require that standards for success shall include criteria representative of unmined lands in the area being reclaimed to evaluate the appropriate vegetation parameters of ground cover, production, or stocking.

Oklahoma's proposed revisions of Appendices F and O will ensure that, on land reclaimed for use as pastureland or grazingland, the demonstration of success of restored productivity, based on technical standards derived from SCS soil surveys, accurately represents the productive potential of similar soils in the region.

The Director finds that Oklahoma's proposed revisions of Appendices F and O are no less effective than the Federal regulations at 30 CFR 817.116(a) (1) and (2) and 817.116(a) (1) and (2). The Director approves them.

IV. Summary and Disposition of Comments

1. Public Comments

OSM invited public comments on the proposed amendment, but none were received.

2. Agency Comments

Pursuant to 732.17(h)(11)(i), OSM solicited comments on the proposed amendment from various Federal agencies with an actual or potential interest in the Oklahoma program (administrative record No. OK–960).

a. SCS. On March 14, 1994, SCS responded with the following comments (administrative record No. OK–959.07). SCS (1) recommended that Oklahoma use the terms "native grazingland" and "introduced grazingland" in place of the terms "grazingland" and "pastureland;" (2) recommended revision of the method described in Appendix O to calculate a technical standard, for total production on grazingland and pastureland; and (3) stated that the methods described for treatment of rills and gullies in Appendix R represent normal practices used for gully control in the State of Oklahoma.

With respect to the recommendation that Oklahoma use the terms "introduced grazingland" and "native grazingland" in place of the terms pastureland" and "grazingland," the Federal regulations at 30 CFR define (1) "pastureland" to mean land used primarily for the long-term production of adapted, domesticated forage plants to be grazed by livestock or occasionally cut and cured for livestock feed, and (2) 'grazingland" to mean land used for grasslands and forest lands where the indigenous vegetation is actively managed for grazing, browsing, or occasional hay production. In addition,

Oklahoma's rules at section 701.5 include definitions of "pastureland" and "grazingland" that are identical to the Federal regulations. Oklahoma, in Appendix O of the Bond Release Guidelines, refers to "pastureland" and 'grazingland'' as, respectively, improved pasture grasses and native range grasses. Therefore, because Oklahoma's use of the terms "pastureland" and "grazingland" in the Bond Release Guidelines is consistent with and no less effective than the use of these terms in Oklahoma rules and the Federal regulations, the Director is not requiring that Oklahoma revise the amendment in response to this comment.

With respect to the recommendation that Oklahoma revise the method described in Appendix O to calculate a technical standard for total production on grazingland and pastureland, OSM required in its May 20, 1994, issue letter that Oklahoma revise the method described in Appendix O to accurately represent the total productive potential of soils based on SCS soil county survey productivity figures expressed in AUM's. Oklahoma responded in its July 21, 1994, revised amendment with explanatory information and revisions to Appendix O that addressed OSM's issue letter with respect to the calculation of a technical standard for total production on grazingland. However, in response to additional August 29, 1994, SCS comments concerning the calculation of a technical standard for total production on pastureland, Oklahoma, at its own initiative, proposed further revisions to Appendix O in its September 2, 1994, revised amendment (see finding No.

With respect to the comment that the methods described for treatment of rills and gullies in Appendix R represent normal practices used for gully control in the State of Oklahoma, the Director, as discussed in finding No. 2.f above, is approving the guidelines for repair of rill and gullies in Appendix R as a normal husbandry practice.

SCS also responded on August 29, 1994, with the following comments (administrative record No. OK–959.18). SCS again recommended, that because both the terms "pastureland" and "grazingland" as used by Oklahoma in Appendix O can mean grazingland, Oklahoma use either "native grazingland" or "rangeland" in place of the term "grazingland." As discussed above, in response to a similar comment made by SCS in its March 14, 1994, letter, OSM is not requiring that Oklahoma revise the Bond Release Guidelines in response to this comment.

SCS recommended another means of revising the method for calculating a technical productivity figure on pastureland in Appendix O of Oklahoma's Bond Release Guidelines. SCS recommended revising Appendix O to instruct the permittee to convert the SCS soil survey AUM productivity figure to an air-dried pounds of production per acre figure. The conversion would take into consideration the 50 percent utilization rate that is inherent in the AUM figure by doubling the pounds of vegetation consumed by one animal (780 pounds per acre). That is the SCS AUM productivity figure must be multiplied by 1560 to convert it to a production figure in pounds per acre. This converted figure would reflect the total soil production potential.

In addition, SCS recommended that Oklahoma revise Appendix F to require that each sample be clipped to the ground and that the area be sampled once in the spring for cool season grasses and once in the fall for warm season grasses. SCS also commented that the native grass figures listed in an SCS soil survey are direct production figures and therefore, clipping on grazingland will be a direct comparison.

In response to these SCS comments, Oklahoma, at its own initiative, in its September 2, 1994, submittal, revised, as recommended by the SCS, (1) Appendix F, concerning the method of production sampling, and (2) Appendix O, concerning the methods of calculating technical productivity standards on pastureland and grazingland. As discussed in finding No. 2.k above, the Director is approving Oklahoma's proposed revisions of Appendices F and O.

SCS commented that because of variability in weather and soil conditions, and interpolation of data, that the applicable productivity levels should be set at 90 percent of the yield goal. The Federal regulations at 30 CFR 816.116(a)(2) and 817.116(a)(2) and Oklahoma's rules at OAC 460:20-45-46(a)(2), require for success of revegetation that the operator demonstrate that it has achieved 90 percent of the success standard. In other words, the operation must, in order to demonstrate success of productivity, meet only 90 percent of the technical success standard that is calculated by the methods described in Appendix O of Oklahoma's Bond Release Guidelines. Therefore, because the Federal regulations and State rules already provide for the SCS recommendation, OSM is not requiring that Oklahoma further revise the Bond Release Guidelines in response to this comment.