**74:29:10:02.  Operator required to request a determination.** Any prospective operator contemplating the establishment of a mining operation must request the department to determine whether or not the lands included in the proposed mining operation constitute special, exceptional, critical, or unique lands by submitting a notice of intent to operate to the department.

 **Source:** 17 SDR 86, effective December 25, 1990.

 **General Authority:** SDCL 45-6B-81.

 **Law Implemented:** SDCL 45-6B-33.6.