**Section 1784.17 Protection of Public Parks and Historic Places**

a) For any publicly owned parks or any places listed on the National Register of Historic Places that may be adversely affected by the proposed operation, each plan shall describe the measures to be used:

1) To prevent adverse impacts caused by surface mining related activities including, but not limited to, loss or destruction of historic artifacts and damage to historic structures or property; or

2) If a person has valid existing rights, as determined under 62 Ill. Adm. Code 1761.16, or if joint agency approval is to be obtained under 62 Ill. Adm. Code 1761.17(d), to minimize adverse impacts.

b) The Department, in consultation with the Illinois State Historic Preservation Agency, may require the applicant to protect historic or archeological properties listed on or eligible for listing on the National Register of Historic Places through appropriate mitigation and treatment measures. Appropriate mitigation and treatment measures may be required to be taken after permit issuance, taking into account mining plans and the amount of materials present, provided that the required measures are completed before the properties are affected by any mining operation. Appropriate mitigation and treatment measures for properties consisting of buried or surface deposits of archeological materials may include making the property available to any interested archeological investigators for study for a period of time that takes into account mining plans and the amount of materials present.

(Source: Amended at 27 Ill. Reg. 4678, effective February 26, 2003)