


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 No. 2018-06

To: All Coal Mine Operators/Consultants

From: Nick San Diego, Supervisor 
Land Reclamation Division

Date: December 5, 2018

Re: Pre-Application and Application Status Timber Removal

This memorandum supersedes Operator Memorandum No. 2014-01.

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has stated: "It is our position that timber removal, or any type of land clearing at proposed coal mine permit sites, which are in pre-application or application status, could be considered a surface coal mining activity conducted to facilitate the proposed mining operation."

To comply with OSMRE's stated position, the Department is implementing the following policy concerning timber removal operations within proposed permit areas that are in pre-application or application status:

Any timber removal operations within proposed permit areas that are in pre-application or application status review must first be approved by the Department. Department approval is contingent on the following and will be evaluated on a case-by-case basis:

1. The applicant must demonstrate that timber removal is being conducted solely by an entity other than the applicant and not at the direction of the applicant; and
2. Timber removal operations must be conducted as part of a long-term timber management plan developed for the entire area and not restricted to the proposed permit boundary; and

3. The applicant must demonstrate that timber removal operations will not include grubbing or other forms of stump removal or any other activities to facilitate the proposed mining operation.

This policy is relevant to new applications as well as incidental boundary revisions. "Pre-application status" begins when the applicant contacts the Department pursuant to 1780.16/1784.21(a)(1)(A). "Application status" begins when an application is submitted for review.

If timber removal operations are conducted in violation of the above policies or procedures, the applicant shall be subject to enforcement action for conducting surface coal mining operations without a permit, as required by Section 1773.11(a).