

27—50.60(207) Reclamation project evaluation. Proposed reclamation projects and completed reclamation work shall be evaluated in terms of the factors stated in this rule. The factors shall be used to determine whether or not proposed reclamation will be undertaken and to assign priorities to proposals intended to meet the same objective as 27—50.50(207). Completed reclamation shall be evaluated in terms of the factors set forth below as a means of identifying conditions which should be avoided, corrected, or improved in plans for future reclamation work. The factors shall include:

50.60(1) The need for reclamation work to accomplish one or more specific reclamation objectives.

50.60(2) The availability of technology to accomplish the reclamation work with reasonable assurance of success. In the case of research and demonstration projects, the research capability and plans shall provide reasonable assurance of beneficial results without residual adverse impacts.

50.60(3) The specific benefits of reclamation which are desirable in the area in which the work will be carried out. Benefits to be considered include but are not limited to:

a. Protection of human life, health, or safety.

b. Protection of the environment, including air and water quality, abatement of erosion sedimentation, fish, wildlife, and plant habitat, visual beauty, historic or cultural resources and recreation resources.

c. Protection of public or private property.

d. Abatement of adverse social and economic impacts of past mining on persons or property including employment, income, and land values or uses, or assistance to persons disabled, displaced or dislocated by past mining practices.

e. Improvement of environmental conditions which may be considered to generally enhance the quality of human life.

f. Improvement of the use of natural resources, including postreclamation land uses which:

1. Increase the productive capability of the land to be reclaimed.

2. Enhance the use of surrounding lands consistent with existing land use plans.

3. Provide for construction or enhancement of public facilities.

4. Provide for residential, commercial, or industrial developments consistent with the needs and plans of the community in which the site is located.

g. Demonstration to the public and industry of methods and technologies which can be used to reclaim areas disturbed by mining.

50.60(4) The acceptability of any additional adverse impacts to people or the environment that will occur during or after reclamation and of uncorrected conditions, if any, that will continue to exist after reclamation.

50.60(5) The costs of reclamation. Consideration shall be given to both the economy and efficiency of the reclamation work and to the results obtained or expected as a result of reclamation.

50.60(6) The availability of additional coal or other mineral or material resources within the project area which:

a. Results in a reasonable probability that the desired reclamation will be accomplished during the process of future mining; or

b. Requires special consideration to ensure that the resource is not lost as a result of reclamation and that the benefits of reclamation are not negated by subsequent, essential resource recovery operations.

50.60(7) The acceptability of postreclamation land uses in terms of compatibility with land uses in the surrounding area, consistency with applicable state, regional, and local land use plans and laws, and the needs and desires of the community to which the project is located.

50.60(8) The probability of postreclamation management, maintenance and control of the area consistent with the reclamation completed.