

BUFFER ZONES

A buffer zone, 100 feet wide, has been designated along the inner perimeter of the permit boundary, with the exception of the access road, railroad corridor, west end of permit area (west of Pit 1), and where the adjoining property is owned by SCM. No mining or associated activities will be conducted within this buffer zone.

Pursuant to a letter from the BLM to the MDEQ, dated September 14, 1988, the BLM as an adjacent surface estate owner, had no objections to eliminating the 100 foot buffer zone requirement to allow mining up to the mine permit boundary. Therefore, no buffer zone exists where the BLM is the adjacent landowner.

Pursuant to DNRC Waiver Indemnification Agreement located in Section 303N, the DNRC has agreed to allow disturbance within the 100' boundary for topsoil stockpile AB2 located on the west end of Pit #4

All mining activities, including highwall reduction, will cease at least 100 feet from a permanent structure, unmineable, steep, or precipitous terrain, or any area determined by the MDEQ to be of unique, scenic, historical or cultural value.

The South Fork of Spring Creek has been designated an AVF, insignificant to farming. This designation allows mining within the drainage. Appendix J (Postmine Hydrology) details the plan for the restoration of the South Fork drainage. The formulation and approval of this plan eliminates the need for a buffer zone along the South Fork Spring Creek.

The Pearson Creek AVF assessment determined the unconsolidated stream laid deposits of Pearson Creek do not provide sufficient subirrigation to benefit or enhance agricultural activities. Natural or artificial flood irrigation are either non-existent or the supply is not dependable enough to be a irrigation source. Therefore, Pearson Creek, within the study area, does not meet the regulatory definition of an AVF