ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

Operator Memorandum 2016-01

To: All Coal Mine Operators/Consultants

Date: August 2, 2016

From: Scott K. Fowler, Supervisor
Land Reclamation Division

Re: Reporting of Affected Acreage, FY16

At this time, the Department is extending the deadline for FY16 affected acreage reporting until Thursday, December 31, 2016.

The current Affected Acreage form (SCML-3) can be found on the Department's Operator Forms and Applications web page at:

http://www.dnr.illinois.gov/mines/LandReclamation/Documents/SCML3.pdf

All operations having acres permitted, but not yet reported as affected, must complete and submit an Affected Acreage form. Maps with the Affected Acreage form are ONLY required for those operations reporting newly affected acres. Maps must comply with 62 Ill. Adm. Code 1816/1817.190. Companies must submit one copy with original signature, one copy for field files and one copy for each county the mine is operating in. All copies must include maps, when applicable. **DO NOT** forward copies to the county clerk's office.

Operations to be reported are: **surface affected** areas for support facilities/infrastructures and **mined overburden** for overburden placement and auger mining areas. Areas re-affected during the reporting period should be included in these totals and on page two under the Re-affected Acreage section of the form.

Operator Memorandum 2015-05, issued November 18, 2015, addressed the fact that OSM has determined that "timber removal, or any type of land clearing...could be considered a surface coal mining activity..." In light of this determination the memorandum stated that "the Department is now obligated to consider 'timber removal, or any type of land clearing' as surface coal mining activity." It is the Department's discretion to establish what type of "surface coal mining activity" must be reported on the annual affected acreage map. It has been determined that tree removal areas will be addressed in the same manner as areas affected only by surface soil removal.

Surface soil removal and timber removal only acres are NOT to be shown on the affected acres map or indicated on the SCML-3 Affected Acreage form until these areas qualify as **surface affected** or

mined overburden as defined above. However, if upon completion of mining these areas have not been subsequently affected by operations and reported as such in an SCML-3 Affected Acreage form, then they shall be reported on the following year's affected acreage report as surface affected.

All affected acreage forms and maps must be submitted to:

Scott Fowler
IDNR, Office of Mines and Minerals, LRD
One Natural Resources Way
Springfield, IL 62702-1271

If you have any questions concerning the reporting of affected areas for your sites, please contact your field inspector or Jim Schafer at our Springfield office.