

6131.0120 SITE RESTORATION.

Subpart 1. **Goals.** The mining area shall be progressively reclaimed so that it is nonpolluting, establishes a water system which is compatible with the surrounding regional water resource, has current land use value and future land use potential which recognizes the productivity of the site, and is maintenance-free to the maximum extent possible, unless an approved postmining management plan provides for maintenance.

Subp. 2. **Requirements.** The requirements of site restoration are contained in items A to D:

A. The operator shall contact the landowner to determine whether the landowner agrees to assume management responsibility for a specific postmining land use including but not limited to wildlife habitat, forest production, agriculture, or biomass production. If the landowner does not agree to assume responsibility for postmining management, then the operator shall comply with the site restoration requirements in item B. If the landowner agrees to assume postmining management, the operator and the landowner shall jointly develop a postmining management plan at the time of application for or amendment to a permit to mine. The postmining management plan shall:

- (1) be compatible with restoration goals;
- (2) be compatible with adjacent uses;
- (3) consider the needs of the area;
- (4) consider the productivity of the site;
- (5) consider projected land use trends;
- (6) protect public health and safety;
- (7) avoid pollution of air and water; and
- (8) be compatible with local land use plans and plans of the surface owners.

B. Within the mining area, all mined peat surfaces, islands, littoral zones, and disturbed peat and mineral surfaces such as ditches (excluding field ditches), dredge spoil, borrow pits, plant sites, and auxiliary facilities shall be stabilized with vegetation.

(1) To ensure progressive reclamation, the establishment of vegetation shall be initiated during the first normal planting period following the point when according to the permit to mine, a surface, structure, facility, or element is no longer scheduled to be disturbed or used in a manner that would interfere with the establishment and maintenance of vegetation.

(2) During the fourth and fifth year following initiation of revegetation, a vegetated reclaimed area shall have a 75 percent live vegetative cover comprised of wetland or typical peatland species that are either planted or naturally occurring.

The vegetation shall be self-sustaining, and either regenerating or in a stage of natural succession. Cover estimates of revegetation shall be measured by standard procedures approved by the commissioner for assessing ground cover and productivity. Where this standard is not met, the surface shall be repaired as necessary and replanted during the next normal planting period. No release pursuant to part 6131.0250 shall be granted until the area has such characteristics.

(3) Water levels in open water areas shall be stable within five years following the cessation of mining.

C. The amount of peat that remains in a mine plot shall be dependent on the texture and type of the underlying soil and the approved mining and reclamation plans.

D. Plans for water control shall be implemented pursuant to part 6131.0170.

Statutory Authority: *MS s 93.461*

History: *10 SR 277*

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