

Non-Metallic Mining Advisory Committee
2023 Annual Meeting Notes
November 08, 2023, 9:00AM-10:45AM via ZOOM

Attendees:

Member representatives: Tracy Arnold – WI Land & Water, Bob Bingen – APW, James Hoffman – WMC, Bob Servais – WTBA, Clint Weninger – WTBA, Morgan Wisth (for Terry Ochs) – WCCA, James Zambito – Academia

Members not present: Mark Krumenacher – WISA, Vacant – Env/Public/Cultural

WDNR: Roberta Walls, Molly Gardner, Greg Pils, Dave Rozeboom, Craig Sparks

1. Welcome, Agenda repair

Meeting opened with introductions and discussion of the purpose of the nonmetallic mining advisory committee. No agenda repair.

2. Committee membership

- a. Renewal of Members: Jay Zambito for Academia, Clint Weninger for WTBA and Mark Krumenacher for WISA.
- b. Vacancy: Environmental, Public, and Cultural representative.

3. DNR Update

- a. Discussion of DNR reclamation update report
- b. Discussion on RA compliance regarding high turnover rate and workload levels
- c. Recommendation to include examples of reclamation successes in the report

4. Member Updates

- a. Academia: Provided an overview of a UW Madison study on the role of microbes in the oxidation of pyrite. Implications toward buffering capacity in the geologic units is being considered in the study. Where wash ponds show lower pH, research interest is turning toward whether microbial activity in the ponds is occurring and whether pond liners may have a role in the effect on the environment.
- b. Industry:
 - i. APW- Shared concern with a lack of upfront communication from DNR. The APW is concerned that RAs won't allow (asphalt) plants in mines and feels new RAs need to be educated or mentored in reclamation administration. DNR's role in RA administration and oversight was discussed.
 - ii. WMC – Most experience has been with ISM aspect of the industry. With metals in wash water, any retroactive requirements in restoration such as lining ponds would be costly and problematic. Encourage additional feedback from industry and academia before making changes. Provided industrial sand interest for flexibility in restoration plans.
 - iii. WTBA, Roads – Shared that 2023 was a typical year working with RAs and found there was additional work related to RA turn over and concerns of zoning authorities overlapping reclamation authorities. The aggregate users prefer sources that are low cost, close to projects, readily accessible with short permitting timelines. The NR 135 code provides incentives to minimize costs, exempts DOT project sources, and allows for automatic permitting for local road projects. The code also allows for reduced fees for inactive mines and fee waivers for reclaimed acres.

- iv. WTBA, Extractions – Shared that have seen improvements and success over time for the program. Advises to watch for RAs pulling operations into reclamation. With continued upkeep and maintenance of (road) infrastructure, there is continued need keeping operations separate. Some RAs are getting less flexible with plans and without it, it doesn't do anyone any good. Important to protect the RA through monitoring and maintaining financial assurance.
- v. WISA – No update at this time.
- c. Regulatory Authorities:
 - i. WI Land & Water – Interested in mentorship idea and will discuss with WI Land & Water. There is acknowledgement of a large RA workload. Past RA roundtables have been beneficial and there is interest in providing help as a liaison between industry and DNR. Will need to find time to commit to the efforts that works for most.
 - ii. WCCA - Concurred with WI Land & Water on a mentorship program. Within their specific county there is a focus on updating financial assurance and expects others are doing the same.

5. Reclamation Topics

- a. Academia – Pond liner regulations. Currently regulations regarding pond liners are not contained within the reclamation program. How ponds are reclaimed will depend on the outcome of other regulations.
- b. WTBA, Roads – Solid waste guidance status. Understand the guidance has been taken down.
- c. WTBA, Roads – Showcasing reclamation success stories. DNR is a regulatory agency and aside from workload levels, would support the telling of successes, but would not be in a position to lead an effort like this. What have others done to show case stories?
 - i. WMC has seen interest for success stories through the WI Earth Movers organization and have contemplated restoration of borrow areas for DOT projects. Will explore if reclamation may be able to be highlighted in this area.
 - ii. APW has recognized operators with reclamation success and offered an award. See website: www.aggregateproducers.org
 - iii. WTBA, Roads would like to see a repository where folks can find examples on a website or in a database. Looking for an outlet or repository for that.
 - iv. WI Land & Water already highlights conservation successes. It may be an option to pull together good examples among RAs and will ask if can be showcased on the organization website.

6. Public Input

- a. Scott Konkle: While administering reclamation for 5 counties, has plenty of success stories if given an outlet to share. A newsletter of these successes is provided to each of the counties.

7. Other - None

8. Meeting adjourned.