

6132.5300 WETLAND MITIGATION AND REPLACEMENT PROCEDURES.

Subpart 1. **Authority.** In accordance with Minnesota Statutes, section 103G.222, no draining or filling of wetlands resulting from mining shall occur unless a wetland replacement plan, approved by the commissioner, is incorporated into the mining and reclamation plans of a mining operation for which a permit to mine is required. The replacement plan shall apply the principles and standards contained in the section entitled "Standards and Procedures for Evaluating Wetland Replacement Plans" of chapter 8420, wetland rules, adopted pursuant to Minnesota Statutes, section 103G.2242.

Subp. 2. **Procedure.** The procedures for replacement plan approval shall be those contained in chapter 8420, wetland rules, adopted pursuant to Minnesota Statutes, section 103G.2242, with the commissioner acting as the approving authority. Upon the receipt of an approved replacement plan, the plan shall be incorporated into the permittee's mining and reclamation plan by inclusion in the annual report, pursuant to part 6132.1300, subpart 3, item H.

Because of the time necessary to process wetland replacement plans, it is advisable to initiate this process well in advance of the point when any given annual report is required to be submitted, if the permittee wants to initiate wetland replacement during the upcoming year described in that annual report.

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

History: *17 SR 2207*

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