

PROVISION III

A—Grading shall be carried on adjacent to public highways by striking off ridges to a width of at least ten (10) feet at the top and peaks to a width of at least fifteen (15) feet at the top. In all cases, an even or gently undulating skyline as seen from the roadway will be a major objective.

B—Earth dams shall be constructed in final cuts of all operations, where practical, if necessary to impound water providing the formation of such impoundments will not interfere with mining operations or damage adjoining property.

C—Acid forming materials in the exposed face of a mineral seam that has been mined shall be covered to a depth of not less than two (2) feet with earth or spoil material unless covered with water to a depth of not less than two (2) feet.

D—All refuse shall be disposed of in a manner that will control stream pollution, unsightliness or deleterious effects from such refuse, and water from the mining operation shall be diverted in a manner designed to control siltation, erosion or other damage to streams and natural water courses.

PROVISION IV

A—On any affected land, the surface of which is used or is going to be used by the operator for the deposit or disposal of refuse, or within depressed haulage roads or final cuts or any other area where pools or lakes may be formed, no vegetative planting of any kind shall be made.

B—On any affected land whose chemical and physical characteristics are toxic, deficient in moisture or plant nutrients or composed of sand, gravel, shale, or stone to such an extent as to seriously inhibit plant growth, planting shall be held in abeyance for a period of ten (10) years after the mining is completed. If, during this ten (10) year period, natural weathering and leaching of such affected lands fails to remove the toxic and physical characteristics inhibitory to plant growth the affected land be considered unplantable.

PROVISION V

A—On all affected land, the operator shall determine which parts of the affected land shall be reclaimed for forest, range, crop, horticultural, homesite, recreational, industrial, or other use, including food, shelter, and ground cover for wildlife.

B—If the operator's choice of reclamation is forest planting, he may select the future use objective and elect to use hardwoods or conifers, or both. He shall construct fire lanes or access roads when necessary through the area to be planted. These lanes or roads shall be available for use by the planting crews and serve as a means of access for supervision and inspection of the planting work. He shall provide free access to the general public on all lands owned or otherwise controlled by him, and across said lands to adjoining public lands, except those areas where public entry might be hazardous or a hinderance to mining operations. The operator further agrees to leave roads constructed during mining operations in passable condition for use and benefit of the general public, where practicable.

He shall permit hunting, fishing and other outdoor recreational activities as may be prescribed by the Coordinator subject to the operators decision, except in areas where such activities are found by the operator to be hazardous or objectionable.

Tree planting stock shall be ordered and planting carried out based on a spacing of 10' x 10', approximately 435 trees per acre. Planting methods and care of stock will be governed by good planting practices.

C—If the operator is unable to acquire sufficient planting stock of desired tree species, from the State or elsewhere, he may defer planting until planting stock is available to plant such land as originally planned or selected an alternate method of reclamation.

PROVISION VI

A—If the operator's choice of reclamation is for range, he shall strike off all the peaks and ridges to a width of at least ten feet prior to the time of seeding. The legume seed shall be properly inoculated in all cases. The area may be seeded either by hand, power or the aerial method.