**Section 1823.14 Prime Farmland: Soil Replacement**

Surface coal mining and reclamation operations on prime farmland shall be conducted according to the following:

a) Requirements

1) The minimum depth of soil and soil material to be reconstructed for prime farmland shall be 48 inches except where a natural rock formation occurs at shallower depths. The Department shall specify a depth greater than 48 inches wherever necessary to restore productive capacity due to uniquely favorable soil horizons at greater depths; and

2) Subsections (a)(1) and (d) shall not apply to prime farmland fragipan soils. Prime farmland fragipan soil shall be reconstructed in accordance with 62 Ill. Adm. Code 1825.14(a)(1), (a)(2), (a)(3), and (a)(5). For the purposes of this provision, prime farmland fragipan soils are specific soils classified as prime farmland that are underlain with a diagnostic subsurface horizon designated as a fragipan by the Soil Conservation Service of the U.S. Department of Agriculture according to the criteria set in Soil Taxonomy, U.S.D.A. Handbook AH 436, including the following soils found in Illinois: Ava, Grantsburg, and Hosmer series as defined by the Soil Interpretation Sheets of the Natural Resources Conservation Service;

b) Replace soil material only on land which has been first returned to final grade and scarified according to 62 Ill. Adm. Code 1816.101 through 1816.105 or 62 Ill. Adm. Code 1817.101 through 1817.105, unless site-specific evidence is provided and approved by the Department showing that scarification will not enhance the capability of the recommended soil to achieve equivalent or higher levels of yield;

c) Replace the soil horizons or other suitable soil material in a manner that avoids excessive compaction;

d) Replace the B horizon or other suitable material specified in Section 1823.12(a)(2) and (a)(3) to the thickness needed to meet the requirements of subsection (a) of this Section. In those areas where the B or C horizons were not removed but may have been compacted or otherwise damaged during the mining operation, the permittee shall engage in deep tillage or other appropriate means to restore pre-mining capabilities;

e) Replace the A horizon or other suitable soil materials specified in Section 1823.12(a)(1) as the final surface soil layer. This surface soil layer shall equal or exceed the thickness of the original soil, as determined in 62 Ill. Adm. Code 1785.17(b)(1)(B) and be replaced in a manner that protects the surface layer from wind and water erosion before it is seeded or planted;

f) Apply nutrients and soil amendments as needed to quickly establish vegetative growth;

g) Prime farmland shall have a planned erosion control system if expected soil loss from row crop production will exceed the tolerable soil loss limits as defined by "Resource Conservation Planning Technical Material-IL-4" (May 12, 1977). "Resource Conservation Planning Technical Material-IL-4", issued by the U.S. Department of Agriculture, Natural Resources Conservation Service, located at 1902 Fox Drive, Champaign, Illinois 61820, is hereby incorporated by reference and does not include later editions or amendments. Terrace systems, when utilized as part of a planned erosion control system, shall be constructed according to U.S. Department of Agriculture, Natural Resources Conservation Service specifications. Erosion control plans in compliance with this subsection shall be submitted to and approved by the Department after final grading based on seasonal factors, the extent of the area, and the sophistication of the erosion control plan.

(Source: Amended at 24 Ill. Reg. 5989, effective March 21, 2000)