

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

PART 1585  
WRONGFUL TREE CUTTING

Section	
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AUTHORITY: Implementing and authorized by the Wrongful Tree Cutting Act [740 ILCS 185].

SOURCE: Adopted at 21 Ill. Reg. 11747, effective August 12, 1997.

**Section 1585.10 Definitions**

“Commercial Timber” - means species of trees of a size which will be purchased by an available primary forest products market, such as for sawlogs, pulpwood, veneer, cooperage or forest products, which at the minimum will produce one stick of wood with a 4 inch diameter inside the bark at the small end and 8 feet long or greater.

“Department” - means the Illinois Department of Natural Resources.

“Diameter at Breast Height” (DBH) - means the stem diameter, outside bark, at a point 4.5 feet above ground.

“Doyle Log Rule” - is:

$$\frac{(D-4)^2}{(4)L}=BF$$

where: D is diameter of the small end of a log in inches

L is the log length in feet

BF is Board Feet.

**Section 1585.20 Volume and Value Determination**

- a) Volume. The Doyle Log Rule will be used to determine board foot volume.
- b) Value.
  - 1) No value will be assigned to any tree that will not meet the definition of commercial timber. This Part does not apply to replacement, aesthetic, shade-tree or landscaping value.
  - 2) The unit value will be based on the appraiser's knowledge of commercial timber market values based on comparable sales or sawmill purchases of commercial timber. The estimated value will be the dollar amount of the commercial timber had it been offered for sale on the open market. The "Illinois Timber Price" report issued by the Illinois Department of Agriculture and the Illinois Department of Natural Resources can be used to determine commercial timber value.

**Section 1585.30 Appraisers**

- a) Within 15 days of receiving a court order requiring the appointment of these appraisers, the Department shall initiate the contact of enough potential appraisers to obtain 3 who agree to appraise the ordered site. Appraisers shall be either:
  - 1) Timber buyers currently licensed in Illinois; or
  - 2) Individuals possessing at least a bachelor's degree with a major in Forestry and who have expressed a willingness to be a timber appraiser and have a knowledge of Illinois' local commercial timber values.
- b) Disqualification. Appraisers must not have contracted nor conducted business with either the plaintiff or defendant in the case within the previous 5 years.
- c) Report. Within 10 working days of examining the site, each appraiser shall submit a report to the Department. The report must contain, at a minimum, the appraiser's name and address and the total value determination. This report must be accompanied by the appraiser's expenses as a separate document listing the court case as the billing party.
- d) Payment. Appraisers shall be paid by the parties pursuant to Sections 3 and 4 of the Act.

**Section 1585.40 Parties**

The parties and their legal representatives will be advised of the time and date of the appraisal, and may be present if they so desire. The parties are responsible for plainly delineating boundary lines prior to any appraisal.