Overview

This bill is the result of the aggregate resources task force's study and makes recommendations for protection of aggregate resources.

Section

1  Task force findings. Finds that aggregate resources (gravel) are fundamental for the public good, that they are being depleted, and that if not identified and managed, it will be to the environment's and the public's detriment.

2  Purpose (aggregate planning and protection). Technical.

3  Definition. Adds a definition of "commissioner" (DNR) and of "local permitting authority" (county, city or town).

4  Local action. Specifies the minimum considerations for protection of aggregate resources that local planning authorities (cities, counties, towns) must make in their local comprehensive plans and land use decisions.

5  Transportation policy. States it is state policy to promote and protect all modes of transportation for aggregate materials.

6  Registration of commercial deposits. Permits a landowner to register a commercially viable aggregate deposit if listed requirements are met.

7  Best management practices and reclamation standards. Requires the commissioner of DNR to develop best management practices and minimum reclamation standards for aggregate mining. Makes compliance with the standards voluntary and allows local standards to be more stringent.

8  Technical assistance. Directs the commissioner to prepare a technical assistance guide for local permitting authorities that includes the best management practices and reclamation standards, the mine plan form (see section 9), and a list of state and federal standards related to dust, noise, and air and water quality applicable to aggregate mining.
Aggregate mine plans.

Subd. 1. Filing. Requires an aggregate mining operation over ten acres and any proposed mining operation that is projected to exceed ten acres over the life of the mine to file a mine plan with the local permitting authority.

Subd. 2. Form. Provides for the plan to be filed on the standardized mine plan form developed by the commissioner.

Subd. 3. Technical review. Requires the commissioner to review each mine plan filed and to prepare a report for the local permitting authority within 90 days of receipt of the mine plan. Provides for the report to address at least the applicable state and federal standards relating to dust, noise, and air and water quality. Permits the commissioner to assess a fee to cover costs.

Aggregate mining permits. Requests that local permitting authorities adopt the three-level aggregate mining permit structure described that relates to the size and range of aggregate operations and deposits.

Native prairie conservation. Requires all opportunities to preserve native prairie to be addressed in the mine plan when the mining operation may result in the loss of five or more acres of native prairie. Directs the commissioner to assess a fee to cover the cost of acquiring equivalent prairie land if the mining operation permitted will result in the loss of five or more acres.

Definitions (aggregate materials tax). Defines "county" to also mean any other county that has determined to impose the tax and that has registered with the commissioner (of revenue) to impose the tax.

Aggregate materials tax. Provides for the tax to be $0.07 to $0.15 per ton of aggregate material removed (instead of $0.10 per cubic yard or $0.07 per ton).

Aggregate materials tax. Permits the county auditor to retain an annual administrative fee from the tax revenue of up to 5 percent of the total collected. Equalizes the distribution between county road and bridge funds and the amount to the city or town in which the mine is located for roads and bridges (42.5 percent each). Increases the amount to the special reserve fund for reclamation, conservation or other environmental needs (to 15 percent).

Study and recommendations. Directs the director of the office of environmental assistance, in consultation with DNR, PCA, and MnDOT and the private sector, to report to the legislature on economically and technically feasible recommendations to provide incentives to recycle construction waste materials for aggregate, prevent construction waste materials that can be used as aggregate from entering demolition landfills, and promote or require use of industrial waste products in road construction.

Educational efforts. Directs DNR to work with interested parties in educating the public, local government, and others on the detrimental consequences of ignoring long-term planning and conservation of aggregate materials.

Appropriation. Appropriates $8,000,000 from the general fund to DNR, available until expended, to complete the mapping program to identify and classify potential aggregate land by 2006. Directs DNR to give higher priority to mapping rapidly developing urban areas and regional trade centers.

Effective date. Makes section 13 effective January 1, 2001. (The remainder of the bill would be effective August 1, 2000.)