

**House File 2028 - Introduced**

HOUSE FILE 2028

BY MURPHY

**A BILL FOR**

1 An Act relating to mining of silica sand and including  
2 effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. SILICA SAND MINING — TEMPORARY MORATORIUM —  
2 ENVIRONMENTAL AND TRANSPORTATION STUDY.

3 1. For purposes of this section, "silica sand" means  
4 well-rounded, sand-sized grains of quartz, also known as  
5 silicon dioxide, with few impurities in terms of other minerals  
6 that is typically used in the process of hydraulic fracturing  
7 of shale. "Silica sand" does not include common rock, stone,  
8 aggregate, gravel, sand with a low quartz level, or silica  
9 compounds recovered as a by-product of metallic mining.

10 2. On or after the effective date of this Act and prior  
11 to July 1, 2016, the department of agriculture and land  
12 stewardship shall not issue a new mining license pursuant to  
13 section 208.7 for an operator to engage in the mining of silica  
14 sand and shall not approve the registration of a new mine site  
15 for silica sand pursuant to section 208.9.

16 3. a. The department of natural resources, the department  
17 of agriculture and land stewardship, and the department of  
18 transportation shall conduct a joint study regarding the mining  
19 of silica sand in this state. The study shall include an  
20 evaluation of the existing and potential effects of silica sand  
21 mining on water quality, air quality, and primary and secondary  
22 road quality. The study shall also include proposed standards  
23 for silica sand mining.

24 b. A report on the study shall be filed with the general  
25 assembly and the governor by July 1, 2015.

26 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
27 immediate importance, takes effect upon enactment.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill relates to the mining of silica sand.

32 The bill prohibits the department of agriculture and land  
33 stewardship, on or after the effective date of the bill and  
34 prior to July 1, 2016, from issuing a new mining license for  
35 an operator to engage in the mining of silica sand and from

1 approving the registration of a new mine site for silica sand.  
2 The bill requires the department of natural resources,  
3 the department of agriculture and land stewardship, and the  
4 department of transportation to conduct a joint study regarding  
5 the mining of silica sand in this state. The bill requires the  
6 study to include an evaluation of the existing and potential  
7 effects of silica sand mining on water quality, air quality,  
8 and primary and secondary road quality and proposed standards  
9 for silica sand mining. A report on the study must be filed  
10 with the general assembly and the governor by July 1, 2015.  
11 The bill takes effect upon enactment.