United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Wyoming State Office
P.O. Box 1828
Cheyenne, Wyoming 82003-1828

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March 5, 2007

Instruction Memorandum No. WY-2007-009
Expires 9/30/2008

To: Field Managers and Deputy State Directors

From: Associate State Director

Subject: Wyoming Interim Reclamation Policy **DD: 04/02/2007**

Program Areas: All Surface Disturbing Activities.

Purpose: Transmit the Interim Wyoming Reclamation Policy.

Policy/Action: Use the Interim Policy for one (1) year. Keep notes and comments to document your experiences.Following the year trial period, your comments will be reviewed to make changes as necessary, and issue a Final Wyoming Reclamation Policy and a guidebook to be used when writing reclamation plans.

A statewide Reclamation Team will review the comments and finalize our new policy. Attached is a “short list” of Reclamation Team members. Provide your comments and any additional recommendations for members of the team by April 2, 2007.

Timeframes: A tentative schedule for development of the final Wyoming Reclamation Policy is also attached. The time commitment for task force members is approximately 40 hours over the next year. Long term time commitments to policy implementation are not estimated.

Background: Successful reclamation efforts are critical in maintaining an effective multiple use land management program. Nearly all authorizations for surface disturbing actions are based upon the assumptions that an area can and ultimately will be successfully reclaimed. We recognize reclamation of approved activities is often a multi-step approach which includes short-term stabilization and long-term reclamation. Early in the process, BLM will explain to those seeking approval to conduct surface disturbing activities on Public Lands, to include reclamation planning as part of their permit application.

The level of reclamation success is becoming an increasing concern with new disturbances occurring in areas that are topographically or ecologically more challenging. Most landscapes can be reclaimed using established reclamation methods. However, under extreme conditions, innovative techniques beyond traditional practices must be developed to deal with these

“tougher conditions.” The landscapes identified as having Low Reclamation Potential (LRP) are characterized by highly erosive soils, soils with severe physical or chemical limitations, extremely steep slopes, or areas having severely limiting precipitation rates. The LRP areas may require site specific reclamation standards and practices not specifically addressed in the State Interim Reclamation Policy. Each FO shall delineate their LRP’s and develop a unique set of reclamation standards for those areas within the framework of the attached interim policy.

Budget Impact: Time and travel in support of this project will be taken out of each supporting office’s budget.

Manual/Handbook Sections Affected: None at this time.

Coordination: Coordination of the attached Interim Wyoming Reclamation Policy has been initiated with: the WSO, several BLM field specialists, WO-310, the Wyoming Department of Environmental Quality, and the Wyoming Governor’s Office. Coordination will continue with a Wyoming BLM Reclamation Team, members of the reclamation industry, and thoselisted above.

Contacts: Tom Lahti at 307-775-6232 or Tom_Lahti@BLM.gov.

/s/ Donald A. Simpson

2 Attachments -
1 – Wyoming Reclamation Team and Implementation Time Schedule (1 p.)
2 – Wyoming Interim Reclamation Policy (3 pp.)

Wyoming Reclamation Team:

John MacDonald, Assistant Field Manager for Minerals – Rock Springs Field Office
Arnie Irwin, Soil Scientist – Buffalo Field Office
Chris Perry, Civil Engineer – Casper Field Office
Brenda Neuman, Mining Engineer – WSO
Ken Henke, Hazmat – WSO
Tom Lahti, Landscape Architect – WSO (Lead)

Implementation Time Schedule:

Fall 2006 – Initial re-write of the Interim Reclamation Policy.
November 2006 – Comments on Interim Policy by WSO and select field staff.
December 2006 – Consolidate and incorporate comments.
January 2007 – Issue Interim Policy for review and identify State Reclamation Team.
February 2007 – Initial Field and WO Comment period (look for fatal flaws).
March 2007 – Team to review comments, finalize Interim Policy, start Guidebook.
May 2007 - Review by State agencies and reclamation consultants.
January 2008 –Team to review feed-back and prepare final Policy, and Guidebook.
February 2008 – Finalize and issue Wyoming Reclamation Policy and Guidebook.

Wyoming Interim Reclamation Policy

The Wyoming Interim Reclamation Policy applies to all surface disturbing activities. These activities include all BLM and non-BLM initiated Federal actions that disturb vegetation and the mineral /soil resources on the public lands (both the surface and subsurface estate). Disturbances caused by over-grazing, flooding, fire, or other natural events are addressed in other program guidance. This policy is generally compatible with those program objectives.

A reclamation plan shall be developed for all projects, as part of the project proposal. The reclamation plan shall contain sufficient detail to implement the reclamation activities. The level of detail for the reclamation plan shall reflect: the complexity of the project, the environmental concerns generated during project review, and the reclamation potential for the site. In many situations a simple, generalized reclamation plan can accompany a development proposal followed up with a specific reclamation plan prior to abandonment. These plans shall also incorporate any program specific requirements for reclamation. Best Management Practices shall be integrated into the project proposal "up-front" to facilitate successful reclamation. The Reclamation Plan is deemed complete when all the Reclamation Objectives described below have been adequately discussed, the techniques needed to meet the Reclamations Standards described in appropriate detail, and the BLM confident that the reclamation proposal will be successful.

Areas having Low Reclamation Potential (LRP) (such as badlands, dunes, rock outcrops, etc.) are more difficult to reclaim than most landscapes. LRP areas are characterized by highly erosive soils, soils or sites which have physical, biological and/or chemical limitations, low precipitation rates, or areas which have characteristics that make traditional reclamation practices impractical or unfeasible. Areas of LRP should be identified and delineated, in advance, by the Field Offices. Disturbance of LRP areas should be avoided whenever possible. Prior to development in these areas, a much more detailed site analysis and reclamation plan must be submitted and reviewed prior to project approval. Alternatives to the proposed action should be carefully analyzed using the information from the reclamation plan and documented through the NEPA process.

A. GOAL STATEMENT

The Wyoming BLM's primary long-term goal for reclamation is to prevent any long term unnecessary and undue degradation and provide for eventual ecosystem reconstruction. This means to return the land to a condition approximate or equal to that which existed prior to disturbance or to a stable and productive condition compatible with that prescribed in the land use plan.

Our short-term reclamation goal is to immediately stabilize disturbed areas and to provide the necessary conditions to achieve our long term goal.

B. REQUIRED OBJECTIVES (SUB-GOALS)

1. Ensure that all undesirable materials (e.g., poor subsoil, contaminated soil, drilling fluids, etc.) are isolated, removed, and/or buried, as appropriate, and require the area be protected from contamination.

2. Maintain subsurface (geologic and hydrologic) integrity. Minimize subsidence and eliminate ground water co-mingling and contamination.

3. Establish overall slope stability with appropriate re-contour and earthwork efforts. Reestablish and stabilize water courses and drainage features.

4. Practice soil conservation through various surface manipulations, earthwork, and water management techniques.

5. Re-vegetate to stabilize surface soils, establish natural plant composition, and a self-perpetuating plant community capable of supporting the post-disturbance land use.

6. Establish the basis for mitigating the visual contract created by the surface disturbance, by integrating post reclamation site into the surrounding landscape.

7. Develop and implement a proponent-sponsored reclamation monitoring and management program to evaluate and direct continuing reclamation success.

**Note:*
In areas with Low Reclamation Potential not all of the above objectives will be achievable (e.g., re-vegetation standards may not be appropriate for naturally barren soils). LRP areas should be evaluated using alternative and/or site specific reclamation objectives.

C. RECLAMATION STANDARDS

Use the following standards as a guideline to determine whether a reclamation effort is successful and whether the reclamation liability (i.e., bonds) should be released.

1. There shall be no contaminated materials remaining at or near the surface. All buried undesirable materials shall be physically isolated, using proven methods, for long-term stabilization, consistent with state and other Federal regulations.

2. The subsurface shall be properly stabilized; holes, and underground workings (wells, shafts, etc.) properly plugged, and subsurface integrity and long term stability ensured. The following conditions shall not be identifiable:

    a. Open or unplugged holes/shafts.
    b. Unprotected underground workings.
    c. Subsidence, slumping, or significant downward movement of surface soil materials.
    d. Co-mingling of low quality ground water with other surface and/or ground waters.

3. The final reclaimed area shall be stable and exhibit none of the following characteristics:

    a. Unnaturally large rills or gullies.

    b. Perceptible soil movement, mass wasting, or head cutting on disturbed slopes.

c. Slope instability adjacent to the reclaimed area.
d. Drainages showing signs of active down cutting or deposition.
e. The overall landscape contour shall be appropriate and useable for the planned post reclamation land use.

4. The soil surface must be stable and have adequate surface roughness to reduce run-off and capture rainfall and snow melt. Additional short-term measures, (such as the application of mulch or mechanical surface roughening), shall be used to limit surface soil movement.

5. Vegetation production and relative species diversity shall approximate the surrounding undisturbed area. The vegetation shall stabilize the site and support the planned post-disturbance land use, provide for natural plant community succession and development, be self-perpetuating, and free of noxious weeds. This shall be demonstrated by:

    a. Successful onsite establishment of species included in the planting mixture and/or other desirable native species.
    b. Evidence of desirable vegetation reproduction, either spreading by rhizomatous species or seed production.
    c. Generally, native species shall be used in all re-vegetation efforts. However, *BLM Manual 1745*, describes those situations where non-natives may be substituted.
    d. Integrate with the adjacent undisturbed vegetation and be compatible with the post disturbance land use.

6. The reclaimed landscape shall blend with the visual composition and characteristics of the adjacent area and not result in a change in the Scenic Quality Rating of the existing landscape. Consider overall location, landform, scale, shape, color, and orientation of major landscape features, and meet the needs of the planned post disturbance land use.

7. The proponent shall conduct routine monitoring during and following reclamation activities, in compliance with an approved reclamation monitoring plan. Monitoring shall attempt to identify problems and protect the reclaimed landscape to ensure reclamation success and meet land use planning objectives. This monitoring shall continue until the reclamation liability and bond are released. Each of the previous seven standards shall be achieved and maintained before the reclamation effort can be deemed successful.

*Note:
Where LRP areas or other critical sites identified by the Authorized Officer (AO), cannot be avoided, the proponent shall provide a detailed reclamation plan for evaluation. The plan shall include a site specific reclamation analysis, a qualified reclamation specialist or engineers' estimate of reclamation costs, and all appropriate mitigation and reclamation strategies planned for the project. The AO has the discretion to approve or deny the plan. If the reclamation plan is approved, a reclamation bond may be required.