

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Parks Designation Act is amended by
5 adding Section 11 as follows:

6 (20 ILCS 840/11 new)

7 Sec. 11. Leasing property.

8 (a) Notwithstanding any provision of this Act or any other
9 law to the contrary, property located within Pyramid State Park
10 and described in subsection (b) of this Section shall no longer
11 be designated part of Pyramid State Park and the Department of
12 Natural Resources is authorized to lease such property to a
13 private entity having options to purchase property adjacent
14 thereto on which mining operations are planned, provided that
15 the private entity shall demonstrate to the Department that:

16 (1) the property described in subsection (b) of this
17 Section does not include areas:

18 (A) listed on the Illinois Natural Areas
19 Inventory;

20 (B) serving as known critical habitats for species
21 listed as threatened or endangered in Illinois;

22 (C) serving as part of a floodplain; or

23 (D) that are part of an Illinois State Natural

1 Preserve.

2 (2) mining operations are feasible on the adjacent
3 property;

4 (3) such operations shall consist of overburden
5 removal and, at the option of the Department, replacement
6 of topsoil in reclamation;

7 (4) such operations shall have a significant impact on
8 the local economy as they are projected to create
9 employment opportunities for approximately 45 persons and
10 to serve as the source of payroll and direct expenditures
11 of approximately \$12 to \$15 million per year;

12 (5) no surface mining for the extraction of coal shall
13 be conducted on the property described in subsection (b) of
14 this Section;

15 (6) the property described in subsection (b) of this
16 Section and the property adjacent thereto on which mining
17 operations are planned shall be reclaimed by the private
18 entity on the expiration of the lease and shall be fit for
19 conservation and recreation purposes; and

20 (7) the adjacent property consists of 240 acres and
21 shall ultimately be conveyed to the State, Department of
22 Natural Resources.

23 (b) The property is described as follows:

24 The East 300 feet of even width of the Northwest
25 Quarter, of Section 8,

26 And

1 The East 300 feet of even width of the South 1,620 feet
2 of the Southwest Quarter, Section 5,

3 And

4 South 300 feet of even width of the North Half of the
5 Southeast Quarter, Section 5,

6 And

7 The West 300 feet of even width of the South 1,620 feet
8 of the Southwest Quarter, Section 4,

9 And

10 The West 300 feet of even width of the North 2,940 feet
11 of the West Half, Section 9,

12 And

13 North Half of the Southeast Quarter, Section 8.

14 All in Township 6 South, Range 3 West, of the Third
15 Principal Meridian, Perry County, Illinois.

16 (c) The Department of Natural Resources shall lease the
17 property described in subsection (b) of this Section for fair
18 market value, and the term of the lease shall be for a period
19 of no longer than 10 years with no option for renewal.

20 (d) Prior to the execution of the lease, the private entity
21 must receive Department approval of a plan for the reclamation
22 of both the property described in subsection (b) of this
23 Section and the property adjacent thereto on which mining
24 operations are planned. The plan shall include a cost estimate
25 and timeline for reclamation activities. The private entity
26 shall provide financial assurance in an amount and in a form

1 sufficient to fund all reclamation activities in the
2 Department-approved reclamation plan. At the option of the
3 Department, both properties shall be reclaimed to farmland
4 standards, with reclamation activities occurring
5 contemporaneously with farmland activities. On the expiration
6 of the lease and upon the request of the Department of Natural
7 Resources, the private entity must execute the reclamation
8 plan.

9 (e) Any and all leases for the property described in
10 subsection (b) of this Section in effect on the effective date
11 of this amendatory Act of the 97th General Assembly are
12 terminated by operation of law.

13 (f) The provisions of this Section only apply to property
14 described in subsection (b) of this Section and property
15 adjacent thereto, and do not apply to any other property within
16 Pyramid State Park, any other property within any other
17 designated State park under the jurisdiction of the Department
18 of Natural Resources, or any other State property.

19 (g) The authorization for the Department lease property
20 under this Section shall not apply if the Department determines
21 that mining activities pose a risk to the recreational uses,
22 wildlife, hydrology, water quality, habitat, or potential for
23 habitat restoration of lands owned by the Department.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.