**Section 1540.40 Free Plant and Plant Materials to Landowners**

a) Plants and plant materials may be provided at no cost to landowners that have approved management plans. The management plan must recommend the use of plants and plant materials to meet a conservation objective which includes, but is not limited to, wildlife habitat, erosion control, energy conservation, natural community restoration, and general reforestation. Management plans must contain the following information if the information is applicable to the management plan being submitted for approval:

1) Owner name and address

2) Manager name and address (if applicable)

3) Property:

A) Location – legal description

B) Area (acres)

4) Description of Land

A) Current vegetative cover

B) Current wildlife present (if applicable)

C) Topography (if applicable)

D) Soils (if applicable)

E) Aerial photo or map of property

5) Specific Recommendations:

A) Pre-planting recommendations (site preparation and location)

B) Spacing, seeding rates, etc.

C) Species and amounts required

D) Post-planting recommendations (care of plants and plant materials, etc.)

6) Objectives – What are landowners' objectives and how does the plant meet those objectives.

7) Protective measures – Procedures to deal with insect, disease and environmental problems that would prevent landowners from meeting objectives (if applicable).

8) Financial – Discussion of specific costs involved in implementing landowners' objectives (if applicable).

b) Management plans may be developed by a landowner or his/her representative. Plans must be submitted for approval to the landowner's district forester or biologist of the Illinois Department of Natural Resources.

c) Plans that recommend the planting of seedling stock for Christmas tree production will not be approved.

d) The district forester or biologist of the Department of Natural Resources will approve or disapprove plans within forty-five (45) days after receipt of the plan. Approval criteria shall be based upon, but not limited to, adaptability of plant materials to site conditions (i.e., soils, topography, climate, etc.), the specific habitat needs of desired wildlife species and/or the suitability of selected plant materials to meet a landowner's specific management objective (i.e., deciduous trees would not be suitable for establishment of windbreaks for energy conservation). If the plan is disapproved, the district forester or biologist will notify the landowner of the reasons that prevented the plan from being approved.

e) Any landowner whose plan was not approved may appeal the disapproval to a committee consisting of the district forester or biologist's immediate supervisor and another forester or biologist of the Department selected by the immediate supervisor.

f) Plants or plant materials provided through this program will be made available on a first-come, first-serve basis.

(Source: Amended at 12 Ill. Reg. 5296, effective March 8, 1988)