

HB 1761 -- Surface Mining and Excavation

Sponsor: Loehner

This bill allows "noncommercial operators," who are defined as persons conducting gravel excavation on private property not primarily used for mining in order to manage excess gravel accumulation, or commercial operators employed by noncommercial operators to engage in surface mining activities to remove and sell excess gravel without a permit. Gravel removal must be conducted from the first day of June through the last day of February.

Operators must follow the Department of Natural Resource's guidelines on surface mining and gravel removal. Noncommercial operators may, however, use vehicles outside of existing crossings or removal sites and may cross streams. A five-foot buffer between the removal area and the water line must be maintained.

Political subdivisions will be allowed to contract with operators to conduct in-stream gravel operations without a permit.