



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
www.dnr.illinois.gov

Bruce Rauner, Governor  
Wayne A. Rosenthal, Director

## Operator Memorandum 2017-02

To: All Coal Mine Operators/Consultants

Date: March 8, 2017

From: Scott Fowler K. Fowler, Supervisor  
Land Reclamation Division

Re: Tree and shrub planting and management

A handwritten signature in black ink, appearing to read "Scott Fowler".

Reforestation for both Fish and Wildlife - Woody and Forest Post-Mining Land Uses (PMLU) occurs on reclaimed mine lands for the purposes of a) restoring riparian habitat along relocated, restored, or otherwise disturbed streams, b) adhering to approved bat Protection and Enhancement Plan tree acre replacement requirements, and c) general replacement of native forested areas that are disturbed by mining related activities. To facilitate the most successful reforestation on reclaimed mine lands and to more effectively meet the regulations found at 62 Ill. Adm. Code, the Department provides the following guidance:

- 1) Section 1816/1817.113(b) requires trees and/or shrubs to be planted 2 years after replacement of the plant growth medium. The 2 year requirement is a maximum and operators are encouraged to plant woody species the first year after replacement of rooting medium. First year tree planting activity would be concurrent with planting the approved temporary or permanent woody area herbaceous ground cover. Earlier planting and active management of woody species will reduce the potential for competition with dense herbaceous ground cover. For areas where erosion is anticipated to be problematic, a quick growing ground cover that meets the requirements of item no. 2 in this memo may be established when used in conjunction with a herbicide and reseeding management plan.
- 2) Woody species establishment and long term success is inhibited by aggressive herbaceous ground cover species that can compete for water and nutrients below ground and sunlight above ground. Operators are encouraged to use slow growing, non-competitive herbaceous ground cover species that have growth habits compatible with increased woody species survival. Herbaceous ground cover species for woody areas should be comprised of native species and meet the requirements of Sections 1816/1817.111 (a) and (b) and 1816/1817.97(g). If non-native species are proposed to establish a quick cover for the purposes of erosion control or to achieve the PMLU, an adequate justification meeting the stipulations of 1816/1817.111(a)(2) and/or (c) is required and must be approved by the Department.

- 3) Active management of Fish and Wildlife - Woody and Forest PMLU areas is critical to initial and long term revegetation success of woody species. As described in Section 1816/1817.116(b)(1), operators are required to establish and maintain a plan of periodic measurements of woody areas to determine if remedial actions are necessary. Activities to achieve desired revegetation success may include mowing, burning, herbicide application to reduce competition or control invasive species, irrigation if necessary and pest and disease control measures if necessary. In addition, any management activities described in Part V of the approved permit shall be initiated upon the date of this memorandum. Management activities may also be initiated at any time at direction of the Department. It is imperative to note that, according to Section 1816/1817.117(a)(5), planting stock replacement is only permitted within the first two years after initial planting without re-starting the period of applicable responsibility.
  
- 4) Due to the prolific growth habits of black locust (*Robinia pseudoacacia*) and its tendency to dominate species composition, the current policy of the Department is to limit its use to 10% of the initial planting stock in Fish and Wildlife - Woody and Forest PMLU areas. The use of black locust will not be an approved species for any supplemental planting efforts that take place within the first two years of applicable responsibility.

This operator memorandum supersedes the February 8, 2010 Memorandum No. 2010-01. Should you have questions, please contact the Department wildlife staff for clarification.