



# Illinois Department of Natural Resources

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Bruce Rauner, Governor

Wayne A. Rosenthal, Director

## Operator Memorandum 2017-04

To: All Coal Mine Operators/Consultants

Date: April 28, 2017

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

Re: Yearly revegetation activities report, SCML-4 form

Pursuant to 62 Ill. Adm. Code 1816/1817.116(b)(3), permittees shall submit a yearly revegetation report (SCML-4 form) by February 15<sup>th</sup> of each year. Reclamation activities conducted during the previous calendar year shall be reported. This report **will initiate and/or potentially restart the applicable period of responsibility** for various post-mining land use areas within the permit. In an effort to facilitate operators with meeting revegetation reporting and bond release criteria requirements, **clarification for the SCML-4 form is provided and an updated version of the form is attached.** Permittees shall always use the most recent version of the SCML-4 form found on the Department's website.

The SCML-4 form shall be accompanied by a map that depicts the **currently approved post-mining land uses and capabilities** and depicts the **areas where revegetation activities have occurred**. The map shall be planned as a **continuous map** so that the reclamation activities conducted by year are clearly identifiable.

Each section of the SCML-4 form requires identification of tract/field post-mining land use (PMLU) and capability. The following are **acceptable PMLU and capability codes**:

**HCWDLF – HB** = High Capability Wildlife Herbaceous

**HCWDLF – WD** = High Capability Wildlife Woody

**HCWDLF – WL** = High Capability Wildlife Wetland

**HCF** = High Capability Forest

**LCWDLF – HB** = Low Capability/Non Cropland Capability Wildlife Herbaceous

**LCWDLF – WD** = Low Capability/Non Cropland Capability Wildlife Woody

**LCWDLF – WL** = Low Capability/Non Cropland Capability Wildlife Wetland

**LCF** = Low Capability/Non Cropland Capability Forest

**HCP** = High Capability Pasture

**LCP** = Low Capability/Non Cropland Capability Pasture

**PFC** = Prime Farmland Cropland

**HCC** = High Capability Cropland

The year of final grading shall be included for each type of re-vegetation activity reported on the SCML-4 form. Pursuant to Section 1816.101(b)(2), final grading is defined as replacement of root medium, topsoil/substitute material placement, and erosion control system installation. The updated version of the SCML-4 form is divided into the following three sections:

### **Section 1: Fish and Wildlife Herbaceous, Fish and Wildlife Wetland, and Pasture Post-Mining Land Uses**

1. Temporary herbaceous cover crop/erosion control seeding should not be reported on the form. The applicable period of responsibility for these areas does not begin until the **approved permanent species** have been seeded, therefore only permanent seeding should be reported to initiate the period of responsibility.
2. The Department understands that past versions of the SCML-4 form and associated memos may not have been clear on this point. Problems with using the older forms will be resolved as individual circumstances arise, therefore **areas revegetated prior to 2017 will be evaluated on a case by case basis using the previously submitted SCML-4 form.**
3. Large area herbaceous ground cover kill to eradicate non-desirable invasive species and subsequent re-seeding with the permanent species will be considered augmentation. **The permittee should discuss any ground cover kill and/or re-seeding activities with the inspector** so that the Department can make a determination on whether or not the activity is augmentation or normal husbandry practices.

### **Section 2: Fish and Wildlife Woody and Forest Post-Mining Land Uses**

1. Seeding of the approved permanent herbaceous ground cover should be reported, however the **period of responsibility will not begin until tree/shrub planting is reported** on the SCML-4 form.
2. An important component of tree/shrub planting reporting will be the stocking rate/ spacing of trees (10 X 10 spacing, 6 X 8 spacing, etc.) to facilitate eventual bond release tree counts by the Department. **The Department inspector shall be notified if the spacing that occurred in the field is different from the spacing approved in the permit** so that a field decision can be made to account for the change.
3. Section 1816/1817.113(b) requires trees and/or shrubs to be planted within 2 years of final grading. The Department understands that, in some instances, delay of tree planting will be necessary. If this becomes necessary, **the permittee shall submit an official request for an extension to the Department the year planting is due as an attachment with the**

**previous calendar year SCML-4 form.** For example, if tree planting is due in 2018 the extension request should be submitted in February 2018 with the 2017 calendar year SCML-4. This will ensure necessary extensions are approved on time and allow the Department to track tree plantings timeframe requirements. Because this is an enforceable regulation, official documentation of extension requests and approvals must be made.

4. All tree/shrub re-planting efforts shall be reported by year on the SCML-4 form with the number of trees re-planted and the % of original stock that was replaced. The year of original planting shall also be reported. Permittees should note that re-planting of trees and/or shrubs is considered a normal husbandry practice if it occurs within the first two years after initial planting and is a small percentage of the original stocking rate. **Any replanting of trees and/or shrubs that occurs after the 2nd year will be considered augmentation and result in a restart of the responsibility period.**

Example: If initial tree planting occurred in 2015, the following would apply:

<b>Responsibility Period</b>	<b>Year</b>	<b>Replanting</b>
Year 1	2016	max 20%
Year 2	2017	max 10%
Year 3	2018	augmentation
Year 4	2019	augmentation
Year 5	2020	augmentation

### **Section 3: Cropland Post-Mining Land Use**

1. The **year of final grading** should be reported which will initiate the applicable period of responsibility.
2. Augmentation activities to be reported will be determined by the Department on a case-by-case basis.
3. Permittees are advised that “fields” refer to those areas designated for the purpose of proving productivity by using the Agricultural Lands Productivity Formula. These field boundaries can only be changed by approval of an Insignificant Permit Revision. “Tracts” do not contain binding boundaries and are typically areas recently mined and reclaimed where designation of fields is too early to be practicable.

This operator memorandum supersedes all previously issued operator memoranda regarding yearly revegetation reporting. Should you have questions, please contact the Department wildlife staff or soils specialist for clarification.

**ILLINOIS DEPARTMENT OF NATRUAL RESOURCES  
OFFICE OF MINES AND MINERALS – LAND RECLAMATION DIVISION  
YEARLY REVEGETATION REPORT**

**COMPANY:** \_\_\_\_\_ **MINE NAME:** \_\_\_\_\_ **PERMIT NO.** \_\_\_\_\_

**PIT NAME/NO.** \_\_\_\_\_ **SUBMITTAL DATE:** \_\_\_\_\_ **YEAR REPORTED:** \_\_\_\_\_ **AMENDED:** YES OR NO (circle one)

**Section 1: Fish and Wildlife Herbaceous, Fish and Wildlife Wetland, and Pasture Post-Mining Land Uses**

Permittees should note that the **applicable period of responsibility for these areas does not begin until the approved permanent species have been seeded**, therefore **only the year of permanent seeding** and the years of any augmentation should be reported on this form.

Tract/Field No.	Acres	Year of Final Grade	PMLU & Capability <sup>A</sup>	Augmentation Activity Type <sup>B</sup>

<sup>A</sup> See Operator Memorandum No. 2017-04 for acceptable PMLU and Capability codes

<sup>B</sup> Examples include herbaceous ground cover kills to eradicate invasive species and subsequent re-seeding and other Department determined activities

## Section 2: Fish and Wildlife Woody and Forest Post-Mining Land Uses

Permittees should note that seeding of the approved permanent herbaceous ground cover should be reported, however the **period of responsibility will not begin until tree planting is reported** on this form. Woody and forest areas will have a reporting year for the planting of permanent herbaceous cover and a reporting year for the initial tree planting.

The Department understands that, in some instances, delay of tree planting will be necessary. **The permittee shall submit an official request for an extension to the Department the year planting is due as an attachment with the previous calendar year SCML 4 form.** For example, if tree planting is due in 2018 the extension request should be submitted in February 2018 with the 2017 calendar year SCML-4.

Tract/Field No.	Acres	Year of Final Grade	PMLU & Capability <sup>A</sup>	Year of Permanent Herbaceous Seeding	Year of Original Tree Planting <sup>B</sup>	Spacing / Rate per Acre	40% Exfoliating Bark for PEP? Y or N <sup>C</sup>	No. of Trees Re-planted and % Re-planted <sup>D</sup>

<sup>A</sup> See Operator Memorandum No. 2017-04 for acceptable PMLU and Capability codes

<sup>B</sup> If an extension to the 2-yr planting requirement is requested indicate "Extension Requested" and attach a justification for the request

<sup>C</sup> Did the planting mix require 40% exfoliating bark tree species to meet a bat Protection and Enhancement Plan? Indicate Yes or No

<sup>D</sup> Re-planting is limited to 20% the 1<sup>st</sup> year and 10% the 2<sup>nd</sup> year, any re-planting after the 2<sup>nd</sup> year is augmentation and will re-start the responsibility period

### Section 3: Cropland Post-Mining Land Use

Permittees should note that the applicable period of responsibility for these areas begins the year of final grading.

Tract/Field No.	Acres	Year of Final Grade	Capability <sup>A</sup>	Augmentation Activity Type <sup>B</sup>

<sup>A</sup> See Operator Memorandum No. 2017-04 for acceptable capability codes

<sup>B</sup> As determined by the Department on a case-by-case basis