

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

PART 1523
CONSERVATION 2000 - ECOSYSTEMS PROGRAM

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SOURCE: Adopted at 23 Ill. Reg. 11178, effective August 26, 1999; amended at 27 Ill. Reg. 1145, effective January 9, 2003.

Section 1523.10 Program Objective

The Ecosystems Program of Conservation 2000 ("Ecosystems Program") was developed by the Illinois Department of Natural Resources to establish and protect a system of representative, functioning ecosystems in both public and private ownership. The Ecosystems Program provides technical, policy, administrative and financial assistance to Ecosystem Partnerships that are watershed or ecosystem based coalitions of individuals and organizations that are cooperating to improve the natural resource base of the watersheds where they live, work, and play, while promoting compatible and sustainable economic activity. It is the objective of the

Ecosystems Program to promote the formation of these Ecosystem Partnerships. Adoption of bylaws is the most important foundation upon which each Ecosystem Partnership is built. It is the intent of the Department that each Ecosystem Partnership execute the responsibilities contained in this Part through an open and democratic process that provides an opportunity for broad participation of interested groups and individuals representing a cross section of geographic areas. Ecosystem Partnerships are encouraged to seek and gain non-profit status to be legally recognized. The Ecosystem Program promotes habitat preservation, restoration and enhancement of natural ecosystems within the context of the human environment. The mission of the Ecosystems Program is to monitor, maintain, enhance and restore the biodiversity and ecological conditions of Illinois' landscapes through local partnerships.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.20 Definitions

"Best Management Practices (BMPs)" include a broad range of conservation practices that individually or in combination help to reduce or prevent adverse impacts to the landscape or ecosystem.

"Comprehensive Environmental Review Process (CERP)" means the internal process used by the Department to review its actions, including funding of grants or projects, to insure the greatest protection of all natural and cultural resources to the extent possible and for compliance with Illinois and federal environmental statutes regarding the protection of vulnerable natural or cultural resources, including but not limited to, natural areas, wetlands, threatened and endangered species, and archeological sites.

"Conservation 2000 Administrator" means the Ecosystems Division Administrator charged with the responsibility for the development of policy, management and administration of Conservation 2000 for the Department.

"Department" means the Illinois Department of Natural Resources.

"Director" means Director of the Illinois Department of Natural Resources, or his designee.

"Ecosystem Administrator " means a regional Department staff person who is the primary contact to an Ecosystem Partnership.

"Ecosystem Partnership " means a coalition of individuals and organizations, designated by the Director, who work cooperatively to promote habitat preservation, restoration and enhancement of natural ecosystems within the context of the human environment. The term partnership does not meet the legal

criteria of a partnership as defined in the Uniform Partnership Act [805 ILCS 205].

"Ecosystem Partnership Area" means the area within the boundaries of a designated Ecosystem Partnership as requested by and on record with the Department.

"Ecosystem Partnership Support Grant" means a grant made to Ecosystem Partnerships to provide funding to help with expenses incurred in the areas of maintenance, education, communication and administration.

"Ecosystem Project Grants " means competitively funded projects designed to protect, enhance or restore biodiversity of ecosystems, in a manner that is compatible with economic development and sustainable land use practices within specific Ecosystem Partnership Areas within the following criteria :

"Habitat Grant" means a category of grant that will result in the installation of land and water management, creation, restoration and enhancement practices that promote increased biodiversity or improved ecological functions. These practices should follow the Program Guidance, be based upon habitat restoration literature or commonly used habitat restoration practices, have long-term ecological benefits, and be as self-sustaining as possible.

"Land Acquisition/Easement Grant" means a category of grant that will result in 30 year/perpetual easements and fee simple acquisitions that protect habitat and restore ecosystem functions.

"Outreach/Education Grant" means a category of grant that will result in projects that reach a target audience, informing them of the importance of or techniques used in the restoration, preservation, and/or management of ecosystems and biodiversity.

"Planning Grant" means a category of grant that will result in development of plans that integrate Ecosystem Partnership goals with Program Guidance principles and/or with the mission of related and relevant programs.

"Research Grant" means a category of grant that will result in investigation, data analysis, and research of ecological factors in the Ecosystem Partnership Area that can be used to advance Ecosystem Partnership goals and the Ecosystem Program's mission.

"Resource Economics Grant" means a category of grant that will result in unique economic development projects directly associated with human access or sustainable non-destructive use of an ecosystem.

"Local Partnership Council (LPC)" means the governing body of the Ecosystem Partnership.

"Program Guidance" means a document developed and released by the Department that provides periodic updates on the mission, goals, objectives, and direction of Conservation 2000. The document expands upon the 9 criteria that define the role of an Ecosystem Partnership which are to: acquire, protect and restore natural resources of local and State significance; acquire, preserve, and restore habitat areas that meet minimum functional habitat area guidelines; develop and implement restoration/recovery of species "guilds" or insure diversity of habitat; create, protect, and restore adequate buffer to protect sensitive habitats from non-compatible land uses; connect habitat areas; use ecosystem-based Best Management Practices; restore and naturalize hydrologic functions; develop educational strategies that complement ecosystem protection, restoration and enhancement activities; integrate research and monitoring into partnership and program work; integrate the ecosystems program with other local, State and federal programs and initiatives.

"Vision Plan" means a strategic document developed by an Ecosystem Partnership that identifies natural resource issues and provides realistic ecosystem-based strategies that should be undertaken to achieve a set of desired goals and objectives. The Vision Plan outlines citizens', local governments', private organizations' and businesses' role in the stewardship of the Ecosystem Partnership Area's natural and cultural resources. The Vision Plan will follow an outline and results-based planning framework (Vision Plan Framework) developed by the Department's Ecosystems Division.

"Vision Plan Framework" means a guidance document developed by the Department's Ecosystems Division outlining a process and requirements for developing a Vision Plan. The Vision Plan Framework will be updated as necessary and provided to Ecosystem Partnerships.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.30 Ecosystem Partnership Designation

- a) A coalition of individuals, groups and/or organizations interested in being designated as an Ecosystem Partnership may request designation by writing the Director and providing:

- 1) Their organizing principles, mission statement, constitution, charter, statement of purpose and goals.
 - 2) A map of the boundaries of the proposed Ecosystem Partnership.
 - 3) The signature of each initial member in the proposed Ecosystem Partnership must be included in the Ecosystem Partnership letter of request to the Director. Included in the list should be each member's address, telephone number, fax number, e-mail address, and affiliation, and a description of the interests the member represents.
 - 4) From the list of initial members, a list of proposed temporary board members in the proposed Ecosystem Partnership.
 - 5) A description of the Ecosystem Partnership Area's natural resources, and the condition and significance of those resources.
 - 6) Letters of support from businesses, organizations, etc., within the Ecosystem Partnership Area.
- b) The Director shall grant or deny designation as an Ecosystem Partnership in writing within 90 days after the receipt of the request. The Director shall consider the following criteria in reaching that decision:
- 1) The relationship between the mission or purpose of the proposed Ecosystem Partnership and the mission and policies of the Department and Conservation 2000.
 - 2) The natural resource significance of the ecosystems or watersheds proposed for inclusion in the proposed Partnership Area.
 - 3) The representation of diverse interests associated with the proposed Ecosystem Partnership.
 - 4) The coalition's potential ability to achieve its stated goal.
 - 5) Technical and financial resources available for program expansion.
 - 6) Other potential local support for the proposed Ecosystem Partnership.
- c) The letter of designation from the Director shall be the official notification to the prospective Ecosystem Partnership that it has met the requirements in subsections (a) and (b) and has received Ecosystem Partnership designation. Maintenance of

this designation is contingent on the fulfillment of the criteria contained in Section 1523.50.

- d) The initial list of LPC temporary board members submitted to the Director and approved in the Director's letter of designation for the Ecosystem Partnership shall serve for a period not to exceed 9 months from the designation date. No official business can be conducted by the temporary board members until they organize and elect a Chairperson, Vice-Chairperson and Secretary/Treasurer. These LPC officers and the temporary board members shall then prepare and adopt bylaws that meet the criteria set forth in Section 1523.40, at a meeting open to the public, and perform other duties as may be required for the Ecosystem Partnership to become established and to operate. Procedures to record the minutes of all meetings held throughout this process must be in place and a copy of those minutes must be provided to the designated Ecosystem Administrator and the Conservation 2000 Administrator, and shall be made available to members of the public.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.40 Ecosystem Partnership Bylaws

Bylaws shall be adopted by a simple majority of the Ecosystem Partnership members and temporary board members designated by the Director within 9 months after Department designation as an Ecosystem Partnership. Ecosystem Partnerships previously designated by the Director, as provided in Section 1523.30, that do not have formally adopted bylaws meeting the following criteria shall adopt bylaws consistent with the minimum criteria set forth in this Section after September 1, 2003. A copy of the approved bylaws must be sent to the designated Ecosystem Administrator and to the Conservation 2000 Administrator. Bylaws shall contain, but are not limited to, the following:

- a) Name of Ecosystem Partnership.
- b) Purpose and goals of Ecosystem Partnership.
- c) Mailing address for the Ecosystem Partnership.
- d) Criteria establishing what constitutes a quorum for official business of either the LPC, standing committees or special committees.
- e) Procedures to amend the bylaws.
- f) Procedures to establish or define the role of standing and special committees.

- g) Procedures to ensure that there is not a conflict of interest on behalf of a member of the LPC during the evaluation and scoring of Ecosystem Project Grant applications. Any member of the LPC who is eligible to evaluate and score these grant applications must excuse themselves from the evaluation or scoring of applications of an entity on which they are a board member, staff or officer, or in which a member of their immediate family might directly benefit. Records of all actions and decisions must be kept by the Ecosystem Partnership and members scoring projects must disclose their affiliation with any organization submitting an Ecosystem Project Grant application through the individual LPC. The composite score of each grant application shall be made available to the public upon request.
- h) Eligibility criteria to become a member of the Ecosystem Partnership.
- i) Eligibility criteria for an individual or member of an organization to serve as an officer, board member or committee member of the LPC.
- j) Procedures for open nomination and election of board members and officers.
- k) Eligibility criteria for an individual or organization to vote for members and/or officers on the LPC.
- l) Term for which elected LPC board members and officers shall serve.
- m) Procedure to elect LPC board members and officers.
- n) Provisions to promote and include participation by a broad range of interested groups and individuals within the Ecosystem Partnership Area.
- o) Criteria for board members and officers to maintain good standing within the LPC.
- p) Procedures to record the minutes of every meeting and to adopt, maintain and distribute those minutes, including providing copies to the designated Ecosystem Administrator and the Conservation 2000 Administrator, and making copies available to members of the public.
- q) Criteria for members to maintain good standing within the Ecosystem Partnership.
- r) Procedures to notify the public of meetings, including insuring that the pertinent details are published no less than 10 days in advance of meetings in a newspaper with general circulation within the Ecosystem Partnership Area. Meetings shall

be open to the public, except for the purpose of discussing personnel issues and evaluation and scoring of Ecosystem Partnership Grant applications. The LPC may elect to evaluate and score Ecosystem Project Grant applications in a meeting not open to the public if all grant applicants are notified of the proposed meeting and the LPC follows all requirements outlined in subsection (g).

- s) A schedule of meetings (at least once per quarter in a calendar year). This schedule must be published in a newspaper with general circulation within the Ecosystem Partnership Area.
- t) Procedures for maintaining and adjusting the boundaries of the Ecosystem Partnership Area.
- u) Procedures to dissolve the Ecosystem Partnership and to distribute assets. All assets purchased with Department funds shall be returned to the Department.
- v) Procedures to notify the public of the Ecosystem Project Grant process and deadlines, including insuring that the pertinent details are published no less than 10 days in advance of deadlines in a newspaper with general circulation within the Ecosystem Partnership Area.
- w) Criteria to score and rank Ecosystem Project Grant applications.
- x) Procedures to retain and maintain all records, including financial, of the Ecosystem Partnership.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.50 Evaluation of Ecosystem Partnership

The Department will review the status of each Ecosystem Partnership, after the third year following designation of the Partnership. Based upon this review, the Director may reaffirm the designation, withdraw the designation, or place the partnership on probation. If placed on probation, the Ecosystem Partnership must correct the issues of concern within 12 months from the receipt of written notification that the Ecosystem Partnership has been placed on probation. The written notification will detail the issues the Department has identified. If the issues are not resolved to the Department's satisfaction within the 12 month period, the Director will withdraw designation. If the designation is withdrawn, the Ecosystem Partnerships will no longer be eligible for Ecosystem Partnership support, Vision Plan or project funding. The Department's review shall consider, at a minimum, the following criteria:

- a) Whether the Ecosystem Partnership continues to meet the conditions set forth in this Part.

- b) Whether the Ecosystem Partnership has demonstrated sound fiscal accountability and complied with the terms and conditions of grants awarded it.
- c) Whether the Ecosystem Partnership has completed an Ecosystem Vision Plan, or equivalent plan, and is implementing provisions of the plan.
- d) Whether the Ecosystem Partnership has demonstrated progress towards meeting adopted goals.
- e) Whether the actions of the LPC maintain the integrity of the program and are consistent with the mission and intent of the Ecosystems Program.
- f) Whether the Ecosystem Partnership has sought and gained non-profit status.
- g) Whether quality grants were submitted in the Ecosystem Partnership Area and whether the Ecosystem Partnership tracked and monitored funded grants to ensure that they were executed and completed in a timely manner.
- h) Whether the Ecosystem Partnership utilizes natural resource monitoring to show progress towards improving biodiversity and ecosystem health.
- i) Whether the Ecosystem Partnership has the ability to integrate research and data collection efforts with statewide data collection, management storage and retrieval systems.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.60 Ecosystem Vision Plan Grants

- a) Ecosystem Partnerships are expected to use sound information based upon good science in developing Vision Plans. Vision Plans will provide guidance on ecosystem-based natural resource protection, maintenance and enhancement and be used to prioritize funding opportunities for further planning and project grants. Subject to sufficient funding, the Department will annually allocate a prescribed dollar amount for the development of Vision Plans by Ecosystem Partnerships. The amount allocated for a Vision Plan Grant shall be commensurate with the needs identified in the scope-of-work. The scope-of-work will provide information consistent with subsection (b) of this Section.
- b) The Vision Plan Framework describes the steps that an Ecosystem Partnership needs to take to make sound natural resource planning and management decisions by using good science. It also guides Ecosystem Partnerships through the steps to be taken to develop and organize a Vision Plan document. The Vision Plan

Framework specifically provides guidance on the development of a social inventory for the partnership area; development of a cultural resource inventory; assessment of physical and biological natural resource information; identification of issues and concerns; development of a purpose and vision statement; identification of goals, objectives, strategies, and action items; identification of ecosystem based best management practices to help solve identified problems; development of a work plan and implementation strategy; development of a monitoring strategy for tracking plan implementation; encouragement to use volunteer support to conduct physical project monitoring using established protocols; development of a public/stakeholder participation summary and creation of an executive summary.

- c) Ecosystem Partnerships interested in developing a Vision Plan must submit a letter requesting consideration for an Ecosystem Vision Plan Grant to the Conservation 2000 Administrator. The Conservation 2000 Administrator will review the request and send a Vision Plan Framework application packet to the applicant. The packet will include the Vision Plan Framework, the Program Guidance and other materials that could be used to help guide the planning process. At minimum, every applicant must submit a scope-of-work that addresses tasks outlined in the Vision Plan Framework and that identifies:
- 1) The purpose.
 - 2) The expected outcomes.
 - 3) The plan development process, including: the tasks required to complete the planning process, members of the planning team, party or parties responsible for writing the plan, and the primary liaison with the Ecosystems Program of the Department.
 - 4) Any data needs.
 - 5) Resource and economic concerns to be addressed, including ecological values, socioeconomic values, and protection and management issues, so far as they may be known.
 - 6) Coordination efforts with other local, regional, or State agencies, institutions, or organizations.
 - 7) Subgrantees or subcontractors.
 - 8) A timetable for project completion.

- 9) An itemized budget.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.70 Ecosystem Project Grants

Ecosystem Project Grants are competitively selected grants to conduct projects in Ecosystem Partnership Areas. Matching dollars are not required, although the rate of match will be considered as a competitive criterion. However, an approved grant that has a match commitment shall be required to document that match. Ecosystem Projects are awarded in 6 categories: Habitat, Research, Outreach/Education, Resource Economics, Planning, and Land Acquisition/Easement. In Habitat or Land Acquisition/Easement projects, if funding is sought for habitat enhancement practices, the grantee must comply with Section 1523.160. If it is more expeditious to fund an Ecosystem Project with another municipal, State, or federal agency through an intergovernmental agreement, rather than a grant agreement, this mechanism may be utilized as an alternative. All other conditions for a grant agreement expressed in this Section must be incorporated as conditions of the intergovernmental agreement.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.80 Ecosystem Project Grant Eligibility

Any individual, organization, or corporation may apply for grants to undertake Ecosystem Projects within Ecosystem Partnership Areas. However, individuals and entities are not eligible to apply for Land Acquisition Easement project grants to acquire or purchase an easement in land in which they possess any ownership or financial interest. A qualified third party, as defined at Section 2 of the Real Property Conservation Rights Act [765 ILCS 120/2], must submit and administer an Ecosystem Project Grant and hold the easement or title to all lands purchased by this program. Further, an individual or entity possessing any ownership or financial interest in the land must not have any ownership or financial interest in the third party submitting or administering a grant or holding title or easement.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.90 Ecosystem Project Grant Application Process

Applications for an Ecosystem Project Grant must be submitted to the Department's Ecosystems Division in Springfield, Illinois as listed in Section 1523.170, via either the Internet or mailed. If the grant application is mailed, the grant application must be postmarked on or before February 1 of each year preceding the fiscal year during which the applicant is requesting funding. If the grant application is submitted online, the grant application is due by 5:00 p.m. on the last business day in February of the year preceding the fiscal year during which the applicant is requesting funding (e.g., by February 28, 2003 for Fiscal Year 2004 funding). Project

applications must be submitted either online at the Department's Ecosystems Program website or typed on official forms to be considered for funding. Forms may be downloaded from the Department's Ecosystems Program website or requested from the Conservation 2000 Administrator at the contact address, telephone number or email address listed in Section 1523.170. Applications will not be accepted by facsimile machine. The Department encourages applications be submitted over the Internet.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.100 Ecosystem Project Grant Application

- a) An applicant for an Ecosystem Project Grant must submit a description of the proposed Ecosystem Project on the required application. The application shall be prescribed by the Department and is available from the program contact location described in Section 1523.170.
- b) The application shall at a minimum require:
 - 1) The name of the Ecosystem Partnership Area in which the Ecosystem Project is to be located.
 - 2) The name and address of the applicant and of a contact person, if different than the applicant.
 - 3) A project title.
 - 4) A project abstract.
 - 5) A description of and justification for the proposed project based upon the criteria outlined in Section 1523.110(b)(2).
 - 6) Sufficient information to locate the proposed project.
 - 7) A project budget identifying, at a minimum, the requested amount of Conservation 2000 funds, any matching funds or in-kind services.
 - 8) The attachment of a U.S. Geological Survey map (1:24,000 topographic maps) and design plans to allow the site-specific assessment of potential natural resource impacts of projects that will alter vegetation or otherwise alter surface features and to identify potential properties for land acquisitions/easements.
 - 9) The application must be type written if it is not submitted electronically.

- c) The application may also include attachments beyond those required in subsection (b)(8). All supplemental attachments will be kept on file at the program's central office in Springfield; however, at the discretion of the Conservation 2000 Administrator, not all attachments may be distributed for the grant review process.
- d) Grant applications may be modified by the Conservation 2000 Administrator with concurrence from the applicant.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.110 Review of Ecosystem Project Grant Applications

- a) Applications meeting the requirements set forth in Section 1523.100 will be provided to the appropriate Ecosystem Partnership for the LPC to review, score and provide recommendations for funding according to procedures outlined in the Ecosystem Partnership bylaws. The LPC shall evaluate Ecosystem Project Grant applications based upon: criteria as set forth in the definition of Program Guidance; and goals and objectives of the Ecosystem Partnership including the Vision Plan. In the review, each LPC will provide a score to the Department based upon a consistent statewide numeric standard procedure provided by the Department.
- b) Department staff will also make recommendations for funding to the Director based on a review process and the collective evaluation of the following:
 - 1) The ratio of matching dollars and value of in-kind services to the requested Conservation 2000 dollars.
 - 2) The project's Natural Resource Evaluation. The Natural Resource Evaluation is designed to assess the relative natural resource benefit of a project using the criteria set forth in the definition of Program Guidance within each of the 6 Ecosystem Project categories: Habitat, Research, Outreach/Education, Resource Economics, Planning and Land Acquisition/Easement.
 - A) The Natural Resource Evaluation for Habitat and Land Acquisition/Easement projects will take into consideration:
 - i) Appropriateness of the project as reflected by the project's relationship to existing plans, Department policies and objectives, and current scientific understanding.

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- ii) The duration of the habitat protection or improvement practice, and potential cumulative benefits in relation to previously funded practices.
 - iii) The ecological ramifications of a project. For example, use of exotic species detracts from the ecological benefits of a project; use of native species enhances the ecological benefits of a project; multi-species benefits increase overall ecological benefits; and projects that address restoration of ecosystem functions offer the greatest benefits.
 - iv) Relative cost effectiveness.
 - v) Follow-up monitoring of effectiveness of a project. Projects including follow-up monitoring will receive greater consideration.
- B) The Natural Resource Evaluation for Research projects will take into consideration:
- i) The degree to which the proposed research helps formulate or advance partnership goals and any existing watershed management goals or plans.
 - ii) Validity of the research design and methodology.
 - iii) Expertise of the investigators.
 - iv) Appropriateness of the budget, given the scope and time line for the project.
 - v) Availability of the research results. The results of the investigation must be made available to the Ecosystem Partnership and the Department, at a minimum, in a timely manner after completion of the research.
- C) The Natural Resource Evaluation for Outreach/Education projects will take into consideration:
- i) Relationship to a resource management plan or, in the absence of a plan, the Department's educational and/or resource management goals.

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- ii) The breadth of the audience to be reached.
 - iii) The quality of the educational materials to be produced or utilized in the outreach effort.
 - iv) Measures included to ensure technical accuracy of written materials and consistency with stated Department policies.
 - v) Efforts to assess the effectiveness of outreach efforts.
- D) The Natural Resource Evaluation for Resource Economics projects will take into consideration:
- i) The relationship between the proposed project and the Ecosystem Partnership's goals.
 - ii) The relationship between project cost and direct economic benefits to be generated.
 - iii) Validity of models and statistical techniques employed in forecasting economic benefits.
 - iv) The potential applicability of project results to other Ecosystem Partnerships.
- E) The Natural Resource Evaluation for Planning projects will take into consideration:
- i) Quality and validity of the planning effort with respect to the diversity and breadth of stakeholder involvement.
 - ii) Quality of the planning effort with respect to the degree the natural resource inventory information (particularly the quality, quantity and distribution of native habitat information) has been inventoried and incorporated as green infrastructure and a framework for planning.
 - iii) The relationship between the Ecosystem Partnership's currently proposed planning effort and its past planning efforts and past performance. (What was the success of past planning? Is this planning effort building upon earlier planning; i.e., Vision Plan?)

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- iv) The potential applicability to other Ecosystem Partnerships as a planning process.
- 3) The project's Ecosystem Partnership Performance Evaluation. The Ecosystem Partnership Performance Evaluation is based upon the relationship of the proposed project to the Ecosystem Partnership's:
 - A) Stated goals and any published watershed plan endorsed by the Ecosystem Partnership.
 - B) Planning efforts that meet the standards of Section 1523.60.
 - C) Use of volunteers (whose efforts have not been included as in-kind match) in implementation.
 - D) Participation of multiple partners with a high level of coordination between partners.
 - E) Past grant performance, if the applicant has previously received funding under this program.
 - F) Potential for educational interpretation of amenities to be developed as part of the project.
 - G) Consistency of the application with the Program Guidance.
 - H) Ability to integrate research and data collection efforts with statewide data collection, management storage and retrieval systems.
 - 4) Results of the Department's Comprehensive Environmental Review Process (CERP). The CERP assesses the potential for negative natural resource impacts and project conformance with other natural resource regulatory statutes.
 - 5) Other factors, such as the criteria set forth in the definition of Program Guidance, special funding, relationship to Departmental initiatives and plans including the Statewide Comprehensive Outdoor Recreation Plan, potential value to other Ecosystem Partnerships, etc., will be considered, when applicable, to the selection of projects.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.120 Selection and Notification of Ecosystem Project Grant Awards

The Director shall select projects for funding based on the recommendations of the Ecosystem Partnerships and of Department staff participating in the evaluation processes described in Section 1523.110. Project selections will be publicly announced and successful applicants will be notified. Upon notification, successful applicants will be allowed 30 days to review their application. Within this 30 day period, the applicant must contact its Ecosystem Administrator to request revisions, if required, to its application. The application will be the basis for the Department to generate a scope-of-work. At the end of the 30 day period, the Department will develop a grant agreement and the scope-of-work will be incorporated in, and made a part of, the grant agreement. The grant agreement will be mailed to the applicant. The applicant must not begin work until it receives a fully executed copy signed by the Director or is given written authority to proceed by the Department.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.130 Ecosystem Partnership Support Grants

Upon a determination by the Director that it will benefit the work of the Ecosystem Partnerships and subject to sufficient funding, the Department may provide grants for equipment, supplies, training, services, or other support to Ecosystem Partnerships. The Department shall formulate the conditions of the grant agreement and make Ecosystem Partnership Support Grants available, subject to the conditions of grant agreements, on a first-come first-served basis.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.140 Ecosystem Vision Plan, Project, and Support Grant Execution and Reimbursement

Payment of grant funds will be on a reimbursement basis. However, upon a determination the applicant is prepared to carry out the conditions of the grant, the Department may approve the advancement of grant dollars. No work is to begin until a grant agreement has been fully executed between the applicant and the Department, or written authority to proceed is given by the Department. Work begun before the date of execution of the grant agreement is not reimbursable.

- a) With the Department's written approval, expenditures made by the applicant in support of an awarded project and made after the date of the press release announcing the award, but before the execution of a grant agreement, may be counted toward the required match. Should the applicant fail to expend the identified match dollars, the Department may prorate reimbursement of grant funds. To initiate a payment under the grant agreement, whether it be an advance payment, interim payment, or final payment, it must be requested through the

Ecosystem Administrator appointed to each Ecosystem Partnership.

- b) For approval of an advance payment the applicant must provide evidence of its capacity to begin implementation of a project. For reimbursement payments for completed work, beyond any advance payment and up to and including final payment, evidence of progress toward project completion as outlined in the grant agreement, documentation of the expenditure of the match share, and documentation of actual project expenditures must accompany all requests for reimbursement. Reimbursements for travel, lodging, and/or per diem shall not be above prevailing State rates set by the Governor's Travel Control Board. Upon signature of the reimbursement request by the Ecosystem Administrator, the reimbursement request and all supporting documentation must be forwarded to the Ecosystems Division at the contact address provided in Section 1523.170. If the supporting documentation is in order, the Department will process the required instrument to initiate payment. For final payment on a completed project, a final report must be received and approved by the Ecosystem Administrator and Conservation 2000 Administrator. The final report shall contain details of the methods used to fulfill the grant agreement and documentation of completion of the project in accordance with the terms and conditions of the grant agreement.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.150 Ecosystem Vision Plan, Project, and Support Grant Compliance Requirements

All recipients of the Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grants must comply with the following program requirements:

- a) The grantee must notify the media that the Ecosystem Vision Plan or Ecosystem Project has received funding from the State of Illinois, Department of Natural Resources, Conservation 2000 Fund. All publications, written documents, news articles, TV and radio releases, interviews and personal presentations that relate to this project must credit the Department's Conservation 2000 Ecosystems Program. A notice crediting the Conservation 2000 Ecosystems Program must be posted at the main entrance to any real property or interest in real property purchased under the program.
- b) For grants or agreements that include the purchase of equipment, the grantee must provide a written report to the Department by March 31 for equipment purchased during the preceding calendar year (January 1 through December 31) and an equipment usage report must be submitted for each of the succeeding three calendar years after purchase. Equipment usage reports must include a detailed

description of the equipment items, a description of habitat management accomplished, resources protected, theft prevention measures, property and license controls, and a quantitative measure of equipment usage. Equipment purchased by the grantee, under the terms of a grant, shall become the property of the grantee. Equipment acquired under this program may not be employed for commercial purposes, and may only be used for purposes similar to those described in the Ecosystem Vision Plan, Ecosystem Partnership Support or Ecosystem Project grant agreement.

- c) The grantee must provide a written preliminary report to the Department within 90 days after receipt of notice of the award of Conservation 2000 Funds for conservation or habitat practices, land acquisition or a conservation easement. The report shall be for the portions of the property covered by a practice, acquisition or easement funded in part or solely by the Department. The report shall include specifics on the project site, ownership, conditions, changes, and any issues specified in the grant agreement. Thereafter, the grantee must provide to the Department a written report containing this same information once every 5 years throughout the life of the practice, throughout the duration of the easement, or as long as the acquisition is held in the grantee's ownership. It shall be the obligation of the grantee to ensure the reporting requirements are also binding on any successors or assigns.
- d) If the purchase of equipment is part of an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant, and the cost of that equipment, individually or in aggregate from the same vendor, meets or exceeds \$25,000, the equipment must either be purchased through an established State, federal or municipal procurement process, or purchased through a competitive procurement process. In the latter case, documentation of invitation, submission, opening, evaluation, correction, withdrawal, and award of bids will be required for reimbursement. The Department reserves the right to require the grantee to use a written, competitive sealed bidding process for costs under \$25,000.
- e) If the purchase of professional or artistic services, computer equipment telecommunication equipment, software or services is identified as a project component, and the cost meets or exceeds \$25,000, the grantee must use a written process for the solicitation of competitive sealed proposals, unless the grantee verifies, in writing, that competitive sealed bidding for a single procurement is not practical or advantageous; or the grantee documents, in writing, to the Ecosystems Division, that sole source procurement is the most economically feasible solution. The Department reserves the right to require the grantee to use a written, competitive sealed bidding process for costs under \$25,000.
- f) All equipment, materials, supplies or personal property purchased through the

Ecosystems Program is subject to retrieval by the Department and/or reassignment by the Director upon dissolution of the grantee, abandonment of the Ecosystem Vision Plan process, Ecosystem Project or Ecosystem Support function, or as a result of grantee non-compliance with the terms and conditions of the grant. All property retrieved by the Department shall be reassigned by the Director for uses as similar as possible to the original Ecosystem Vision Plan process, Ecosystem Project or Ecosystem Partnership Support purposes.

- g) Any real property or interest in real property purchased with State funds, in part or solely, under the Ecosystems Program must have a lien or conservation easement, as deemed appropriate by the Department, recorded on the property and must be available for inspection by Department staff to determine compliance with provisions of the purchase and/or provisions of the grant. Any diversion of such property from its stated uses shall be grounds for recovery of the funds granted toward purchase of the property. The grantee shall replace the property, upon a determination that a diversion has occurred, if the diversion is not addressed to the Department's satisfaction. The Department shall provide written acceptance of the proposed replacement property. Failure to comply with the notification and request for repayment will render the grantee ineligible for participation in this or any other Department grant or cost-share programs. Should the grantee fail to repay the grant funds plus interest, the Department reserves the right to avail itself of judicial means of recovery.
- h) The grantee is fully responsible for and must assume all operation and maintenance costs and responsibilities associated with an Ecosystem Vision Plan process, or Ecosystem Project or Ecosystem Partnership Support Grant. The Department will not be responsible for any operation and maintenance costs associated with an Ecosystem Vision Plan process, Ecosystem Project, or Ecosystem Partnership Support function, unless that project has been implemented upon Department property, and only with approval prior to submission of the application for the project.
- i) Any Conservation 2000 monies not expended or legally obligated at the completion of an Ecosystem Vision Plan process or Ecosystem Project, or during the term of an Ecosystem Partnership Support Grant, must be returned to the Department for deposit in the Conservation 2000 Fund within 45 days. Any expenditure by the grantee that does not comply with the grant will be disallowed and must be returned to the Department for deposit in the Conservation 2000 Fund. Conservation 2000 Fund monies received as an advance payment shall become part of the project principal and must be reported as a part of expenditure documentation. In accordance with Section 10 of the Illinois Grant Funds Recovery Act [30 ILCS 705/10] all interest earned on funds held by the grantee shall become part of the grant when earned. Any interest earned under the grant

and not expended as grant principal during the term of the grant shall be returned to the Department.

- j) No equipment, materials, supplies or real property purchased as part of an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant shall be transferred or disposed of or used in a manner other than specified by the grant without approval of the Department.
- k) If Department funds are used, partially or solely, to install land management practices on a property or acquire interests in real property, the grantee cannot develop or use that property in any manner that is not compatible with sustaining the practices or with perpetuating the ecological conditions that were preserved through the acquisition, respectively, unless otherwise specified in the terms and conditions of the grant. No changes or disturbance will be allowed by the grantee on that portion of the property covered by an Ecosystem Project, unless otherwise stipulated in the terms and conditions of the grant, without the written approval of the Director. The terms and conditions of this grant shall be binding on the grantee and any successors or assigns of interests in the real property.
- l) If the terms and conditions allow the owner of any outstanding interest in real property acquired through an Ecosystem Project to undertake capital improvements, remove vegetation, disturb soil or similar activities with the grantee's approval, the grantee shall consult with the Department at least 60 days in advance of providing the owner with approval to proceed. The Department shall reply to the grantee, in writing, pursuant to the proposed action of the owner.
- m) Department representatives must have reasonable access to an Ecosystem Project at any reasonable time during project development and after completion to assess progress or to ensure continuing compliance with program requirements.
- n) Reports or informational, media, or publicity materials associated with an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant must credit the Department and Conservation 2000 Ecosystems Program, and must stipulate that the Department has participated in the development of these materials through financial and other support but does not necessarily endorse all of the views expressed in the materials.
- o) The grantee of an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant must certify, in writing, that it will comply with all the terms and conditions of the grant agreement for that grantee's specific project.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.160 Natural Resources Cost-Share

- a) The Department will provide incentives to landowners in the form of cost-share natural resource management practices. These cost-share practices will assist Ecosystem Partnerships in implementing ecosystem management practices and strategies. The success of each Ecosystem Partnership in contributing to an ecosystem based management strategy will depend to a great extent on the cooperation, commitment, and contributions of private landowners within each Ecosystem Partnership Area. The availability of cost-share assistance will further the mission of the Department and the goals of the Conservation 2000 Program. The Department may consult with and coordinate the development of their approved practices with other county, State and federal partners.
- b) Installed practices shall meet recommended guidelines and specifications as detailed in the Natural Resources Conservation Service's (NRCS) Technical Guide IL-645-1, and Department adopted modifications to the NRCS Technical Guide for Illinois River 2020 conservation practices (April 2001). These specifications will be used for determining the need and practicality of a cost-share practice, for preparing plans in design and layout, and for certifying proper installation of a practice. Guidelines and specifications may be customized to address site specific ecological needs. Copies of these documents are available at the Department's office located at One Natural Resources Way, Springfield, Illinois 62702-1271, Department Regional Offices, County Soil and Water Conservation District (SWCD) offices, and local NRCS offices.
- c) Eligible practices must be recommended in a Natural Resource Management Plan approved by the landowner and the Department. Approved practices will: promote the use of native plants (except where non-native plants can be justified); increase buffer widths; extend de-watering times, interspersion of habitat types, and control of exotic species; and promote the use of prescribed fire.
- d) The landowner is responsible for installing, maintaining and performing all cost-share practices for no less than 10 years from the date of installation (date completed practice is approved by the Ecosystem Partnership and/or Department). Other parties, buyers, or heirs can assume custody, rights, privileges and obligations by signing an agreement to adopt the approved Natural Resource Management Plan. Conversion of a cost-share practice to another non-program land use prior to the expiration of the practice or the unwillingness of new owners to assume custody will require a 100% refund of the cost-share payment and a 15% per annum penalty fee.
- e) The amount of reimbursement to a landowner from all sources may not exceed 100% of the base cost of the practice established by the federal Farm Service

Agency (FSA). The base cost represents the amount upon which the cost-share maximum is derived. Federal cost-share program assistance will be used for initial payment when federal or other cost-share programs' practices are utilized concurrently with Conservation 2000; the cost-share rate shall equal the rate of the other concurrent cost-share program in effect in the county where the practice is installed.

- f) Cost-share practices may be attempted a second time if practice failure was not the direct fault (determined by the Department or its designee) of the landowner. Consumption of renewable resources, as identified in the Natural Resource Management Plan, is allowed on cost-share practice areas. Recreational uses of cost-share practice areas is permitted, but shall be compatible with the management objectives specified in the Natural Resource Management Plan.
- g) Cost-share funds shall not be used for the establishment or production of fruit and nut orchards, aquaculture, grass or forb seed production, greentree reservoirs, commercial campgrounds, irrigation systems, Christmas tree production, nurseries, licensed hunting preserves, road construction, bridges, gates, boundary fences, contour farming/strip cropping practices, no-till or strip-till planting systems, or establishment of pasture/haylands. Except as approved by the Department, exotic plants and animals shall not be knowingly released or cultured on cost-share practice areas.
- h) Cost-share payments are reimbursements. Landowners will not be allowed advance payment for installing practices. Payments to landowners can only occur after the Department or its designee has certified completion of the approved practices. The grantee is responsible for the periodic inspections of all installed practices. Copies of these inspections shall be sent to the Department within four months after each inspection. Where non-compliance situations are determined, the landowner will be required, at his or her own expense, to take steps necessary to restore compliance or refund cost-share payments for those practices in non-compliance.

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.170 Program Information/Contact

Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Conservation 2000, Ecosystems Division
One Natural Resources Way
Springfield IL 62702-1271
Telephone: 217-782-7940

Website Address: <http://dnr.state.il.us/orep/c2000/manage/partner>
Email Address: ecoprgr@dnrmail.state.il.us

(Source: Amended at 27 Ill. Reg. 1145, effective January 9, 2003)

Section 1523.180 Program Information/Contact (Repealed)

(Source: Repealed at 27 Ill. Reg. 1145, effective January 9, 2003)