



Minnesota Department of Natural Resources Fact Sheet

Reclamation Rulemaking of Silica Sand Projects

MN Law 2013, Chapter 114, Article 4, Section 105(b)

Revisor's ID Number R-04198

Introduction

Several laws passed during the 2013 Legislative session address the potential environmental and health concerns related to silica sand projects. Rulemaking for the reclamation of silica sand minelands and facilities is one of two legislative mandates directed to the DNR. The second mandate enacts a new provision legislation (*M.S. 103G.217*) calling for the DNR to develop a trout stream setback permit for proposed silica sand projects within the Paleozoic Plateau (please refer to the "Silica Sand Mining Trout Stream Setback Permit Fact Sheet" for more information). The DNR recently initiated the rulemaking process by publishing a Request for Comments in the July 22, 2013 edition of the *State Register**.

Expected Timelines and Overview of Rulemaking Process

The rulemaking process and timelines will be dictated by the complexity level of the issues that arise and potentially expanded comment periods to accommodate higher levels of public involvement. DNR strongly encourages public participation during the rulemaking process. The DNR's standard practice is to make reasonable attempts to notify interested persons and organizations of all opportunities for public input and participation. Notification practices include media releases, e-mail notification of progress, public meetings, and a web page dedicated to the silica sand rulemaking process:

http://www.dnr.state.mn.us/input/rules/silica_sand.html

We are **now seeking public comments** for developing rules on the reclamation of silica sand projects. Written comments, questions, or request for the draft rules can be submitted to the Heather Arends, DNR Coordinator of Reclamation Rulemaking of Silica Sand Projects. Full contact information for both rulemaking and setback permit Coordinators is listed on the back page.

TIMELINE and OVERVIEW FOR SILICA SAND RULEMAKING





Right of the fence line is a reclaimed silica sand mine. Steep slopes were stabilized and the topography nearly leveled to pre-mining elevations. The parcel is seeded with native prairie and landscaped with rock piles to provide wildlife habitat. The goal of this reclamation plan is to restore the land's ecosystem functions through on-going prairie management.

Reclamation and Mine Planning

Existing State policy for mineland reclamation for metallic minerals and peat can be found at *Minn. Stat. 93.44**. Reclamation serves the interest of the general welfare to control the possible adverse environmental effects of mining, to preserve the natural resources, and to encourage the planning of future land utilization, while promoting good mining practices. Reclamation is a process that results in a safe and non-polluting mine site that has land value after the cessation of mining. Planning for reclamation should occur during the proposal phase of a new silica sand project. Understanding how the land will look and function at the closing of a project guides how the mine should be opened and developed.

*Additional Information

Minnesota State Register: www.comm.media.state.mn.us/bookstore/stateregister/38_04.pdf

DNR Silica Sand Rulemaking Webpage: www.dnr.state.mn.us/input/rules/silica_sand.html

Minnesota Statute 93.44: www.revisor.mn.gov/statutes/?id=93.44

Rulemaking Overview: http://files.dnr.state.mn.us/input/rules/rulemaking/rulemaking_overview.pdf

DNR Reclamation Sect: http://www.dnr.state.mn.us/lands_minerals/mineland_reclamation/index.html

DNR Silica Sand FAQ: http://www.dnr.state.mn.us/lands_minerals/silicasand/faq.html

DNR Sand and Gravel Reclamation Handbook:

http://files.dnr.state.mn.us/lands_minerals/handbook_reclaimingsandgravelpits.pdf

DNR Agency Contacts for Silica Sand Legislation

Reclamation Rulemaking of Silica Sand Projects	Trout Stream Setback Permit
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