

6132.2700 VEGETATION.

Subpart 1. **Goals.** Vegetation shall be established to control erosion, screen mining areas from noncompatible uses, and provide for subsequent land uses such as wildlife habitat or timber production.

Subp. 2. **Requirements.** Vegetation must meet the requirements in items A to C.

A. Vegetation shall be established on the following areas:

- (1) surface overburden storage piles;
- (2) exposed soils along diversion channels and roads;
- (3) cuts, pits, trenches, and other areas disturbed during the process of obtaining borrow materials;
- (4) benches and tops of lean ore, waste rock, and leached ore storage piles;
- (5) tailings basins;
- (6) heap and dump leaching facilities;
- (7) dikes and dams;
- (8) exposed soils adjacent to water reservoirs;
- (9) areas exposed or disturbed through the activities associated with the reclamation of building sites, parking lots, pipeline routes, storage areas, transmission routes, and roads not used for subsequent access;
- (10) surface overburden portions of pitwalls;
- (11) buffers;
- (12) subsided areas not permanently covered by water; and
- (13) lean ore, waste rock, and leached ore storage pile slopes, within one-fourth mile of residential and designated public use areas, except designated trails.

B. 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, or after the establishment of vegetation has otherwise been required.

C. The standards in subitems (1) and (2) apply to the areas listed in item A.

(1) After three growing seasons following initiation of vegetation, a 90 percent ground cover within a 90 percent statistical confidence interval, consisting of living vegetation and its litter, must exist on all areas, except slopes that primarily face south and west. Such sloped areas shall attain the 90 percent ground cover requirement

within five growing seasons following the point when initiation of vegetation is required. If this standard is not met, or if unvegetated rills or gullies more than nine inches deep form and erosion is occurring, the surface shall be repaired and replanted during the next normal planting period.

(2) Within ten growing seasons following initiation of vegetation, an area shall have a vegetative community with characteristics similar to those of an approved reference area. The vegetation on a reference area may be either planted or naturally occurring. For the purpose of controlling erosion, it shall be self-sustaining, regenerating, or a stage in a recognized vegetation succession that provides subsequent land uses such as wildlife habitat or timber production. Reference areas must be representative of the site conditions and possible uses that might exist on mining land forms. No release under part 6132.4800 shall be granted until the area has these characteristics.

Statutory Authority: *MS s 93.44 to 93.51; 103G.222*

History: *17 SR 2207*

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