

AN ACT concerning State government.

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

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

(20 ILCS 840/11 new)

Sec. 11. Leasing property.

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

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

(A) listed on the Illinois Natural Areas Inventory;

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

(C) serving as part of a floodplain; or

(D) that are part of an Illinois State Natural

Preserve.

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

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

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

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

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

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

(b) The property is described as follows:

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

And

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

And

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

And

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

And

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

And

North Half of the Southeast Quarter, Section 8.

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

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

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

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

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

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

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

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