

Ferrous Mining in Wisconsin

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Metallic mining has occurred in Wisconsin since the time of the Copper Culture about 2,000-5,000 years ago. Mining for metals such as copper, lead, iron and zinc shaped the history of several regions of Wisconsin and played a major role in the development of Wisconsin as a state.

The Department of Natural Resources is the state agency with primary responsibility for regulating environmental aspects of metallic mining activities. Within DNR, the Waste and Materials Management Program has the lead role in reviewing applications for mining permits. Mining operations may also require permits from other programs, and a significant number of staff from across the agency are involved in the review of any mining project.

Activities related to ferrous mining are subject to regulation by the DNR under [Ch. 295, subchapter III, Wis. Stats.](#) The regulatory framework was established in [2013 Wisconsin Act 1](#). Specific phases of mining related activities regulated under this law include exploration (i.e. drilling), bulk sampling, mining and reclamation.

An individual or company intending to operate a ferrous mine in the state of Wisconsin must obtain a ferrous mining permit. The main steps of the ferrous mine permitting process specified in subchapter III of Wis. Stat. ch. 295, Wis. Stats. are summarized below.

Ferrous Mining Permit Process

STEP 1. Preapplication Notification. No less than 12 months prior to filing an application for a ferrous mining permit, an potential applicant must submit to the department in writing a notification of intent to file an application.

STEP 2. Application Filed. A mining permit application must be filed, which includes the following;

- A complete mining plan.
- A reclamation plan.
- A mining waste site feasibility study and plan of operation.
- The name and address of all land owners within the mining site.
- Evidence that the applicant has applied or will apply for all other necessary federal, state, and local approvals.

STEP 3. Application Review. Within 30 days of receiving an application, the department will determine if the application is complete or if further information is necessary. Once the mining permit

application is determined to be complete, the DNR generally has 420 days to complete the permitting process.

STEP 4. Environmental Impact Report (EIR) Submitted. As a part of the application process, an Environmental Impact Report must be filed in concert with the mining application, which describes in detail the existing environmental condition of the site and identifies the anticipated environmental and socioeconomic impacts of the potential project. The EIR includes the following items.

- A description of the proposed mining project.
- The present environmental conditions in the area and anticipated impacts of the proposed project.
- The present socioeconomic conditions in the area and anticipated impacts of the proposed project.
- Details of any wetlands mitigation program.
- Any proposed measures for impacts to navigable waters or forest designations.
- Alternatives to the proposed mining project.

STEP 5. EIR Review. The department will review the EIR and may request additional information from the applicant that is reasonably necessary to evaluate the proposed project and its environmental effects.

STEP 6. Environmental Impact Statement (EIS) Preparation. The department will prepare an Environmental Impact Statement, which includes the following;

- A description of the long and short term environmental impacts of the mine.
- The impacts on tourism, employment, schools and medical care facilities in the mining area.
- The impacts on private and public social services, the tax base, local economy and archaeological sites in the mining area.

STEP 7. Public Hearing. Prior to any final decisions, the department will hold a public informational hearing.

- The hearing will be held in the county in which a majority of the mine is proposed to be located
- Prior to the hearing, the department will make available to the public the following materials.
 - The mining permit application, as well as applications for any other state approvals.
 - The EIR and Draft EIS, as well as any additional supporting information used in the evaluation.
 - The department's analyses and preliminary determinations relating to the mining permit and other necessary permits and approvals.

STEP 8. Public Comment Review. The department will consider oral and written comments from the public, on topics ranging from;

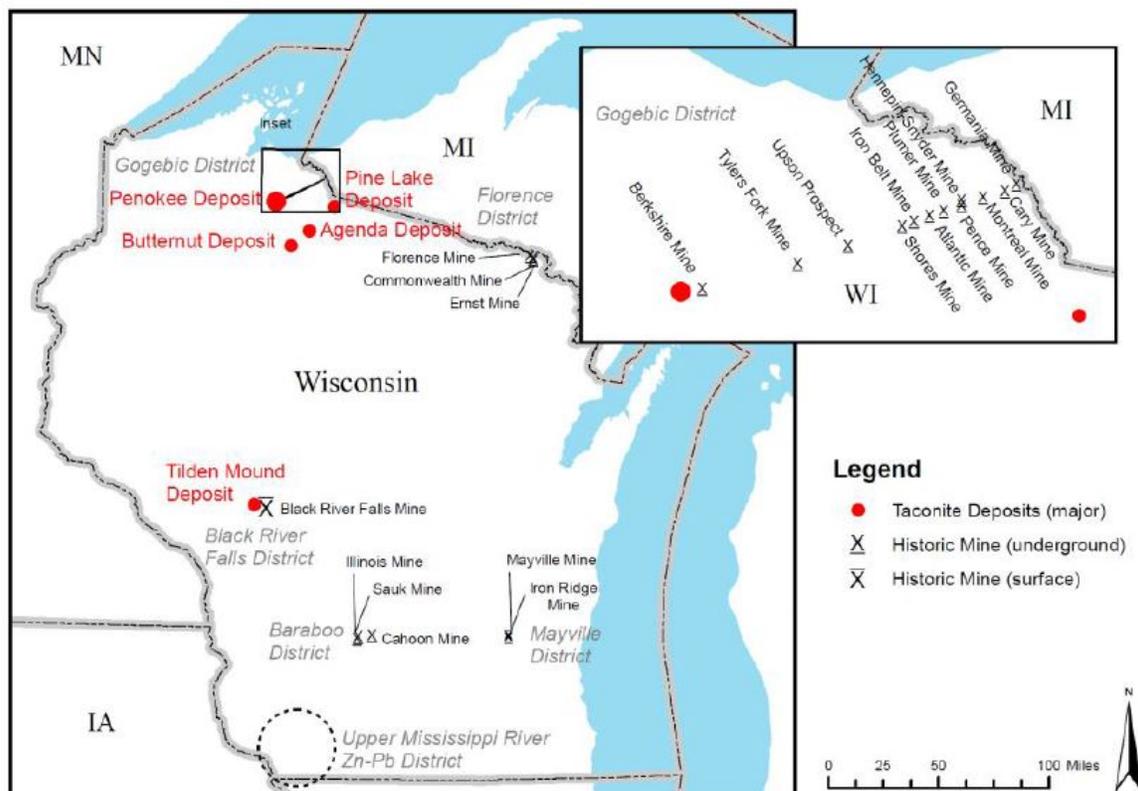
- The public rights in any body of water that may be affected by the proposed mining operation.
- The public benefits provided by increased employment, economic activity and tax revenues.
- The direct and indirect social and economic costs and benefits of the proposed mining operation.
- The rights of competing users for surface water and non-surplus water consumption.

- Any other issues that may be relevant to the decision of whether to issue or deny a permit.

STEP 9. Public Comment Response. The department will issue a summary of the public comments prior to issuing any final decisions.

STEP 10. Final Permit Decision. The department will create a single document for its final decision on the mining permit application and on any other state permits or approvals. This document will specify the reasons for the department’s decisions.

STEP 11. Final Decision Extension (if needed). Unless the applicant requests an extension, the department must make its decision on the mining permit application within 420 days of the date the application is complete. Once the 420 day period begins, the applicant and department may agree to a one-time extension that may not exceed 60 days.



Contact 608/266-2111 or DNRWasteMaterials@wisconsin.gov for further information.

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