

6130.3600 VEGETATION REQUIREMENTS.

Subpart 1. **Location of vegetation.** Vegetation shall be established on the following:

- A. surface overburden stockpiles;
- B. exposed soils along diversion channels and roads;
- C. cuts, pits, trenches, and other areas disturbed during the process of obtaining borrow materials or bulk samples, except those entirely included in larger mining landforms;
- D. benches and tops of rock and lean ore stockpiles;
- E. tailings basins;
- F. dikes and dams;
- G. exposed soils adjacent to water reservoirs;
- H. areas exposed or disturbed during deactivation procedures such as building sites, parking lots, pipeline routes, storage areas, transmission routes, and roads not used for subsequent access;
- I. surface overburden portions of pitwalls;
- J. buffers and barriers; and
- K. subsided areas not permanently covered by water.

Subp. 2. **Other vegetative measures.** Other vegetative measures shall be undertaken, as necessary, to:

- A. control access to pits and other hazardous areas, for safety purposes;
- B. control wind erosion, provide buffering and enhance the establishment of approved specific subsequent uses, through the development plant communities with specific density and composition;
- C. control dust on temporarily inactive tailings basins to which the nonvegetative methods prescribed pursuant to part 6130.3700 are not being applied;
- D. provide aesthetic and compatible areas on rock, lean ore, and coarse tailings stockpile slopes, within one-fourth mile of residential and designated public use areas, except designated trails; and
- E. control the quality of water which would otherwise contact rapidly decomposable material or material subject to leaching.

Subp. 3. **Timing and techniques of vegetation establishment.** 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 it has otherwise been required, using techniques such as grading, disking, or chisel plowing to reduce compaction, seeding or planting, fertilizing, mulching, and irrigating.

Subp. 4. **Vegetation standards.** The following standards apply to the areas listed in subpart 1:

A. After three growing seasons 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 establishment and maintenance of vegetation, a 90 percent ground cover, consisting of living vegetation and its litter, shall exist on all areas, except slopes which 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. Where this standard is not met, or where 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.

B. Within ten growing seasons after 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, an area shall have a vegetative community with characteristics similar to those in 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 which provides wildlife habitat or other uses such as pasture or timber land. Reference areas must be representative of the site conditions and possible uses which might exist on mining landforms. No release pursuant to part 6130.5400 shall be granted until the area has such characteristics.

Statutory Authority: *MS s 93.47*

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