



LAND RECLAMATION DIVISION
Memorandum No. 2019-01 (Revised)

To: All Coal Mine Operators/Consultants

From: Ronnie Huff, Director 
Office of Mines and Minerals

Date: December 13, 2023

Re: Fish and Wildlife Subcategories, Forest, and Refuse Pasture Testing Requests
This memorandum replaces Operator Memoranda No. 2019-01

The Department has updated the “SCML-5 Fish and Wildlife Subcategories, Forest, and Refuse Pasture Testing Request Form”. The form has been updated to eliminate unnecessary information and to clarify that only post-mining land use pasture fields, regardless of the acreage amount, located over covered refuse (e.g., above-grade refuse disposal facilities and incised slurry cells) are to be submitted on the SCML-5 form for visual testing. Pursuant to the regulations found at 62 Ill. Adm. Code 1816/1817.116(a)(3)(E), productivity success (e.g., hay tonnage “pass” years based on the Agricultural Land Productivity Formula) is not required for erosion control structures. The Department applies the ground cover standards to erosion control structures and considers the vegetation over covered refuse to function as erosion control.

The SCML-5 form can be found on the Department’s website under Miscellaneous Permittee/Operator Forms:

<https://www.dnr.illinois.gov/mines/LRD/Pages/FormsApplicationsMemoranda.aspx>

SUBMITTAL GUIDANCE

The SCML-5 form includes all the information required pursuant to 62 Ill. Adm. Code 1816/1817.116 and 1816/1817.117 regarding revegetation success standards. All fish and wildlife subcategory, forest, and refuse pasture testing request submittals, including maps, are required to be submitted in the electronic format specified in LRD Operator Memorandum No. 2018-02 (Revised), only the most current version of the form will be accepted. Please note the following information:

1. The Department encourages submittal of the SCML-5 form by February 15th of each year to allow time for adequate processing, planning, and scheduling. The Department acknowledges that no regulatory requirement exists for SCML-5 submittals by this date,

however operators and permittees should be aware that there may be, at minimum, 6-8 weeks between the submittal date and field-testing events.

2. The SCML-5 form must be accompanied by a map in a scale of 1:500 (one-inch equals 500 feet) or larger. The map must clearly delineate and identify each area to be tested. Map information must correspond to the Tract/Field ID, soil capability and land use code, and acreage presented on the SCML-5 form. If possible, Tract/Field ID or polygons should correspond to the applicable SCML-4 (yearly revegetation) submittal to accommodate the tracking of revegetation liability periods.
3. The Department may accept tracts/fields of high capability and limited capability of the same land use grouped together for testing purposes, provided that the groupings are reasonable based on location and topography. For example, HCF (High Capability Forest) and LCF (Limited Capability Forest) acreages that are adjacent may be combined into a single sampling tract/field. However, the Department may also reject these types of groupings based on location, topography, or other relevant factors.
4. The applicant shall also delineate acreages that function as erosion control or impervious features (e.g., ditches, terraces, roads, parking lots, etc.) with map symbology and legend description to ensure sampling points are generated in appropriate areas.
5. The SCML-5 form requires a list or attachment of the currently approved species for the permit area to be tested. The Department also requires information regarding what permitting action approving the species list (e.g., IBR No. X, or Significant Revision No. X, or General Inspection Report dated X) to ensure that the testing and documentation can be conducted with the most accurate information.

You are reminded to submit the SCML-5 form for testing, including maps, to the Department in the required electronic format preferably by February 15th of each year. In addition, reports of field-testing events generated and mailed to the operator or permittee by the Department should be included with Phase III bond release requests as documentation that applicable revegetation success standards have been met.

Should you have any questions concerning the procedures outlined above, please contact the Department Wildlife Technical Staff or Bond Unit Manager.