Prior law provided that certain information had to be submitted to the office of conservation on applications for surface coal mining and reclamation permits.

New law retains the prior law and also requires applicants to describe cultural, historic, and archaeological resources within the proposed mine plan and adjacent areas and protective measures to be used to minimize the adverse impact of the mining operation.

New law further requires applicants to describe fish and wildlife resources within the proposed mine plan and adjacent areas, and site information about certain species and habitats if the proposed permit area or adjacent area is likely to include endangered or threatened species.

New law further requires applicants to describe the protective measures that will be used to minimize disturbances and adverse impacts on wildlife, the environment, and endangered or threatened species.

Prior law provided that if the commissioner determined that the probable annual production of a coal mine would not exceed 100,000 tons, then he could assume the cost of the determination of probable hydrologic consequences of the mining operation and the statement of results of test borings or core samples that are required for a permit application.

New law provides that if the commissioner determines that the probable annual production of a coal mine will not exceed 300,000 tons, then he can assume the cost of the determination of probable hydrologic consequences of the mining operation, including the engineering analyses and designs necessary for that determination, cross-section maps and plans, the drilling and statement of results of test borings or core samples, pre-blast surveys, the collection of historic information and site-specific resources information, protection and enhancement plans for wildlife and the environment, and any required information and plans for any other environmental values that are required for a permit application.

New law provides that a surface mining permit may require mitigation and treatment after permit issuance provided such measures are completed before the properties are affected by mining operations.

Prior law provided an exemption from the permit requirement for coal mines of two acres or less.

New law provides an exemption from the permit requirement for coal extraction that is incidental to the extraction of other minerals if the amount of coal does not exceed 16-2/3% of the total tonnage of coal and other minerals removed for commercial use or sale.

Effective August 15, 1999.

(Amends R.S. 30:907(B)(16) and (C), and 927(2); Adds R.S. 30:907(B)(17), (18), (19), and (20))