1) **Heading of the Part:** Open Space Lands Acquisition and Development Grant Program

2) **Code Citation:** 17 Ill. Adm. Code 3025

3) **Section Number:** 3025.60  
   **Emergency Action:** Amendment

4) **Statutory Authority:** Implementing and authorized by the Open Space Lands Acquisition and Development Act [525 ILCS 35].

5) **Effective Date of Emergency Rule:** June 3, 2022

6) **If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire:** This emergency will not expire before the end of the 150-day period.

7) **Date filed with the Index Department:** June 3, 2022

8) A copy of the emergency amendments, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) **Reason for Emergency:** The Open Space Lands Acquisition and Development (OSLAD) Program is a state-financed grant program that provides funding assistance to local government agencies for acquisition and/or development of land for public parks and open space. The COVID pandemic has increased the desire for the public to recreate outdoors. The people of Illinois have a public interest in being able to access and utilize public outdoor recreation facilities. This OSLAD grant review and award process was significantly impacted by the COVID pandemic both by supply shortages and restrictions on working in larger groups. Many OSLAD-funded projects were significantly delayed, halted or yet to be awarded. The grantees are eager to plan or complete these projects during the 2022 summer and fall construction season. These projects are weather dependent. The requirement to present the IDNR OSLAD grant recommendations to Natural Resources Advisory Board (NRAB) merely for further recommendation to the Director will nearly eliminate the possibility these grant funds will reach the local municipalities for the 2022 construction season. It is imperative to the OSLAD grant program that IDNR be able to process OSLAD grant awards as soon as possible. There is no statutory obligation to submit OSLAD recommendations to NRAB.
A Complete Description of the Subjects and Issues Involved: This Part is being amended to eliminate the requirement to submit OSLAD grant recommendations to the Natural Resources Advisory Board.

Are there any proposed rulemakings pending on this Part? No

Statement of Statewide Policy Objective: This rulemaking neither creates, nor expands, any State mandate affecting units of local government.

Information and questions regarding this rulemaking shall be directed to:

Renee Snow, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

The full text of the Emergency Amendment begins on the next page:
NOTICE OF EMERGENCY AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER g: GRANTS

PART 3025
OPEN SPACE LANDS ACQUISITION
AND DEVELOPMENT GRANT PROGRAM

Section
3025.10 Program Objective
3025.20 Incorporation by Reference (Repealed)
3025.25 Eligibility Requirements
3025.30 Assistance Formula
3025.32 Funding Distribution and Handling of Awards
3025.34 Business Enterprise Compliance
3025.36 Distressed Communities Definition and Criteria
3025.40 General Procedures for Grant Applications and Awards
3025.50 Eligible Project Costs
3025.60 Project Evaluation Priorities

EMERGENCY
3025.70 Program Compliance Requirements
3025.80 Program Information/Contact
3025.APPENDIX A Project Evaluation Criteria

AUTHORITY: Implementing and authorized by the Open Space Lands Acquisition and Development Act [525 ILCS 35].

Section 3025.60 Project Evaluation Priorities

The following factors are used by the Department in evaluating and recommending local project applications for funding assistance consideration (see Appendix A):

a) Statewide Outdoor Recreation Priorities – 60%
   
   1) Department Statewide Priorities – 35%
      Projects are evaluated in terms of their ability to address major outdoor recreation and conservation issues identified by the Department in its "Statewide Outdoor Recreation Plan". These include, but are not limited to, natural area and wetland preservation, protection of endangered/threatened species and critical habitat resources, conservation education, creation of greenways and long distance trail corridors, water-based recreation, recreation for disadvantaged populations and adaptive re-use/redevelopment of urban lands, including brownfields. These priorities are listed in this Section and also available in the Department's OSLAD Local Participation Grant Manual (2007 ed.; Illinois Department of Natural Resources Division of Grant Administration, One Natural Resources Way, Springfield IL 62702-1271).

   2) Statewide Local Needs Assessment – 25%
      Determination of local need is based on a comparison of:

      A) existing local supply of recreation facilities per capita to the statewide median for those facilities as identified in the Department's "Statewide Outdoor Recreation Plan"; and

      B) existing supply and distribution of open space and park land acreage, measured in acres/capita, to the statewide median and/or to locally adopted standards. Recreation needs based on project service area are also given consideration.

b) Project concept and site characteristics – 25%
   The project proposal is evaluated in terms of the site's physical and aesthetic qualities, including accessibility; soil, topographic and hydrologic characteristics;
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

site vegetation; compatibility with adjacent land uses; environmental intrusion on the site; impacts to cultural and natural resources; and the overall recreational diversity provided by the project.

c) Local Planning – 10%
The major consideration under this criteria is public support and input into the project plan and existence of a comprehensive local recreation and/or open space plan identifying the proposed project as a priority. Consideration is also given for unique recreation opportunities not specifically identified in a local plan but having documented widespread public support.

d) Other Considerations – 5%
Relevant factors considered in evaluating the overall merits of a project and need for funding include projects located in inner-urban areas; proposing initial site development; involving private donations; representing economic revitalization efforts; or from applicants not previously benefitting from OSLAD assistance.

e) Penalty Factors – (deduct up to 15%)
Consideration is given to the applicant's past performance in completing OSLAD or other Department grant projects or unresolved project violations, ability to properly maintain the project site, and failure to cooperate with the Department in completing the "Illinois Recreation Facilities Inventory" (IRFI).

f) Project Application Review and Grant Award:
Department grant staff, in consultation with executive and appropriate resource staff, reviews all applications in accordance with the established evaluation criteria. Recommendations from the Department grant staff are then submitted to the Department's "Natural Resource Advisory Board" for consideration at a public hearing conducted by the Board after which final recommendations are forwarded to the Director for OSLAD grant approval.

(Source: Emergency Amendment at 46 Ill. Reg. _______, effective June 3, 2022, for a maximum of 150 days)