

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER d: FORESTRY

PART 1536  
FORESTRY DEVELOPMENT COST-SHARE PROGRAM

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AUTHORITY: Implementing and authorized by the Illinois Forestry Development Act [525 ILCS 15].

SOURCE: Adopted and codified at 8 Ill. Reg. 13689, effective July 25, 1984; amended at 9 Ill. Reg. 14286, effective September 5, 1985; amended at 10 Ill. Reg. 6838, effective April 3, 1986; amended at 10 Ill. Reg. 18168, effective October 15, 1986; amended at 11 Ill. Reg. 18632, effective November 2, 1987; amended at 14 Ill. Reg. 18244, effective October 29, 1990; amended at 17 Ill. Reg. 16485, effective September 27, 1993; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 10473, effective June 1, 1998.

**Section 1536.10      General**

The purpose of this program is to encourage the planting, management, use, and regeneration of forests.

- a) Timber growers and/or landowners participating in this program may also be eligible for federal forestry cost-share programs administered by agencies of the United States.
- b) An application for the cost-shared practice must be completed by the timber grower and/or landowner and submitted to the Illinois Department of Natural Resources's

District Forester, hereinafter referred to as the District Forester. The requirements for installation of the practice will be described in the approved forest management plan, hereafter called the "Plan". The cost-shared practice can not be started until the application is approved by the District Forester.

- c) The reimbursement for the approved cost-shared practice will be based on the landowner's documentation of cost to install the practice and will not exceed the established cost-share percentages and will not exceed maximum amounts per unit allowed in this Part.
- d) Timber growers and/or landowners must provide an itemized statement with paid receipts for expenses of more than \$10 in the implementation of the approved practice. In determining the cost of a timber grower and/or landowner or family member doing the practices, the labor rate shall not exceed \$12 per hour. Reimbursement for amounts less than \$50 will not be processed for payment.
- e) This is a reimbursement cost-share program. Advance payment will not be allowed. Furthermore, cost-share payment cannot be made to a third party or to vendors.
- f) When Federal or other cost-share program practices are utilized concurrently with the Illinois Forestry Development Act (IFDA) Cost-Share Program, the cost-share percentage shall equal the percentage of the other concurrent cost-share program in effect in the county where the practice is installed. The IFDA cost-share percentage and the "not to exceed per practice unit amount" shall be adjusted proportionately from the standard rate now in effect. Timber growers and/or landowners may not be reimbursed more than the actual cost not to exceed the base cost of the practice. The base cost represents the amount upon which the cost-share maximum is derived. The adjusted maximum fixed rate is determined by taking the federal cost-share percent rate times the average cost per acre. Federal programs will be used for initial payment.
- g) A practice cannot be repeated on the same land within a 10 year period and must be effective for a minimum of 10 years, except as allowed under Sections 1536.30 and 1536.70.
- h) Property upon which cost-shared practices are installed must be protected from wildfire and grazing by measures set forth in the Plan.
- i) Chemicals used in performing practices must be federally, state and locally registered and must be applied strictly in accordance with authorized registered uses, directions on the label, and other Federal and State requirements.

- j) If a timber sale has occurred within 2 State of Illinois fiscal years prior to the approval of a cost shared practice, then timber growers and/or landowners will have their cost-share increased by an amount not to exceed 50% of their harvest fee. The combined payment for the practice and the harvest fee rebate shall not exceed 100% of the timber grower's and/or landowner's practice cost. Timber growers and/or landowners who sold timber based upon provisions of the Plan shall have priority for harvest fee rebates. Federal cost share programs cannot be used with the harvest fee rebate.
- k) While this program may be combined with a federal program for implementation of a specific practice, it cannot be combined with another State program for the same practice.
- l) Only approved and satisfactorily completed practices provide the basis for reimbursement to landowners. All components must be completed and approved before payment is approved.
- m) Cost share practices shall not be authorized for any action that is determined to be harmful to threatened or endangered species or their habitat.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

#### **Section 1536.20 Eligibility**

- a) Participation in the program is limited to landowners and/or timber growers who own or operate at least 5 contiguous acres of land in this State. A forest must be at least 100 feet wide.
- b) The property on which the cost-shared practices will be installed must have an approved forest management plan as described in 17 Ill. Adm. Code 1537, except for a cost-share application for "preparation of forest management plans" practice under Section 1536.25.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

#### **Section 1536.25 Preparation of Forest Management Plans**

This practice provides timber growers and/or landowners with another opportunity to obtain professional conservation assistance in Plan preparation.

- a) This cost-share practice is valid only when a timber grower and/or landowner pays another party for preparation of a Plan. The timber grower and/or landowner must

approve and sign the Plan before the District Forester will authorize reimbursement of the cost-share of the Plan practice.

- b) A cost-share application for this practice must be submitted and approved by the District Forester prior to initiation of a Plan. However, for all other cost-share practices, an approved Plan must be in effect prior to submission of a cost-share application.
- c) The Plan must meet the conditions, requirements, standards and specifications as contained in IFDA and 17 Ill. Adm. Code 1537 and this Part. Additional information to clarify the requirements mentioned above is listed in two publications published by the Illinois Technical Forestry Association: "Recommended Silvicultural and Management Practices for Illinois Hardwood Forest Types" (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61801 (no later editions or amendments are included) and "Forest Planting Practices for Illinois" (1974), Illinois Technical Forestry Association, Inc., c/o Department of Forestry, 211 Mumford Hall, Urbana, IL 61801 (no later editions or amendments are included).
- d) Components eligible for cost-sharing can include: reconnaissance, travel costs, secretarial, mailing and telephone costs, forest inventory, data analysis and plan writing.
- e) Reconnaissance notes; field data; inventory per acre and per stand; and analysis of forest inventory must be submitted with the Plan, to the District Forester.
- f) All of the land in a county owned by the same individual(s), partnership(s) or corporations(s) shall be included in a single Plan. Amendments of Plans to increase acreage during the 10 year lifespan of a Plan shall be cost-shared as described below.
- g) Cost-share rate for Plans of silviculture and management on existing forest stands shall be 75% of the owner's cost not to exceed \$7 per acre.
- h) Cost-share rate for reforestation and afforestation Plans as defined in 17 Ill. Adm. Code 1537 shall be 75% of the landowners cost not to exceed \$4 per acre.
- i) Fractional acres for all Plans shall be rounded to the nearest acre for cost-share payment as follows: .01 to .49 acres will be rounded down and .50 to .99 shall be rounded up.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

**Section 1536.30 Planting Trees and Direct Seeding**

The purpose of this practice is to establish a stand of forest trees for timber production purposes and compatible multiple uses and to provide general environmental benefits.

- a) The District Forester shall determine the suitability of the land for site preparation and tree planting, considering soil erodibility and the economic feasibility of soil stability practices such as timing of the practice and ground cover requirements.
- b) Cost-sharing is not authorized for:
  - 1) planting trees or direct seeding on less than 1 acre or planting less than 435 trees per acre unless specifically modified later under Section 1536.30(c)(2)(D)(iii) as approved by a District Forester.
  - 2) planting or culture of fruit or nut orchards, Christmas trees or planting for ornamental, landscaping or violation mitigation purposes. For the purposes of this subsection (b), mitigation means alleviation, reduction, abatement or diminution of a condition that is prohibited by State or federal law or regulation.
  - 3) irrigation of planted trees.
- c) Cost-Share Rates/Specification:
  - 1) Site Preparation - 75% of the actual cost not to exceed a variable amount ranging from \$30 to \$180 per acre, as determined by the Plan preparer and approved by the District Forester. The Plan preparer conducts a careful field inspection of current vegetation cover on the site to be prepared, and then uses categories and amounts in subsection (c)(1)(B) to make a determination about the cost-share rate per acre.
    - A) Cost-share categories and corresponding variable cost-share amounts shall be prorated per acre, per category, and shall be approved by the District Forester.
    - B) Cost-share categories and variable cost-share payments follow:

Category	Variable Cost-Share Amounts Not to Exceed, Per Acre
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- i) Vegetation or heavy residues which will cause some difficulty in normal planting.

\$30
- ii) Sixty percent or more of area in sod and broad leafed herbaceous plants. Or up to 40% of area in light woody cover, stems two inches or less diameter at ground line.

\$60
- iii) More 40% of area occupied by woody vegetation, briars, vines, or woody stems two inches diameter or less at ground line, but can include up to 25 stems per acre greater than two inches at ground line.

\$90
- iv) More than 40% of area occupied by woody vegetation greater than two inches diameter at ground line; or more than 25 stems per acre greater than two inches diameter at ground line.

\$180
- C) This is limited to areas having undesirable vegetation (such as grass sod, perennial and annual broadleaved plants and trees or shrubs). These areas will be replanted to desirable tree species.
- D) Measures necessary to minimize erosion must be undertaken and plantings must be according to prescribed standards set forth in the approved Plan. Measures may include, but are not limited to, hand

planting, machine planting on contour, establishment of temporary herbaceous cover, the use of herbicides for minimum disturbance of established cover and similar accepted practices as set forth in the approved Plan. Temporary herbaceous cover means oats, rye, wheat or similar grain.

- E) Removal may be undertaken mechanically with machinery including all normal farm tillage implements, chopping or sawing. Herbicides may also be used with mechanical measures or to replace mechanical measures.
- 2) Tree Planting (Trees and Labor) - 75% of the actual cost not to exceed \$95 for no-cost planting stock or \$280 for purchased planting stock, per acre.
- A) Selected tree species and seed sources to be planted must be in accordance with the Plan.
  - B) Plantings must be made in accordance with the Plan. Trees must be firmly planted at the proper depth. Tree planting machines, augers or hand tools may be used.
  - C) At least 90% of the conifer stock must be not less than 3/32 inch in caliper at 1 inch above the root collar (nursery soil line). At least 90% of the hardwood stock shall be 7/32 inch caliper at 1 inch above the root collar (nursery soil line). In addition to the standards above, hardwood stock purchased from private nurseries shall be ordered from the 12-18 inch category as described in the nursery's catalog or other written description.
  - D) Spacing requirements are as follows:
    - i) Plant seedlings 6 to 12 feet apart in rows 6 to 12 feet apart. Plant at least 435 trees per acre.
    - ii) Interplantings within wooded areas are to be spaced 6 feet apart or more in openings which receive partial or full direct sunlight.
    - iii) Variations in spacing and seedling density standards may be made to enhance an existing forest area or riparian area in accordance with written recommendations approved by the District Forester. Cost-share for planting of less than 435

trees per acre will be prorated using 435 trees as the basis.

- E) Stocking and replanting requirements:
  - i) At least 300 of the planted trees, per acre, must be maintained throughout the practice lifespan.
  - ii) Cost-share assistance for replanting will be available where losses are due to natural causes, such as heat, drought, flood, hail, and similar occurrences, if 70% of a stand is not obtained, or if a stand deteriorates to less than 70% within the first two growing seasons.

3) Direct Seeding Component

The purpose of this practice is to extend limited supplies of plant materials and thereby to increase forestation.

- A) Direct seeding may be used in lieu of seedling planting, when approved by the District Forester as part of a Plan.
- B) As references for standards use: "Direct seeding of Southern Oaks - A PROGRESS REPORT", by Robert L. Johnson and Roger M. Krinard, Southern Hardwoods Laboratory, Stoneville, MS, Forest Service, USDA (1988) and the guidelines offered in *Silvics of Forest Trees of the United States* (1974), Agriculture Handbook 271, Forest Service, USDA, Washington, DC 20250 (no later editions or amendments are included.)
- C) This cost-share practice may be attempted a second time if through no direct fault of the landowner (i.e., drought, tornado, etc.) fewer than 300 seedlings of acceptable growing stock per acre survive after one full growing season.
- D) If, after 2 full growing seasons there are fewer than 300 seedlings of acceptable growing stock per acre, no further attempts to direct seed shall be made. However, tree planting must be done per subsection (c)(2).
- E) Cost-share Rate and Specifications
  - i) This practice shall pay 75% of the owner's cost not to exceed

- \$95 per acre for seed collected or purchased plus labor and machinery use.
- ii) Seed shall be local source, within 25 miles of the seeding site. Or, if local seed is not available, seed shall be collected within an area described as 50 miles west of the Mississippi River, 50 miles north of the Illinois-Wisconsin border, a north-south line extended along the eastern border of Ohio and 100 miles south of the Ohio River.
  - iii) Measures to protect seed from predator pilferage shall be required when predator pilferage is identified as a problem.
  - iv) Site preparation measures are best done before direct seeding. Additional treatments to introduce adequate sunlight and to reduce competition may be needed.
  - v) Overstory removal may be required following establishment of seedlings - saplings.
- 4) Control of Undesirable Vegetation With Herbicides or Mulching - 75% of the actual cost not to exceed \$40 per acre with herbicides, \$60 per acre with mulch.
- A) The practice is limited to plantings that conform to specifications cited in Section 1536.30.
  - B) Application of herbicides may be in either the liquid or granular form and may be pre-emergents or post-emergents or combinations of these types as approved by the District Forester. Application may be made as pre-plant, post-plant or at time of planting. If vegetation control is a component of the forestation practice, it must be completed to qualify for reimbursement for site preparation and planting. Treated bands for hardwoods shall be 4 feet, spot treatments shall be at least 12 square feet. For conifers minimum band width is 2 feet, and spots of 4 square feet.
  - C) Organic mulches may be used in combination with herbicides or in lieu of herbicides and must be used if required in the approved management Plan, to qualify for site preparation and planting payments. Minimum per seedling mulched area is 12 square feet with an initial depth of 4 inches. Mulched areas must be pretreated

by removing existing vegetation to expose mineral soil prior to applying the mulch. Weed control fabric (cloth) can be used if at least 9 square feet is used around each seedling.

- D) Herbicide or mulching applications must be made, if required in the Plan and included on the practice cost-share application, to qualify for site preparation and planting payments.
- E) Treatments for control of undesirable vegetation may be cost-shared for a second and third application as prescribed in the Plan and approved by the District Forester.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

#### **Section 1536.40 Fencing to Protect Forests and Plantations**

- a) The practice is limited to building permanent fences needed to exclude livestock.
- b) The distance between posts or live trees must not exceed 1 rod (16.5 feet). Limited use of live trees is permitted, provided 2" x 4" nailing strips of durable wood are used between the wire and the tree.
- c) No assistance will be given for boundary fences or fences adjacent to roads.
- d) Cost-Share Rates/Specification - The cost-share amounts vary by type of fence constructed; however, the rate will be 75% of actual cost not to exceed these limits:
  - 1) A woven wire fence must consist of at least a 26 inch woven wire with at least two strands of barbed wire on top - \$12 per rod.
  - 2) A barbed wire fence must be at least three strands - \$11 per rod.
  - 3) If other fence materials are used, all weather wood or native lumber highly resistant to decay may be substituted for barbed wire if required for certain domestic animals - \$12 per rod.
  - 4) A suspension fence will consist of at least four strands of barbed wire with the distance between posts not to exceed 100 feet and sufficient wire spacers to prevent sagging - \$6 per rod.
  - 5) A high-tensile fence will consist of at least 6 strands of wire with the distance between posts not to exceed 100 feet with sufficient droppers to maintain

proper wire spacing - \$9 per rod

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

### **Section 1536.50 Tending Forest Stands**

Profitable production for timber, wildlife mast, or aesthetics can result from the application of proper methods of thinning or releasing of desirable crop trees and by cutting of designated vines attached to desirable crop trees. Thinning, vine removal and pruning are methods to increase growth rates of the best crop trees. Vines not on crop trees shall be retained for wildlife benefit.

- a) Cost sharing will be approved for areason acre or larger.
- b) Improvement measures shall be carried out in such a manner as to improve or protect the quality of the environment, especially wildlife habitat, as described in the Plan.
- c) Cost-Share Rates/Specifications
  - 1) Thinning/Crop Tree Release - 75% of actual cost not to exceed \$45 per acre.
    - A) The District Forester must give prior approval of the practice area, the methods to be used based upon the density and condition of the trees, and the economic feasibility of the practice.
    - B) Work shall be done by cutting, girdling, and herbicide treatment of the surplus, diseased, cull or weed trees and by cutting designated vines attached to desirable crop trees. Thinning should release desirable tree species so as to leave per acre an adequately stocked stand composed predominately of high ranked timber species, well distributed, as described in the Plan. Stocking guides and species rank shall be determined by use of the appropriate table in "Recommended Silviculture and Management Practices for Illinois Hardwood Forest Types", Illinois Technical Forestry Association (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61081 (no later editions or amendments are included).
    - C) Croptree management practice guidelines will follow the recommendations provided by "Croptree Management in Eastern Hardwoods", (Circa 1993), NA-TP-19-93, USDA Forest Service, Arlyin Perkey, Morgantown, WV (no later editions or amendments are included).

- D) Herbicide treatment of stumps may be omitted when crop trees released are more than 20 feet tall. Herbicide treatment may also be omitted, if a double girdle is utilized. Double girdling shall be done only when stump sprouting will not be a serious problem. This method is described in Central Hardwood Notes, 6.10, August 1989 Northeastern Area, State and Private Forestry. USDA Forest Service. Both exceptions above must be approved in writing by the District Forester. All other treatment methods require use of approved herbicides.
  - E) Harvesting practices and silvicultural systems as prescribed in the Plan must be followed.
  - F) Cost-Share assistance will not be given for any acre from which commercial products are being sold or traded in the process of carrying out the timber stand improvement practices.
- 2) Pruning Crop Trees (side branch pruning) - 75% of actual cost not to exceed \$75 per acre.
- A) The District Forester must give prior approval of the practice area. Crop trees must be marked or otherwise designated and the methods must be described in writing.
  - B) In coniferous stands, the trees must have a minimum total height of 18 feet. All dead branches and all live branches up to one-half the total height of the trees must be pruned. Pruning to a total height of 17 feet is required where the trees are tall enough to meet this requirement. Not more than 100 final coniferous crop trees per acre, well distributed throughout the stand will be considered in determining the cost-share payment.
  - C) In deciduous stands, pruning to total height of 17 feet is required where trees are tall enough to meet the requirement of 34 feet. Pruned trees shall retain 40% to 50% of total height as live crown. Deciduous stands must have attained a minimum height of 12 feet to effect a minimum pruning height of 6 feet. Not more than 100 well distributed desirable crop trees per acre shall be selected and fine hardwood (white and red oak, black walnut, etc.) species will be given prime consideration. In order to reduce the risk of decay, prune no live limbs over 3 inches in diameter.

- D) All pruning must be as close to the stem as possible without disturbing the branch bark ridge and branch collar.
- E) Corrective pruning to influence tree form may be required in the Plan; but such pruning shall not be cost-shared unless undertaken along with side branch pruning.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

### **Section 1536.60 Firebreaks to Protect Forests**

The purpose of this practice is to provide a practical and low cost way of affording protection to forests from damage by wildfire.

- a) The lower branches of trees adjacent to firebreaks must be pruned to increase the effectiveness of the practice.
- b) Cost-Share Rates/Specifications
  - 1) Firebreak construction - 75% of actual cost not to exceed \$1.50 per rod.
  - 2) Firebreaks for the area shall be cleared to a minimum of 1 rod in width. (If erosion is a problem, place firebreaks on the contour, or construct the appropriate number of water bars to deflect flowing water.)
  - 3) Firebreaks must be disced at least twice annually to keep vegetation from accumulating or as indicated in the Plan.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

### **Section 1536.65 Reducing Wildlife Damage**

Wildlife damage control is necessary at times to protect the investment in tree planting, direct seeding, or natural regeneration.

- a) This practice is limited to situations where the need for damage control is evident or highly probable based on wildlife population. Consultation with DNR District Wildlife Biologists is advised.
- b) In addition to cost-share practices, other strategies to control wildlife damage must be included in the Plan and must be implemented with this cost-share practice.

- c) Strategies can include: Legal hunting, providing alternate habitats, planting of species not favored by a given wildlife species, eliminating mowing, or planting a companion species.
- 1) Tree shelters - 75% of the actual cost not to exceed \$150 per acre. The recommendation in the Plan as approved by the District Forester shall be followed. Requirements include:
    - A) Tree shelters shall be evenly distributed throughout each acre.
    - B) Shelters shall be maintained as installed for the life of the shelter or until they interfere with the growth of the tree. Shelters may be moved to other seedlings only if the original trees have died.
    - C) Durable rot resistant stakes must be used.
    - D) Nylon mesh caps or other approved barriers may be needed to prevent death of birds.
    - E) For protection from deer, 4 foot shelters meet minimum requirements.
    - F) 50 shelters per acre is the minimum.
  - 2) Electric Fencing - 75% of the actual cost not to exceed \$0.50 per foot. The purpose is to repel deer from forestation or natural regeneration sites, as follows:
    - A) VGR type fence wire, stainless steel enclosed in plastic is the preferred type. Other wire may be used, but must be marked with bright color at minimum intervals of 25 feet.
    - B) For maximum benefit the fence must be charged throughout the year so as to affect deer behavior.
    - C) The service life of the fence shall be determined in the Plan or by separate written prescription.
    - D) The fence should be installed prior to planting or at the time of planting to influence deer behavior.
  - 3) Repellants - 75% of the actual cost not to exceed \$15 per acre to protect forestation or natural regeneration sites.

- A) Either scent or taste repellents may be used; the Plan shall prescribe specific types.
  - B) Label directions on approved products must be followed. Renewal applications must be made in a timely manner, per the label.
  - C) The primary treatment shall be done by treatment of the central leader of the seedling.
- 4) Bud or Growing Point Protectors - 75% of the actual cost not to exceed \$5 per acre. Such devices as mesh netting, tubes, or bud caps may be used to protect seedling plants. Installation of such devices shall be according to the manufacturer's recommendations and the written prescription in the Plan.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

#### **Section 1536.70 Site Preparation for Natural Regeneration**

The purpose of this practice is to establish a stand of high value forest species through natural regeneration for timber production purposes and to protect and improve the environment. For guidelines on species preference, refer to the ITFA Guide, cited previously, in Section 1536.25(c).

- a) Cost-sharing is not authorized for areas of less than one acre.
- b) Cost-sharing is authorized for one additional regeneration treatment, by use of seed or seedlings on the area originally site prepared, if by uncontrollable circumstances, such as weather related problems, etc., natural regeneration fails to become established to the required stocking level.
- c) Cost-Share Rates/Specification
  - 1) Site preparation for natural regeneration - 75% of actual cost not to exceed \$30, \$60, \$90, or \$180 per acre determined by the District Forester using the cost-share categories as described in Section 1536.30(c)(1)(B)(i) through (iv), as guidelines to determine an appropriate maximum cost-share amount.
  - 2) The goal is to obtain a 60-80% stocking level whereby a minimum of 20% to 40% of the available light reaches the forest floor, and other site factors are modified to enhance regeneration, by means of: reduction or elimination of competing vegetation, including unmerchantable or undesirable trees and brush, discing or tillage, use of foliar, cut surface, injected herbicides, mechanical removal of shallow rooted species, prescribed burn, and other

measures as prescribed in the Plan.

- 3) A complete written prescription, in the Plan or submitted as an addendum, must be approved by the District Forester prior to initiation of this practice. The prescription shall address the process outlined in "Regenerating Red Oaks" by Rod Jacobs, Silviculturalist, U.S. Forest Service, State and Private Forestry, St. Paul, Minnesota (1987) (no later editions or amendments are included). The prescription shall also address the "Elements of a Silvicultural Prescription" and the appropriate "Silvicultural Systems and Regeneration Methods" described in the "FORESTRY HANDBOOK" 2nd Edition, Edited by Karl F. Wenger, for the Society of American Foresters, 5400 Grosvenor Lane, Washington, DC 20014 (1984) (no later editions or amendments are included).
- 4) Creation of suitable soil conditions for establishment of seedlings of desired species is particularly crucial for oak species. A reasonable expectation of seed deposition on the area to be regenerated must be imminent and abundant before site preparation is performed.
- 5) This practice should not be done more than 20 years prior to a scheduled regeneration cut.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

#### **Section 1536.80      Appeal**

- a) Any timber grower and/or landowner whose Plan or practice is not approved by the District Forester may appeal to the Regional Review Committee pursuant to 17 Ill. Adm. Code 2530. The Regional Review Committee is composed of the Regional Administrator, a District Forester from another district in the Region and the Forest Management Program Administrator.
- b) The appeal must be made within 30 days from the date that the Plan or practice was disapproved by writing to the address in Section 1536.90.
- c) The Regional Review Committee will conduct a meeting to receive written and oral arguments after the applicant and to reconsider the Plan and cost-share practices.
- d) The Regional Review Committee will notify the applicant in writing within 30 days after the meeting date stating the reasons for which the original decision is upheld or reversed.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)

**Section 1536.90 Information**

Anyone wishing additional information concerning this Part, may contact the Administrator, Forest Management Programs.

Department of Natural Resources  
Division of Forest Resources  
P.O. Box 19225  
Springfield, Illinois 62794-9225

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

**Section 1536.100 Penalty**

Each participant in this State Cost-Share Program is responsible for complying with the terms and conditions stated on the agreement, and shall follow the provisions detailed in the Plan. Refund of all cost-share payments made will be required if the agreement is not followed and/or the practice is not maintained for its minimum lifespan. Each practice carries a 10 year life span starting on the date the practice was completed and approved by the District Forester. Refund checks should be made payable to the Illinois Department of Natural Resources. Participants who refuse voluntary repayment will be subject to liens filed against their property or withholding of State payments by the Comptroller of Illinois.

(Source: Amended at 22 Ill. Reg. 10473, effective June 1, 1998)