**Section 1825.11 High Capability Lands: Special Requirements**

All high capability lands to be mined and reclaimed shall meet the following requirements, or meet the requirements of 62 Ill. Adm. Code 1816.133:

a) A permit shall be obtained for these operations as required by 62 Ill. Adm. Code 1773;

b) Darkened surface soil materials to be used in the reconstruction of high capability lands shall be removed before drilling for blasting or mining or other surface disturbances, in accordance with Section 1825.12 and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the Illinois Department of Natural Resources (Department) shall specify methods to control erosion of exposed overburden;

c) Revegetation success on high capability lands shall be measured in accordance with 62 Ill. Adm. Code 1816.116, except that the five year period of responsibility for revegetation shall commence at the date of initial planting of the crop being grown only in cases where the operator has chosen to show success of revegetation by using the land to grow crops. Measurement of success of revegetation shall be initiated within ten years after completion of backfilling and final grading on high capability land; and

d) The requirements of this Part are in addition to the other requirements of these regulations.

(Source: Amended at 22 Ill. Reg. 20286, effective November 5, 1998)