

27—60.12(208) Definitions. When used in this chapter, the following definitions apply:

“*Acceptable species*” means plant species recognized as desirable permanent species and normally used in conjunction with agriculture, forestry, wildlife or similar plans for reclamation.

“*Administrator*” means the administrator of the division of soil conservation, or a designee.

“*Affected land*” means the area of land from which overburden has been removed or upon which overburden has been deposited, or land which has otherwise been disturbed, changed, influenced, or altered in any way in the course of mining, including processing and stockpile areas but not including roads.

“*Angle of repose*” means the maximum angle of slope (measured from horizontal) at which loose cohesion materials will come to rest on a pile of similar material.

“*Committee*” means the state soil conservation committee.

“*Critical slope angle*” means the maximum slope incline which the soil and rock materials underlying the slope can support, without failure, under existing climate, vegetation, and land use.

“*Department*” means the department of agriculture and land stewardship.

“*Division*” means the division of soil conservation within the department of agriculture and land stewardship.

“*Dredge operation*” means an operation to mine sand, gravel, or other nonfuel minerals for sale or for processing or consumption in the regular operation of a business by removing the product directly from its natural state beneath the surface of a river, lake or other body of water.

“*Exploration*” means the excavation of limited amounts of any mineral to determine the location, quantity, or quality of the mineral deposit.

“*Highwall*” means the unexcavated face of exposed overburden and mineral in a surface mine.

“*Mine*” or “*mine site*” means a site where mining is being conducted or has been conducted in the past.

“*Mineral*” means gypsum, clay, stone, sand, gravel, or other ores or mineral solids, except coal.

“*Mining*” means the excavation of gypsum, clay, stone, sand, gravel, or other ores or mineral solids, except coal, for sale or for processing or consumption in the regular operation of a business and shall include surface mining and underground mining.

1. “*Surface mining*” means mining by removing the overburden lying above the natural deposits and excavating directly from the natural deposits exposed, or by excavating directly from deposits lying exposed in their natural state, and shall include dredge operations conducted in or on natural or artificially created waterways within the state.

2. “*Underground mining*” means mining by digging or constructing access tunnels, adits, ramps, or shafts and excavating directly from the natural mineral deposits exposed.

“*Mining operation*” means activities conducted by an operator on a mine site relative to the excavation of minerals and shall include disturbing overburden, excavation and processing of minerals, stockpiling and removal of minerals from a site, and all reclamation activities conducted on a mine site.

“*Official notice*” means service of a written notice or order to an operator via personal service or certified mail to the last-known address. Service shall not be deemed incomplete because of refusal to accept.

“*Operator*” means any person, firm, partnership, corporation, or political subdivision engaged in and controlling a mining operation.

“*Overburden*” means all of the earth and other materials which lie above natural mineral deposits and includes all earth and other materials disturbed from their natural state in the process of mining.

“*Pit floor*” or “*quarry floor*” means the lower limit of a surface excavation to extract minerals.

“*Political subdivision*” means any county, district, city, or other public agency within the state of Iowa.

“*Reclamation*” means the process of restoring disturbed lands to the premined uses of the lands or other productive uses.

“*Registered site*” means a site which meets the requirements of Iowa Code section 208.13 and for which the operator has received a valid registration certificate from the division.

“Topsoil” means the natural medium located at the surface of the land which contains favorable characteristics for the growth of vegetation.