

Performance Agreement

Between

**The Illinois Department of Natural Resources
Office of Mines and Minerals
Abandoned Mine Land Reclamation Division**

and

**The Office of Surface Mining Reclamation and Enforcement
Indianapolis Area Office**

for

Evaluation Year 2007

May 31, 2006

I. INTRODUCTION

In 1995 the Office of Surface Mining (OSM) and the National Association of Abandoned Mine Lands Programs signed a declaration of shared commitment. That commitment, ratified by Association members, was toward public service, teamwork, responsibility and integrity in carrying out the provisions of Title IV of SMCRA through approved State/Tribal programs.

Following that national commitment, a State-Federal partnership between the Illinois Office of Mines and Minerals, Abandoned Mine Land Reclamation Division (AMLRD), and the OSM-Indianapolis Area Office (IAO) was established and continues to the present. This partnership has been, and should continue to be, maintained in a spirit of cooperation, trust, mutual respect and dedication to continued success in restoring abandoned mine lands and meeting the needs of affected citizens.

Beginning in 1996, OSM's policies and procedures for evaluating AML Programs within the context of shared commitment were set forth in OSM Directive AML-22. In that directive, six "principles of excellence" were presented to guide OSM in conducting Enhancement and Performance Reviews (oversight) of State programs. In addition, examples of performance measures relating to each principle were presented to help determine the degree to which AML Programs meet those principles. Since IAO's oversight activities are guided by AML-22, it will serve as a framework for this Performance Agreement.

This agreement provides for the AMLRD and the IAO to work together to enhance a successful program. Both parties should respect their different roles and responsibilities in accomplishing the mutual goal of fulfilling the purposes of SMCRA and the State's approved plan.

II. TERM OF THIS AGREEMENT

The performance period of this agreement shall be July 1, 2006 through June 30, 2007: OSM's 2007 Evaluation Year (EY 07).

III. PRINCIPLES/SPECIFIC TOPICS FOR ENHANCEMENT AND PERFORMANCE REVIEWS

Mutually agreed upon topics will be chosen and a work plan setting forth the scope and methodology of each evaluation will be developed prior to initiation of any reviews.

IV. OSM-INDIANAPOLIS AREA OFFICE OBLIGATIONS

The Indianapolis Area Office shall:

1. Perform its oversight function (Enhancement and Performance Review activities) in cooperation with the AMLR Division in a fair and open manner.

2. Clearly communicate with the AMLR Division to discuss the program as needed, while striving to reduce the impact on the AMLR staff as much as possible.
3. Recognize excellence in the Division's performance and report it in all performance related documentation.
4. Notify the AMLR Division immediately if any issue arises which could reflect negatively on performance.
5. Serve as the Division's primary source for technical assistance and Federal policy information relating to SMCRA implementation, and respond to all requests in an accurate and timely manner.
6. Trust the AMLR Division in fulfilling its responsibilities, and respect its authority as IAO strives to fulfill its support and oversight role.

V. ILLINOIS OMM-AMLR DIVISION OBLIGATIONS

The AMLR Division shall:

1. Freely communicate with the IAO concerning any issues relating to performance as they arise so that they can be resolved in a timely manner.
2. Cooperate with the IAO in its Enhancement and Performance Review activities (within the limits of practicability) as mutually agreed.
3. Provide program data in accordance with OSM Directive AML-22, and other information needed by any joint work team, or for OSM program monitoring.

VI. MODIFICATION OF THIS AGREEMENT

This agreement may be modified at any time by mutual agreement of the involved parties. Modifications shall be in writing and shall be signed by both parties.

VII. SIGNATURES

For Illinois OMM-AMLR Division/Date

For OSM Indianapolis Area Office/Date