



U.S. Office of Surface Mining

News Release



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For immediate release

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OSM will propose new revegetation rule to encourage species diversity and remove barriers to reforestation on mined lands

(Washington) The US Office of Surface Mining is proposing a rule that will encourage diversity of plant species on reclaimed mine lands and remove impediments to planting trees.

The proposed rule is scheduled for publication Thursday, March 17 in the Federal Register. It also includes provisions which would provide States more flexibility in using success standards and sampling techniques and make the timing of revegetation success measurements consistent nationwide.

"This is an opportunity to make some relatively minor but significant changes that should pay big dividends in enhanced environmental values," said Jeff Jarrett, Director of OSM. "It is our hope that this revegetation effort, combined with our recent reforestation initiatives, is going to take us a long way toward restoring mined lands to the kind of healthy, thriving and diverse landscapes that existed before mining took place."

The proposed rule would make minor changes to OSM's regulations governing topsoil replacement and revegetation success standards. A public outreach initiative to review and assess the revegetation regulations was conducted prior to publishing the rule and included ten public meetings held around the country. The rule is being proposed in response to several revegetation issues that have been raised both by the public and internally within OSM.

These proposed revisions will:

- **encourage species diversity on reclaimed land** by allowing variable topsoil depth replacement;
- **remove an impediment to the reforestation of mined lands** by providing more flexibility in demonstrating compliance with the time in place requirements;
- **set minimum conditions** that must be satisfied for lands with a post-mining land use of "undeveloped land;"

The rule will also improve implementation of revegetation efforts by:

- **giving States flexibility** to adopt additional success standards and new sampling techniques by removing the current requirement that such changes have to be approved by the federal government;
- **providing a practical means of measuring woody shrubs** commonly planted in the West by allowing the inclusion of woody plants that are present on reclaimed lands as a result regeneration or plant succession;
- **improving revegetation incentives in arid areas by making success measures in those regions consistent with those in areas** with more annual precipitation by eliminating the requirement that revegetation success be demonstrated in consecutive years in areas receiving less than 26 inches of precipitation.

The public has 60 days to comment on the proposed changes. Those wishing to comment on this proposed rule may do so by one of three methods: mail or hand-carry comments to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Mail Stop 101, 1951 Constitution Avenue, NW, Washington, DC 20240 or send comments via electronic mail to rules_comments@osmre.gov.

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