



# NASLR

NATIONAL ASSOCIATION OF  
STATE LAND RECLAMATIONISTS

Spring 2024

<http://www.naslr.org>

## PRESIDENT'S MESSAGE

*Vickie Broomhead - Illinois Department of Natural Resources, Office of Mines and Minerals, Land Reclamation Division*

October 8-10, 2024 is the 52nd Annual NASLR Conference, being held in Carterville, Illinois at the Walker's Bluff Casino Resort. Please check the NASLR website for more information and updates. NASLR has secured a block of rooms at Walker's Bluff – you can call 618-993-7777 using "NASLR Conference" to reserve your room at the conference rate. NOTE: All room reservations must be made by September 7, 2024.

This edition of the NASLR newsletter includes a "Save The Date" flyer and a "Call for Presentations" for the upcoming conference. Our conference theme is "Reclamation to Recreation" - any presentations that discuss reclamation activities and recreational opportunities are welcome. I sincerely hope that you can make the time to join us here in Illinois. The field trip will consist of an underground coal mine tour, a surface tour of current reclamation activities, a tour of 1-2 AML sites and a visit to a former coal mine site that has been converted to a State Fish & Wildlife Area. Southern Illinois is beautiful, especially in the fall!

By now you're heard from me via a few "NASLR Nation" messages. I hope that you take the time to read and get some inspiration and encouragement from them. NASLR needs you – now more than ever - to help us continue to provide relevant, timely content and value to our members. There are a plethora of reclamation groups you can chose from, and we're so happy that you are choosing to be a part of NASLR. We are always looking for cooperative efforts between other organizations, so if you are also a member of another reclamation group, would you please share our information with your fellow group members and direct them to check out our website and/or Facebook page and group? Cross exposure is so important in the current social media driven age, where "likes" and "follows" determine if your information gets out into the world or not.

NASLR is a forum for the exchange of information between our members, who are predominately State employees engaged in mining-related reclamation and regulation. We always welcome articles for the newsletter to share stories of successes, failures, lessons-learned and even issues you might be dealing with in your State (e.g., wildlife, groundwater and surface water, bonding, forfeiture, permitting or inspection related). This is your chance and opportunity to get those issues out in the open and discuss with others in the reclamation and regulatory field that might offer up a solution or a suggestion to help.

Please enjoy this latest newsletter and I look forward to seeing you in October in Illinois. If you have any questions, comments or concerns, please feel free to contact me or any Executive Committee member.



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**52<sup>ND</sup> ANNUAL HYBRID CONFERENCE  
RECLAMATION TO RECREATION  
CARTERVILLE, ILLINOIS  
OCTOBER 8-10, 2024**



**HOTEL REGISTRATION INFORMATION – CALL **618-993-7777** USE  
“NASLR CONFERENCE” TO ACCESS ROOM BLOCKS**

**ROOM RESERVATIONS MUST BE MADE BY **SEPTEMBER 7, 2024.****

**CONFERENCE REGISTRATION INFORMATION**

**IN-PERSON CONFERENCE REGISTRATION - \$275 PER PERSON,  
INCLUDES ALL CONFERENCE SESSIONS, FIELD TRIP, NASLR  
AWARD BANQUET AND SOME MEALS**

**VIRTUAL CONFERENCE REGISTRATION - \$30 PER PERSON**

**QUESTIONS? EMAIL  
[NASLR24CONFERENCE@OUTLOOK.COM](mailto:NASLR24CONFERENCE@OUTLOOK.COM) OR  
CONTACT ANY NASLR EXECUTIVE COMMITTEE MEMBER**



**NASLR**  
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STATE LAND RECLAMATIONISTS

## RECLAMATION TO RECREATION CONFERENCE & FIELD TRIP INFORMATION PREVIEW

NASLR HAS SECURED AN UNDERGROUND COAL MINE TOUR AS PART OF OUR FIELD TRIP. WE WILL ALSO VISIT AN ILLINOIS STATE FISH & WILDLIFE AREA CREATED ON A FORMER SURFACE COAL MINE AND ILLINOIS AML SITES THAT HAVE RECENTLY BEEN RECLAIMED.

### PRESENTATIONS TOPICS FOR THE CONFERENCE ARE:

- ✓ MINES TO PARKS INITIATIVE IN ILLINOIS
- ✓ MINING EQUIPMENT & METHODS OVER THE YEARS
- ✓ TRANSFORMING COAL MINE PROPERTY INTO A RECREATIONAL OPPORTUNITY
- ✓ HIGH DENSITY STREAM SURVEY STUDY

DO YOU HAVE A TOPIC YOU'D LIKE TO PRESENT?

EMAIL: [NASLR24CONFERENCE@OUTLOOK.COM](mailto:NASLR24CONFERENCE@OUTLOOK.COM) OR  
CONTACT ANY NASLR EXECUTIVE COMMITTEE MEMBER

# CALL FOR NOMINATIONS

## THE NASLR AWARDS & SCHOLARSHIP

DEDICATED  
RECLAMATIONISTS

STUDENTS WORKING IN REC-  
LAMATION FIELD

OUTSTANDING  
RECLAMTATION WORK

FOR MORE INFORMATION VISIT OUR WEBSITE— [WWW.NASLR.ORG](http://WWW.NASLR.ORG)

DEADLINE JULY 1ST

**MINED LAND RECLAMATION AWARD (COAL & NON-COAL)**

[UPDATEDNASLR\\_RECLAMATIONAWARDAAPPLICATION.PDF](#)

**OUTREACH AWARD**

[UPDATEDNASLR\\_OUTREACHAWARD.PDF](#)

**DEAN SPINDLER RECLAMATIONIST OF THE YEARD AWARD**

[UPDATEDNASLR\\_DEANSPINDLERWAWARDAAPPLICATION.PDF](#)

**NASLR SCHOLARSHIP**

[UPDATEDNASLR\\_SCHOLARSHIPAPPLICATION.PDF](#)

If you are not already a member or know someone interested in becoming involved with a group of reclamation professionals promoting excellence in reclamation, please contact us or forward this flyer to them. You are cordially invited to join NASLR, a group of member state reclamation agencies throughout the United States.

To join, see conference or request additional information, please visit our website at:

[www.naslr.org](http://www.naslr.org)

## ***FREE Webinar for NASLR Members***

NASLR is excited to announce that in April we will begin hosting quarterly webinars free to our members. Each webinar will consist of updates from NASLR and other goings on in the mining world, a presentation on a mining related topic followed by Q&A, and a round table discussion. The round table discussion is envisioned to give members an opportunity to talk to members in other states to discuss projects, ask questions, share opportunities, and meet other reclamationists.

The first webinar is slated to take place on Tuesday April 16th at 1pm EST and is planned to last one hour. The first presentation will be by Jami June, Mined Land Reclamation Specialist 2 with the New York State Department of Environmental Conservation. Mr. June's presentation will consist of a hydrogeologic review of a proposed mine expansion in St. Johnsville, NY. It will also evaluate the proposed reclamation objective of a "free-draining" quarry and associated proposed water control features.



## ***Coming Soon to the NASLR Newsletter***

NASLR Time Machine – a throwback to NASLR newsletters from the past.  
How do challenges of the past relate to the present?

# ***Notes from the Field by Dean Spindler***

## ***The Art of Negotiation— Lets Make a Deal, Offering the Operator Door #1, Door #2, or Door #3 when the need arises.***

Most of us in reclamation have a background education in the sciences and tend to associate negotiation with the business or legal professions. It is doubtful that many of us have had any formal training in negotiation, either as a college class or as continuing education training. It is my understanding that courses in the art of negotiation are part of the standard curriculum for both the business and legal schools. This is unfortunate, as many of us in the regulatory world end up having to learn the principles and art of negotiation solely “on the job”. Some of you might be thinking, “I’m not selling anything”, and “what is there to negotiate”? I’m just enforcing a set of black and white written rules and operators are either in compliance, or they aren’t. My time in the regulatory world has shown me time and again that this is not the case. In fact, one of the things we try to assess during interviews for field and technical positions is how a candidate would handle a situation where these skills would be needed.

One of the common themes in many of the “Notes from the field” articles is working to develop “cooperative professionalism” with your operators. You are persuading, or selling, the idea to the operator that those who are trying to follow the rules, integrating reclamation planning into their business model, and being up front with you when problems arise is actually good for their business. By doing this they have involved you in the process, making both of you more prepared when issues arise. That black and white regulation that says you to have X acres graded by X date probably has some version of the caveat “unless for good reason” an extension of time may be granted to a future “negotiated” time.

I learned the following key points from my readings about negotiation: be an active listener, have a good working relationship with the other party, practice your communication skills, understand the technology or capabilities of the other party, maintain your demeanor if negotiations start to break down, and establish metrics to determine if your negotiation was successful. All of these key points can be applied to the example cited above regarding determining if a grading extension is warranted vs. writing a violation for an unmet grading deadline under a rule. Possessing those kinds of skill, plus having established that cooperative professional working relationship, makes your job of evaluation and decision much easier. During that evaluation, you may have also negotiated a commitment to do something extra or different in the field to prevent having to repeat this exercise at a later date. A negotiation with a difficult operator is much more challenging, and all of your skills (and your patience) may be tested!

Another key I learned has the acronym BATNA (Best Alternative To a Negative Agreement). In our world, this may come down to writing a Notice of Violation, or whatever term your program uses for starting enforcement. When enforcement scenarios arise, we are still in the negotiator role, but from a stronger position regarding how to solve the issue. As the regulatory authority, we will set



## *Notes from the Field by Dean Spindler continued*

we will set the terms for the solution. In the possible grading extension example above, there is cooperative wiggle room to negotiate a reasonable deadline when grading must be completed.

As usual with my articles, and as usual for those who I worked with, you are going to get a few job-related stories to reinforce the point, so here we go again.

When I was first hired it was to enforce a brand new (new to the state and new to the operators) soil reconstruction regulation for cropland at coal mines. It included specific language for maximum coarse fragment size (ten inches) and by volume (20%) for a minimum total root zone thickness of 48 inches, including topsoil. My job entailed developing field-testing procedures, going out to the surface mines to pass or fail the reconstructed subsoil to determine if it was ready for topsoil replacement. It involved inspecting anywhere from 10 to 200 acres at a time. Having degrees in both geology and soils, I should have been well prepared to be a soil inspector. I wasn't. The first eye opener was that geologists and soil scientists consider shale to be a rock and therefore all rocks are coarse fragments. Regulations and textbooks don't always match. The regulatory history, of which I was unaware, was that shale was not a coarse fragment as it was assumed to weather away to smaller particles and become soil. The "black and white" rule wasn't so black and white after all. It had to be sorted out between the regulator and the regulated industry which shales weathered in a "reasonable time" and which didn't. This was a negotiation that only occurred after considerable laboratory testing and field validation. In addition, a common leading question which was always asked of me was "what if you found one oversized coarse fragment in a 10 or 200 acre test, do fail it or do you pass it?"...or do you chuck in the back of your truck and call it good? What if you found two rocks or three? Was the problem systematic or was the rock an outlier? What if a small area was too coarse or too thin, could you carve it out and do a partial acceptance? In many cases, enhanced negotiation skills (as yet unlearned) and more field experience would have helped me in making those decisions. There was a lot of controversy, and I would never have been voted "Most Popular Inspector" at the annual industry association convention during those years, I am sure. Over time operators learned what was expected, technology adapted, and negotiated decisions became rarer.

The time I needed negotiation skills the most was when dealing with the head of reclamation of a very large operator, who was well known for his hot temper. You had to deal with him for all the significant issues. The consensus of the southern staff was you hadn't truly had your test of fire if you had not endured one of his "schizoid" episodes where he would get in your face, tell you he would call the main office to get them to override your authority, and that he had the connections to get you fired too! The irony was that this man was one of the most innovative reclamationists of his day, he wanted to try a whole variety of new technologies and reclamation practices, and would go to the mat with his company if you convinced him your issues were real and your solution options were reasonable during those negotiations. Significant advances in soil reconstruction and revegetation were a result of those negotiations at this mine. Once during a phone conversation, I

## *Notes from the Field by Dean Spindler continued*

sat the phone down on my desk for 10 minutes during his yelling rants with an occasional comment to assure him I was listening. Speaker phones had not been invented yet. After he calmed down, we came to a solution for the particular issue of the day.

When doing a bond release field assessment, you must decide, and possibly negotiate with an operator whether to carve out a “small” bare or acidic spoil area to hold back, allow it to be treated and or seeded immediately, or include in with the whole area. This one I am sure has been the topic for most every inspector.

Humor and mutual respect can be key traits in negotiations. In states with overlapping agency jurisdictions, developing a good working relationship is paramount. I used to keep a Christmas card in my note taking folder when working with a specific water quality agency manager. When trying to reach a consensus between agencies on a regulation interpretation or how to fix a joint field issue with no progress being made, I would pull out the card and tell him I was considering taking him off my Christmas card list. Later, at the end of a successful meeting, I would put the card back in my folder and assure him he was still on the list. It usually worked, or at least kept lines of communication open.

I’m sure we all have our stories where we felt pretty good having left the field or a leaving a meeting thinking all your points were made, and obtained a reasonable solution to the issue of the day. Conversely, in hindsight at a later date realized the outcome of the earlier decision was not what you had hoped. The best example of the latter is having to revisit same grading or reclamation extension deadlines the following year. Either way, I would suggest taking advantage of any training in negotiation offered, or even for those coal folks, asking OSM to consider developing a class, as it is an unmet need.

### *Remembering Linda Hiltabrand 1953-2024*

It is with a heavy heart to tell you of the passing of Linda Hiltabrand. Linda was a Past President of NASLR in 1989 and again in 1996. She also was the Secretary-Treasurer for many years and helped organize several NASLR conferences held in Illinois. She was a field inspector for the Office of Mines and Minerals - Land Reclamation Division from 1978 to 2009. In addition, she was an active member of the Illinois Association of Aggregate Producers’ Public Information and Education Committee. Linda continued to be involved in IAAP, even after she retired, helping to organize the IAAP’s summer teacher education workshops held each year. Over the years, these workshops taught hundreds of schoolteachers about reclamation and the use of the minerals mined in Illinois. Just months before her passing she had expressed interest in making a presentation at this year’s October conference on reclaimed aggregate sites that have become public parks.



[Linda Hiltabrand Obituary \(1953 - 2024\) - Peru, IL - News Tribune \(legacy.com\)](#)



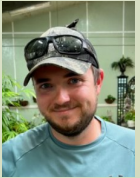


# 2023-2024 OFFICERS AND

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