12.017.0210, 12.017.0205, & 12.017.0400                                                          |
| <b>EXISTING ZONING</b>      | Shoreland & Agricultural Preservation                                                            |
| <b>HEARING DATE</b>         | 11/18/2024                                                                                       |
| <b>COUNTY BOARD DATE</b>    | 11/26/2024                                                                                       |
| <b>60 DAYS FROM REQUEST</b> | 12/24/2024                                                                                       |

## **REQUEST**

The applicant has submitted a request for Registered Land Survey No. 81. The property is Torrens and the Certificate of Title is in error. The only way to rectify the title is to create three new Tracts and a new RLS. The proposed Tracts, A, B, and C, will result in a split of parcel 12.017.025. Land west of Co. Rd. 13 will form a new parcel, Tract A, and land east of the road will combine with parcel 12.017.0400 to form Tract C. Parcel 12.017.0210 will retain its current configuration as Tract B.

## **ORDINANCE**

Modification of Torrens property requires a registered land survey per Minnesota State Statute 508.47 and Nicollet County Subdivision ordinance Section 504.

## **EXISTING LAND USE**

Parcels 12.017.025 and 12.017.0400 consist of cropland while the small parcel 12.017.0210 includes a pork-producing feedlot.

## **SURROUNDING LAND USE**

Most of the surrounding parcels also contain cropland, as well as a few isolated farmsteads. Directly to the west of the site is an unnamed wetland that is considered a Public Water Basin.

## **NEIGHBOR NOTIFICATION**

Property owners were notified of the request per the standards of Section 505 of the Nicollet County Zoning Ordinance and Minnesota State Statute 394.26.

## **RECOMMENDATIONS**

Staff recommends that if the request is recommended for approval, the following conditions be attached:

1. The applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. The applicant shall record the registered land survey within 60 days of approval of this request.

**Applicant / Landowner: Jeffrey E. Leonard**

**PLN24-18**

|                     |                                   |
|---------------------|-----------------------------------|
| <b>ATTACHMENT A</b> | <b>Application</b>                |
| <b>ATTACHMENT B</b> | <b>Submitted by Applicant</b>     |
| <b>ATTACHMENT C</b> | <b>Aerial Map</b>                 |
| <b>ATTACHMENT D</b> | <b>Location Map</b>               |
| <b>ATTACHMENT E</b> | <b>Registered Land Survey</b>     |
| <b>ATTACHMENT F</b> | <b>Site Photographs</b>           |
| <b>ATTACHMENT G</b> | <b>Neighbor Notification List</b> |



PROPERTY SERVICES DIVISION  
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082  
507-934-7070

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**PLANNING & ZONING ADVISORY COMMISSION APPLICATION**

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TOTAL FEES: \$396.00

Parcel#: 12.017.0210, 12.017.0205, 12.017.0400  
Permit#: PLN24-018  
Date: N/A

Applicant: LEONARD JEFFREY E  
Telephone: 507-327-1928  
Owner: LEONARD JEFFREY E  
Property Address: 41232 FORT RD, SAINT PETER MN 56082  
Abbreviated Legal Description: See Survey for Legal  
Township: Traverse Township  
Zoning District(s): AGRICULTURAL  
Hearing Date: **Monday, November 18, 2024**

Record Type: Conditional Use Permit  
Subtype: New  
Category: Other  
Description: RLS 81

Copies of the meeting agenda and packet are available on the Nicollet County website: [co.nicollet.mn.us/AgendaCenter](https://co.nicollet.mn.us/AgendaCenter)  
Questions regarding the hearing can be directed to: John Zehnder  
Phone: 507-934-7076  
Email: [John.Zehnder@co.nicollet.mn.us](mailto:John.Zehnder@co.nicollet.mn.us)

  
Jeff Leonard (Oct 25, 2024 09:33 CDT)  
\_\_\_\_\_  
APPLICANT SIGNATURE

Oct 25, 2024  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
PROPERTY SERVICES

10/24/24  
\_\_\_\_\_  
DATE

**ATTACHMENT A**  
Application

# PLN24-18 Permit Invoice Receipt

Final Audit Report

2024-10-25

|                 |                                               |
|-----------------|-----------------------------------------------|
| Created:        | 2024-10-24                                    |
| By:             | John Zehnder (John.Zehnder@co.nicollet.mn.us) |
| Status:         | Signed                                        |
| Transaction ID: | CBJCHBCAABAA0zLAA2HsqUQ6kzqfN6K8lxAwdX1_ZgBT  |

## "PLN24-18 Permit Invoice Receipt" History

-  Document created by John Zehnder (John.Zehnder@co.nicollet.mn.us)  
2024-10-24 - 6:28:02 PM GMT- IP address: 151.111.52.1
-  Document emailed to jeleonard64@gmail.com for signature  
2024-10-24 - 6:29:46 PM GMT
-  Email viewed by jeleonard64@gmail.com  
2024-10-24 - 6:29:53 PM GMT- IP address: 66.102.6.228
-  Signer jeleonard64@gmail.com entered name at signing as Jeff Leonard  
2024-10-25 - 2:33:00 PM GMT- IP address: 174.199.102.250
-  Document e-signed by Jeff Leonard (jeleonard64@gmail.com)  
Signature Date: 2024-10-25 - 2:33:02 PM GMT - Time Source: server- IP address: 174.199.102.250
-  Agreement completed.  
2024-10-25 - 2:33:02 PM GMT



**BOLTON  
& MENK**

Real People. Real Solutions.



1960 Premier Drive  
Mankato, MN 56001

Phone: (507) 625-4171

Fax: (507) 625-4177

Bolton-Menk.com

10/08/24

John Zehnder  
Zoning Specialist, Property Services  
Nicollet County

RE: RLS 81  
Jeff Leonard

John,

Below is a brief description as requested.

The property in question is Torrens and is located in Sec 17-110-27 (Traverse Twsp). The Certificate of Title is in error and the owner, Jeff Leonard is trying to clear up the Title issues. The only way to get this completed is to create 3 new Tracts (A,B,C) and a new RLS. The existing property lines are not changing with the RLS. Once this is completed Jeff will have clear Title to the property and can disburse as needed. The Parcels affected by the new RLS are 12.017.0205, 12.0210 and 12.0170400.

Let me know if you have any questions.

Regards,

Michael Eichers, LS

**Bolton & Menk, Inc.**

**ATTACHMENT B**  
Submitted by Applicant



12.017.0210

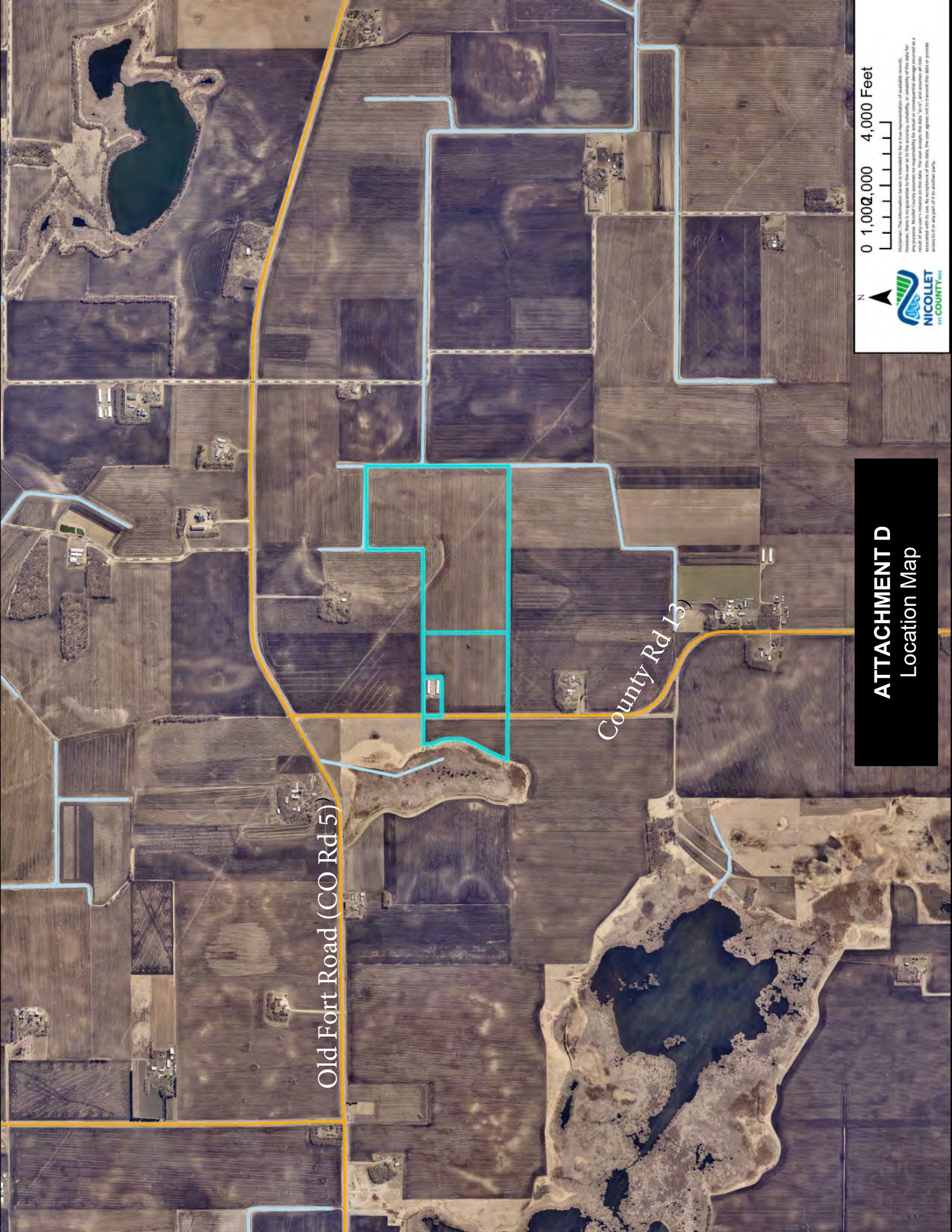
12.017.0205

12.017.0400

# ATTACHMENT C Aerial Map



Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, reliability, or timeliness of the data for any purpose. The user agrees to use the data "as is" and assumes all risk of any error or omission. The user agrees to hold the county harmless for any and all damages, including reasonable attorneys' fees, resulting from the use of this data. The user agrees not to transmit this data or provide access to it to any other party.



Old Fort Road (CO Rd 5)

County Rd 13

# ATTACHMENT D Location Map

0 1,000 4,000 Feet



Disclaimer: This information is intended to be a true representation of available records. However, there is no guarantee to the accuracy, reliability, or validity of this data for any purpose other than for general information. The user assumes the data is for informational purposes only and is not to be used for any other purpose. The user assumes the data is for informational purposes only and is not to be used for any other purpose. The user assumes the data is for informational purposes only and is not to be used for any other purpose.

REGISTERED LAND SURVEY NO. 81  
NICOLLET COUNTY, MINNESOTA

AREAS  
TRACT A = 14.42 ACRES  
TRACT B = 4.16 ACRES  
TRACT C = 144.65 ACRES

Bearings are based on Nicollet County Coordinate System  
NAD83 1995 Adjustment

THIS IS A  
DRAWING

**ATTACHMENT E**  
Registered Land Survey







| DISPLAYNAME                               | MAILINGADDR                 | MAILINGCITYSTATEZIP      |
|-------------------------------------------|-----------------------------|--------------------------|
| JOST ROSE M TRUST                         | 6621 PARK AVE S             | RICHFIELD MN 55423       |
| KACHELMEIER WILLIAM A                     | 42665 COUNTY ROAD 13        | SAINT PETER MN 56082     |
| LEONARD JEFFREY E                         | 41232 FORT RD               | SAINT PETER MN 56082     |
| MEGHAN ESSER                              | 36471 410TH STREET          | SAINT PETER MN 56082     |
| MN DNR & REAL ESTATE MANAGEMENT           | 500 LAFAYETTE RD            | SAINT PAUL MN 55155-4030 |
| RITZ CAROLINE R                           | 244 W JEFFERSON AVE         | SAINT PETER MN 56082     |
| RITZ DONALD LE                            | 221 W WABASHA ST            | SAINT PETER MN 56082     |
| RITZ JOHN & SEONAIID TRUST                | 18173 GLADSTONE BOULEVARD N | MAPLE GROVE MN 55311     |
| SEITZER PETER T & ANN M SEITZER TRUST     | 43145 COUNTY ROAD 13        | SAINT PETER MN 56082     |
| SWAN LAKE AREA WILDLIFE ASSOCIATION       | 53698 198TH LN              | LAKE CRYSTAL MN 56055    |
| WEBER NIKOLAUS ALAN & JENNIFER ANN WEBER  | 41114 387TH AVE             | SAINT PETER MN 56082     |
| WENNER BRADLEY C                          | 42030 403RD AVE             | SAINT PETER MN 56082     |
| YOST JACOB MATTHEW & JENNIFER NICOLE YOST | 45919 381ST AVE             | SAINT PETER MN 56082     |





## **CONDITIONAL USE PERMIT**

**MODIFICATION TO INCREASE  
NUMBER OF SPECIAL EVENTS,  
EXTEND OPERATING HOURS, AND  
CHANGE ALLOWED FIREARM  
CALIBER**

**Michaletz Properties, LLC**

**PLN24-19**

# NICOLLET COUNTY PLANNING & ZONING ADVISORY COMMISSION

|                             |                                                                                                                        |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>SUBJECT</b>              | PLN24-19 Conditional Use Permit Modification                                                                           |
| <b>APPLICANT</b>            | Michaletz Properties, LLC                                                                                              |
| <b>LANDOWNER</b>            | Michaletz Properties, LLC                                                                                              |
| <b>LOCATION</b>             | Part of the Eastern 1/2 of the Southwest 1/4, and Part of the Southeast 1/4, of Section 1-109-30 in Courtland Township |
| <b>PARCEL NO</b>            | 04.201.0210 & 04.201.0800                                                                                              |
| <b>EXISTING ZONING</b>      | Conservancy & Floodplain                                                                                               |
| <b>HEARING DATE</b>         | 11/18/2024                                                                                                             |
| <b>COUNTY BOARD DATE</b>    | 11/26/2024                                                                                                             |
| <b>60 DAYS FROM REQUEST</b> | 12/24/2024                                                                                                             |

## **REQUEST**

The applicant is requesting a modification to their Conditional Use Permit (CUP) to increase the number of special events, extend their operating hours, and change allowed firearm caliber.

## **ORDINANCE**

Commercial recreation facilities must follow the standards of Section 603 of the Nicollet County Zoning Ordinance and must conform with Minnesota State Statutes Chapter 87A.

## **EXISTING LAND USE**

The 159.54-acre property is situated in the Minnesota River Valley and contains the River Ridge Gun Club, whose facilities include shooting ranges and a clubhouse. The two parcels also contain areas of bluff and forest, as well as wetlands in riverine bottomland toward the southern end of the property.

## **SURROUNDING LAND USE**

The surrounding parcels include areas of farmland, forest, and bluff, as well as extensive wetlands along the Minnesota River to the south and west. Mineral extraction is an important industry in this section of the Minnesota River Valley, and a handful of gravel pits are located on land to the north and northeast. Additionally, the area includes a number of residential properties. A home located 1,200 feet from the nearest shooting range represents the closest residential parcel not under Michaletz ownership. The western boundary of the City of Courtland is located approximately one-half mile to the east of the facility.

## **PROJECT DESCRIPTION**

This property first received a conditional use permit for a sporting clay course in 1993 with C-23-93. The facility expanded in 2005 to add campsites, weekend food service, and up to three special events per year with C-26-05. In 2020, the PLN20-11 allowed for the addition of long-range rifle, short-range pistol, and target pistol shooting, as well as outdoor archery. It also allowed for the construction of a clubhouse with a kitchen, a septic system, and the hosting of up to five special events annually. The applicant is seeking a modification to the 2020 conditional use permit in order to amend several of the permit conditions.

### ***Special Events:***

The applicant is proposing to increase the maximum number of allowed special events from 5 to 10 annually. This represents a change to condition number nine from PLN20-11. The maximum number of attendees allowed would remain capped at 500 under the proposal. Moreover, the applicant is not planning to add additional employees. This means that no additional parking should be necessary beyond the requirements of the 2020 conditional use permit. The applicant has stated that they will continue to coordinate with Courtland Township and the Minnesota Department of Transportation (MnDOT) to mitigate impacts from event traffic.

Condition number nine in River Ridge's current CUP currently reads:

*The facility shall be limited to a maximum of five (5) special events per calendar year, with a maximum attendance of 500 persons.*

### ***Hours of Operation:***

The applicant is requesting flexibility to occasionally extend clubhouse hours to be as follows:

- Monday through Thursday, 7:00 a.m. – 11:00 p.m.
- Friday and Saturday, 7:00 a.m. – 12:00 a.m.
- Sunday, 7:00 a.m. – 5:00 p.m.

This would allow greater flexibility to prepare for outdoor shooting-related events that take place during normal business hours and would also allow for greater utilization of clubhouse space for shooting training and classes, as well as the shooting simulator. The changes above would only apply to the indoor clubhouse space.

Additionally, the applicant is proposing to begin regular clubhouse and shooting hours one hour earlier on Saturday and Sunday at 9:00 am. This would allow the facility to work with MnDOT to place directional signage along US Highway 14. Currently, the facility's operating hours do not meet MnDOT's threshold for placing wayfinding signage.

Conditions twenty-seven and twenty-eight in River Ridge's current CUP relate to hours of operation:

- 27. The facility must adhere to the set hours of operation submitted with the application.*  
*a. Tuesday through Saturday the bar/lounge and clubhouse shall be open 10:00 a.m.*

*to 9:00 p.m., and the outdoor shooting ranges/courses shall be open 10 a.m. to sunset.*

- b. Sundays the bar/lounge, clubhouse, and outdoor shooting ranges/courses shall be open 10:00 a.m. to 5:00 p.m.*

*28. If the facility holds an event on a Monday, the bar/lounge and clubhouse shall only be open from 10:00 a.m. to 9:00 p.m., and the outdoor shooting ranges/courses shall only be open from 10:00 a.m. to sunset.*

### ***Nighttime Shooting:***

Minnesota Statute 626.8452 requires law enforcement officers to partake in yearly use of force training, which includes the use of firearms in low light. This generates a great deal of demand among law enforcement agencies for nighttime shooting training. To help satisfy this need, the applicant is proposing to allow nighttime shooting in order to facilitate training for Minnesota law enforcement officers. The proposed nighttime shooting would only accommodate these training events and would not extend to the public or River Ridge club members. The applicant has also stated that they would notify neighboring residences whenever a nighttime training activity is scheduled.

### ***Change in Firearm Caliber:***

In the facility's current CUP, condition number thirty prohibits the use of firearms with calibers above 0.39. The applicant is proposing a change to allow firearms with a caliber of up to 0.49. The applicant has stated that firearms of this caliber are common among shooters in our area. The applicant has also stated that no direct correlation exists between caliber and shooting distance.

The condition in River Ridge's current CUP reads as follows:

*Firearms that are larger than .39 caliber are not permitted on the rifle range for commercial use, except for muzzleloader and black powder style firearms. The commercial use of tracer, armor-piercing, incendiary, steel-core, explosive, steel-jacketed, and accelerator ammunition is prohibited. Shotguns that are 10-gauge or smaller are allowed to be used at the facility.*

### **SEPTIC**

The Nicollet County Sanitarian has reviewed the proposed changes and stated that the facility's septic system uses a time dose system to release effluent more slowly from storage tanks to the drain field. The proposed increase in special events does not increase the maximum occupancy of the facility. However, if events do not have enough spacing, effluent may overwhelm storage tanks before the drain field can complete absorption. Therefore, the Sanitarian has proposed a plan in which the applicant would apply for an operating permit with Nicollet County. This permit would require them to hire a licensed septic contractor to monitor the system at least three times per year

and submit this performance data to the county. If the system is found to be deficient, the applicant would need to add mitigating features to the system.

### **PUBLIC SAFETY**

The Nicollet County Sheriff, David Lange, has reviewed the proposed changes and has not expressed any concerns. Sheriff Lange reiterated that there is not a direct relationship between firearm caliber and shooting range. Therefore, the proposed caliber increase would not increase the risk to any neighboring properties. Sheriff Lange also confirmed the requirement for public law enforcement officers to undergo annual training that includes nighttime shooting and emphasized that this is a great need for local public safety departments.

### **NEIGHBOR NOTIFICATION**

Property owners were notified of the request per the standards of Section 505 of the Zoning Ordinance and Minnesota State Statute 394.26.

### **CONDITIONAL USE PERMIT CRITERIA**

**1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.**

- Commercial recreation is a conditionally permitted use within the Conservancy Zoning District.
- The proposal appears to meet the standards of Section 603 of the Nicollet County Zoning Ordinance regarding the Conservancy Zoning District.
- The proposal represents an expansion of hours rather than an entirely new use.
- Nicollet County law enforcement does not believe that the change in firearm caliber would pose a safety risk.
- The addition of nighttime shooting represents an opportunity for law enforcement training.

**2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**

- The proposal does not seek to increase maximum occupancy and would therefore not increase peak traffic on 547<sup>th</sup> Lane.
- The proposal does not seek the construction of any new structures that would require utility connections.

**3. The requested use is compatible with the surrounding area and would not significantly**

**depreciate nearby properties.**

- The proposal does not seek any new structures or lighting that would create a visual change for neighboring properties.
- The proposal would only add two more hours of outdoor shooting per week.
- Nicollet County law enforcement has not expressed concerns about the safety impact on neighboring properties.

**4. The structure and the use shall have an appearance that would not have an unreasonably adverse effect on nearby properties.**

- The facility is largely screened from public roads and most neighboring properties by existing vegetation and topographic features.
- The applicant does not propose adding any new structures or lighting that would create a visual impact on neighboring properties or require setbacks.

**5. The requested use is consistent with the Nicollet County Land Use Ordinances.**

- The applicants are following the procedure for conditional use permits set forth in Section 505 of the Zoning Ordinance.
- Commercial recreation is listed under Section 603.3 of the Zoning Ordinance as a conditional use in the Conservancy Zoning District.
- The applicant is proposing a modification of an existing use rather than an entirely new use or structure.
- No structures are proposed and therefore the proposal does not need to refer to zoning ordinance setbacks.
- The modified schedule would still adhere to the standards of Minnesota Statutes Chapter 87A.

**6. The requested use is not in conflict with the Nicollet County Comprehensive Plan**

- The Nicollet County Comprehensive Plan has a basic assumption that there will be an increase in demand for recreational opportunities in the future, which can be met by commercial recreation projects.
- The Nicollet County Comprehensive Plan has a goal regarding preserving the Minnesota River, wooded areas and bluff lands, and the current proposal should not impact these features.
- The Nicollet County Comprehensive Plan has a goal regarding the provision of quality water resources, and the current proposal should not impact water as long as the septic

system is properly maintained.

**7. The requested use would not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**

- The applicant is not proposing any new structure that would have any visual impact.
- The applicant is not proposing any new lighting.
- The applicant is not proposing any new activities that would result in a change of sound or odor.
- The applicant is only proposing two additional hours of shooting per week.

**8. The requested use is reasonably related to the existing land use and environment.**

- The proposed use is considered commercial recreation.
- Commercial recreation is a conditional use in the Conservancy Zoning District, per Section 603.3 of the Zoning Ordinance.
- The proposal seeks to expand an existing use rather than adding a new use or structure.
- The existing surrounding land use is a mix of natural environment, agriculture, industrial, and residential.
- If the septic system is properly maintained, there should not be any environmental impact from an increase in special events.
- The applicant is continuing to adhere to their Environmental Stewardship Plan to prevent lead from entering the environment

**9. There are no apparent unreasonable health risks posed to neighbors or the public in general.**

- Nicollet County law enforcement has not expressed concerns regarding the proposal to increase firearm caliber.
- The applicant is proposing to communicate with neighboring residences in the event of a nighttime shooting training.
- The shooting range has backstops and side berms neighboring properties in accordance with its Environmental Stewardship Plan
- The applicant is continuing to manage noise and projectiles in accordance with Minnesota Statute 87A

- Facility rules are enforced by certified Range Safety Officers.
- If the septic system is properly maintained, there should not be any health impact from an increase in special events.
- The applicant is not introducing any new activities with health impacts.
- The addition of more special events may increase the total amount of traffic on 547<sup>th</sup> Lane, but should not increase the peak traffic as total occupancy is not changing.
- The applicant has a plan in place for dust control on 547<sup>th</sup> Lane.

**10. The requested use would/would not have an adverse effect upon public health, safety and welfare due to the following other factors:**

- The request would allow for the continued recreational use of firearms and archery equipment in a controlled, supervised environment.
- The applicant is not proposing any new structures or new activities.
- The addition of directional signage on US Highway 14 may help decrease driver confusion.

**RECOMMENDATIONS**

1. The applicant shall complete the project according to the plans and specifications submitted to the county with the application.
2. The conditional use permit will be periodically reviewed by the county to ensure compliance with the permit and permit conditions.
3. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the conditional use permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
4. Any structural alteration, expansion, intensification of use, or similar change, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for a new conditional use permit.
5. The facility shall be limited to a maximum of ten (10) special events per calendar year, with a maximum attendance of 500 persons
6. The applicant must apply for a septic sewage treatment system operating permit with Nicollet County that will require a licensed septic contractor to monitor system performance every four months, as well as after major special events to ensure acceptable performance. These reports will require submission to the Nicollet County Sanitarian.
7. The applicant will be required to undertake septic sewage treatment system upgrades if

reports indicate unacceptable performance.

8. The applicant may utilize the following schedule for clubhouse open hours:
  - Monday through Thursday, 7:00 a.m. – 11:00 p.m.
  - Friday and Saturday, 7:00 a.m. – 12:00 a.m.
  - Sunday 7:00 a.m. – 5:00 p.m.
9. The applicant must adhere to the following schedule for shooting range open hours:
  - Monday – by appointment with additional availability for organized shooting events
  - Tuesday through Friday, 10:00 a.m. – sunset
  - Saturday, 9:00 a.m. – sunset
  - Sunday, 9:00 a.m. – 5:00 p.m.
10. If the facility holds an event on a Monday, the shooting range shall only be open from 10:00 a.m. to sunset
11. Shooting is only allowed during daylight hours with the exception of nighttime training courses designed to satisfy annual training requirements of Minnesota law enforcement officers
12. The facility must provide notification to residential properties within one-half mile of the facility in the event of a nighttime shooting training activity
13. Firearms that are larger than .49 caliber are not permitted on the rifle range for commercial use, except for muzzleloader and black powder style firearms. The commercial use of tracer, armor-piercing, incendiary, steel-core, explosive, steel-jacketed, and accelerator ammunition is prohibited. Shotguns that are 10-gauge or smaller are allowed to be used at the facility.
14. The facility must adhere to the remaining conditions from PLN20-11, including:
  - PLN20-11 #1) The applicant shall complete the project according to the plans and specifications submitted to the county with the application.
  - PLN20-11 #4) The conditional use permit will be periodically reviewed by the county to ensure compliance with the permit and permit conditions.
  - PLN20-11 #5) The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the conditional use permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
  - PLN20-11 #6) Any structural alteration, expansion, intensification of use, or similar change, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for a new conditional use permit.

PLN20-11 #10) The applicant must acquire the licenses and permits necessary for the proposed sale of food and beverages, including alcoholic beverages. The licenses/permits must be maintained and kept current throughout the operation of the facility. Copies of these licenses/permits must be submitted to Property Services.

PLN20-11 #11) The consumption of alcoholic beverages at the facility by shooting participants is prohibited both prior to, and while, the participants are engaging in shooting activities.

PLN20-11 #12) The applicant must provide Property Services with emergency contact information for the owners of facility and the onsite caretaker. The applicant must keep this information current and up to date.

PLN20-11 #13) The use of lead shot at the sporting clay course is prohibited.

PLN20-11 #15) The applicant must maintain a compliant sewage treatment system in accordance with Section 734 of the Zoning Ordinance and Minnesota State Rules Chapter 7080.

PLN20-11 #16) The secondary septic system location, as depicted on the applicant's survey, must be protected from development, disturbance, or alteration.

PLN20-11 #17) The applicant must submit to Property Services a complete Environmental Stewardship Plan for led pollution prior to issuance of this conditional use permit. The plan must be approved by Property Services and the applicant must at all times abide by the plan. Failure to adhere to the plan may result in revocation of this conditional use permit.

PLN20-11 #23) Any sign for the business to be located on-site must adhere to the signage standards set forth in the Nicollet County Zoning Ordinance. A zoning permit shall be required prior to placement of any such signage.

PLN20-11 #24) Parking and/or material storage is prohibited within public right-of-ways.

PLN20-11 #25) A satisfactory road agreement shall be in place between the applicant and Courtland Township for the use of 547th Lane.

PLN20-11 #29) All events must be focused on the shooting of pistols, rifles, and shotguns, or archery shooting. Any ancillary activities must be shooting-related.

PLN20-11 #31) If a change in ownership occurs and Mark Kohn is no longer the owner of the adjacent property, a new agreement concerning the sporting clays course between the new landowner and the applicant must be submitted to Property Services. If a new agreement is not submitted, the shooting stations in which the fields of fire cross the property boundary must be eliminated.

PLN20-11 #34) Excavation, earthwork, and the removal of vegetation/trees shall be prohibited within the bluff and bluff setback.

PLN20-11 #35) The applicant must obtain the required permits from MnDOT prior to the placement of signage along U.S. Highway 14 during special events.

PLN20-11 #36) The exterior color of the clubhouse and carriage house shall be maintained in a natural and/or earthen hue. (e.g. gray, browns, forest green, etc.)

15. The facility must adhere to the remaining conditions from C-23-93, including:

C-23-93 #1) Boundary of the hunting area, including the leased land, must be posted clearly at a minimum of every 500 feet, closer if necessary, so at a midway point of each posting sign the signs on either side can be easily seen. The boundary shall be posted along a line that is at least 500 feet from the property line of the adjacent homes or where there are dwellings.

C-23-93 #2) Applicant shall contract with the Township to provide dust control to the Township's satisfaction and have speed regulations signs.

C-23-93 #3) Access to the preserve must be gated in such a manner that prevents unauthorized access to the preserve.

C-23-93 #4) Applicant to provide signed copies of lease agreements for lands not under his ownership but posted for hunting in this preserve.

C-23-93 #7) Signs on the boundaries shall be double-faced

5. The facility must adhere to the remaining conditions from C-26-05, including:

C-26-05 #1) That the applicants undertake the project according to the plans and specifications submitted to the county with the application.

C-26-05 #2) That the permit is invalid if the holder does not operate in accordance with MOH licenses covering food service and/or Special Event Camping Areas (SECA's) requirements connected with this conditional use permit.

C-26-05 #3) That the permit would be periodically reviewed by the county to ensure compliance with the permit and permit conditions.

C-26-05 #4) That the county man enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

C-26-05 #5.a) Boundary of the hunting area, including the leased land, must be posted clearly at a minimum of every 500 feet, closer if necessary, so at a midway

point of each posting sign the signs on either side can be easily seen. The boundary shall be posted along a line that is at least 500 feet from the property line of the adjacent homes or where there are dwellings.

C-26-05 #5.b) Applicant shall contract with the Township to provide dust control to the Township's satisfaction and have speed regulations signs.

C-26-05 #5.c) Access to the preserve must be gated in such a manner that prevents unauthorized access to the preserve.

C-26-05 #5.d) Applicant to provide signed copies of lease agreements for lands not under his ownership but posted for hunting in this preserve by August 19, 2005.

C-26-05 #5.g) Signs on the boundaries shall be double-faced

**Applicant / Landowner: Michaletz Properties, LLC**

**PLN24-15**

|                     |                                                     |
|---------------------|-----------------------------------------------------|
| <b>ATTACHMENT A</b> | <b>Application</b>                                  |
| <b>ATTACHMENT B</b> | <b>Submitted by Applicant</b>                       |
| <b>ATTACHMENT C</b> | <b>Aerial Map</b>                                   |
| <b>ATTACHMENT D</b> | <b>Location Map</b>                                 |
| <b>ATTACHMENT E</b> | <b>Site Photographs</b>                             |
| <b>ATTACHMENT F</b> | <b>Reference Material</b>                           |
| F.1                 | Previous Conditional Use Permits                    |
| F.2                 | River Ridge Gun Club Environmental Stewardship Plan |
| F.3                 | Use of Force Learning Objectives                    |
| F.4                 | MN Statutes Chapter 87A                             |
| <b>ATTACHMENT G</b> | <b>Neighbor Notification List</b>                   |
| <b>ATTACHMENT H</b> | <b>Criteria for Conditional Use Permit</b>          |



PROPERTY SERVICES DIVISION  
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082  
507-934-7070

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**PLANNING & ZONING ADVISORY COMMISSION APPLICATION**

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TOTAL FEES: \$496.00

Parcel#: 04.201.0210 & 04.201.0800

Permit#: PLN24-019

Date: N/A

Applicant: MICHALETZ PROPERTIES, LLC

Telephone: 507-359-5770

Owner: MICHALETZ PROPERTIES LLC

Property Address: 47028 547TH LN, COURTLAND MN 56021

Abbreviated Legal Description: Part of the Eastern 1/2 of the Southwest 1/4, and Part of the Southeast 1/4, of Sec

Township: Courtland Township

Zoning District(s): CONSERVANCY

Hearing Date: Monday, November 18, 2024

Record Type: Conditional Use Permit

Subtype: New

Category: Other

Description: REQUEST TO MODIFY CONDITIONAL USE PERMIT FOR RIVER RIDGE SHOOTING CLUB

Copies of the meeting agenda and packet are available on the Nicollet County website: [co.nicollet.mn.us/AgendaCenter](https://co.nicollet.mn.us/AgendaCenter)

Questions regarding the hearing can be directed to:

John Zehnder

Phone: 507-934-7076

Email: [John.Zehnder@co.nicollet.mn.us](mailto:John.Zehnder@co.nicollet.mn.us)

Patrick Thompson  
Patrick Thompson (Oct 25, 2024 13:15 CDT)

APPLICANT SIGNATURE

Oct 25, 2024

DATE

PROPERTY SERVICES

10/25/24

DATE

ATTACHMENT A  
Application

# PLN24-18 Permit Invoice Receipt

Final Audit Report

2024-10-25

|                 |                                               |
|-----------------|-----------------------------------------------|
| Created:        | 2024-10-25                                    |
| By:             | John Zehnder (John.Zehnder@co.nicollet.mn.us) |
| Status:         | Signed                                        |
| Transaction ID: | CBJCHBCAABAA9iwFMxc9d-He0bTx8QFdIK74Rr9HeCGY  |

## "PLN24-18 Permit Invoice Receipt" History

-  Document created by John Zehnder (John.Zehnder@co.nicollet.mn.us)  
2024-10-25 - 5:41:53 PM GMT- IP address: 151.111.52.1
-  Document emailed to Patrick Thompson (patrickt@riverridgeshootingclub.com) for signature  
2024-10-25 - 5:42:35 PM GMT
-  Email viewed by Patrick Thompson (patrickt@riverridgeshootingclub.com)  
2024-10-25 - 6:15:16 PM GMT- IP address: 152.39.184.142
-  Document e-signed by Patrick Thompson (patrickt@riverridgeshootingclub.com)  
Signature Date: 2024-10-25 - 6:15:46 PM GMT - Time Source: server- IP address: 98.97.9.8
-  Agreement completed.  
2024-10-25 - 6:15:46 PM GMT





## APPLICANT QUESTIONNAIRE: CONDITIONAL USE PERMIT CRITERIA

APPLICANT NAME: \_\_\_\_\_ DATE: \_\_\_\_\_  
REQUEST: \_\_\_\_\_

In granting a conditional use permit, the County Board shall consider the advice and recommendation of the Planning Commission and the effect of the proposed use upon the health, safety, morals, and general welfare of the community. Among other things, the County Board shall make the following findings where applicable.

### WHY DO YOU FEEL THE REQUESTS MEETS THE FOLLOWING CRITERIA?

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.
2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.
3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

**ATTACHMENT B**  
Submitted by Applicant

4. The structure and use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

5. The requested use is consistent with the County Zoning Ordinance.

6. The requested use is not in conflict with the Comprehensive Plan.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

8. The requested use is reasonably related to the existing land use and environment.

8. *The requested use is reasonably related to the existing land use and environment. (continued)*

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors.

***A MAJORITY OF THE CUP CRITERIA MUST BE MET IN ORDER FOR THE REQUEST TO BE APPROVED.***



## APPLICANT QUESTIONNAIRE: PROJECT DESCRIPTION

APPLICANT NAME: \_\_\_\_\_ DATE: \_\_\_\_\_  
REQUEST: \_\_\_\_\_

Please describe the specific details related to your request. If your request is approved, you will be held to the plans and specifications submitted to the County with your application.

**PLN 20-00011 #28)** *“If the facility holds an event on a Monday, the bar/lounge and clubhouse shall only be open from 10:00 a.m. to 9:00 p.m., and the outdoor shooting ranges/courses shall only be open from 10:00 a.m. to sunset.”*

**PROPOSED CHANGE:** We seek approval to expand the hours of operation to the following:

Clubhouse:

- Monday through Thursday, 7:00am – 11:00pm
- Friday and Saturday, 7:00am – 12:00am
- Sunday 7:00am – 5:00pm.

Note, we propose only a slight increase to our hours for the Clubhouse during normal day-to-day operations as follows:

- Monday – by appointment with additional availability for organized shooting events.
- Tuesday through Friday, 10:00am – 9:00pm
- Saturday, 9:00am – 9:00am
- Sunday 9:00am – 5:00pm

We seek these changes for a variety of reasons. Opening at 9:00am on Sundays gives us the ability to work with MNDOT to have directional signage placed along Highway 14. Our current schedule leaves us short by one hour/week per our categorization through MNDOT. Also, the signage ordinances for Nicollet County and Highway 14 prohibit us from placing permanent signage along Highway 14. Therefore, we currently have no sign directing customers to our location which presents an obstacle for people finding our business.

Earlier available Clubhouse hours would also allow classes, training and other activity to begin around normal business hours. Later available hours of operation give more flexibility to our options for classes, simulator use and utilization of our Clubroom space.

These changes to operating hours do include changing start time on the ranges for live-fire shooting from 10:00am to 9:00am.

**ADDITIONAL PROPOSED CHANGE:** Our current CUP requires all shooting activity to cease at dusk. We have been working with various local law enforcement agencies in providing them with range access for live fire training. We are happy to have been able to provide a well rounded variety of training spaces for local law enforcement and hope to continue to provide and expand this service. It has been brought to our attention that MN law enforcement officers must complete at least one night shoot per year to meet their compliance with training requirements. We seek the ability to host law enforcement agencies for night shoots as needed by the agencies, with live-fire activities ceasing by 9:00pm. After dusk range access will only be used to accommodate law enforcement agencies. If desired we can also provide advance notice to the Nicollet County Sheriff’s Department or other appropriate parties when these shoots are scheduled.

**RIFLE RANGE CALIBER RESTRICTION:**

**PLN 20-00011 #30)** "Firearms that are larger than .39 caliber are not permitted on the rifle range for commercial use, except for muzzleloader and black powder style firearms. The commercial use of tracer, armor-piercing, incendiary, steel-core, explosive, steel-jacketed, and accelerator ammunition is prohibited. Shotguns that are 10-gauge or smaller are allowed to be used at the facility."

**PROPOSED CHANGE:** Our rifle range currently has a restriction prohibiting the use of calibers above .39, we would like to see this change to allow calibers up to .49. There are many rifles chambered in calibers such as .45/70, .450 Bushmaster, .458 Socom that are common for rifle shooters in our area and do not pose any greater risk than smaller calibers, and in many cases less of a risk. See attached documents explaining the difference and lack of direct correlation between caliber size and performance.

## Ballistic Calculator

### INPUT VARIABLES

|                        |       |                        |      |                   |     |
|------------------------|-------|------------------------|------|-------------------|-----|
| Ballistic Coefficient: | .415  | Velocity (ft/s):       | 3080 | Weight (GR):      | 150 |
| Maximum Range (yds):   | 1000  | Interval (yds):        | 100  | Drag Function (): | G1  |
| Sight Height (inches): | 1.5   | Shooting Angle (Deg.): | 0    | Zero Range (yds): | 100 |
| Wind Speed (mph):      | 0     | Wind Angle (Deg.):     | 90   | Altitude (ft):    | 0   |
| Pressure (hg):         | 29.53 | Temperature (F):       | 59   | Humidity (%):     | 78  |

### Ballistic Results - .30-06 Springfield Ballistics

| RANGE<br>(YDS) | VELOCITY<br>(FPS) | ENERGY<br>(FT.-LB) | TRAJECTORY<br>(IN) | COME UP<br>(MOA) | COME UP<br>(MILS) | WIND<br>DRIFT (IN) | WIND<br>DRIFT<br>(MOA) | WIND<br>DRIFT<br>(MILS) |
|----------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|------------------------|-------------------------|
| 0              | 3080              | 3159               | -1.5               | 0                | 0                 | 0                  | 0                      | 0                       |
| 100            | 2848              | 2701               | 0                  | 0                | 0                 | 0                  | 0                      | 0                       |
| 200            | 2628              | 2300               | -2.8               | 1.3              | 0.4               | 0                  | 0                      | 0                       |
| 300            | 2418              | 1948               | -10.7              | 3.4              | 1                 | 0                  | 0                      | 0                       |
| 400            | 2218              | 1639               | -24.5              | 5.8              | 1.7               | 0                  | 0                      | 0                       |
| 500            | 2028              | 1370               | -45.4              | 8.7              | 2.5               | 0                  | 0                      | 0                       |
| 600            | 1848              | 1137               | -74.8              | 11.9             | 3.5               | 0                  | 0                      | 0                       |
| 700            | 1678              | 938                | -114.4             | 15.6             | 4.5               | 0                  | 0                      | 0                       |
| 800            | 1523              | 772                | -166.4             | 19.9             | 5.8               | 0                  | 0                      | 0                       |
| 900            | 1381              | 636                | -233.4             | 24.8             | 7.2               | 0                  | 0                      | 0                       |
| 1000           | 1258              | 527                | -318.7             | 30.4             | 8.9               | 0                  | 0                      | 0                       |

# Ballistic Calculator

## INPUT VARIABLES

|                        |       |                        |      |                   |     |
|------------------------|-------|------------------------|------|-------------------|-----|
| Ballistic Coefficient: | .210  | Velocity (ft/s):       | 2200 | Weight (GR):      | 250 |
| Maximum Range (yds):   | 1000  | Interval (yds):        | 100  | Drag Function (): | G1  |
| Sight Height (inches): | 1.5   | Shooting Angle (Deg.): | 0    | Zero Range (yds): | 100 |
| Wind Speed (mph):      | 0     | Wind Angle (Deg.):     | 90   | Altitude (ft):    | 0   |
| Pressure (hg):         | 29.53 | Temperature (F):       | 59   | Humidity (%):     | 78  |

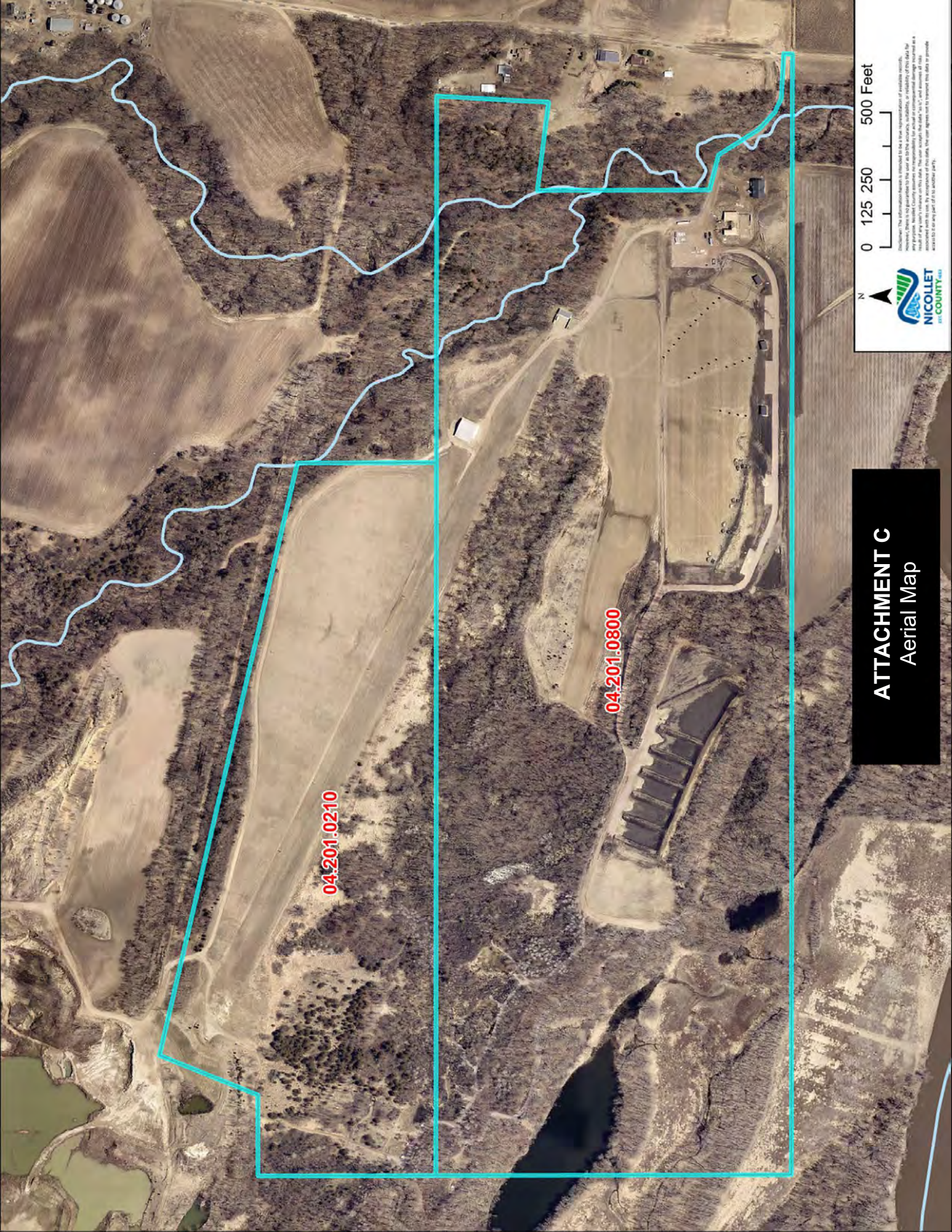
## Ballistic Results - 450 Bushmaster Ballistics

| RANGE (YDS) | VELOCITY (FPS) | ENERGY (FT.-LB) | TRAJECTORY (IN) | COME UP (MOA) | COME UP (MILS) | WIND DRIFT (IN) | WIND DRIFT (MOA) | WIND DRIFT (MILS) |
|-------------|----------------|-----------------|-----------------|---------------|----------------|-----------------|------------------|-------------------|
| 0           | 2200           | 2687            | -1.5            | 0             | 0              | 0               | 0                | 0                 |
| 100         | 1835           | 1868            | 0               | 0             | 0              | 0               | 0                | 0                 |
| 200         | 1515           | 1274            | -9              | 4.3           | 1.2            | 0               | 0                | 0                 |
| 300         | 1255           | 874             | -33.3           | 10.6          | 3.1            | 0               | 0                | 0                 |
| 400         | 1077           | 644             | -79.8           | 19            | 5.5            | 0               | 0                | 0                 |
| 500         | 970            | 522             | -156.1          | 29.8          | 8.7            | 0               | 0                | 0                 |
| 600         | 894            | 444             | -269.3          | 42.9          | 12.5           | 0               | 0                | 0                 |
| 700         | 834            | 386             | -426.3          | 58.1          | 16.9           | 0               | 0                | 0                 |
| 800         | 782            | 340             | -633.3          | 75.6          | 22             | 0               | 0                | 0                 |
| 900         | 737            | 301             | -897.5          | 95.2          | 27.7           | 0               | 0                | 0                 |
| 1000        | 695            | 268             | -1225.9         | 117           | 34             | 0               | 0                | 0                 |

# 450 Bushmaster vs 30-06 Springfield Ballistics Table



|                              | 0 yds.                           | 100 yds.                      | 200 yds.                         | 300 yds.                          | 400 yds.                          | 500 yds.                          |
|------------------------------|----------------------------------|-------------------------------|----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| 30-06 Sprg 150 gr SST        | 3080 fps<br>3159 ft-lbs<br>-1.5" | 2848 fps<br>2701 ft-lbs<br>0" | 2628 fps<br>2300 ft-lbs<br>-2.8" | 2418 fps<br>1948 ft-lbs<br>-10.7" | 2218 fps<br>1639 ft-lbs<br>-24.5" | 2028 fps<br>1370 ft-lbs<br>-45.4" |
| 30-06 Sprg 180 gr Silver Tip | 2750 fps<br>3022 ft-lbs<br>-1.5" | 2573 fps<br>2645 ft-lbs<br>0" | 2403 fps<br>2307 ft-lbs<br>-3.8" | 2239 fps<br>2003 ft-lbs<br>-13.6" | 2081 fps<br>1731 ft-lbs<br>-30.3" | 1930 fps<br>1489 ft-lbs<br>-55.1" |
| 450 BM 250 gr FTX            | 2200 fps<br>2687 ft-lbs<br>-1.5" | 1835 fps<br>1868 ft-lbs<br>0" | 1515 fps<br>1274 ft-lbs<br>-9"   | 1255 fps<br>874 ft-lbs<br>-33.3"  | 1077 fps<br>644 ft-lbs<br>-79.8"  | 970 fps<br>522 ft-lbs<br>-156.1"  |
| 450 BM 300 gr JHP            | 1900 fps<br>2405 ft-lbs<br>-1.5" | 1560 fps<br>1621 ft-lbs<br>0" | 1281 fps<br>1094 ft-lbs<br>-13"  | 1089 fps<br>790 ft-lbs<br>-47.2"  | 974fps<br>632 ft-lbs<br>-110.7"   | 895 fps<br>534 ft-lbs<br>-210.8"  |



04:201.0210

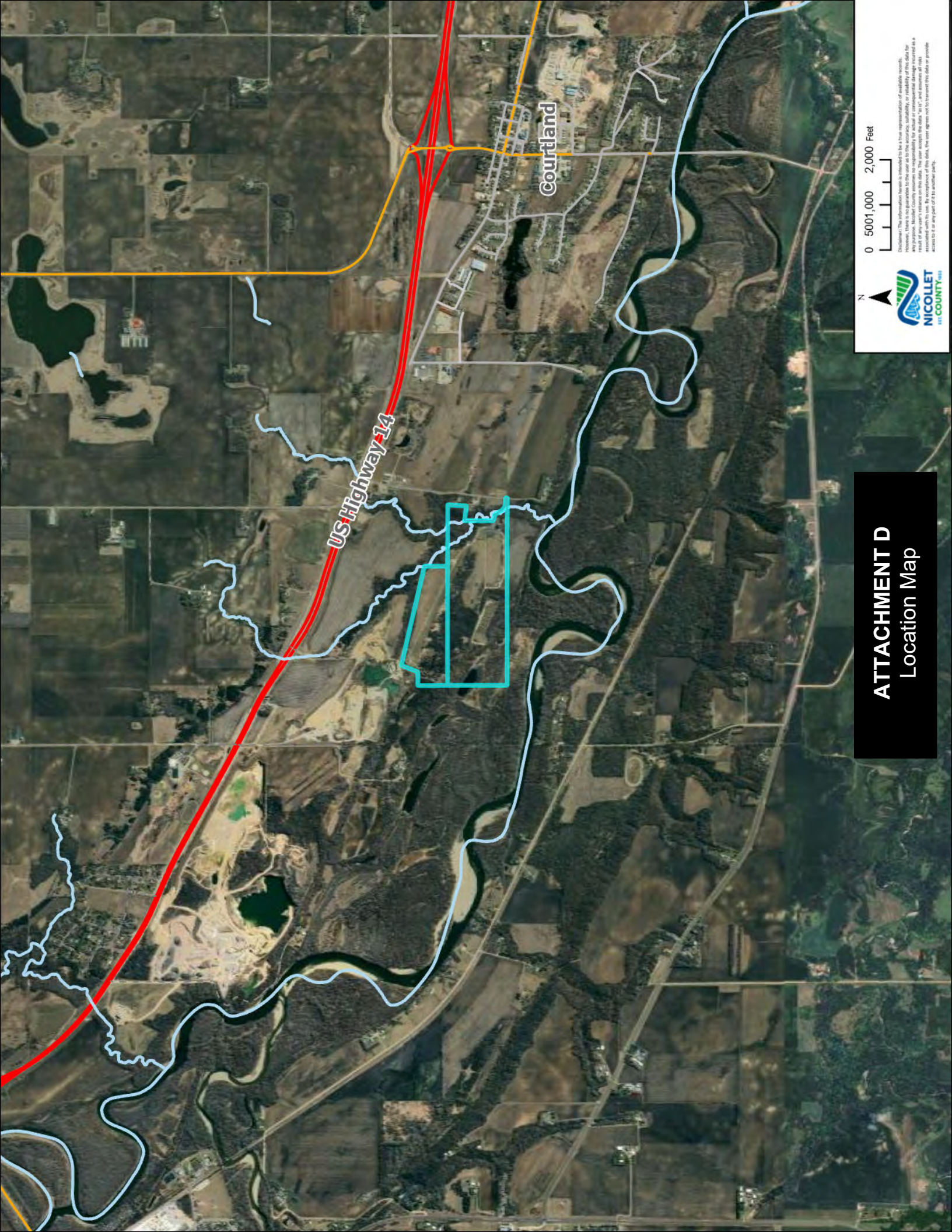
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# ATTACHMENT C Aerial Map



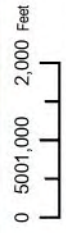
0 125 250 500 Feet

Disclaimer: This information is provided to you as a true representation of available records. We warrant that the information is derived from the records of the Nicollet County Auditor's Office. We do not warrant the accuracy, completeness, or reliability of this data for any purpose other than for informational use only. The user accepts the data "as is" and assumes all risk associated with its use. By acceptance of this data, the user agrees not to transmit this data to provide access to it to any other party.



US Highway 14

courtland



# ATTACHMENT D Location Map

Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, reliability, or validity of this data for any purpose other than that for which it was collected. The user accepts the data "as is" and assumes all risks associated with its use. By acceptance of this data, the user agrees not to transmit this data or provide access to it to any other party.



**ATTACHMENT E**  
Site Photographs

F



## NICOLLET COUNTY BOARD OF COMMISSIONERS

IN RE: The Application of Michaletz Properties, LLC,  
to amend two existing conditional use permits,  
C-26-05 and C-23-93, to include:  
trap, long-range rifle, short-range pistol,  
sporting clays, a pistol target, and an outdoor archery range.

On July 28, 2020, the Nicollet County Board of Commissioners [hereinafter "County Board"] met at its regularly scheduled meeting to consider the application of Michaletz Properties, LLC, to amend two existing conditional use permits [hereinafter "CUP"], numbers C-26-05 and C-23-93, to include: trap, long-range rifle, short-range pistol, sporting clays, a pistol target, and an outdoor archery range. The applicants also requested to remove specific conditions from CUPs C-26-05 and C-23-93, on property located at 47028-547<sup>th</sup> Lane, Courtland, MN [hereafter "Gun Club" or "facility"].

Joe and Christine Michaletz, the owners of Michaletz Properties, LLC, were present. The County Board also heard public appearances from all interested parties wishing to speak at the meeting. The County Board also heard the Staff Report and received written reports and submissions as fully identified herein.

Commissioner Kolars moved, and Commissioner Dranttel seconded, to accept the Planning and Zoning Advisory Commission's June 15, 2020 and July 20, 2020 reports, recommendations and findings as submitted therein, which included the following: amendments to the existing conditional use permits C-26-05 and C-23-93 to include trap, long-range rifle, short-range pistol, sporting clays, a pistol target range, and an outdoor archery range, and to remove specific conditions from C-26-05 and C-23-93, and with additional conditions regarding consumption of alcohol on site, and a restriction on the caliber of firearm and type of ammunition allowed to be used on the property.

The motion carried on a roll call vote, with three Commissioners voting in favor, and two commissioners voted in opposition. Commissioners Kolars, Dranttel, and Morrow voted in favor of the motion. Commissioners Luepke and Kemp voted in opposition to the motion. The CUP and conditions were approved, reserving only the issue of the language for the conditions addressing alcohol consumption and the caliber of ammunition.

Commissioner Kemp moved, and Commissioner Dranttel seconded, a request for Staff to prepare proposed Findings of Fact, and proposed conditions regarding alcohol and ammunition, for the August 25, 2020 regularly scheduled County Board Meeting. The motion carried, with all Commissioners voting in favor.



**Mandy Landkamer**

Property & Public Services Director  
Office of the County Recorder

**Document No. 335404**

Certified Recorded on 12-17-2020 at 08:00 AM

The Nicollet County Board of Commissioners now makes the following:

### **Findings of Fact**

1. Michaletz Properties, LLC, owns two parcels of property in Courtland Township, Nicollet County, Minnesota, further identified as Parcel 04.201.0210 [hereinafter “Northern Property”] and Parcel 04.201.0800 [hereinafter “Southern Property”].
2. The Northern Property consists of 44.8 acres and is zoned Conservancy. Michaletz Properties, LLC, acquired this property in May of 2019. The property does not contain any buildings at this time. The majority of the existing long-range rifle range floor and berm backstop is located on this property.
3. The Southern Property consists of 114.74 acres and is zoned a mix of Conservancy and Floodplain. It contains one 26’ x 70’ steel utility building, one 50’ x 60’ storage building with a 16’ x 60’ lean-to, and one 16’ x 44’ mono-roof shed to be used as a covered shooting area for long-range rifle shooting. The structures are located in the area zoned Conservancy. There are no structures or proposed structures located in the area zoned Floodplain. The southern portion of the Sporting Clay Course does appear to have a field of fire where shot may fall within the area zoned Floodplain. River Ridge Gun and Archery Club, LLC, acquired this property in October of 2018. Ownership was then transferred to Michaletz Properties, LLC, in November of 2019.
4. The surrounding land use is a mix of natural environment, agricultural, industrial, and residential.
5. The property was previously known as the River Ridge Gun Club, Inc. It was a hunting preserve, and offered commercial hunting of pheasants and trap shooting activities.
6. There are two existing CUPs for this property, C-26-05 and C-23-93, that permit the following on the property: trap fields (shotguns), sporting clay course (shotguns), guide dog services, game birds, hunting preserve, camping, and shooting-related activities including special shooting events and liquor sales. C-23-93 permits commercial recreational hunting and a shooting camp. C-23-05 continued the previous conditions of C-23-93, clarified prior conditions, and added food service and campsites.
7. The proposed name of the new facility is River Ridge Gun and Archery Club, LLC.
8. The applicants’ CUP application [hereinafter “Application”] proposes the continuation of certain permitted activities and adding additional activities. The additional activities include: long-range rifle, short-range pistol, target pistol, outdoor archery, and shooting-related activities including special shooting events, a lounge, retail sales/pro-shop, classroom instruction trainings, indoor shooting simulator, archery, and gunsmith/archery services.
9. The Application seeks to retain certain existing structures, remove certain structures, and add new structures, as fully described and set forth in the Application.

10. The Application seeks to remove specific conditions from the existing conditional use permits as follows:

- a. From C-23-93: Condition 5: Only shotguns by club members are to be permitted on this preserve. The use of rifles is prohibited by all club members.
- b. From C-26-05:
  - 1) Condition 5.e: Only shotguns by club members are to be permitted on this preserve. The use of rifles is prohibited by all club members.
  - 2) Condition 6: Condition #f of the 1993 permit issued 6/28/93 is clarified to define the hours of operation as from 9:00 a.m. to sunset, with the sunset time as that which is found at the US Naval Observatory listings
  - 3) Condition 7: Water meters are to be installed within 30 days on all water lines leading into the buildings on the site and meter readings are to be submitted to the Environmental Services Department on the first Monday of each month. If the flow to the septic system is greater than what it was designed for and results in a failed system, the system must be upgraded.
  - 4) Condition 8: No firearms other than shotguns are to be discharged by the customers or club members on the facility.
  - 5) Condition 9: Complaints of barking dogs stemming from this operation shall be addressed by the owner/operator in a written noise abatement plan. Failure to address complaints would prompt review of the conditional use permit by the Planning and Zoning Advisory Commission and the Board of Commissioners.

11. The June 15, 2020 public hearing was fully noticed and published in accordance with statute and policy.

12. Property owners were notified of the request per the standards of Section 505 of the Nicollet County Zoning Ordinance and Minnesota State Statute Section 394.26.

13. The Planning and Zoning Advisory Commission [hereinafter "Commission"] initially considered the request on June 15, 2020. The Commission continued the public hearing until July 20, 2020, in order to obtain further information about the noise regulations applicable to the Gun Club.

14. The Commission considered and accepted the report of Deputy Zoning Administrator/Planner Jon Hammel; the completed application of Michaletz Properties, LLC, and all attachments thereto; multiple submissions from Wade and Velda Cordes opposing the Application; materials submitted by Chuck Niska, Shooting Range Coordinator, Minnesota Department of Natural Resources [hereinafter "DNR"], Division of Enforcement; and David Gross

(Attorney at Law) on the history and application of the Shooting Range Protection Act. In addition, three planning and zoning commissioners visited the Gun Club site.

15. Following the June 15, 2020 public hearing, Chuck Niska, DNR Shooting Range Coordinator, provided written comment via emailing clarifying noise control for gun ranges. Pursuant to Minnesota Statutes Chapter 87A, the sound from a shooting range is measured using methodology defined in Minnesota Rule 7030.0060, subparts 4 and 5, and would be measured for a 60-minute time period. The sound is measured at the point of reception, as defined in Minnesota Rule 7030.0060, subpart 1.

16. The materials submitted to the Commission at the public hearings on June 15, 2020 and July 2020, as well as subsequent submissions by the applicants and the Cordes, were also submitted to the County Board, and are part of the record as Attachments A to S.6 inclusive.

17. Public testimony was received by the Commission at the public hearings on June 15, 2020 and July 20, 2020, and is hereby incorporated into the record.

18. The Commission extensively considered the Application, members visited the site, and asked for follow up information from the Deputy Zoning Administrator.

19. The Commission, after due diligence, voted 6-0 to recommend that the Nicollet County Board of Commissioners approve the Application with 35 conditions.

20. The use proposed by the Application is permitted in the specified zoning districts as a Conditional Use according to Section 603.3 of the Zoning Ordinance.

21. The requested use is compatible with the nature of the land, and with public health, safety, and welfare.

- a. The requested use is an amendment to an existing commercial recreational land use.
- b. Commercial recreational land use is a permitted conditional use in the Conservancy District under Section 603.3 of the Zoning Ordinance.
- c. The proposal meets the requirements of Section 725 of the Zoning Ordinance for off-street parking.
- d. The request includes adequate barriers, consistent with National Rifle Association [hereinafter "NRA"] Guidelines for the operation of Gun Ranges, to protect surrounding properties and occupants while the facility is in use. The applicants have further presented site plans and constructed barriers that mitigate against stray fire. Members of the Commission visited the site and observed the existing and proposed protections to address the concerns about stray fire as well as noise mitigation efforts.
- e. The Gun Range site has proper screening.

22. The requested use does not create an unreasonably excessive burden on the existing roads or utilities.

- a. The facility is located on a township road, over which the County does not have authority. Courtland Township received notice of the request, but it did not provide official comment. Members of the Courtland Township Board appeared and noted the Courtland Township Board is planning to fix the township road.
- b. Concerns about the township road handling the additional traffic were expressed by members of the public.
- c. The conditions imposed on the CUP require the applicants and Courtland Township to have a road agreement in place. This obligation between the road authority and the applicants addresses the concerns with road conditions.
- d. There is advisory speed limit traffic signage on the township road.
- e. The conditions imposed on the CUP require the applicants to have a contract in place with Courtland Township to control dust to the satisfaction of the township.
- f. The applicants have been in contact with the Minnesota Department of Transportation to ensure a proper left turn lane is installed when U.S. Highway 14 is reconstructed. Further, the applicant would apply to the Department of Transportation to obtain, by permit, signage along U.S. Highway 14, notifying drivers to beware of event traffic and turning vehicles.

23. The requested use is compatible with the surrounding area and would not significantly depreciate nearby properties.

- a. The request is for an amendment to the existing use of the property as a gun club.
- b. The surrounding land use is natural environment. The County Board has considered the objections noted by neighboring properties and notes the proposed use is consistent with the previous approved use. The prior use also allowed for the operation of a hunting preserve on the property, and included the commercial hunting of pheasants, which is a much less controlled activity than the proposed shooting activities with specific areas of fire contained in the Application.
- c. The County Assessor reported that properties adjacent to a shooting facility are not taxed less due to their proximity to a shooting facility. The Assessor's Office has no evidence of significant depreciation of neighboring properties.
- d. Based upon the information of the County, the Gun Club meets all applicable set back and distance obligations.

24. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

- a. The facility is largely screened from public roads and most neighboring properties by existing vegetation and topographic features.
- b. The applicants propose to replace the existing clubhouse/stop with a new clubhouse and carriage house.

- c. The proposed structures meet the applicable setbacks and standards found in Section 603 of the Zoning Ordinance for buildings located in the Conservancy District.
  - d. The shooting debris will land on-site.
25. The requested use is consistent with the Nicollet County Land Use Ordinances.
- a. The applicants are following the procedure for CUPs set forth in Section 505 of the Zoning Ordinance. The application expands an existing and permitted land use.
  - b. Commercial recreation is a listed conditional use in the Conservancy zoning district under Section 603.3 of the Zoning Ordinance.
  - c. The proposed parking meets the standards of Section 725 of the Zoning Ordinance.
  - d. The conditions require compliance with obtaining the necessary zoning permits prior to the start of construction, including any earthwork or site prep, per Section 507 of the Zoning Ordinance.
26. The requested use is not in conflict with the Nicollet County Comprehensive Plan.
- a. The 1985 Comprehensive Plan states that building development should be restricted in the Floodplain District. The request does not include any proposed buildings within the Floodplain zone. The southern portion of the Sporting Clay Course does appear to have a field of fire where shot may fall within the area zoned Floodplain. The applicants will use steel shot only for the Sporting Clay Course and further will have in place an approved Environmental Stewardship Plan.
  - b. The 1985 Comprehensive Plan indicates wooded areas are to be conserved. The proposal does not include the clearing of existing woodlands.
27. The requested use would not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.
- a. The existing vegetation and changes in topography help to screen the facility from public roads and most neighboring properties.
  - b. The conditions require the applicants to submit and abide by an Environmental Stewardship Plan for lead pollution.
  - c. Shooting activities, including special events, are already a permitted activity at the Gun Club.
  - d. Nicollet County's Zoning Ordinance does not contain noise standards. The applicants are required to abide by the standards contained in Minnesota Statutes Chapter 87A and will further have a noise control complaint process in place. While the CUP will increase the frequency of shooting, the noise levels must remain within the parameters set forth by the legislature. The County Board is permitted to trust that other regulatory agencies will fulfill their obligations with respect to the operation of the shooting range.
  - e. Members of the Commission visited the site and noted the measures the applicants have put in place to address the noise concerns and to mitigate noise from the proposed rifle range. Those measures, in combination with testing obligations, are sufficient to address neighboring property owners' concerns.

- f. The applicants plan to add additional measures to reduce sound and noise generated by shooting activities at the facility
28. The requested use is reasonably related to the existing land use and environment.
- a. Existing vegetation and changes in topography help to screen the facility from public roads and most neighboring properties.
  - b. The applicants plan to add measures to reduce sound and noise generated by shooting activities at the facility.
  - c. The proposed use is considered commercial recreation, which is a conditional use in the Conservancy District, per Section 603.3 of the Zoning Ordinance.
  - d. The proposal expands shooting activities at an existing commercial recreational gun club. The prior CUPs allowed for shooting activities that included special shooting events and alcohol sales.
  - e. The existing surrounding land use is a mix of natural environment, agriculture, industrial, and residential.
  - f. Only steel shot would be used on the Sporting Clays Course and lead shot would be prohibited.
  - g. The applicants are required to submit and adhere to an Environmental Stewardship Plan for the facility to address lead reclamation.
29. There are no apparent unreasonable health risks posed to neighbors or the public in general.
- a. The proposed bullet containment measures were designed following NRA and Minnesota DNR guidance.
  - b. Of the eight dwellings located within one-half mile of the facility boundaries, six are located east of the proposed ranges/courses. The fields of fire are generally arranged away from these six dwellings. However, two of the eight dwellings are located west of the ranges/courses. The applicants have put in place sufficient measures to mitigate against stray fire, consistent with NRA standards.
  - c. At the public hearings before the Commission, as well as at the County Board meeting, neighboring property owners expressed concern about stray fire. Neighboring property owners stated stray fire was not reported to law enforcement at the time of the incidents. Therefore, any incidents of stray fire, and the discovery of the source of the shots, were not investigated. Based upon the statements at the public hearings, it appears that, if there was stray fire from the Property, that a majority of those incidents occurred under prior ownership.
  - d. At the public hearings, neighboring property owners expressed concerns about rifles being fired on the Property. To date, the prior CUPs allowed the property owners to use the rifle range for personal use.
  - e. The applicants estimate a daily usage of up to 150 customers, and a special event usage of up to 500 customers. The applicants note that the rifle range use would be rented by the hour and has a limited number of lanes.
  - f. The applicants would be required to obtain the necessary licenses prior to offering food and beverage services. The applicants agree that alcoholic beverages should not be consumed on site prior to or during shooting activities.

- g. A new septic system to serve the proposed clubhouse and carriage house is a required condition of the CUP.
- 30. The requested use does not have an adverse effect upon public health, safety, and welfare.
  - a. The applicants' request would allow for the recreational use of firearms and archery equipment in a controlled, supervised environment.
  - b. The DNR had no objection to the Application.
  - c. The neighboring property owners concerns about stray fire are addressed by the design aspects of the shooting range set forth in the Proposal.
  - d. The Cordes' concerns about the health of their horses due to the sound of gunfire, as reflected in their written submissions, is not persuasive, because the existing CUPs allow for shooting activities and the Cordes' purchased their property while the previous CUPs permitting shooting activities were in place.
  - e. The added condition that prohibits the consumption of alcohol prior to and during shooting activities addresses the concerns raised about the consumption of alcohol during shooting activities. Of note, the previous owner had a license to serve alcoholic beverages on site, but the license expired with the change in ownership.

### **Decision**

The request of Michaletz Properties, LLC, for a conditional use permit is hereby granted for the amendments to Conditional Use Permits C-23-93 and C-26-05 and for Conditional Use Permit PLN 20-11 located at 47028-547<sup>th</sup> Lane, Courtland, MN, in accordance with and subject to the conditions of the plans, maps, designs, and all other documents referenced in and provisions of the Application, attached hereto as Exhibit A, and further subject to the following conditions:

1. The applicant shall complete the project according to the plans and specifications submitted to the county with the application.
2. The applicant must obtain the appropriate zoning permits prior to construction, including any earthwork or site preparation.
3. The zoning permit is invalid if the holder has not substantially completed the structure within the period of time allowed on the zoning permit connected with this conditional use permit.
4. The conditional use permit will be periodically reviewed by the county to ensure compliance with the permit and permit conditions.
5. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the conditional use permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

6. Any structural alteration, expansion, intensification of use, or similar change, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for a new conditional use permit.
7. Appropriate erosion control measures shall be installed and maintained throughout the construction process and until a permanent vegetative cover is established.
8. Construction activities shall not result in debris, mud, or other materials accumulating on public roadways. Any such accumulation shall be removed immediately by the applicant.
9. The facility shall be limited to a maximum of five (5) special events per calendar year, with a maximum attendance of 500 persons.
10. The applicant must acquire the licenses and permits necessary for the proposed sale of food and beverages, including alcoholic beverages. The licenses/permits must be maintained and kept current throughout the operation of the facility. Copies of these licenses/permits must be submitted to Property Services.
11. The consumption of alcoholic beverages at the facility by shooting participants is prohibited both prior to, and while, the participants are engaging in shooting activities.
12. The applicant must provide Property Services with emergency contact information for the owners of facility and the onsite caretaker. The applicant must keep this information current and up to date.
13. The use of lead shot at the sporting clay course is prohibited.
14. The applicant must submit to Property Services a complete septic design, from a septic professional licensed in the State of Minnesota, prior to issuance of this conditional use permit.
15. The applicant must maintain a compliant sewage treatment system in accordance with Section 734 of the Zoning Ordinance and Minnesota State Rules Chapter 7080.
16. The secondary septic system location, as depicted on the applicant's survey, must be protected from development, disturbance, or alteration.
17. The applicant must submit to Property Services a complete Environmental Stewardship Plan for lead pollution prior to issuance of this conditional use permit. The plan must be approved by Property Services and the applicant must at all times abide by the plan. Failure to adhere to the plan may result in revocation of this conditional use permit.
18. If applicable, the applicants must submit to Property Services verification from a building official or architect licensed in the State of Minnesota that the property/structures are in compliance with the standards and requirements of the Minnesota Accessibility Code prior to issuance of the conditional use permit. If the business is found to be noncompliant, the

applicant must bring the property into compliance and submit verification of compliance prior to issuance of the conditional use permit.

19. If applicable, the applicants must submit to Property Services verification from a building official or architect licensed in the State of Minnesota that the structures utilized for the business have been reviewed by a design professional. Alternatively, verification can be submitted the structure is exempted from review by a design professional. This must be completed prior to issuance of the conditional use permit.
20. The applicant shall submit to Property Services verification the project has been reviewed and approved by the Minnesota Department of Labor and Industry, prior to issuance of this conditional use permit.
21. The applicant must submit verification to Property Services that the facility has a Stormwater Pollution Prevention Plan approved by the Minnesota Pollution Control Agency prior to issuance of this conditional use permit.
22. Verification must be submitted to Property Services that the facility has the required licenses and permits necessary for the proposed sales of food and beverages, as proposed by the applicant, prior to the issuance of this conditional use permit.
23. Any sign for the business to be located on-site must adhere to the signage standards set forth in the Nicollet County Zoning Ordinance. A zoning permit shall be required prior to placement of any such signage.
24. Parking and/or material storage is prohibited within public right-of-ways.
25. A satisfactory road agreement shall be in place between the applicant and Courtland Township for the use of 547th Lane.
26. The applicant must submit a complaint response plan related to the operation of a shooting facility prior to issuance of this conditional use permit.
27. The facility must adhere to the set hours of operation submitted with the application.
  - a. Tuesday through Saturday the bar/lounge and clubhouse shall be open 10:00 a.m. to 9:00 p.m., and the outdoor shooting ranges/courses shall be open 10 a.m. to sunset.
  - b. Sundays the bar/lounge, clubhouse, and outdoor shooting ranges/courses shall be open 10:00 a.m. to 5:00 p.m.
28. If the facility holds an event on a Monday, the bar/lounge and clubhouse shall only be open from 10:00 a.m. to 9:00 p.m., and the outdoor shooting ranges/courses shall only be open from 10:00 a.m. to sunset.
29. All events must be focused on the shooting of pistols, rifles, and shotguns, or archery shooting. Any ancillary activities must be shooting-related.

30. Firearms that are larger than .39 caliber are not permitted on the rifle range for commercial use, except for muzzleloader and black powder style firearms. The commercial use of tracer, armor-piercing, incendiary, steel-core, explosive, steel-jacketed, and accelerator ammunition is prohibited. Shotguns that are 10-gauge or smaller are allowed to be used at the facility.
31. If a change in ownership occurs and Mark Kohn is no longer the owner of the adjacent property, a new agreement concerning the sporting clays course between the new landowner and the applicant must be submitted to Property Services. If a new agreement is not submitted, the shooting stations in which the fields of fire cross the property boundary must be eliminated.
32. The facility must adhere to the remaining conditions from C-23-93, including:
  - C-23-93 #1) Boundary of the hunting area, including the leased land, must be posted clearly at a minimum of every 500 feet, closer if necessary, so at a midway point of each posting sign the signs on either side can be easily seen. The boundary shall be posted along a line that is at least 500 feet from the property line of the adjacent homes or where there are dwellings.
  - C-23-93 #2) Applicant shall contract with the Township to provide dust control to the Townships satisfaction and have speed regulations signs.
  - C-23-93 #3) Access to the preserve must be gated in such a manner that prevents unauthorized access to the preserve.
  - C-23-93 #4) Applicant to provide signed copies of lease agreements for lands not under his ownership but posted for hunting in this preserve.
  - C-23-93 #6) Shooting to be allowed only during daylight hours.
  - C-23-93 #7) Signs on the boundaries shall be double faced.
33. The facility must adhere to the remaining conditions from C-26-05, including:
  - C-26-05 #1) That the applicants undertake the project according to the plans and specifications submitted to the county with the application.
  - C-26-05 #2) That the permit is invalid if the holder does not operate in accordance with MDH licenses covering food service and/or Special Event Camping Areas (SECA's) requirements connected with this conditional use permit.
  - C-26-05 #3) That the permit would be periodically reviewed by the county to assure compliance with the permit and permit conditions.

C-26-05 #4) That the county man enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

C-26-05 #5.a) Boundary of the hunting area, including the leased land, must be posted clearly at a minimum of every 500 feet, closer if necessary, so at a midway point of each posting sign the signs on either side can be easily seen. The boundary shall be posted along a line that is at least 500 feet from the property line of the adjacent homes or where there are dwellings.

C-26-05 #5.b) Applicant shall contract with the Township to provide dust control to the Townships satisfaction and have speed regulations signs.

C-26-05 #5.c) Access to the preserve must be gated in such a manner that prevents unauthorized access to the preserve.

C-26-05 #5.d) Applicant to provide signed copies of lease agreements for lands not under his ownership but posted for hunting in this preserve by August 19, 2005.

C-26-05 #5.f) Shooting to be allowed only during daylight hours.

C-26-05 #5.g) Signs on the boundaries shall be double faced.

34. Excavation, earthwork, and the removal of vegetation/trees shall be prohibited within the bluff and bluff setback.
35. The applicant must obtain the required permits from MNDOT prior to the placement of signage along U.S. Highway 14 during special events.
36. The exterior color of the clubhouse and carriage house shall be maintained in a natural and/or earthen hue. (e.g. gray, browns, forest green, etc.)

37. Violation of any condition of this conditional use permit may result in revocation of the conditional use permit, as per the Nicollet County Zoning Ordinance.

Dated this 25 day of August, 2020.

NICOLLET COUNTY BOARD OF COMMISSIONERS.

  
\_\_\_\_\_  
John Luepke, Chair  
Nicollet County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Ryan Krosch, County Administrator  
Clerk to the County Board



2

NICOLLET COUNTY BOARD OF COMMISSIONERS  
APPROVED CONDITIONAL USE PERMIT

On this 22nd day of June, 1993, following the public hearing conducted by the Nicollet County Planning and Zoning Advisory Commission in the Nicollet County Courthouse, the Nicollet County Board of Commissioners hereby approved a Conditional Use Permit on behalf of:

Name: Lester Zwach

in accordance with the provisions of Section 604.3 of the Nicollet County Zoning Ordinance and pursuant to the requirements of Chapter 394.301, Minnesota Statutes.

The approved Conditional Use Permit authorizes the above named:

For a commercial recreational hunting and shooting camp

on the following described parcel (abstract-torrens) of land:

SE 1/4 of SW 1/4 of Section 1-109-30 in Courtland Township

CONDITIONAL USE ORDER

and subject to the following conditions:

1. Boundary of the hunting area, including the leased land, must be posted clearly at a minimum of every 500 feet, closer if necessary, so at a midway point of each posting sign the signs on either side can be easily seen. The boundary shall be posted along a line that is at least 500 feet from the property line of the adjacent homes or where there are dwellings.
2. Applicant shall contract with the Township to provide dust control to the Townships satisfaction and have speed regulations signs.
3. Access to the preserve must be gated in such a manner that prevents unauthorized access to the preserve.
4. Applicant to provide signed copies of lease agreements for lands not under his ownership but posted for hunting in this preserve.
5. Only shotguns by club members are to be permitted on this preserve. The use of rifles is prohibited by all club members.
6. Shooting to be allowed only during daylight hours.
7. Signs on the boundaries shall be double faced.

The Environmental Services Director is herewith directed to issue the appropriate permits pursuant to this Conditional Use Order.



*William H. Schimmel*

William Schimmel, Chairman  
Nicollet County Board of Commissioners

DATE: 6-28-93

State of Minnesota  
County of Nicollet

Office of Nicollet County Coordinator

I, the undersigned Clerk to the Board, in and for said County and State, do hereby certify that I have compared the above information with the original minutes of record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on approved minutes of the Nicollet County Board of Commissioners meeting held on June 22, 1993, and on record in the Nicollet County Coordinator's Office.

WITNESS my hand this 28th day of June, 19 93.

*Robert Podhradsky*  
Robert Podhradsky, Clerk to the Board

# ENVIRONMENTAL STEWARDSHIP PLAN: RANGES AT RIVER RIDGE SHOOTING CLUB



*Prepared for:*

**River Ridge Shooting Club, LLC  
47028 547<sup>th</sup> Lane  
Courtland, MN 56201**

*Initial Plan Prepared by:*

**Metals Treatment Technologies, LLC  
14045 West 66<sup>th</sup> Avenue  
Arvada CO 80004**

*Through a subcontract to:*

**Dr. Richard Peddicord  
Environmental Range Protection  
1115 Coopers Landing Road  
Heathsville, VA 22473**

August 2020

# ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB

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## ENVIRONMENTAL STEWARDSHIP PLAN: RANGES AT RIVER RIDGE SHOOTING CLUB

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# **ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB**

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## **ENVIRONMENTAL STEWARDSHIP PLAN: RANGES AT RIVER RIDGE SHOOTING CLUB**

### **1.0 INTRODUCTION**

This Environmental Stewardship Plan (ESP) constitutes guidance for environmental operation, maintenance, and management of materials associated with firearms shooting at the River Ridge Shooting Club (RRSC) outdoor shooting ranges located at 47028 547<sup>th</sup> Lane, Courtland, MN 56201. RRSC is being developed as an upgrading and expansion of limited shooting venues previously operated on the property.

This ESP is consistent with, and constitutes RRSC's site-specific plan for implementing, the shooting range environmental management guidance of the U.S. Environmental Protection Agency (EPA 2005) at the ranges as presently planned. This ESP is also consistent with the shooting range environmental management guidance of the National Shooting Sports Foundation (NSSF 1997) and National Rifle Association (NRA 2012). The State of Minnesota expressed written agreement with the principles of the EPA (2005) guidance shortly after it was published. The Department of Natural Resources has published its own best practices guidance (DNR undated) that is compatible with this EPA guidance. Minnesota environmental laws and regulations apply to management of the RRSC ranges (see, for example, MPCA 2015).

This ESP focuses on the planned RRSC firearms ranges and the materials and activities to design, construct, operate, maintain, and manage those ranges. It explicitly assumes that those activities will be conducted in accordance with good engineering, construction, and management practices and consistent with applicable environmental laws and associated regulations and permits.

When the term "range" is used in a general sense in this document without specifying a particular shooting venue, it collectively refers to the above referenced RRSC property managed for shooting, including the firing lines, backstops, range floors, shooting positions, shotfall areas, etc.

In 2020 RRSC pro-actively initiated development of this ESP specifically for its ranges; the ESP is not to be extrapolated, adapted, or otherwise applied at any other range or property.

### **1.1 MISSION STATEMENT OF RIVER RIDGE SHOOTING CLUB**

The goal of River Ridge Shooting Club is to be a gun and archery shooting range that will serve a variety of customers throughout south-central Minnesota and those traveling to the area to use our range and services. We intend to offer a multi-range system including outdoor ranges for rifle and pistol shooting, various courses for shotgun sports, and an outdoor archery range. We are committed to promoting responsible ownership of firearms and archery equipment by advocating for and offering safety instruction and proficiency training.

# **ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB**

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## **1.2 PURPOSE OF THIS ENVIRONMENTAL STEWARDSHIP PLAN**

The foundational purpose of this ESP is to minimize the potential for adverse environmental effects of shooting at the site through proactive management. To accomplish this, specific purposes of this ESP are:

- Document the present environmental setting at the planned RRSC ranges
- Identify issues of potential environmental concern that presently exist, or may reasonably exist in the future associated with shooting at the planned ranges
- Identify short-term and long-term range design, construction, operation, maintenance, and management practices to be implemented
- Comply with Federal and State environmental laws and regulations applicable to outdoor shooting ranges

## **1.3 GOALS OF THESE BEST MANAGEMENT PRACTICES**

The goals of implementing this ESP through planning, design, operation, maintenance, and management of the ranges in compliance with applicable Federal and State environmental laws and regulations are as follows, with a summary of the site-specific best management practices (BMPs) of Section 3 that contribute most directly to achieving each goal.

1. Keep shooting-associated materials on the RRSC property and out of “Waters of the United States”
  - BMP 1: Manage the distribution of shooting-associated materials
  - BMP 2: Maintain backstops and side berms consistent with NRA guidance
  - BMP 3: Use target types and positions that limit bullet dispersion
2. Reclaim and recycle lead periodically as a key part of range operation and maintenance
  - BMP 4: Reclaim and recycle lead
3. Reuse, recycle, or dispose empty cartridge cases, shotgun hulls, and clay targets
  - BMP 5: Manage shooting-associated materials regularly
  - BMP 6: Choose optimal clay target type for RRSC and manage regularly
4. Provide environmentally sound management of shooting venues
  - BMP 7: Manage soil acidity as recommended by EPA
  - BMP 8: Manage runoff and erosion to control lead mobility
  - BMP 9: Maintain ground cover on ranges
  - BMP 10: Conduct an OSHA Initial Determination of range worker lead exposure
  - BMP 11: Consider managing potential lead exposure of shooters
  - BMP 12: Remain current on lead and bullets and shot of materials other than lead
5. Discourage ingestion of lead by birds and wildlife
  - BMP 13: Maintain conditions that tend to attract birds away from areas with lead
6. Anticipate the possibility of future change in use of the property

## **ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB**

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- BMP 14: Prepare for the possibility of a choice to close ranges
7. Maintain these BMPs as an up-to-date “living” document
- BMP 15: Annually review this ESP and update as appropriate
  - BMP 16: Maintain records of ESP activities

# ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB

## 2.0 SITE ASSESSMENT

Section 2 describes the existing RRSC site conditions, shooting venues and activities, and potentially associated environmental issues. Section 2.1 describes the site conditions, and Section 2.2 provides context and perspective on those conditions. Together, Sections 2.1 and 2.2 provide the foundation for the BMPs as presented in Section 3.

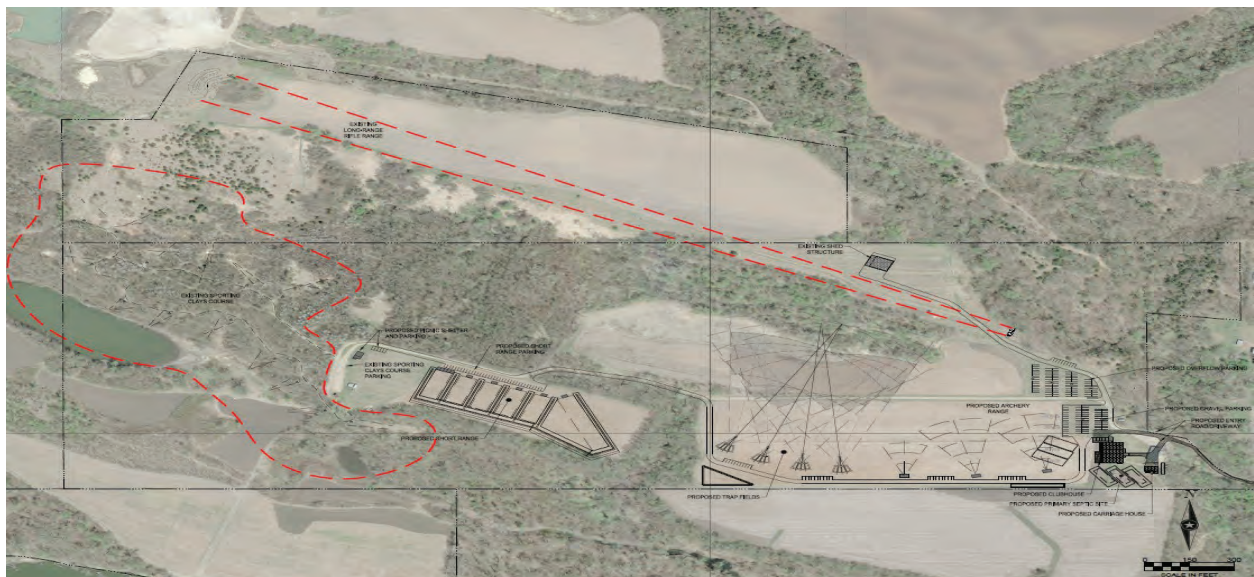
### 2.1 GENERAL ENVIRONMENTAL ACTIVITIES

River Ridge Shooting Club developed this ESP as part of its implementation of the EPA (2005) guidance on management of lead at outdoor shooting ranges. In addition to development and implementation of the BMPs in Section 3, supporting environmentally-related activities at RRSC include such things as:

- Planting approximately 11 acres of the northern portion of the property with native grasses and wildflowers
- Allowing approximately 20 acres of previously cultivated land in the flood plain on the southern portion of the property to grow back into its natural trees and grasses
- Using a small field to the west of the trap field as a food source for wildlife over the winter months
- Placing bird houses and wood duck houses in appropriate areas throughout the property

### 2.2 DESCRIPTION OF SHOOTING RANGES

The River Ridge Shooting Club is located at 47028 547<sup>th</sup> Lane, Courtland, MN 56201. Planned firearms venues consist of a Long-Range Rifle Range, five Short Ranges, a Target Range, four Trap Fields, and a 14-station Sporting Clays Course. These venues are described as planned below and illustrated in Figure 1 and the RRSC Site Plan.



**Figure 1. Overview of ranges planned at River Ridge Shooting Club**

# ENVIRONMENTAL STEWARDSHIP PLAN

## RIVER RIDGE SHOOTING CLUB

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### **General Setting**

The ranges are planned on rolling terrain above the floodplain on the north side of the Minnesota River approximately midway between the towns of New Ulm and Courtland. The site is a mix of forest, open woods, and agricultural fields. Surface runoff from the ranges and shotfall areas drains generally southward toward the river. The land was previously used as an upland bird hunting preserve with ancillary shotgun venues. New ranges planned for these previous shooting venues are described in the following subheadings and illustrated in Figure 1.

### **Long Range**

This is the northernmost range on the property and is oriented to shoot northwestward away from residential areas. The Long Range is designed with four lanes for shooting at targets up to 1,000 yards from the covered firing line; shooting will be limited to appropriate rifles. The earthen backstop constructed of site soil will be approximately 30 feet high. Intermediate backstops approximately 4 feet high and 8 feet wide will be constructed of stacked railroad ties backed with AR500 steel plate at 100, 200, 300, 400, 500 and 750 yards from the firing line. Targets will be placed in front of each of these interim backstops as shooting needs indicate.

### **Short Range**

The Short Range is planned as a pistol and rifle located on the south-central area of the property, separated from the Long Range to the north by nearly 1,000 feet of forest and open woods. The Short Range will consist of one 100-yard shooting bay shooting toward the southeast with four 50-yard shooting bays to the west that shoot southward. Each bay will have an earthen side berm approximately 8 feet high the full length of both sides, including the east side of the 100-yard bay. An earthen backstop approximately 20 feet high will constitute the downrange end of all the bays. The side berms and backstop will be planted in a low maintenance grass for vegetative soil stabilization to limit erosion potential.

### **Target Range**

The Target Range is planned as a 25-yard pistol range on the west end of the Short Range. Shooting will be toward the south with the range surrounded by two earthen side berms approximately 8 feet high and a backstop approximately 20 feet high. As on the Short Range, the side berms and backstop will be planted in a low maintenance grass. This bay will have a covered firing line.

### **Trap Fields**

Four Trap Fields are planned to the east of the Short Range, with shooting toward the north. The shotfall area will consist largely of former agricultural fields free of trees. Lead shot will be allowed on the Trap Fields.

# ENVIRONMENTAL STEWARDSHIP PLAN

## RIVER RIDGE SHOOTING CLUB

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### Sporting Clays Course

The existing Sporting Clays Course in the southwestern portion of the property will continue to be used. The course consists of a generally looping cart path with shooting outward from approximately 14 shooting stations spaced around the loop. Steel shot will be required on the Sporting Clays Course.

### **2.3 EXISTING ENVIRONMENTAL SITUATION**

The U.S. Department of Agriculture Natural Resources Conservation Service's Web Soil Survey database (NRCS 2020) indicates the soil acidity, measured as pH, at the RRSC ranges is between 6.5 and 7.9, well within the recommended (EPA 2005, NSSF 1997) range of pH 6.5 to 8.5 for minimizing the environmental mobility of lead<sup>1</sup>. The database indicates both the cation exchange capacity and the clay content of the soils on all the ranges are each high enough to substantially retard environmental mobility of lead. The low potential for the area of most ranges to flood or pond water is positive in limiting the potential environmental mobility of lead. The operation and maintenance BMPs specified in Section 3 recognize the pH and other site soil conditions and are designed to work with the characteristics of the native soils, including management of pH if warranted, to reduce potential dissolution of lead and increase protection of surface water and groundwater from shooting-associated materials.

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<sup>1</sup> Throughout this document, bullets, shot, and metal compounds weathered from bullets or shot are collectively referred to as lead particles for convenience, recognizing that these particles vary greatly in size and shape and may contain small amounts of various metals and metal compounds in addition to lead. The BMPs in Section 3 are specifically designed to manage various aspects of the environmental behavior and potential impacts of lead and the other metals and metal compounds associated with bullets and shot consistent with EPA (2005) and NSSF (1997) guidance.

### **3.0 SITE-SPECIFIC BEST MANAGEMENT PRACTICES**

Environmental BMPs appropriate for the RRSC shooting venues are presented below under the BMP Goal (see Section 1.2) to which they contribute most directly. All BMPs work together with the site characteristics of Section 2 to collectively provide site management consistent with EPA (2005) and other relevant guidance.

With all BMPs collectively working together with the site characteristics, all BMPs are equally important even though some obviously make larger or more immediate contributions than others toward achieving specific goals. RRSC management will determine the implementation priority of the BMPs considering anticipated environmental benefits, how long it is likely to take for the expected environmental benefits to be realized, availability of resources, and other relevant considerations, including changes in regulations. RRSC management will annually review the ESP (BMP 15) for possible revisions that may include changes to implementation priorities.

The major steps considered appropriate to implement each BMP at the time this guidance was developed are summarized as part of the description of the BMP. There may be alternative steps that are equally acceptable. As RRSC personnel gain implementation experience, management may modify, delete, or add steps as appropriate to best achieve the purpose of BMP(s). Some BMPs are related and their implementation should be coordinated to the extent practical.

***Goal 1: Keep shooting-associated materials on the RRSC property and out of “waters of the United States”***

From environmental and legal/regulatory perspectives, it is in the best interest of RRSC that shooting-associated materials (e.g. shot, hulls, clay targets, and bullets), including steel and other “non-toxic” shot:

- Not be discharged into “Waters of the United States”.
- Remain on the RRSC property (1) so that these materials can be managed without trespass on adjacent property or the necessity of obtaining approval for access and management from the adjacent property owner(s), and (2) to avoid possible allegations of regulatory violations, including the possibility that these materials constitute trespass or litter on adjacent property. Prevention of such a situation is a primary purpose of BMPs 1, 2, and 3, and a secondary purpose of several other BMPs. Beyond merely remaining on the RRSC property, shooting-associated materials should remain within the intended areas of the property and in areas where they can be managed.

In clay target shooting, shot falls at greater distances from the shooter than is often realized (see discussion and diagrams in Section 4 of NSSF 1997). On rifle and pistol ranges, bullets may (a) ricochet off the range floor, backstops, target holders, or other hard surfaces (including cobbles/boulders in backstops, steel targets, and paved walkways), or (b) strike a previously fired

## ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB

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bullet on the face of the backstop and flip it off the backstop. BMPs 1 through 3 concern retaining shooting-associated materials within the intended areas at RRSC.

**BMP 1:** Assure that shot, hulls, clay targets, and bullets do not reach property not owned or otherwise controlled by RRSC or any jurisdictional waters of the United States that may be on the RRSC property. Determine the need for management, identify potential operation and maintenance alternatives, and implement the optimal alternative(s) as appropriate.

**Step 1:** Locate the legal boundaries of the RRSC property.

**Step 2:** On the rifle/pistol ranges approximate the distribution of bullets around and behind the backstops. Approximate the distribution of shot on the Trap Range and Sporting Clays Course. These approximations can be based on the discussions and diagrams in Section 4 of NSSF (1997) based on shot ballistics model outputs indicating that on flat ground and absent obstructions and wind:

- the maximum range of standard trap loads of number 7½ lead shot is approximately 770 feet
- the maximum range of standard skeet loads of number 9 lead shot is approximately 680 feet
- The maximum range of similar sizes of lighter steel shot may be somewhat less, although steel shot is more susceptible to wind than heavier lead shot.

Actual distances will be longer if velocities are higher or larger shot is used, and lower if velocities are lower or shot is smaller. Consider the shape of the shotfall area as indicated by the theoretical shotfall areas illustrated in Figures 4-2, 4-3, and 4-4 of NSSF (1997). The sides of these NSSF theoretical shotfall areas do not consider the spread of the shot charge as it travels downrange or the effects of wind on target and shot trajectories, and the actual shotfall areas may be wider and/or longer than indicated by the NSSF (1997) drawings. Both the size and shape of the theoretical shotfall areas usually will be altered and increased by prevailing winds, although even tall, dense trees have relatively little effect on shot distribution. The greatest amount of shot usually accumulates about 350 to 600 feet from the shooting positions, although these distances may increase somewhat in hilly terrain. To help guide the on-the-ground investigation of actual shot distribution in Step 3, these distances for each shooting position/target presentation can be approximated using computer mapping tools such as Google Earth™ or hand-drawn to scale on an aerial photograph or map.

**Step 3:** Determine the distribution of bullets and shot.

- Bullets may ricochet or be flipped off the backstops of the rifle/pistol ranges. Bullet scars on trees, brush and rocks on or near the backstops may indicate directions in which ricochets may be found.
- The approximation of Step 2 provides indication of the actual outer perimeter of the shotgun range shotfall area. Shot scars on smooth-barked trees and brush provide useful indications at relatively short distances. The perimeter of the shotfall area can be identified by examination of bare spots of ground for shot,

## ENVIRONMENTAL STEWARDSHIP PLAN

### RIVER RIDGE SHOOTING CLUB

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and by sieving dry soil through a mesh with openings of an appropriate size (e.g., metal window screen) to separate shot from soil. If necessary, twigs and organic debris can be floated off the screen in a container of water. Steel shot can easily be identified with a small magnet. A useful approach is to begin where accumulations of shot are easily visible on the ground and proceed away from shooting positions in the direction of (a) most shooting, and (b) shooting to the extreme right and left, considering the direction of prevailing winds. In each of these directions, examine and/or sieve soil at approximately 100-ft intervals. Near the approximate perimeter, adjust the intervals as necessary to obtain the desired precision.

**Step 4:** If results indicate bullets, shot, hulls, or clay targets reach property not owned or otherwise controlled by RRSC or waters of the United States, identify possible modifications to prevent this. Using the findings of Steps 2 and 3 as a guide, identify possible modifications such as the following or combinations thereof.

**Step 4a:** Modifications to ranges to prevent shooting-associated materials from reaching property not owned or otherwise controlled by RRSC or waters of the United States, considering such options as:

- raising backstop heights or increasing side berm lengths or heights (see BMP 2)
- installing or enlarging horizontal or vertical bullet catchers or “eyebrows” on backstops (see BMP 2)
- installing overhead baffles on the rifle/pistol ranges
- modifying target holders and/or target types to reduce ricochet potential (see BMP 3)
- modifying shotgun shooting locations, shooting directions, or target presentations
- perhaps shot curtains properly positioned, designed, constructed, and maintained
- other actions that would help keep bullets or shot from reaching the property boundary or waters of the United States

**Step 4b:** Modifications of the RRSC property boundaries to keep bullets and shot on property owned or otherwise controlled by RRSC where they can be managed, including such options as:

- purchasing additional property to extend the RRSC property boundary to encompass the deposition of bullets or shot
- other options that would provide RRSC the ability to manage bullets or shot where they deposit
- combinations of options from Steps 4a and 4b

**Step 5:** Determine the benefits (including environmental benefits), limitations (including habitat destruction or alteration), and costs (including operation and maintenance) of each modification identified. Safety factors should be considered as one of the benefits.

## ENVIRONMENTAL STEWARDSHIP PLAN RIVER RIDGE SHOOTING CLUB

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**Step 6:** Select the optimal alternative(s), determine the necessary steps, and schedule implementation.

**Step 7:** Locate and orient any future shooting venues so that bullets, shot, hulls, or clay targets remain on property owned or otherwise controlled by RRSC and out of waters of the United States, if any, on the property.

**BMP 2:** Confirm that the rifle/pistol range backstops and side berms are consistent with applicable guidance in the Outdoor Shooting Ranges: Best Practices published by the Minnesota Department of Natural Resources and the NRA Range Source Book (NRA 2012), which can be obtained from NRA at a small cost. One of the primary purposes of this BMP is to confirm that the ranges provide adequate bullet retention, thereby working with BMP 3 to help minimize the possibility that bullets might leave property owned or otherwise controlled by RRSC or enter inappropriate areas. Processes by which bullets may escape ranges are discussed above under Goal 1.

**Step 1:** Identify the applicable guidance on backstop and side berm/side wall design and construction. Guidance calls for 12-20 foot high backstops and 8 foot high side berms unless site conditions indicate otherwise.

**Step 2:** Confirm that the rifle/pistol range backstops and side berms are consistent with published guidance on backstop and side berm heights.

**Step 3:** If a range is not consistent with published guidance on backstop and side berm height, identify and evaluate possible modifications to make it consistent and implement the appropriate modifications.

**Step 4:** Determine the benefits (including environmental benefits), limitations (including feasibility and practicality), and costs (including construction and operation and maintenance) of each possibility identified.

**Step 5:** Select the appropriate modification(s), determine the necessary steps, schedule implementation, and operate and maintain backstops and side berms/side walls as necessary. Do not place tires, wood, and other such materials that obstruct lead reclaiming and recycling (BMP 4) on the face of earthen backstops.

**BMP 3:** Provide, maintain, and instruct Range Officers and shooters on use of appropriate types of targets and target holders, and proper target placement on the rifle/pistol ranges. Bullets passing near or through the targets from normal shooting positions (standing, bench, prone, etc.) and firing lines should hit the backstops. Shooters, Range Officers, and range management should recognize the importance of this because bullets that hit the range floor instead of the backstop have the highest potential to ricochet and possibly escape the range, perhaps leaving the RRSC property or entering inappropriate areas. Establish and enforce rules and monitor range use to ensure that only appropriate and properly positioned target holders are used and there is no shooting at targets not mounted on such holders.

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**Step 1:** Use target holders set at heights and positions on the rifle/pistol ranges to assure that bullets passing through or near targets impact the backstop and not the range floor. Recognize that the number of bullets leaving a range will tend to decrease to the extent that the following general guidance is implemented.

- Placing target holders in an appropriate “target zone”, that is, less than 50 yards in front of the backstop for pistols and 100 yards for rifles and within the lateral limits of the outermost firing lanes will help reduce bullets leaving the range.
- Use target holders of sufficient height and distance from the backstop in relation to the trajectory of the rounds fired on the range so that bullets passing through or near the targets hit the backstop and not the range floor.
- If activities require targets on or only slightly above ground level, placing them within the lateral limits of the outermost firing lanes and no more than approximately two yards from the backstop will increase the probability that bullets passing through or near the target or ricocheting off the range floor near the target will hit the backstop.
- If targets are improperly placed at ground level or sufficiently far from the backstop that bullets passing through or near the target first strike the range floor rather than the backstop, ricochets may go over the backstop or side berms/side walls.

**Step 2:** Use only targets designed for that purpose. This includes paper and plastic targets manufactured or created informally for this purpose; it does not include cans, bowling pins, golf balls, and the myriad of other hard 3-dimensional objects often used as “targets” that can promote ricochets and bullet fragmentation. Ideally from a strictly environmental perspective and not considering shooter preferences, steel targets, falling plate targets, and other types of hard targets that tend to promote ricochets and increase bullet fragmentation and spatter should not be used because they distribute many tiny lead particles widely around the targets. These tiny lead particles cumulatively have a very great surface area that tends to increase contact of lead with soil moisture and increase the potential for lead to dissolve. The small size of the particles also tends to increase their physical mobility with runoff and makes them impractical to reclaim. The combination of dissolution potential and particle mobility tends to increase potential lead concentrations in soil, water, and sediment. However, steel targets with the top slanted forward toward the shooter or those that swing back and up on impact tend to distribute lead particles much less widely than, and are environmentally preferable to, vertical stationary steel targets or steel targets that fall backward on impact and deflect particles upward.

**Step 3:** Emphasize good shooting practices and rules to ensure proper target types and positioning. Consider means such as:

- Revising range rules as appropriate
- Distributing revised rules to members at meetings, by mail, etc.
- Posting summaries of revised rules on the RRSC website and on shooting pavilions, firing lines, etc.

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- Training Range Officers in the revised rules, the reasons for the revisions, and the need for enforcement
- Other means as may be appropriate at RRSC

**Step 4:** Educate Range Officers and shooters to the importance of proper target type and proper positioning of targets and target holders. Make compliance an important part of ongoing range operations.

#### ***Goal 2: Reclaim and recycle lead periodically as a key part of range operation and maintenance***

The background and discussion on lead reclaiming and recycling in Appendix A is essential for achieving this Goal. RRSC management should become familiar with Appendix A before initiating implementation of BMP 4.

**BMP 4:** When appropriate considering the discussion in Appendix A, contract with a well-qualified firm to reclaim and recycle bullets and shot as appropriate from the rifle/pistol ranges and/or the Trap Range consistent with EPA (2005) guidance and other applicable Federal, State, and other environmental regulations and guidance using best practical technologies and approaches. Periodic reclamation is a cornerstone of the EPA (2005) guidance on managing lead.

**Step 1:** Obtain the opinion of counsel experienced in U.S., State, and local environmental laws, regulations, and policies as applied to outdoor shooting ranges regarding possible permitting and other regulatory issues applicable to shot and/or bullet reclamation.

**Step 2:** Identify candidate companies well-qualified in reclaiming and recycling shot and bullets (e.g., Metals Treatment Technologies, LLC – MT2.com). See Appendix B for guidance in identifying candidate companies with experience in satisfactorily reclaiming and recycling both shot and bullets, which require different equipment.

**Step 3:** In consultation with a company identified in Step 2,

- a. Identify possible methods for reclaiming shot and bullets to the maximum extent practical, and their advantages, limitations, and cost considering the approximate financial return to RRSC from the recycled lead.
- b. Identify measures for preparing the Trap Range shotfall area and the rifle/pistol ranges to optimize future lead reclamation.
- c. Determine the benefits (including environmental benefits), limitations (including habitat destruction or alteration), and costs (including construction and operation and maintenance) of these measures considering the discussion in Appendix A, and evaluate implementing them on:
  - i. The backstops and floors of the rifle/pistol ranges
  - ii. The shotfall area of the Trap Range. (As long as lead shot is prohibited on the Sporting Clays Course as planned, reclamation of steel shot will likely not be warranted.) Recognize that at the present state of the practice shot reclamation is not routine from

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wooded or rocky areas, irregular terrain, steep slopes, water bodies, persistently damp areas, etc. At present, shot reclamation from such areas may require innovative procedures or technologies whose effectiveness, reliability, cost, practicality, unintended consequences, and other important characteristics may not yet have been proven in common practice. Reclamation plans, schedules, and budgets must recognize these realities. Consider the possibility of “pilot-scale” demonstration projects to evaluate technologies for shot reclamation from such areas as may be appropriate. When reclamation is undertaken, shot should be reclaimed from the shotfall area to the maximum extent practical using state-of-the-practice technology. This may include the possibility that no shot reclamation is practical from some part(s) of the shotfall area at the state-of-the-practice at the time reclamation is being considered. In light of the above, consider clearing, removing surface boulders, and grading the shotfall area to facilitate shot reclamation. If feasible, this should include the entire shotfall area, with emphasis on the portion approximately 125 to 200 yards from the shooters where most shot tends to accumulate. Such improvements could be conducted incrementally consistent with budget and other considerations.

**Step 4:** When sufficient lead has accumulated on the rifle/pistol ranges or the shotfall area of the Trap Range to warrant reclamation and recycling consistent with EPA (2005) guidance and considering the discussion in Appendix A, contract with a company identified in Step 2 to conduct these activities, schedule them, and record their completion consistent with all permits and other regulatory considerations per Step 1. RRSC should select a well-qualified contractor to reclaim and recycle lead under a workplan approved by RRSC. Trained reclamation personnel should conduct all work consistent with the Occupational Safety and Health Administration (OSHA), EPA, State, and other applicable requirements. The contractor should provide RRSC with a report of actions completed, any permits obtained, documentation of compliance, manifests/bills of lading demonstrating the reclaimed lead was delivered to a licensed recycling facility, and recycling certificates.

**Step 5:** Re-grade as appropriate the area from which shot is reclaimed, reface backstops, re-grade range floors, and re-establish vegetative ground cover as appropriate after reclamation consistent with other BMPs. See BMPs 9 and 13 for considerations in selecting vegetation.

**Step 6:** Remain current on developing technologies and operation and maintenance activities that might allow future increase in the size of the area from which shot can be reclaimed or the efficiency of shot reclamation. Consider such possibilities as clearing, grading, filling, culverting, and related activities in the shotfall area or appropriate portions of it, as well as new technologies. Periodically consult with one or more lead

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reclamation companies (Step 2) as part of an effort to remain current on optimizing shot reclamation on the shotgun venues and bullet reclamation on the rifle and pistol ranges.

#### ***Goal 3 Reuse, recycle, or dispose empty cartridge cases, shotgun hulls, and clay targets***

Beyond the environmental and economic benefits of reusing or recycling to the optimum extent, there is precedent for viewing empty cartridge cases found off range property as both litter and trespass. Appropriate maintenance minimizes possible concern about these materials, lead particles that might be associated with them, and substances that might have some slight potential to leach from them, as well as the possibility of these materials leaving the property. Even if allegations of leaching, litter, or trespass are not raised, cartridge cases are easily visible and can draw attention to the possibility of shooting-associated materials moving off range property. This can focus environmental attention on the range that it would otherwise not receive, which is an important reason to manage these materials.

**BMP 5:** Reuse, recycle, or dispose empty cartridge cases and shotgun hulls as part of ongoing operation and maintenance of the ranges as warranted, consistent with EPA (2005) guidance and other applicable Federal, State, and other environmental regulations and guidance. Among the benefits of collecting and managing these materials is that doing so helps minimize the accumulation of empty cartridge cases and shotgun hulls at the shooting positions where they might interfere with maintenance or cause a small but potentially serious safety risk of shooters tripping, slipping, or falling.

#### **REUSE or RECYCLE (Steps 1 - 4)**

**Step 1:** Determine the practicality, cost-effectiveness, benefits, and limitations of the following for RRSC, recognizing the potential for human exposure to lead that might be associated with the cases or hulls, or with dust generated during collection:

- Reusing empty cartridge cases or shotgun hulls collected by:
  - encouraging shooters to pick up empty cases or hulls for personal reuse or put them in appropriate containers for reuse by RRSC
  - range personnel collecting empty cases for placement in appropriate containers using specially designed commercial equipment such as, for example:
    - Ammo-Up, [www.ammoupusa.com](http://www.ammoupusa.com)
    - Brass Wizard, [www.uniquetek.com](http://www.uniquetek.com)
    - other methods as may seem appropriate

Keep in mind that the method of collecting cases and hulls must be reliable and efficient on the ground surface near the shooting positions where they accumulate, which may be irregular and loose. When evaluating collection options for these materials, consider whether the collection process may create a potential for human exposure to shooting-generated constituents such as microparticulate lead that might be associated with them, or with dust generated in the collection process.
- Recycling empty cartridge cases or shotgun hulls for their brass, steel, other metal, or plastic content, consistent with applicable recycling requirements.

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**Step 2:** Select process(es) for collecting empty cartridge cases and shotgun hulls to be reused or recycled if practical for RRSC or to be disposed. Test possible collection processes for the factors identified in Step 1 and select those most suitable for RRSC. Possible collection methods include range personnel collecting empty cases and hulls or putting them in appropriate containers using specially designed commercial equipment such as (for example and without recommendation):

- Ammo-Up ([www.ammoupusa.com](http://www.ammoupusa.com))
- Brass Wizard ([www.uniquetek.com](http://www.uniquetek.com))
- collection of steel cartridge cases using rolling magnetic scavengers designed to pick up steel scrap from factory floors
- other methods as may be appropriate

Keep in mind that the method of collecting cases and hulls must be reliable and efficient on the ground surface near the shooting positions where they accumulate, which may be irregular and loose. When evaluating collection options for cartridge cases and hulls, consider the possibility that microparticulate lead that might be associated with them and generation of dust in the collection process.

**Step 3:** If reuse or recycling empty cartridge cases or hulls is practical for RRSC, collect them as frequently as warranted based on accumulation, environmental implications, appearance, cost, and other relevant considerations. Take appropriate care to minimize excessive dust during collection. While awaiting advantageous circumstances for reuse or recycling, cartridge cases and hulls may be staged under shelter in watertight containers (e.g., steel drums with lids) labelled “Recyclable Material”.

**Step 4:** As soon as circumstances warrant, reuse or recycle empty cases and hulls. When they are transported to their intended destination, obtain bills of lading, certificates of recycling, names/locations of recycling facilities, etc. that demonstrate delivery consistent with Federal and State requirements. Maintain full documentation of reuse or recycling activities.

#### **DISPOSAL (Steps 5 - 8)**

**Step 5:** If reuse or recycling of empty cartridge cases or shotgun hulls (Steps 1-4) is impractical at RRSC, they must be disposed. Select a reputable company experienced in managing solid and hazardous waste. Work with that company to develop “profiles” of empty cartridge cases or shotgun hulls.

**Step 6:** Based on the profiles, have the selected company develop disposal plans for cartridge cases and/or shotgun hulls considering environmental factors, practicality, cost-effectiveness, benefits, and limitations consistent with applicable regulatory requirements, including staging on site, appropriate containers, efficient handling, any additional testing that may be warranted, etc. *If the profile indicates empty cartridge cases or shotgun hulls may exceed applicable waste management thresholds, obtain the services of legal counsel to consider U.S. and State waste management and recycling laws, regulations, policies, and procedures and guide further sampling, testing, and*

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*management of the material(s). Modify the following steps as appropriate as part of this consultation.*

**Step 7:** Collect empty cartridge cases and/or shotgun hulls (Step 2) as part of ongoing operation and maintenance as frequently as warranted consistent with the Step 6 disposal plans(s) based on accumulation, environmental implications, appearance, cost, and other relevant considerations. Determine whether it may be cost-effective to collect cases concurrently with reclamation of bullets or shot (BMP 4) so that multiple activities are conducted during one interruption of shooting. To the extent practical, limit generation of excessive dust during collection. If specified in the Step 6 disposal plans, cartridge cases and/or shotgun hulls may be temporarily staged on site in preparation for disposal. *However, recognize that long-term stockpiling of these materials or relocating them on-site without off-site disposal may constitute violation of waste management regulations; consult with the selected waste management company.*

**Step 8:** When warranted, implement the Step 6 disposal plan for empty cartridge cases and/or shotgun hulls. Obtain documentation (e.g., receipts, waste manifests, bills of lading) demonstrating proper handling, transportation, and delivery of the material(s) to a licensed waste disposal facility consistent with Federal and State requirements. Maintain full documentation of collection and disposal activities.

**BMP 6:** Determine whether asphalt pitch targets or biodegradable targets are best suited for RRSC, considering the implications of the polycyclic aromatic hydrocarbons (PAH) in pitch targets and the acidity of biodegradable target deposits. Dispose accumulations of the selected targets as part of ongoing operation and maintenance of the Trap Range and Sporting Clays Course as warranted, consistent with applicable Federal, State, and other environmental regulations. Among the benefits of collecting and managing target material is that doing so helps maintain a well-kept, aesthetically pleasing appearance on clay target venues, and reduces the possibility of target fragments washing onto adjoining property and calling attention to the range.

**Step 1:** Identify a reputable company licensed to manage solid and hazardous waste. Work with that company to develop “profiles” of accumulations of asphalt pitch target material and biodegradable target material based on TCLP (Toxicity Characteristic Leaching Procedure) analysis and other appropriate analyses of one or more composite samples of each type of target material. If possible, these samples should be collected from several locations on the RRSC Trap Range and Sporting Clays Course. The profile of target material, whether pitch or biodegradable, must consider that lead shot may be intermingled with the target material. *If the profiles indicate accumulations of either type of target material and intermingled lead shot may exceed applicable regulatory thresholds, obtain the services of counsel experienced in U.S. and State waste management and recycling laws, regulations, policies, and procedures to guide further sampling, testing, and management of targets.*

**Step 2:** Based on the profiles, have the waste management company develop plans for disposing asphalt pitch target fragments and/or an analogous plan for biodegradable target remains considering environmental factors, practicality, cost-effectiveness,

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benefits, and limitations consistent with applicable requirements, including storage on site, appropriate containers, efficient handling, any additional testing that may be warranted, etc.

**Step 3:** Identify likely methods of collecting asphalt pitch and/or biodegradable target remains, and consider testing various methods as necessary to determine the optimum method for each material at RRSC. Consider scraping or excavating with conventional earthmoving or lawn maintenance equipment, vacuuming, raking, and other possible methods. Collection methods may differ for asphalt pitch target fragments and biodegradable target remains. Keep in mind that the collection method must be reliable and efficient on the terrain and vegetation where targets accumulate. When evaluating collection options, consider the potential for human exposure to constituents such as polycyclic aromatic hydrocarbons (PAH) associated with asphalt pitch targets and the acidic nature of biodegradable target remains, as well as dust generated in the collection process.

**Step 4:** As frequently as warranted consistent with the Step 2 plan(s) based on accumulation, appearance, cost, and other relevant considerations, collect asphalt pitch target fragments and/or biodegradable target remains as part of ongoing operation and maintenance. *Recognize that relocating target remains or piling them up on site without off-site disposal may constitute violation of waste management regulations.* Determine whether it may be cost-effective to collect targets concurrently with reclamation of shot (BMP 4) so that multiple activities are conducted during one interruption of shooting. Take appropriate care to limit human exposure and excessive dust during collection.

**Step 5:** When warranted, have the waste management company implement the Step 2 plan to recycle or dispose of asphalt pitch target fragments and/or biodegradable target remains. If target fragments and target remains are managed differently under the Step 2 plans, it may be appropriate to manage these materials on different schedules. If target materials are recycled or disposed, have the company provide documentation (e.g., receipts, manifests, bills of lading) demonstrating proper handling, storage, transportation, and delivery of the materials to a licensed recycling or waste disposal company consistent with Federal and State requirements. Document and record collection and reuse, recycling, or disposal activities.

**Step 6:** After collecting target fragments, re-establish vegetative cover as appropriate to limit soil erosion. Considerations regarding appropriate vegetation related to BMPs 9 and 13 may be helpful.

**Step 7:** Remain informed about developments of alternative target formulations and their environmental implications, management requirements, shooter acceptance, cost-effectiveness, and other relevant considerations.

**Step 8:** If warranted, plan, schedule, and implement a switch to an alternative target formulation after collecting and managing target remains consistent with Steps 1- 7.

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#### ***Goal 4: Provide environmentally sound management of shooting venues***

Prudent range operation and maintenance warrant appropriate BMPs to compliment the site characteristics discussed in Sections 2.1 and 2.2 and help minimize potential chemical and physical mobility of particulate and dissolved lead and other metals that may weather from bullets or shot, perhaps including steel shot.

Lead at shooting ranges is not volatile, and potential exposure to micro-particulate lead released from the muzzle when shots are fired is very low on outdoor ranges due to the wind and air circulation. However, there is at least a potential that exposure to lead on outdoor ranges could occur through inhalation of dust containing lead. In light of the nature of most outdoor range operation and maintenance activities, this potential is generally low for shooters, observers, people off the range, etc. The potential for exposure to lead by range operation and maintenance workers is addressed in BMP 10 and for shooters, observers, people off the range, etc. is addressed in BMP 11.

**BMP 7:** Periodically measure the soil pH on the ranges. If warranted, take steps toward maintaining the soil pH between 6.5 and 8.5, which is the soil pH recommended at shooting ranges by EPA (2005) and NSSF (1997) to minimize the potential for metals to enter surface water or groundwater in dissolved form.

**Step 1:** Periodically measure the pH of soil on the rifle/pistol range backstops and range floors and throughout the shotfall area consistent with the guidance in Appendix C. For purposes of this ESP, it is appropriate to measure, and manage as appropriate, the pH of surficial soil (i.e., approximately the top 4 to perhaps 6 inches of soil). On shotfall areas and range floors this depth contains almost all lead. Soil on a backstop tends to become mixed over time to the depth of bullet penetration, which mixes in any material added to adjust pH. The material added to surficial soil to adjust pH dissolves in water and is carried deeper into the backstop, range floor, and shotfall area soil by infiltrating precipitation. Therefore, measurement (and management if appropriate) of surficial soil pH is usually sufficient because it addresses soil most likely to contain lead due to impact of shot and bullets, fragmentation of bullets from shooting, reincorporation of material from which lead has to be reclaimed, and weathering of bullets and shot.

**Step 2:** Determine whether the typical soil pH is between pH 6.5 and pH 8.5 as recommended by EPA (2005). See Appendix C for guidance on soil pH measurement and management, including the Worksheet 1 spreadsheet for recording and correct averaging of pH data (which are logarithmic and must be averaged as such).

**Step 3:** If the typical soil of any range or shotfall area is within the recommended pH range of 6.5 to 8.5, which Section 2.2 indicates may be the case at RRSC, pH management is not warranted. However, periodic monitoring should be conducted as described in Appendix C and Worksheet 1 to document conditions and identify any change that might warrant pH management.

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**Step 4:** If the typical soil pH is not within the range recommended by EPA (2005), identify the appropriate material, amount, and application rate to raise soil pH into the recommended range in consultation with resources such as those identified below. Agricultural lime is commonly used to raise soil pH (i.e., make soil less acidic), although other materials may be used if indicated by site circumstances.

- Appropriate State agencies
- U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS).
- local college or university agriculture departments
- knowledgeable nurseries or horticulturalists

**Step 5:** Determine the optimal form(s) and application method(s) for the material to be used to adjust and maintain typical soil pH within the recommended range, determine the necessary steps, and schedule application. Points to consider include:

- Lime contains varying amounts of calcium and magnesium plus other materials. The exact makeup of the liming product and the fineness to which it is ground influence its
  - acid neutralizing capacity
  - the speed with which it will exert its effect
  - cost
- The resistance of soil to pH change, or the soil buffering capacity, is important to estimating the amount of a specific liming product required to bring the soil to the desired pH.
- Soil pH adjustment is not a precise process and precision is neither necessary nor advantageous. The objective is merely that the adjusted long-term average pH of surficial soil remains between pH 6.5 and 8.5 (EPA 2005, NSSF 1997). Additional applications can be made until the objective is achieved and subsequently maintained. This process can be refined as site-specific experience is gained through implementation.
- Avoid application of excess lime because reversal of effects is difficult. Under most conditions it is good to apply the estimated amount and monitor soil pH approximately semi-annually for 1 to 2 years before deciding whether another lime application is appropriate, and if so, how much.
- Lime has low solubility and exerts its effect slowly. It is usually most effective to adjust soil pH with fine powered or pelletized lime, and switch to coarser lime for maintenance after the desired soil pH is approached. Maximum granular size should not exceed ¼ inch on rifle/pistol venues to avoid possible interference with lead reclamation.
- Standard agricultural or turf management equipment may be useful for lime application where terrain and vegetation allow.
- Where practical, working lime into surficial soil increases the speed with which it affects soil likely to contain the most lead, and minimizes potential loss by erosion. On rifle/pistol range floors, most lead tends to be in the surficial few inches of soil and working lime to this depth is sufficient unless site characteristics indicate otherwise. Bullets penetrate deeper into backstops and it is

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generally appropriate to work lime approximately a foot into the faces of backstops, recognizing that precipitation and bullet penetration will gradually carry it deeper.

**Step 6:** Establish a routine monitoring and management program to measure soil pH and maintain records of soil pH measurement and results to document that typical soil pH remains between 6.5 and 8.5, and to determine when it may again be necessary to bring surficial soil pH back within the recommended range.

**Step 7:** If biodegradable targets are selected in BMP 6 for use at RRSC, accumulations of biodegradable target remains should be managed as described in BMP 7 Steps 1 - 4 to maintain acceptable pH in the accumulations. Management of biodegradable target remains (see Step 5) is likely to require more frequent monitoring and more frequent application of larger amounts of material used to adjust pH than necessary for soil.

**BMP 8:** As warranted and to the extent practical consistent with site topography, soil types, vegetation, other site characteristics, applicable State and local stormwater management regulations, and permitting considerations, install and maintain structures to limit:

- the amount of runoff from upslope that enters areas where lead may be present
- the potential for surface runoff and soil erosion to carry particles off the property
- standing water in areas where lead may be present, helping to minimize the time water is in contact with lead and thereby reducing the potential dissolution of lead

**Step 1:** Consult with counsel and an environmental scientist or engineer with detailed knowledge of State and local stormwater regulations, their interpretation and application, and their implications on practical implementation and compliance. With their guidance activities of this BMP can be designed, constructed, operated, and maintained consistent with the regulations to accomplish BMP purposes without excessive stormwater permitting requirements.

**Step 2:** Observe the terrain on and upslope of the shotfall areas and the rifle/pistol ranges to identify topographical lows along which runoff moves onto and across areas that may contain lead. Identify topographical lows and runoff movement after an extended wet period. Both grading and constructing berms and swales across these lows upslope of areas that may contain lead can help divert runoff from lead. Detention basins and/or small check dams constructed and maintained in these lows on the shotfall area will help retain lead particles, target fragments, and soil. Detention basins should be constructed adjacent to rifle/pistol ranges in places where surface water runs off range floors, but not directly on the range floors.

**Step 3:** Determine the appropriate locations and sizes for berms/swales and detention basins to be constructed in these topographical lows. Small check dams appropriately spaced and maintained would prevent lead-laden sediment from migrating to other portions of the facility. For detention basins to operate effectively for sedimentation, their

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size will be determined by the volume of runoff each basin must accommodate. In general:

- Berms and swales that divert runoff from upslope around areas with lead reduce the volumes of water and sediment that detention basins (on or relatively short distances downgradient of these areas) need to accommodate.
- The nearer detention basins are to lead deposits, the more effectively they are likely to capture lead particles.
- It is important that detention basins are located, sized, and designed to detain runoff long enough to optimize settling of small particles during high runoff.
- Optimized settling is often easier to achieve with small detention basins or check dams on multiple small runoff pathways than with fewer larger basins on larger drainages that carry relatively larger flows, particularly on steeper slopes.
- Wherever riprap is called for, the use of limestone will help neutralize acidic water and thus reduce the tendency for lead dissolution.

**Step 4:** Design and construct berms, swales, check dams and detention basins sized to function effectively as settling areas, but retain standing water for a sufficiently short time after precipitation ceases that they do not take on the appearance or classification of wetlands.

**Step 5:** After grading and constructing berms, swales, check dams and detention areas, re-establish and maintain vegetative ground cover as appropriate consistent with other BMPs. Guidance on ground cover vegetation in BMPs 9 and 13 may be helpful.

**Step 6:** Maintain the effectiveness of the drainage swales, check dams and detention basins as necessary. If not properly maintained, these structures will lose their effectiveness in retaining particles as they fill with accumulated soil, which will need to be removed periodically. If the detention basins do not gradually fill with settled material, they are being flushed by unusually high runoff flow, or they are not positioned, sized, and/or designed properly to accomplish their intended purpose. Material removed from the detention basins and drainage swales for operation and maintenance is likely to contain some lead particles, and consistent with EPA (2005) guidance can be:

- replaced on the shotfall area, backstops, and/or range floors from which it originated and where it will be included in management activities and the next reclaiming and recycling operation  
or
- disposed off-site, with appropriate testing and handling, as solid waste or hazardous waste. Consult with the waste management company identified in BMPs 5 and 6 to determine the optimum management for RRSC of the material removed from settling areas

**BMP 9:** To the extent practical, considering climate, topography, soil type, etc., maintain ground cover vegetation on the shotfall areas and the rifle/pistol backstops, side berms, and range floors. This will help reduce the potential for shooting-associated materials to be carried away by surface runoff.

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**Step 1:** Determine appropriate extent and types of ground cover vegetation to be maintained on different portions of the shotfall areas and the rifle/pistol ranges. Consult with knowledgeable nurseries or horticulturalists, local college or university horticulture departments, or other reliable sources. Consider possible vegetation in relation to method, speed, and reliability of establishment, ability to hold soil, ability to slow sheet flow of runoff, fertilizer requirements, sunlight requirements, drought tolerance, mowing needs, etc. consistent with the objectives of this and other BMPs. Different types of ground cover vegetation may be appropriate for various areas.

**Step 2:** Determine optimal methods and schedule for establishing vegetation of the desired types in various areas.

**Step 3:** Implement the selected methods to shift the vegetation types.

**Step 4:** Implement appropriate operation and maintenance activities to maintain the desired vegetation on the shotfall areas and the rifle/pistol ranges.

**BMP 10:** Conduct an Initial Determination for lead exposure in accordance with the Federal Occupational Safety and Health Administration (OSHA) regulations in the Code of Federal Regulations Volume 29, Section 1910.1025. (29CFR1910.1025 (d)(2)). The purpose is to determine whether workers<sup>2</sup> (which may include volunteers) on any shooting venue are being exposed to lead at or in excess of the action level. The range workers whose typical workday activities make them likely to be the most highly exposed to lead should be evaluated. These are usually either Range Officers, who are typically present on a range for extended periods of time, or range operation and maintenance personnel, especially those involved in mowing or maintaining vegetation. Even though lead at ranges is not volatile, lead inhalation could potentially occur through inhalation of micro-particulate lead released from the muzzle of firearms from primer compounds and barrel friction, dust and microparticulate lead disturbed by operation and maintenance activities, and related sources. This is addressed in BMP 11, as is the possibility of exposure to lead on the firing line.

**Step 1:** Contract with a safety and health specialist (i.e., a certified industrial hygienist [CIH] or other qualified professional) experienced specifically in lead exposure at shooting ranges to assist in implementing this BMP.

**Step 2:** Evaluate job descriptions and work activities with the safety and health specialist to identify the range worker (including volunteer) activities most likely to result in

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<sup>2</sup> OSHA regulations do not apply to everyone at the range, only to “workers”, which may include anyone receiving any sort of compensation, supervision, or work instruction, and thus may include volunteer workers. However, if a range is a corporation with one or more workers, all corporation officers and workers are covered by OSHA (29 CFR 1975.4). In many situations lead overexposure becomes an issue for a range when someone becomes ill or is otherwise discovered to have elevated lead many years after association with the range but considers activities at the range to be a possible contributor. Even in cases where OSHA regulations may not apply, the National Rifle Association (NRA 2012) suggests using OSHA regulations as guidelines to optimize safe range operation and protect both range personnel and management.

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exposure to lead on each shooting venue. For an OSHA Initial Determination, if the worker(s) most likely exposed to lead does not exceed the action level, it can be assumed that other workers do not exceed the action level.

**Step 3:** With the safety and health specialist, evaluate these activities as conducted during typical work shifts to identify those most likely to contribute to overexposure to lead. Initiate appropriate permanent modifications to those activities, or to worker assignments or schedules (e.g. administrative and work practice controls) to reduce potential lead overexposure of workers before conducting the Initial Determination.

**Step 4:** Have the safety and health specialist conduct personal air sampling according to OSHA protocol on those considered to be the most highly exposed worker(s) on each shooting venue throughout an entire workday of typical activities (i.e., not including infrequent activities with either unusually high or unusually low potential for lead exposure). At the end of the sampling period, have the samples analyzed by a qualified laboratory to determine inhaled lead. It is best to sample throughout an entire workday rather than to sample a portion of the day and extrapolate the results to 8 hours.

**Step 5:** Have the safety and health specialist evaluate the data in relation to relevant OSHA requirements.

**Step 5a:** If test results show the most highly exposed worker(s) does not exceed the OSHA action level, no additional testing would be required. Re-evaluation would be necessary if there were a change in conditions or activities in the future and if the range operator believes those changes would result in increased exposure to lead. However, overall lead exposure should be considered. The required Initial Determination will not determine whether workers are being exposed to lead due to ingestion. A qualified safety and health specialist experienced in shooting range operation will assist in determining which activities may result in overexposure to lead by means other than inhalation.

**Step 5b:** If test results reveal the most highly exposed worker(s) exceeds the OSHA action level, operation and maintenance activities should be modified under the direction of the safety and health specialist in accordance with applicable OSHA regulations. Such modifications may include, for example and without limitation, further air sampling, blood testing, worker notification, and recordkeeping. Other workers may need to be evaluated.

**Step 6:** If warranted, identify, evaluate, select, schedule, and implement range operation and maintenance steps to reduce lead exposure.

**Step 7:** Maintain records of the Initial Determination in accordance with OSHA requirements. The safety and health specialist that conducts the Initial Determination can provide these records.

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**Step 8.** Periodically re-evaluate job descriptions and work activities to remain current on identification of the most highly exposed worker(s) and guard against increased inhalation of lead.

**BMP 11:** Consider determining the potential of lead overexposure for shooters, Club members, range visitors, and perhaps neighbors close to ranges, and managing such potential(s) as appropriate consistent with applicable regulations.

**Step 1:** Consider contracting with the safety and health specialist identified in BMP 10 Step 1 to assist in implementing this BMP.

**Step 2:** Inform Range Officers<sup>3</sup> and shooters that there is at least the possibility of overexposure to lead through various routes, including:

- lead inhalation, even though lead at ranges is not volatile, through inhalation of micro-particulate lead released from the muzzle when shots are fired
- inhalation of lead-containing dust suspended by wind, shooter activity, or range construction, operation, or maintenance activities
- lead dust on shooters' shoes and clothes being carried into and accumulating in range buildings and shooters' vehicles and homes; either of which could create a possibility of secondary exposure by range visitors or shooters and their families
- lead on shooting benches being ingested by shooters through uninformed hygiene (e.g., eating or smoking at shooting benches, or without first washing their hands)

**Step 3:** Inform Range Officers and shooters of possible ways to reduce potential lead overexposure identified in Step 1, including for example and without limitation such things as:

- Not smoking or eating at shooting benches
- Washing hands promptly
  - after leaving the firing line
  - before smoking or eating
- Changing shoes and clothes promptly after leaving the firing line
- Washing clothes worn at the range promptly after each range visit
- Wearing their range shoes only on the firing line
- Use of 'tacky pads' and 'D-lead' wipes where appropriate

**Step 4:** Institute education measures to remind Range Officers and shooters of the information from Steps 1 and 2, considering such things as:

- Signs and posters on shooting pavilions, eating areas, restrooms, and other appropriate locations
- Articles in club newsletters
- Consider having members take an on-line 'lead awareness' class.
- Other means as may be appropriate

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<sup>3</sup> In cases where OSHA regulations apply, 29 CFR 1910.1025(i)(1) may require training rather than merely informing.

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**Step 5:** Institute range operations and maintenance measures to limit potential shooter overexposure to lead, including for example and without limitation such things as:

- Maintain vegetative ground cover as appropriate on the shotfall area and the rifle/pistol ranges consistent with other BMPs, which will help to minimize airborne dust
- Routinely clean shooting benches, paved walkways on ranges, firing lines, and shotgun venues, etc. with products designed for this purpose (e.g., Esca Tech, Inc.)
- Consider providing materials to encourage shooters' hygiene, such as:
  - hand wipes designed to remove lead close to firing lines and on shotgun venues
  - floor mats near firing lines and shotgun shooting positions or entrances to buildings to help remove dust and mud from shoes, especially mats designed specifically for this purpose

**BMP 12:** Remain current on advances in shot and bullets made of materials other than lead, and evaluate requiring their use as warranted. Initiating requirement for exclusive use of "non-toxic" shot or bullets would greatly reduce future environmental concerns, liabilities, and management needs, although existing accumulations of lead would continue to require management per these BMPs. If environmental concerns were to be raised about shooting at RRSC, use of "non-toxic" shot or bullets would likely be regarded as a positive step by regulatory authorities.

**Step 1:** Periodically investigate and remain current on issues related to requiring use of shot or bullets of materials other than lead and advances in such ammunition relative to use at RRSC.

**Step 2:** If ever warranted by sound environmental, training, and other considerations, institute requirement for use of shot or bullets of material(s) other than lead concurrent with use of lead, or exclusive use of shot or bullets of material(s) other than lead at RRSC.

#### ***Goal 5: Discourage ingestion of lead by birds and wildlife***

In general, shot is not attractive to wildlife other than seed-eating birds, and the frequency and consequences of incidental shot ingestion tend to be minimal. Seed-eating birds may possibly ingest shot incidentally, either as grit for the gizzard or mistaking it for seed if they feed in shotfall areas. As seeds are crushed in the gizzard as part of the digestive process, lead shot in the gizzard can be abraded and the minute lead particles dissolved in the stomach acid, which can result in lead poisoning. Although this phenomenon was first widely recognized in waterfowl, it has the potential to occur in any bird with a gizzard. Prudent management warrants minimizing the potential for incidental ingestion of lead particles by seed-eating birds at RRSC. Except perhaps in unusual circumstances, bird and wildlife ingestion of bullets or inhalation of lead dust have not been identified as major concerns.

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**BMP 13:** Maintain conditions not attractive to seed-eating birds *on* shotfall areas, and attractive to seed-eating birds *outside* the shotfall areas. It is possible that seed-eating birds may incidentally ingest shot if they feed where lead shot is present. Feeding of seed-eating birds tends to be least in densely wooded areas with little seed-producing grasses, weeds, brush, and other such vegetation. Seed-eating birds also tend to feed less where grass is thick with few bare spots and is maintained tall enough to conceal predators yet is not allowed to develop seeds that might be attractive as food (e.g., resembling a lawn mowed high only a few times a year). Such areas tend not to be attractive to seed-eating birds for feeding, and thereby reduce the potential for them to incidentally ingest shot. Recognize that “attractive” is a relative term in this context, and that occasionally some birds will feed to some extent even in “unattractive” areas. The intent of this BMP is to reduce from a long-term perspective the number of birds feeding in the presence of shot, and the frequency and duration with which they do so.

**Step 1:** Identify seed-eating birds that typically frequent the RRSC ranges in different seasons, and appropriate types of vegetation to:

- reduce the attractiveness of the shotfall areas
- increase the attractiveness of areas where lead is not present. Consider method, speed, and reliability of establishment, ability to hold soil, ability to slow sheet flow of runoff, fertilizer requirements, drought tolerance, and other operation and maintenance requirements consistent with conditions in the shotfall area and the objectives of other BMPs. Different types of vegetation may be appropriate for various portions of the different areas.

**Step 2:** Select areas where lead is not present for enhancement of attractiveness to seed-eating birds.

**Step 3:** Determine optimal methods and schedule for establishing and maintaining the desired types of vegetation in various areas.

**Step 4:** Implement the selected methods to establish the desired types of vegetation in various areas in coordination with other BMPs.

**Step 5:** Implement appropriate operation and maintenance activities to maintain the desired vegetation.

#### ***Goal 6: Anticipate the possibility of future change in use of the property***

RRSC intends to operate a modern shooting venue on this site for many years. Ongoing success will depend on a multitude of factors, a few of which include changes in the local community, sound business practices, and operation and maintenance consistent with an up-to-date ESP based on environmental science and engineering, laws, and regulations. Because many of the components of ongoing success are subject to change in ways that can be foreseen only in the most general terms, it behooves RRSC to recognize in its comprehensive long-term planning that at some unknown future time cessation of shooting on the property may warrant consideration. From an environmental perspective, the ongoing operation and maintenance practices of the

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evolving ESP (see BMP 15) will also be helpful if RRSC considers cessation of shooting on the property. To further prepare for this potentiality, RRSC should consider the following.

**BMP 14:** With the assistance of counsel familiar with State land use laws and regulations, maintain an awareness of the requirements and procedures of State laws and regulations that, at some unknown future time, may apply if RRSC decides to cease shooting on one or more ranges, thereby changing the land use.

**Step 1:** Identify the current State and local requirements and procedures applicable to closing an outdoor shooting range and changing the land use. While current State and local requirements and procedures will almost certainly evolve before RRSC may consider closing ranges, they likely provide the best available present indication of future requirements and procedures.

**Step 2:** Develop a general familiarity with the current process of closing an outdoor shooting range and changing the land use, and remain current with major changes in the requirements and procedures.

**Step 3:** Outline the major procedural, administrative, and operational steps involved in closure and change of land use.

**Step 4:** Develop and maintain an up-to-date general approximation of the major activities and costs likely to be involved in closure and change of land use. Keeping the outline of procedures and costs up-to-date as appropriate will provide a realistic overview of what will likely be required as the business realities of the possibility of closing a range draw nearer.

**Step 5:** Establish an ongoing program of setting aside and accumulating funds for closing the range(s) and changing the land use if this should become appropriate. Incorporate this plan into the RRSC Business Plan.

### ***Goal 7: Maintain these BMPs as an up-to-date “living” document***

The initial ESP was developed pro-actively on the initiative of RRSC with the expectation that it would be reviewed and revised as appropriate based on implementation experience and evolving conditions and circumstances. Implementation experience, advancing technology, revised regulations, and other changing conditions may identify better operation and maintenance steps for implementing BMPs, or other activities that may be appropriate. RRSC should modify and update this ESP as appropriate to remain current with the state-of-the-practice of environmental operation and maintenance of outdoor shooting ranges.

**BMP 15:** RRSC management will annually review ESP implementation and adopt updates and revisions that may include modifications to optimize overall efficiency and effectiveness of operation and maintenance procedures.

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**Step 1:** RRSC management will maintain overall responsibility for implementation of the ESP, and will establish a schedule for implementation for each BMP and assign implementation responsibility to appropriate individuals (see Appendices D and E for examples).

**Step 2:** At least annually evaluate and revise the ESP as appropriate by considering and addressing relevant issues, including but not limited to such things as:

- which steps of the BMPs were fully achieved, partially achieved, not achieved, and not yet addressed
- lessons learned through implementation experience with the BMPs, including topics that may require improvement
- which steps can be combined or conducted with better efficiency and effect
- what steps (if any) are no longer appropriate
- what steps (if any) should be added
- changes that have occurred in the construction and operation of the ranges, government regulations, new environmental considerations, etc. that may warrant revisions to the ESP
- advances in science and technology (including bullet materials) that can be practically and advantageously implemented
- any other issues appropriate to be considered for the improvement and implementation of the ESP

**Step 3:** Prepare updated ESP guidance for the coming year, including formal acceptance by RRSC management for implementation.

**BMP 16:** RRSC management will maintain records of ESP activities. This will serve as the basis for completion of BMP 15 and may be useful if legal or regulatory issues related to the ESP arise.

**Step 1:** RRSC management, in consultation with counsel, will develop processes and criteria for identifying material and information necessary to describe and document plans, responsibilities, schedules, activities, accomplishments, expenditures, reasons for revisions, and other information relevant to the ESP and its implementation.

**Step 2:** RRSC management will develop and implement a plan for collecting, organizing, and maintaining the material and information identified in Step 1, including long-term security of these archives. See Section 5 and Appendix F.

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### **4.0 SCHEDULE AND RESPONSIBILITIES**

This document is consistent with, and constitutes RRSC's site-specific plan for implementing, the environmental management guidance of EPA (2005), NSSF (1997), and NRA (2012) at the RRSC shooting venues described above. Section 1 presents environmental goals to be achieved in implementing the EPA guidance. Section 2 describes the shooting venues, activities, and materials, and present environmental site conditions relevant to the goals in the context of these venues, activities, and materials. Section 3 presents specific best management practices to achieve the goals under the specific site conditions. Implementation of this ESP by RRSC in its management, operations, and maintenance will demonstrate good-faith pro-active efforts to protect the environment consistent with applicable guidance.

The schedule (Appendix D) and responsibilities (Appendix E) for BMP implementation were considered appropriate at the time of development of the ESP.

## **5.0 MEASURING SUCCESS**

It is important not only to implement this ESP but also to determine the success in achieving the objectives and to maintain records documenting the success. These records will provide the basis for updating and refining the ESP as discussed in BMP 13, and will be useful if RRSC ever finds it desirable to document its environmental stewardship activities.

Appropriate approaches to measuring success will be developed by the RRSC operation and maintenance personnel responsible for implementation of each activity, including detailed procedures as necessary for measuring and documenting success and for determining appropriate refinements. Measurement and documentation approaches may include such things as:

- records such as designs, requests for bids, invoices, checks, receipts, dated before-and-after photographs, etc.
- records that demonstrate the need and the completion of specific BMPs (e.g., pH monitoring records)
- records of vegetation management
- records of the factors considered in making decisions
- descriptions of the development of cost estimates, etc.

Appendix F provides some considerations to indicate the types of topics that might be included in recordkeeping. Appendix F does not address all topics on which records should be kept, but provides examples of a few topics to prompt thinking about additional topics on which records should be kept. It is impossible to predict exactly what information on which topic may become important in the future, it is usually better that records include as many topics and as much detail as practical.

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### 6.0 REFERENCES

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**APPENDIX A**

**CONSIDERATIONS FOR LEAD  
RECLAIMING AND RECYCLING**

## **CONSIDERATIONS FOR LEAD RECLAIMING AND RECYCLING**

Reclaiming and recycling lead from shooting ranges has multiple benefits, important among which are:

- Environmental benefits associated with minimizing the quantity of lead that could interact with the environment as described in these BMPs
- Safety benefits associated with minimizing the possibility of ricochets off previously fired bullets
- Regulatory benefits associated with avoiding “waste” as discussed below, and with managing lead consistent with the EPA (2005) guidance on appropriate implementation of this agency’s own regulations as they apply to outdoor shooting ranges
- Public perception benefits associated with recycling and with pro-active implementation of the EPA (2005) guidance
- Financial benefits associated with income from recycling, and with minimizing potential liabilities

Ranges are encouraged to reclaim and recycle lead consistent with EPA (2005) guidance, which range personnel should carefully review. In much abbreviated summary, the EPA (2005) guidance is to make it an ongoing part of range operation and maintenance to reclaim and recycle lead (BMP 4) as frequently as can be justified, and between reclamation activities to manage the areas containing lead as appropriate (other BMPs) to minimize physical and chemical mobility of lead and other shooting-associated materials.

In the past, the primary motivation for lead recycling was typically the financial value of the reclaimed lead. However, at present, the overwhelmingly most important reason is that recycling is the cornerstone of the EPA (2005) guidance and is key to minimizing the potential for major legal and financial liabilities that can be associated with inadequate lead management.

The appropriate frequency of lead recycling is determined by the range’s need to obtain the combination of benefits summarized above, consistent with ongoing range operations. Because the need to obtain various benefits, environmental conditions, range use, operational circumstances, reclamation technologies, lead market conditions, regulations, and other relevant factors vary over time, the appropriate intervals between lead reclamations:

- are not specified by EPA (2005) or NSSF (1997)
- cannot be specified in this BMP document
- are likely to vary between ranges and even at a single range from time to time

The EPA (2005) guidance is clear that lead recycling should be conducted as part of range maintenance at an appropriate frequency considering range-specific environmental and operational conditions. The EPA (2005) guidance is explicit that the appropriate frequency depends on range-specific environmental conditions, and clearly implies in several places that the appropriate frequency also depends on site-specific operational conditions including cost. Although the primary goal of lead recycling is to minimize potential for adverse environmental

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effects, frequency at each range is to be determined in consideration of both environmental and operational factors including cost.

In recycling spent ammunition, environmental benefits are important, and cost is also important. Both considerations are real, legitimate, and incomplete without proper recognition of the other:

- The cost of lead recycling should not become an excuse for delaying the environmental benefits of recycling as frequently as can be justified in light of both environmental and financial, as well as safety, considerations.
- The environmental benefits of lead recycling should not become an excuse for recycling more frequently than can be justified in light of both financial and environmental, as well as safety, considerations.

To over-emphasize either financial or environmental considerations is counterproductive, detrimental, and ultimately unsustainable.

The extent to which the benefits summarized above can be obtained can only be estimated in conjunction with a qualified lead reclamation company. The size of a range, site conditions, and the intensity of its use determine the intervals at which the range should contact qualified lead reclamation companies about possible reclaiming and recycling:

- large/intensely used ranges at approximately 1 to 2-year intervals
- most ranges of moderate size/intensity of use at approximately 3 to 5-year intervals
- small/lightly used ranges at intervals of 5 to 8 years

Experience will soon allow RRSC to adjust the intervals between considerations of recycling as appropriate for its specific conditions. A range may find that under its site-specific conditions recycling shot is warranted at different intervals than recycling bullets.

Recycling shot is routinely practical only from areas not wooded, wet, or too rugged for operation of the necessary equipment. If site conditions allow the necessary equipment to operate where most shot accumulates (generally about 375 to 600 feet from shooters [NSSF 1997]), reclamation at appropriate intervals provides the benefits summarized above. Experience indicates that some shotgun ranges conducive to efficient shot reclamation may expect to receive income in excess of costs from recycling lead shot at appropriate intervals. Although this generalization may be indicative, the only way a range can reliably estimate the appropriate timing of recycling shot is through discussions consistent with BMP 4 with well-qualified lead reclamation companies

The quantity of bullets typically recyclable from primarily recreational rifle/pistol ranges depends on the intensity and type of use among other variables, and cannot reliably be generalized. However, the quantity of bullets recyclable from many such ranges is typically not sufficient to offset the costs of reclaiming, processing, containers, transportation, equipment, labor, insurance, etc. Therefore, experience indicates that recycling bullets from primarily recreational outdoor rifle/pistol ranges, particularly relatively small, lightly used ranges, may produce some financial return but is not likely to pay for itself with income in excess of costs. Although this generalization may be indicative, the only way a range can reliably estimate the finances and appropriate timing of recycling bullets is through discussions consistent with BMP 4 with well-qualified lead reclamation companies.

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It is always to the advantage of a range to schedule reclamation and recycling well before the need becomes acute. Therefore, RRSC management should contact candidate reclamation companies when management first considers that the time to reap the benefits identified above may be approaching. It is not unusual for months to elapse between the first contact with a reclamation company and conduct of reclamation activities. Experience will soon allow RRSC to estimate the intervals between reclamation activities as appropriate for its specific conditions.

## **APPENDIX B**

### **CONSIDERATIONS IN SELECTING A COMPANY TO RECLAIM LEAD**

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### APPENDIX B

#### CHECKLIST OF CONSIDERATIONS IN SELECTING A COMPANY TO RECLAIM LEAD

| Company |   |   |   | Criteria                                                                                                | Importance                                                                                                                                                                                                                                                    |
|---------|---|---|---|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A       | B | C | D |                                                                                                         |                                                                                                                                                                                                                                                               |
|         |   |   |   | Company has established operating history of lead reclamation of at least 5 years and references        | <b>Lowers performance risk</b> - ensures proper contractor business registration and lowers risk of uncompleted or unsatisfactory work                                                                                                                        |
|         |   |   |   | Company uses state-of-the-art lead recovery and separation equipment                                    | <b>Increases lead value</b> – processes produce the cleanest lead possible, maximizing lead value to range                                                                                                                                                    |
|         |   |   |   | Company is of substantial size, including multiple crews and equipment                                  | <b>Ensures project completion</b> - determines company's ability to handle weather delays, equipment breakdowns, or worker issues allowing for on-schedule completion                                                                                         |
|         |   |   |   | Written health & safety plan, worker training certificates, with track record of OSHA compliance        | <b>Limits potential workers' compensation suits involving range</b> - ensures workers are properly trained, documented, and protected                                                                                                                         |
|         |   |   |   | Contract with range has liability indemnification clause                                                | <b>Protects range owners and/or club</b> - lawsuits, while unlikely, might arise in conjunction with services provided                                                                                                                                        |
|         |   |   |   | Submittal of company's insurance certificate naming range as additional insured                         | <b>Standard contractor submittal</b> - provides proof of insurance protection, usually desired by range insurance provider; typical for contractors                                                                                                           |
|         |   |   |   | \$2 million+ minimum General Liability (GL) and Lead Pollution Liability (PL) coverage                  | <b>Protects range assets</b> - GL provides in event of an accident, damage to the facility, or injury; PL covers all potential damages that could result from the mishandling of lead and environmental issues                                                |
|         |   |   |   | \$1 million minimum workers' compensation and auto insurance                                            | <b>Protects range assets</b> - provides range owners protection from contractor's employees suing range for injuries, short- or long-term disabilities, and against any auto damages or accidents while on site                                               |
|         |   |   |   | Licensed lead recycler with certificate to recycle                                                      | <b>Range protection against fines</b> - provides required documents to validate proper lead disposal & recycling required by EPA and state agencies                                                                                                           |
|         |   |   |   | Knowledge of state and federal lead environmental laws and guidelines recommended by EPA, NRA, and NSSF | <b>Avoids future environmental issues and fines</b> - knowledgeable contractors will have training and experience to properly handle the lead in soils, avoiding generating hazardous waste and assisting the club with maintaining best management practices |
|         |   |   |   | Has relationships with several companies that either smelt or recycle lead                              | <b>Optimizes return on the recycled lead</b> while minimizing environmental liabilities                                                                                                                                                                       |
|         |   |   |   | Documented understanding of range design and usage and their impact on lead reclamation                 | <b>Ensures correct equipment/resource allocation</b> and assistance to owner with effective and efficient project performance                                                                                                                                 |

## **APPENDIX C**

### **GUIDANCE FOR SOIL pH MEASUREMENT AND MANAGEMENT**

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#### GUIDANCE FOR SOIL pH MEASUREMENT AND MANAGEMENT

The following procedures are acceptable for measuring and managing the pH of surficial soil at RRSC. Soil pH measurements may be made in the field using a quality soil pH meter available from scientific or horticultural equipment firms (e.g., Kelway Soil Acidity & Moisture Meter, or similar instrument). Where soil pH near 7 may be encountered, the meter must be capable of measuring pH above as well as below this value. Following meter maintenance and operation directions, take a reading at each location every sampling period.

Because natural soil pH fluctuates somewhat over time and responds slowly to pH adjustment efforts, frequent soil pH measurements are usually neither necessary nor advantageous. Begin by monitoring surficial soil pH at intervals of approximately six months. Soil pH measurements should be made when the soil is neither completely desiccated nor saturated with water. If data from the first two monitoring periods indicate:

- Surficial soil pH is within the range recommended by EPA (2005) and NSSF (1997) and therefore adjustments are not warranted, soil pH monitoring may be reduced to intervals of several years to confirm that conditions have not changed.
- Surficial soil pH is not within the range recommended by EPA (2005) and NSSF (1997) and therefore adjustments are warranted, initiate soil pH adjustment efforts as discussed below. Continue monitoring at approximately semi-annual intervals through a series of gradual cycle of adjustments bringing soil pH into the recommended range, natural site conditions offsetting the adjustments, and adjustments having to be repeated. Such cycles of one to several years' duration are characteristic of soil pH adjustment efforts and should be expected.

At each monitoring period, surficial soil pH measurements should be made at the following locations at RRSC:

- Long Range
  - Firing line: 2 or more locations scattered generally parallel to and approximately 10 yards downrange of the firing line
  - Range floor: 2 or more locations scattered near each target line
  - Backstop: 2 or more locations scattered within the bullet impact area, i.e., where the backstop face is disturbed by the impact of bullets
- Short Range
  - Each firing line: 2 or more locations scattered generally parallel to and approximately 10 yards downrange of the firing lines
  - Each range floor: 2 or more locations scattered near the target line
  - Each backstop: 2 or more locations scattered within the bullet impact area
- Target Range
  - Range floor: 2 or more locations scattered parallel to and approximately 10 yards downrange of the firing line
  - Backstop: 2 or more locations scattered within the bullet impact area

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- Trap Range
  - One or more locations approximately 50 yards downrange from each field's shooting positions
  - Approximately 4 or more locations scattered throughout the shotfall area, with emphasis on the area of maximum likely shot deposition approximately 375 to 600 feet downrange from the shooting positions (see trap field discussion and drawings in NSSF 1997).
- Sporting Clays Course
  - One location approximately 25 yards downrange from the shooting position on stations 1, 4, 7, 10, and 13
  - Approximately 10 locations scattered throughout the cumulative shotfall areas of the Sporting Clays Course, with emphasis on the area of maximum likely shot deposition approximately 375 to 600 feet downrange from the shooters at the various stations (see sporting clays discussion and drawings in NSSF 1997).

The data will be used not to characterize precise spots but to characterize each range floor and backstop as a whole over time. Therefore, it is not necessary, and perhaps not advisable, to make measurements at the same locations each time; measuring pH at different locations on a range floor or backstop on each sampling date may provide a better representation of each area over time. However, the number of locations sampled on each range floor or backstop should be the same on all sampling dates. If any range floor is found to contain large sub-areas of obviously different soil types (e.g., sandy vs. clayey) or conditions (e.g., well drained vs. poorly drained, deposits of biodegradable target remains), a separate data sub-set of soil pH measurements should be made from each soil type. Data from the first few sampling periods should be examined for indications that soil pH may differ among soil types; if such differences appear to be substantial, it may be worthwhile to maintain data subsets for each major soil type on each range.

Management decisions for each area should not be based on individual pH measurements, but on the average of the pH measurements within the area over at least two sampling periods. Soil pH adjustment is not a precise process. It is appropriate to add the recommended pH-adjusting material (see BMP 7) in the amount recommended to adjust soil pH upward to approximately 7.0 to 7.5 (or downward to approximately 7.5 to 8.0). Recognizing that the objective is that the adjusted long-term average pH of surficial soil remains between pH 6.5 and 8.5 as recommended by EPA (2005) and NSSF (1997), it is not necessary to be precise and additional adjustments can be made incrementally until the objective is achieved and subsequently maintained. This process can be refined as site-specific experience is gained through implementation.

A Microsoft Excel spreadsheet (Worksheet 1) is provided to record soil pH data. Worksheet 1 is set up so that when data are entered it will automatically calculate the correct average pH on that date with no further action from the user. This is important because pH is a logarithmic scale and correct averaging requires taking the anti-log of each pH measurement, averaging those values, and then taking the log of the average; a process this spreadsheet accomplishes with no action

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from the user other than entering pH measurements. Worksheet 1 contains instructions for its use (note that the first two columns of the Worksheet contain example “data” that needs to be replaced with actual site data as it is collected). A soil pH data table should be maintained for each backstop, range floor, and cumulative shotfall area, as well as for sub-areas of each (if sub-areas as discussed above are found). The average of the measurements for each cumulative shotfall area or each sub-area on each date should be calculated as the basis for management actions (management actions will be based on the single pH datum recorded on backstops and range floors on each date).

Worksheet 1 is provided as a separate file in which new data can be periodically added and automatically incorporated into the calculations, but the Worksheet is an integral component of this Environmental Stewardship Plan and is incorporated herein by reference.

Documentation of all pH sampling and results should be maintained as part of the ESP records (BMP 16).

**APPENDIX D**

**SCHEDULE FOR BMP IMPLEMENTATION**

# ENVIRONMENTAL STEWARDSHIP PLAN

## RIVER RIDGE SHOOTING CLUB

### APPENDIX D

#### SCHEDULE FOR IMPLEMENTATION OF THE BEST MANAGEMENT PRACTICES

It is important that range management establish a schedule for implementation of the BMPs of this ESP. The following sequence of BMP implementation is considered appropriate at the time of development of the ESP, and may be modified by RRSC management as warranted.

Implementation experience or unforeseen circumstances may warrant modifications to the schedule indicated below. The actual implementation of each BMP will be determined by the availability of resources for the required work. The BMPs and steps here refer to their full descriptions in Section 3; activities should be based on the full descriptions in the text rather than these summaries.

| BMP                                                                                                           | Winte<br>r2020 | Spring<br>2021 | Summe<br>r2021 | Autum<br>n2021 | Winte<br>r2021 | Spring<br>2022 | Summe<br>r2022 | Autum<br>n2020 | As<br>Appropriate |
|---------------------------------------------------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-------------------|
| <b>BMP 1:</b> Assure shooting materials do not reach property boundary or waters of the United States         |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                        | X              |                |                |                |                |                |                |                |                   |
| Step 2                                                                                                        | X              |                |                |                |                |                |                |                |                   |
| Step 3                                                                                                        |                | X              |                |                |                |                |                |                |                   |
| Step 4                                                                                                        |                |                | X              |                |                |                |                |                |                   |
| Step 5                                                                                                        |                |                | X              |                |                |                |                |                |                   |
| Step 6                                                                                                        |                |                |                |                |                |                |                |                | X                 |
| Step 7                                                                                                        |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 2:</b> Confirm rifle/pistol range backstops and side berms/side walls are consistent with NRA guidance |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                        |                |                | X              |                |                |                |                |                |                   |
| Step 2                                                                                                        |                |                | X              |                |                |                |                |                |                   |
| Step 3                                                                                                        |                |                |                | X              |                |                |                |                |                   |
| Step 4                                                                                                        |                |                |                | X              |                |                |                |                |                   |
| Step 5                                                                                                        |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 3:</b> Provide and instruct shooters on targets, target holders, and target placement                  |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                        |                |                | X              |                |                |                |                |                |                   |
| Step 2                                                                                                        |                |                |                |                |                |                |                |                | X                 |
| Step 3                                                                                                        |                |                | X              |                |                |                |                |                |                   |
| Step 4                                                                                                        |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 4:</b> Contract to recycle shot and bullets                                                            |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                        |                |                |                | X              |                |                |                |                |                   |
| Step 2                                                                                                        |                |                |                | X              |                |                |                |                |                   |
| Step 3                                                                                                        |                |                |                |                | X              |                |                |                |                   |
| Step 4                                                                                                        |                |                |                |                |                |                |                |                | X                 |
| Step 5                                                                                                        |                |                |                |                |                |                |                |                | X                 |

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| BMP                                                                                                        | Winte<br>r2020 | Spring<br>2021 | Summe<br>r2021 | Autum<br>n2021 | Winte<br>r2021 | Spring<br>2022 | Summe<br>r2022 | Autum<br>n2020 | As<br>Appropriate |
|------------------------------------------------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-------------------|
| Step 6                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 5: Reuse, recycle, or dispose cartridge cases and shotgun hulls</b>                                 |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     |                |                |                | X              |                |                |                |                |                   |
| Step 2                                                                                                     |                |                |                | X              |                |                |                |                |                   |
| Step 3                                                                                                     |                |                |                |                | X              |                |                |                |                   |
| Step 4                                                                                                     |                |                |                |                | X              |                |                |                |                   |
| Step 5                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 6                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 7                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 8                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 6: Determine target type best suited to RRSC and recycle or dispose accumulated target material</b> |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     | X              |                |                |                |                |                |                |                |                   |
| Step 2                                                                                                     |                | X              |                |                |                |                |                |                |                   |
| Step 3                                                                                                     |                | X              |                |                |                |                |                |                |                   |
| Step 4                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 5                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 6                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 7                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 8                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 7: Monitor soil pH and maintain between 6.5 and 8.5</b>                                             |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     | X              |                |                |                |                |                |                |                |                   |
| Step 2                                                                                                     | X              |                |                |                |                |                |                |                |                   |
| Step 3                                                                                                     |                | X              |                |                |                |                |                |                |                   |
| Step 4                                                                                                     |                | X              |                |                |                |                |                |                |                   |
| Step 5                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 6                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 7                                                                                                     |                |                |                |                |                |                |                |                | X                 |

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| BMP                                                                          | Winte<br>r2020 | Spring<br>2021 | Summe<br>r2021 | Autum<br>n2021 | Winte<br>r2021 | Spring<br>2022 | Summe<br>r2022 | Autum<br>n2020 | As<br>Appropriate |
|------------------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-------------------|
| <b>BMP 8: Limit water in areas where lead may be present</b>                 |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                       |                | X              |                |                |                |                |                |                |                   |
| Step 2                                                                       |                | X              |                |                |                |                |                |                |                   |
| Step 3                                                                       |                |                | X              |                |                |                |                |                |                   |
| Step 4                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 5                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 6                                                                       |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 9: Maintain ground cover vegetation</b>                               |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                       | X              |                |                |                |                |                |                |                |                   |
| Step 2                                                                       | X              |                |                |                |                |                |                |                |                   |
| Step 3                                                                       |                | X              |                |                |                |                |                |                |                   |
| Step 4                                                                       |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 10: Conduct OSHA Initial Determination</b>                            |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                       |                |                | X              |                |                |                |                |                |                   |
| Step 2                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 3                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 4                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 5                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 6                                                                       |                |                |                |                |                |                |                |                | X                 |
| Step 7                                                                       |                |                |                |                |                |                |                |                | X                 |
| Step 8                                                                       |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 11: Consider managing potential overexposure to lead if warranted</b> |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                       |                |                | X              |                |                |                |                |                |                   |
| Step 2                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 3                                                                       |                |                |                | X              |                |                |                |                |                   |
| Step 4                                                                       |                |                |                |                | X              |                |                |                |                   |
| Step 5                                                                       |                |                |                |                | X              |                |                |                |                   |

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| BMP                                                                                                        | Winte<br>r2020 | Spring<br>2021 | Summe<br>r2021 | Autum<br>n2021 | Winte<br>r2021 | Spring<br>2022 | Summe<br>r2022 | Autum<br>n2020 | As<br>Appropriate |
|------------------------------------------------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-------------------|
| <b>BMP 12:</b> Remain current on advances in bullet and shot material(s) other than lead, and evaluate use |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 2                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 13:</b> Maintain conditions to reduce attractiveness of the shotfall area to seed-eating birds      |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     |                |                |                | X              |                |                |                |                |                   |
| Step 2                                                                                                     |                |                |                | X              |                |                |                |                |                   |
| Step 3                                                                                                     |                |                |                |                | X              |                |                |                |                   |
| Step 4                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 5                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 14:</b> Maintain awareness of requirements to cease shooting                                        |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     |                |                |                |                |                |                | X              |                |                   |
| Step 2                                                                                                     |                |                |                |                |                |                |                | X              | X                 |
| Step 3                                                                                                     |                |                |                |                |                |                |                | X              |                   |
| Step 4                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| Step 5                                                                                                     |                |                |                |                |                |                |                |                | X                 |
| <b>BMP 15:</b> Annually review BMP implementation and update as appropriate                                |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     | X              |                |                |                |                |                |                |                |                   |
| Step 2                                                                                                     |                |                |                |                | X              |                |                |                | X                 |
| Step 3                                                                                                     |                |                |                |                | X              |                |                |                | X                 |
| <b>BMP 16:</b> Establish procedure to maintain records of ESP activities and implement                     |                |                |                |                |                |                |                |                |                   |
| Step 1                                                                                                     | X              |                |                |                |                |                |                |                | X                 |
| Step 2                                                                                                     | X              |                |                |                |                |                |                |                | X                 |

## **APPENDIX E**

### **RESPONSIBILITY FOR BMP IMPLEMENTATION**

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APPENDIX E**

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**RESPONSIBILITY FOR IMPLEMENTATION OF THE BEST MANAGEMENT PRACTICES**

The following assignment of responsibilities for implementing the BMPs is considered appropriate at the time of development of the ESP, and may be modified by RRSC management as warranted. Implementation experience or unforeseen circumstances may warrant modifications to the responsibilities indicated below. The BMP numbers here refer to their full descriptions in Section 3.

| <u>BMP</u> | <u>Responsible Range Personnel</u> |                                |
|------------|------------------------------------|--------------------------------|
|            | <u>Position</u>                    | <u>or</u><br><u>Individual</u> |
| BMP 1      | RRSC Range Manager                 |                                |
| BMP 2      | RRSC Rifle/Pistol Manager          |                                |
| BMP 3      | RRSC Rifle/Pistol Manager          |                                |
| BMP 4      | RRSC Range Manager                 |                                |
| BMP 5      | RRSC Range Manager                 |                                |
| BMP 6      | RRSC Shotgun Manager               |                                |
| BMP 7      | RRSC Range Manager                 |                                |
| BMP 8      | RRSC Range Manager                 |                                |
| BMP 9      | RRSC Range Manager                 |                                |
| BMP 10     | RRSC Range Manager                 |                                |
| BMP 11     | RRSC Range Manager                 |                                |
| BMP 12     | RRSC Range Manager                 |                                |
| BMP 13     | RRSC Range Manager                 |                                |
| BMP 14     | RRSC Range Manager                 |                                |
| BMP 15     | RRSC Range Manager                 |                                |
| BMP 16     | RRSC Range Manager                 |                                |

## **APPENDIX F**

### **CONSIDERATIONS FOR DEVELOPING RECORDKEEPING PROCEDURES**

**ENVIRONMENTAL STEWARDSHIP PLAN  
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APPENDIX F**

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**CONSIDERATIONS FOR RECORDS OF MEASURING AND MAINTAINING SOIL pH**

This list is provided merely for consideration when developing BMP recordkeeping procedures for measuring and maintaining soil pH on backstops and range floor. It is not intended to be either prescriptive or proscriptive in terms of the specific items addressed.

Whatever format is chosen for recordkeeping should provide individual records for each area for each year, consistent with the BMPs. The following types of data should be considered for inclusion. Considerations are not presented in any particular order.

- Dates and amounts of rainfall (useful general context for evaluating the data)
- Soil pH measurement method
  - Analytical laboratory and analytical method
  - or
  - Measurement instrument (and calibration data if appropriate - date, results)
- Sample collection data
  - Name of person
  - Sampling date
  - Location of each sample
  - Sample depth
  - Number of soil samples combined to create the sample representative of each area
- Data analysis
  - Key relating sample locations to sample identification numbers provided to laboratory
  - All pH raw data reported by laboratory or recorded from instrument
  - Logarithmic average of the pH values from each area (Worksheet 1)
  - Comparison of most recent data to previous data for each area to identify trends
- Soil pH maintenance
  - Target pH for soil maintenance
  - Material to maintain soil pH (i.e., lime to increase pH, sulfur to reduce pH)
  - Amount of material applied to each area
  - Method of application
  - Date of application
  - Other operation and maintenance data and information relative to soil pH as may prove helpful with experience
- Cost and time for various aspects of implementation
- Other soil pH monitoring data and information as may prove helpful with experience

**ENVIRONMENTAL STEWARDSHIP PLAN  
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**CONSIDERATIONS FOR RECORDS OF RECYCLING OF CARTRIDGE CASES**

This list is provided merely for consideration when developing recordkeeping procedures for recycling of cartridges for the BMPs. It is not intended to be either prescriptive or proscriptive in terms of the specific items addressed.

Whatever format is chosen for recordkeeping should provide individual records for each range for each year, consistent with the BMPs. The following types of data should be considered for inclusion. Considerations are not presented in any particular order.

- Summary of activities prior to reclamation
  - Date and summary of site visit by reclamation vendor
  - Range and vendor personnel participating in site visit
  - Samples collected, documentation requested and provided, issues addressed
  - Contract terms, award date, notice to proceed date
- Daily reports of activities signed by the range's Project Manager
- Approximate intensity of use of each range since previous lead reclamation, for instance:
  - Number of shooters or number of rounds on pistol ranges
  - Number of shooters or number of rounds on rifle ranges
- Reclamation of cartridge cases
  - Date of reclamation initiation and completion
  - Method of reclamation, equipment used, locations/areas reclaimed
  - Quantity of cases reclaimed
  - Company performing reclamation, services agreement (contract, purchase order, etc.)
- Storage on site prior to recycling (if applicable)
  - Storage location
  - Storage containers and labeling
- Lead transportation to recycler
  - Date of transportation
  - Transportation company
  - Bill of Lading
  - Recycling company, location, certifications/licenses
  - Amount of lead delivered to recycler (drum logs, certificates of recycling)
- Some states require submission of a form, letter, or report describing the recycling facility including its name and location, materials it is licensed to recycle, and the materials delivered for recycling.

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APPENDIX F**

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**CONSIDERATIONS FOR RECORDS OF LEAD RECLAIMING AND RECYCLING**

This list is provided merely for consideration when developing BMP recordkeeping procedures for reclaiming and recycling lead as part of ongoing operation and maintenance. It is not intended to be either prescriptive or proscriptive in terms of the specific items addressed.

Whatever format is chosen for recordkeeping should provide individual records for each range for each year, consistent with the BMPs. The following types of data should be considered for inclusion. Considerations are not presented in any particular order. Much of the following information should be contractually required from the lead reclamation contractor. The contract should require the contractor to provide a report including such items at the end of the project.

- Summary of activities prior to reclamation
  - Date and summary of site visit by reclamation vendor
  - Range and vendor personnel participating in site visit
  - Samples collected, documentation requested and provided, issues addressed
  - Contract terms, award date, notice to proceed date
- Daily reports of activities signed by the range's Project Manager
- Approximate intensity of use of each range since previous lead reclamation, for instance:
  - Number of shooters or number of rounds on pistol ranges
  - Number of shooters or number of rounds on rifle ranges
  - Number of clay targets used
- Lead reclamation
  - Date of reclamation initiation and completion
  - Method of reclamation, equipment used, locations/areas reclaimed
  - Quantity of lead reclaimed
  - Company performing reclamation, services agreement (contract, purchase order, etc.)
- Lead storage on site prior to recycling (if applicable)
  - Storage location
  - Storage containers and labeling
- Lead transportation to recycler
  - Date of transportation
  - Transportation company
  - Bill of Lading
  - Recycling company, location, certifications/licenses
  - Amount of lead delivered to recycler (drum logs, certificates of recycling)
- Some states require submission of a form, letter, or report describing the recycling facility including its name and location, materials it is licensed to recycle, and the materials delivered for recycling.

## **IN-SERVICE USE OF FORCE LEARNING OBJECTIVES FOR PEACE OFFICERS AND PART-TIME PEACE OFFICERS**

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### **INTRODUCTION**

The authority to use deadly force, conferred on peace officers by statute, is a critical responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life. Further, every person has a right to be free from excessive use of force by officers acting under color of law.

The following learning objectives have been developed to assist law enforcement agencies in providing use of force continuing education to officers. Pursuant to MN Stat. 626.8452 this training must be provided to all peace officers and part-time peace officers annually and each officer is required to receive instruction relative only to weapons and equipment the officer is issued or authorized to use. The term annually has been defined by the POST Board to mean at least once per calendar year.

There are many formats for delivering continuing education. Agencies are encouraged to explore creative and co-operative means of providing this education. Each law enforcement agency must determine minimum competency levels appropriate for agency personnel and nothing in these objectives prohibits an agency from developing additional objectives, or setting higher standards. Agencies are also encouraged to submit suggestions for revisions to these objectives to the POST Board.

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### **A. USE OF FORCE**

#### **General Learning Goal:**

The officer will explain the criteria that are used to determine when force may be employed, the circumstances that justify the use of deadly force, and the liabilities attached to the use of force.

#### **Performance Objectives:**

1. The officer will identify the four instances in which MN Stat. 609.06, subd. 1(a)-(d) authorizes a public officer to use reasonable force.
2. The officer will demonstrate familiarity with the agency's policies concerning the use of deadly force.
3. The officer will explain why MN Stats. 629.32 and 629.33 are relevant to use of force.
4. The officer will explain the concept of objectively reasonable use of force by peace officers and factors that influence the tool, technique or tactic an officer may choose to use in a situation. The following concepts will be discussed:
  - a) Verbal skills.
  - b) Empty hand techniques.
  - c) Intermediate weapons.
  - d) Deadly force.
  - e) Totality of the circumstances.

5. The officer will demonstrate knowledge of how an individual's physical, mental health, developmental or intellectual disabilities may affect the individual's ability to understand or comply with commands from peace officers.
6. The officer will explain how, normally less lethal techniques and weapons may become lethal.
7. The officer will demonstrate knowledge of the circumstances under which a peace officer may use deadly force under MN Stat. 609.066.
8. The officer will demonstrate familiarity with the agency's policies concerning the use of force.
9. The officer will explain the civil, criminal, licensing, and employment consequences of unlawful or unreasonable use of force.

## **B. READINESS ASPECTS OF USE OF FORCE**

### **General Learning Goal:**

The officer will explain the importance of mental and physical readiness.

### **Performance Objective:**

1. The officer will explain how extremely stressful situations will affect physical and mental functioning. The explanation must cover the following:
  - a) Breathing and circulation.
  - b) Changes in sensory perception.
  - c) Changes in motor skills.
  - d) Physical trauma.

## **C. VERBAL AND NON-VERBAL COMMUNICATION STRATEGIES**

### **General Learning Goal:**

The officer will explain the importance of and demonstrate proficiency in integrating communication skills where safe and feasible along with tactical de-escalation strategies in volatile situations.

### **Performance Objectives:**

1. The officer will understand the importance of the following areas:
  - a) Active listening and verbalization/command skills.
  - b) Use of volume, pitch and pace.
  - c) Contextual or non-verbal communication: body language.
  - d) Lack of compliance considerations: medical conditions, mental impairment, physical limitations, language barrier, behavior crisis, drugs or alcohol use.
  - e) De-escalation/conflict management strategies: when safe and feasible, barriers, containment, communication, limiting exposure, distance, and other tactics to reduce the need for force.

#### **D. PROFICIENCY WITH UNARMED CONTROL MEASURES**

##### **General Learning Goal:**

The officer will demonstrate proficiency and explain the importance of unarmed control measures which are authorized by the officer's agency.

##### **Performance Objectives:**

1. The officer will demonstrate proficiency in the following areas:
  - a) Handcuffing techniques (and other restraining devices) from positions: prone, standing, kneeling.
  - b) Weapon retention-authorized firearms (in and out of holster) and other agency approved equipment including electronic control weapons.
  - c) Empty hand techniques.
  - d) Integration of empty hand techniques and weapons systems to include weapon transitioning and weapon retention.
2. Identify limitations on the use of certain restraints by a peace officer as described in MN Stat. 609.06, including limitations on chokeholds, tying all of a person's limbs together behind a person's back, and securing a person in any way that results in transporting the person face down in a vehicle.
  - a) Describe and demonstrate protocols and procedures designed to safely transport a person in custody.

#### **E. PROFICIENCY WITH INTERMEDIATE FORCE WEAPONS**

##### **General Learning Goal:**

The officer will discuss and demonstrate proficiency with the various intermediate weapons used by the agency.

##### **Performance Objectives:**

1. If the officer is issued or authorized to carry or use chemical aerosols, impact weapons, specialty impact munitions, electronic weapons, or other intermediate weapons, the officer will demonstrate proficiency in the use of these weapons consistent with agency policy (or policies).
2. Discuss the impact of low light and adverse weather conditions on the use of intermediate weapons.

## **F. PRINCIPLES OF FIREARMS USE**

### **General Learning Goal:**

During the course of practical firearms training, (sections F and G) the officer will demonstrate knowledge of firearms safety, firearms maintenance, handgun shooting principles and familiarization with authorized firearms. This training will be consistent with agency policies and individual officer assignments.

### **Performance Objectives:**

1. The officer will demonstrate safe handling of all firearms used during training. This will include:
  - a) Safely and correctly loading and unloading the firearms.
  - b) Safely and correctly holstering and drawing the firearms.
  - c) Safely and correctly clearing malfunctions.
  - d) Safely and correctly maintaining authorized firearms.
2. The officer will describe the various methods of handling and storing firearms while off- duty in compliance with MN Stat. 609.666. The need for security of firearms kept in the officer's home will also be explained.
3. The officer will identify authorized firearms categories and corresponding ammunition utilized by the agency.
4. The officer will explain situations in which use of the weak hand may be required.
5. The officer will explain the circumstances that justify the use of deadly force by peace officers.

## **G. HANDGUN RANGE EXERCISES**

### **General Learning Goal:**

Any officer who is issued or is authorized to carry a handgun, will effectively and safely utilize the authorized handgun(s) on a qualification course of fire.

### **Performance Objectives:**

1. The officer will demonstrate effective techniques in the following areas:
  - a) Close encounter shooting.
  - b) Shooting from cover.
  - c) Reloading techniques.
  - d) Weapon/reaction hand shooting.
2. The officer will fire a qualification course consisting of no less than 50 rounds. The course of fire may be conducted with duty ammunition, or with lead free, frangible, or non- toxic ammunition that has ballistic performance similar to the issued service ammunition.
3. During the course of fire, the officer will fire from close, medium and long range. Close range means less than 7 yards; medium range means 7 to 14 yards; and long range means 15 to 25 yards (Suggested use of ammunition allotment: 50% at close range; 40% at medium range and 10% at long range).
4. The agency will determine the minimum proficiency to be obtained for successful completion of the exercise.

## **H. OTHER FIREARMS RANGE EXERCISES**

### **General Learning Goal:**

Any officer who is authorized to use other firearms (shotgun, rifle, etc.) will effectively and safely utilize these firearms in a qualification course of fire.

### **Performance Objectives:**

Given a qualification course of fire, the officer will successfully complete the following:

#### **1. Shotgun**

- a) The officer will fire the weapon at various distances, using various shooting positions.
- b) The officer shall consider the projectile spread and background beyond the area of the immediate threat when making the decision to select the shotgun or other authorized firearm.
- c) During this exercise, the officer may use duty ammunition, or ammunition that has ballistic performance similar to the issued service ammunition. It is recommended that officers' duty ammunition, if not expended during the yearly course of fire, be replaced at least every two years.
- d) The agency will determine the minimum proficiency to be obtained for successful completion of the exercise.
- e) The officer will fire a minimum of 10 rounds during this exercise.

#### **2. Rifle**

- a) The officer will fire the weapon at various distances, using various shooting positions.
- b) The officer shall consider distance and shot accuracy when selecting the rifle or other authorized firearm.
- c) During this exercise, the officer may use duty ammunition or ammunition that has ballistic performance similar to the issued duty ammunition. It is recommended that the officer's duty ammunition be replaced every two years.
- d) The agency will determine the minimum proficiency to be obtained for successful completion of the exercise.
- e) The officer will fire a minimum of 20 rounds during this exercise.

## **I. FIREARM SELECTION**

### **General Learning Goal:**

The officer will identify the situations and considerations involved in determining which firearm (handgun or other firearm) is appropriate in various tactical situations.

### **Performance Objectives:**

1. The officer will identify important considerations when deciding which firearm should be used in a tactical situation, to include:
  - a) The physical environment.
  - b) The number of suspect(s).
  - c) The weapons available to suspect(s).
  - d) The presence of bystanders, hostages, or other innocent persons.
  - e) The presence and deployment of assisting officers.
  - f) The officer's level of training with authorized weapons.
  - g) The firearms policy of the agency.
  - h) The potential for ricochet, projectile pattern and projectile penetration.
2. The officer will describe and compare the recognized or effective range of various firearms authorized by the agency.

## **J. USE OF FIREARMS IN LOW LIGHT AND IN ADVERSE WEATHER**

### **General Learning Goal:**

The officer will demonstrate the ability to effectively fire their authorized weapons to include handgun, rifle and shotgun in low light and in adverse weather conditions.

### **Performance Objectives:**

1. The officer will demonstrate the ability to effectively use weapon light systems or other illumination devices in low light conditions.
  - a) Muzzle flash.
  - b) Target identification.
  - c) Target accuracy.
2. The officer will demonstrate the ability to respond to the tactical considerations associated with adverse weather conditions:
  - a) Firearm malfunction.
  - b) Firearm control.
  - c) Use of gloves.
  - d) Reduced mobility in drawing and firing the weapon wearing heavy clothing.
  - e) Impact of cold weather in reducing motor function of the extremities.

## **K. DUTY TO INTERCEDE AND REPORT**

### **General Learning Goal:**

The officer will demonstrate knowledge and apply the principles of active bystandership, the duty to intercede, and the duty to report when observing another officer using force in violation of section 609.066 subd. 2 or otherwise beyond that which is reasonable under the circumstances. Training courses and conferences must incorporate the general learning goal and all performance objectives in order to be approved by POST for continuing education credit(s).

### **Performance Objectives:**

1. The officer will explain and demonstrate knowledge of the circumstances under which a peace officer must intercede and report under MN Stat. 626.8475.
2. The officer will explain and demonstrate knowledge of the civil, criminal, licensing, and employment consequences for a breach of duty established under MN Stat. 626.8475.
3. The officer will explain and demonstrate knowledge of the psychological effects of stress on the brain and the impact on behavior, action, and decision-making.
4. The officer will explain and demonstrate knowledge of the factors that motivate and inhibit intervention.
5. The officer will explain and demonstrate knowledge of the social science behind active and passive bystandership.
6. The officer will participate in various scenarios that require the officer to recognize the signs of behavior that necessitate intervention and the application of effective intervention techniques that support principles of active bystandership.

## CHAPTER 87A

### SHOOTING RANGES

|        |                                                       |        |                                                                         |
|--------|-------------------------------------------------------|--------|-------------------------------------------------------------------------|
| 87A.01 | DEFINITIONS.                                          | 87A.06 | NUISANCE ACTIONS; COMPLIANCE WITH SHOOTING RANGE PERFORMANCE STANDARDS. |
| 87A.02 | SHOOTING RANGE PERFORMANCE STANDARDS; BEST PRACTICES. | 87A.07 | CLOSURE OF SHOOTING RANGES.                                             |
| 87A.03 | COMPLIANT RANGES; AUTHORIZED ACTIVITIES.              | 87A.08 | APPLICABILITY OF OTHER LAWS.                                            |
| 87A.04 | MITIGATION AREA.                                      | 87A.09 | PUBLIC SHOOTING RANGES; ACCESSIBILITY.                                  |
| 87A.05 | NOISE STANDARDS.                                      | 87A.10 | SHOOTING SPORTS FACILITY GRANTS.                                        |

**87A.001** MS 2006 [Renumbered 15.001]

#### **87A.01 DEFINITIONS.**

Subdivision 1. **Applicability.** The definitions in this section apply to sections 87A.01 to 87A.08.

Subd. 2. **Person.** "Person" means an individual, association, proprietorship, partnership, corporation, club, political subdivision, or other legal entity.

Subd. 3. **Shooting range or range.** "Shooting range" or "range" means an area or facility designated or operated primarily for the use of firearms, as defined in section 97A.015, subdivision 19, or archery, and includes shooting preserves as described in section 97A.115 or any other Minnesota law.

Subd. 4. **Shooting range performance standards.** "Shooting range performance standards" means the best practices for shooting range performance standards identified in section 87A.02.

Subd. 5. **Local unit of government.** "Local unit of government" means a home rule charter or statutory city, county, town, or other political subdivision.

**History:** 2005 c 105 s 1; 2012 c 277 art 1 s 16

#### **87A.02 SHOOTING RANGE PERFORMANCE STANDARDS; BEST PRACTICES.**

Subdivision 1. [Repealed, 2012 c 277 art 1 s 91]

Subd. 2. **Best practices.** For purposes of this chapter, the November 1999 revised edition of the National Rifle Association's Range Source Book: A Guide to Planning and Construction shall serve as best practices for shooting range performance standards.

**History:** 2005 c 105 s 2; 2012 c 277 art 1 s 17

#### **87A.03 COMPLIANT RANGES; AUTHORIZED ACTIVITIES.**

Subdivision 1. **Authorized activities.** A shooting range that operates in compliance with the shooting range performance standards must be permitted to do all of the following within its geographic boundaries, under the same or different ownership or occupancy, if done in accordance with shooting range performance standards:

- (1) operate the range and conduct activities involving the discharge of firearms;
- (2) expand or increase its membership or opportunities for public participation related to the primary activity as a shooting range;

(3) make those repairs or improvements desirable to meet or exceed requirements of shooting range performance standards;

(4) increase events and activities related to the primary activity as a shooting range;

(5) conduct shooting activities and discharge firearms daily between 7:00 a.m. and 10:00 p.m. A local unit of government with zoning jurisdiction over a shooting range may extend the hours of operation by the issuance of a special or conditional use permit; and

(6) acquire additional lands to be used for buffer zones or noise mitigation efforts or to otherwise comply with this chapter.

Subd. 2. **Nonconforming use.** A shooting range that is a nonconforming use shall be allowed to conduct additional shooting activities within the range's lawful property boundaries as of the date the range became a nonconforming use, provided the shooting range remains in compliance with noise and shooting range performance standards under this chapter.

Subd. 3. **Compliance with other law.** Nothing in this section exempts any newly constructed or remodeled building on a shooting range from compliance with fire safety, disability accessibility, elevator safety, bleacher safety, or other provisions of the State Building Code that have mandatory statewide application.

**History:** 2005 c 56 s 1; 2005 c 105 s 3

#### **87A.04 MITIGATION AREA.**

(a) Except for those uses, developments, and structures in existence or for which approval has been granted by October 1, 2005, or as provided in paragraph (b), no change in use, new development, or construction of a structure shall be approved for any portion of property within 750 feet of the perimeter property line of an outdoor shooting range if the change in use, development, or construction would cause an outdoor shooting range in compliance with this chapter to become out of compliance.

(b) A change in use, new development, or construction of a structure subject to this section may be approved if the person seeking the approval or, at the discretion of the governing body, the approving authority agrees to provide any mitigation required to keep the range in compliance with this chapter. The person requesting an approval subject to this section is responsible for providing documentation if no mitigation is required under this section. Failure to provide the documentation or any mitigation required under this section exempts the range from being found out of compliance with the shooting range performance and noise standards of this chapter with regard to the property responsible for the mitigation if the failure to provide the documentation or required mitigation is the sole basis for the range being out of compliance with the shooting range performance standards. Any action brought by the owner of the property against the range is subject to section 87A.06. With the permission of the range operator, any mitigation required under this section may be provided on the range property.

**History:** 2005 c 105 s 4

#### **87A.05 NOISE STANDARDS.**

Allowable noise levels for the operation of a shooting range are the levels determined by replacing the steady state noise L10 and L50 state standards for each period of time within each noise area's classification with a single Leq(h) standard for impulsive noise that is two dBA lower than that of the L10 level for steady state noise. The noise level shall be measured outside of the range property at the location of the receiver's

activity according to Minnesota Rules, parts 7030.0010 to 7030.0080, as in effect on May 28, 2005. For purposes of this section, "Leq(h)" means the energy level that is equivalent to a steady state level that contains the same amount of sound energy as the time varying sound level for a 60-minute time period.

**History:** 2005 c 105 s 5

#### **87A.06 NUISANCE ACTIONS; COMPLIANCE WITH SHOOTING RANGE PERFORMANCE STANDARDS.**

A person who owns, operates, or uses a shooting range in this state that is in compliance with shooting range performance standards is not subject to any nuisance action for damages or equitable relief based on noise or other matters regulated by the shooting range performance standards. This section does not prohibit other actions.

**History:** 2005 c 105 s 6

#### **87A.07 CLOSURE OF SHOOTING RANGES.**

Subdivision 1. **Closure.** Except as otherwise provided in sections 87A.01 to 87A.08, a shooting range that is in compliance with shooting range performance standards and the requirements of sections 87A.01 to 87A.08 shall not be forced to permanently close or permanently cease any activity related to the primary use of the shooting range unless the range or activity is found to be a clear and immediate safety hazard by a court of competent jurisdiction. In any action brought to compel the permanent closure of any range in compliance with shooting range performance standards and this chapter, or to permanently cease any activity related to the primary use of the shooting range, there is a rebuttable presumption that the range or activity is not a clear and immediate safety hazard. If the shooting range provides evidence that the cause of a proven safety hazard can be mitigated so as to eliminate the safety hazard, the court shall not order the permanent closure of the range, or permanent ceasing of the activity found to be a clear and immediate safety hazard, unless the range operator fails to implement the necessary mitigation to remove the safety hazard by the date that is determined reasonable by the court.

Subd. 2. **Preliminary injunctions.** Nothing in this section prohibits a court from granting a preliminary injunction against any activity determined to be a probable clear and immediate safety hazard, or against any individual determined to be the probable cause of an alleged clear and immediate safety hazard, pending the final determination of the existence of the safety hazard.

Subd. 3. **Permanent injunctions.** A court may grant a permanent injunction only against a particular activity or person instead of permanently closing the range unless the court finds that the remaining operations also pose a safety hazard under this section.

**History:** 2005 c 105 s 7

#### **87A.08 APPLICABILITY OF OTHER LAWS.**

Subdivision 1. **Public safety laws; zoning.** (a) Nothing in this chapter prohibits enforcement of any federal law. To the extent consistent with this chapter, other state laws regarding the health, safety, and welfare of the public may be enforced. To the extent consistent with this chapter, a local unit of government with zoning authority jurisdiction over a shooting range may enforce its applicable ordinances and permits. Nothing in this chapter shall supersede more restrictive regulation of days and hours of operation imposed by the terms and conditions of ordinances and permits that are in effect on May 28, 2005.

(b) If the operator of the shooting range shows evidence that the range can be brought into compliance with the applicable state law, local ordinance, or permit, the range may not be permanently closed unless the range operator fails to bring the range into compliance with the applicable law, ordinance, or permit under this section by the date that the court determines reasonable. Nothing in this section prohibits a court from granting a preliminary injunction against any activity determined to be a violation of a law, ordinance, or permit under this section or against any individual determined to be causing an alleged violation, pending the final determination of the existence of the violation.

Subd. 2. **Permanent injunctions.** A court may grant a permanent injunction only against a particular activity or person instead of permanently closing the range unless the court finds that the remaining operations also create a violation under this section.

**History:** 2005 c 105 s 8

#### **87A.09 PUBLIC SHOOTING RANGES; ACCESSIBILITY.**

(a) A publicly owned or managed shooting range located in the seven-county metropolitan area that is funded in whole or part with public funds must be available at least twice during the spring and twice during the summer for use by participants in a Minnesota Department of Natural Resources firearms safety instruction course under section 97B.015. The shooting range must be available during hours reasonable for youth participants. The range operator may charge a fee to cover any costs directly incurred from use required under this section, but may not charge a fee to offset costs for general maintenance and operation of the facility.

(b) This section does not apply to cities of the first class or a shooting range located on the same premises as a correctional or detention facility that holds or incarcerates offenders.

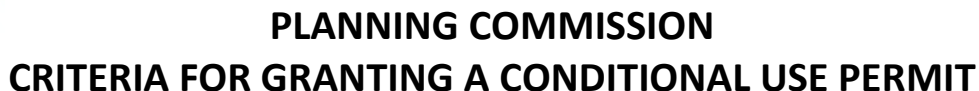
**History:** 2012 c 277 art 1 s 18

#### **87A.10 SHOOTING SPORTS FACILITY GRANTS.**

The commissioner of natural resources shall administer a program to provide cost-share grants to local recreational shooting clubs or local units of government for up to 50 percent of the costs of developing or rehabilitating shooting sports facilities for public use. A facility rehabilitated or developed with a grant under this section must be open to the general public at reasonable times and for a reasonable fee on a walk-in basis. The commissioner shall give preference to projects that will provide the most opportunities for youth.

**History:** 2014 c 290 s 13; 2014 c 312 art 13 s 18; 1Sp2015 c 4 art 4 s 40

| DISPLAYNAME                               | MAILINGADDR                     | MAILINGCITYSTATEZIP |
|-------------------------------------------|---------------------------------|---------------------|
| BEVERLY K HOFFMANN                        | 10902 SHAG RD                   | NEW ULM MN 56073    |
| BROWN COUNTY                              | PO BOX 248                      | NEW ULM MN 56073    |
| CHARLES T & TERESA JO HOLM                | 10894 SHAG RD                   | NEW ULM MN 56073    |
| DANIEL C SMITH ETAL                       | 405 PFAU ST                     | MANKATO MN 56001    |
| ELMER H ROLLOFF JR                        | 12971 SHAG RD                   | NEW ULM MN 56073    |
| FRANCIS SCHUMACHER                        | 15450 HWY 14-16                 | BOX ELDER SD 57719  |
| GARY & VALERIE BESSER                     | 10714 SHAG RD                   | NEW ULM MN 56073    |
| GULDAN TIMOTHY J & BROOKE M GULDAN        | 46198 561ST AVE                 | NEW ULM MN 56073    |
| HENLE MARY                                | 2514 HOFFMAN RD                 | NEW ULM MN 56073    |
| KOHN BRANDON                              | 46775 547TH LN                  | COURTLAND MN 56021  |
| KOHN GARY M                               | 54650 US HIGHWAY 14 - PO BOX 69 | COURTLAND MN 56021  |
| KOHN GARY M & TIM L KOHN                  | 54650 U S HIGHWAY 14 PO BOX 69  | COURTLAND MN 56021  |
| KOHN MARK G                               | 46091 551ST AVE                 | COURTLAND MN 56021  |
| KOHN TIMOTHY L                            | 46266 547TH LN                  | COURTLAND MN 56021  |
| MICHALETZ PROPERTIES LLC                  | 150 ST ANDREWS CT STE 210       | MANKATO MN 56001    |
| RICHARD A UBEL LIV TRUST                  | 47283 STATE HIGHWAY 68          | NEW ULM MN 56073    |
| STOERING DAVID E & GRACE R STOERING TRUST | 430 ZIESKE RD                   | COURTLAND MN 56021  |
| TIM HARMENING                             | 43370 541ST AVE                 | COURTLAND MN 56021  |
| ZIMANSKI GARY R & ROXANNE R ZIMANSKI      | 46772 547TH LN                  | COURTLAND MN 56021  |



|                          |                                                                                                                                                      |                          |            |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------|
| <b>Name of Applicant</b> | Michaletz Properties, LLC                                                                                                                            | <b>Hearing</b>           | 11/18/2024 |
| <b>Property Owner</b>    | Michaletz Properties, LLC                                                                                                                            | <b>Continuation</b>      | N/A        |
| <b>File</b>              | PLN24-19                                                                                                                                             | <b>Commission Member</b> |            |
| <b>Request</b>           | Modification of existing Conditional Use Permit to increase the number of special events, extend operating hours, and change allowed firearm caliber |                          |            |

## CRITERIA WORKSHEET

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

**1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.**

YES ☐ NO ☐ REASON: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.**

YES ☐ NO ☐ REASON: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**

YES ☐ NO ☐ REASON: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. The requested use is consistent with the County Zoning Ordinance.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. The requested use is not in conflict with the County Comprehensive Plan.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. The requested use is reasonably related to the existing land use and environment.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. There are no apparent unreasonable health risks posed to neighbors or the public in general.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. The requested use [will/will not] have adverse effect upon public health, safety and welfare due to the following other factors.**

YES ☐ NO ☐ REASON: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ANSWERS BASED UPON**

- ☐ Application                      ☐ Site visit                      ☐ Staff Report                      ☐ Photographs  
☐ Information received at public hearing

Date: \_\_\_\_\_ Member: \_\_\_\_\_

# 10/01/2024 - 10/31/2024 Permit Form

| RECORD ID | RECORD TYPE                        | DESCRIPTION                                                                     | ADDRESS                                       | OWNER NAME                                 | PARCEL ID                                   |
|-----------|------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------|---------------------------------------------|
| SPT24-033 | SSTS Permit                        | HOLDING TANK FOR A SHED                                                         | 57906 US HIGHWAY 14,<br>NEW ULM MN 56073      | KEVIN & NICOLE BRIGGS                      | 04.027.0100                                 |
| PLN24-018 | Conditional Use Permit             | RLS 81                                                                          | 41232 FORT RD, SAINT<br>PETER MN 56082        | LEONARD JEFFREY E                          | 12.017.0210,<br>12.017.0205,<br>12.017.0400 |
| SPT24-036 | SSTS Permit                        | REPLACING NON-COMPLIANT TANKS WITH A<br>COMPLIANT TANK                          | 40348 591ST AVE, NEW<br>ULM, MN 56073         | JOSH BAUER                                 | 06.105.0600                                 |
| SPT24-037 | SSTS Permit                        | REPLACING PUMP TANK                                                             | 68808 FORT RD, FAIRFAX,<br>MN 55332           | RIDGELY FARMS                              | 11.102.0500                                 |
| BLD24-084 | Structure Permit                   | 8' X 12' GREENHOUSE                                                             | 60663 VALLEY HILLS DR,<br>NEW ULM MN 56073    | ALLIGOOD BRYAN<br>CHADWICK & MEGAN<br>HOOD | 06.851.0080                                 |
| BLD24-085 | Structure Permit                   | 22' X 28' GARAGE ADDITION; 12' X 12' HOME<br>ADDITION; 20' X 40' IN-GROUND POOL | 39349 506TH ST, NORTH<br>MANKATO MN 56003     | GOSCH BROOKS<br>MICHAEL                    | 01.027.1500                                 |
| BLD24-086 | Renewable Energy Permit            | 38.5 KW SOLAR ARRAY                                                             | 62029 376TH ST, GIBBON<br>MN 55335            | WENDINGER ANGIE                            | 13.024.0650                                 |
| PLN24-019 | Conditional Use Permit             | REQUEST TO MODIFY CONDITIONAL USE PERMIT<br>FOR RIVER RIDGE SHOOTING CLUB       | 47028 547TH LN,<br>COURTLAND MN 56021         | MICHALETZ PROPERTIES<br>LLC                | 04.201.0210<br>04.201.0800                  |
| BLD24-087 | Structure Permit                   | 16' X 20' DECK ADDITION                                                         | 47431 478TH ST, NICOLLET<br>MN 56074          | EUERLE MICHAEL                             | 09.017.0400                                 |
| PLN24-020 | Variance                           | REDUCTION OF MINIMUM LOT SIZE TO 1.58<br>ACRES                                  | 42586 COUNTY ROAD 52,<br>SAINT PETER MN 56082 | JOHNSON COLLIN B                           | 07.018.1405                                 |
| SPT24-038 | SSTS Permit                        | MOVING MOUND FOR POOL                                                           | 39349 506TH ST, NORTH<br>MANKATO MN 56003     | BROOKS GOSCH                               | 01.027.1500                                 |
| BLD24-088 | Structure Permit                   | 34' X 80' MACHINE SHED                                                          | 36759 531ST AVE,<br>LAFAYETTE MN 56054        | OSWALD BRIAN B &<br>AUDRA J OSWALD         | 02.016.0500                                 |
| BLD24-089 | Wetland Replacement Plan<br>Review | WCA Restoration Order                                                           | SESW 22/111/31                                | MATTHEW<br>WENDINGER                       | 13.022.0610                                 |