

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

PART 3051
ILLINOIS NATURAL AREAS STEWARDSHIP GRANT PROGRAM

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AUTHORITY: Implementing and authorized by the Illinois Natural Areas Stewardship Act [525 ILCS 31].

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Section 3051.10 Purpose

The purpose of this Part is to implement the Illinois Natural Areas Stewardship Grant Program that provides operational grants to conservation land trusts for stewardship of natural areas dedicated as an Illinois nature preserve or dedicated buffer or registered as an Illinois land and water reserve.

Section 3051.20 Definitions

"Act" means the Illinois Natural Areas Stewardship Act [525 ILCS 31].

"Commission" means the Illinois Nature Preserves Commission.

"Conservation Land Trust" means entities exempt from taxation under section 501(c)(3) of the federal Internal Revenue Code (26 USC 501(c)(3)) whose purposes include the restoration, stewardship, or conservation of land, natural areas, open space, or water areas for the preservation of native plants or animals, biotic communities, geologic formations, or archeological sites of significance.
[525 ILCS 31/10]

"Deadline" means the date stated in this Part or the next business day if the deadline date falls on a Saturday, Sunday or State of Illinois holiday.

"Department" or "DNR" means the Illinois Department of Natural Resources.

"Director" means the Director of the Department.

"Eligible Land" is a site that has been dedicated by the Commission as an Illinois nature preserve or dedicated buffer or registered as an Illinois land and water reserve and has a current, approved management schedule. [525 ILCS 31/10]

"GATA" means the Grant Accountability and Transparency Act [30 ILCS 708].

"GATA Rule" means 44 Ill. Adm. Code 7000.

"GATU" means the Grant Accountability and Transparency Unit within the Illinois Governor's Office of Management and Budget.

"Grant Agreement" means the written contract between the Department and a grantee setting forth the terms for project funding. The Grant Agreement will be based on GATU's Uniform Grant Agreement (see GATA Rule Section 7000.370).

"Grant Program" means the Illinois Natural Areas Stewardship Grant Program created by the Act and this Part.

"Grantee" means the successful applicant for funding of a project pursuant to the Natural Areas Stewardship Grant Program.

"Project" means the stewardship actions, staff activities, equipment and materials necessary to implement the grant application proposal.

"Stewardship Actions" means actions, identified in a Commission approved management schedule, that are designed to maintain, preserve, or improve the condition of native natural communities, diversity of species, and ecological processes on eligible lands, such as, but not limited to, prescribed burns, control of exotic and invasive species, fencing, and other restorative practices. [525 ILCS 31/10]

Section 3051.30 Funding

- a) The Grant Program is funded by the Natural Areas Acquisition Fund (see 35 ILCS 200/31-35).

- b) The Department will determine annually the availability of funds for purposes of the Grant Program. Annual funds for the Grant Program will be determined solely by the Department and will not exceed \$2,000,000.
- c) Maximum grant award to any single project is limited to \$100,000.
- d) The required match amount by the applicant will be 5% of the grant award or \$1,000, whichever is less.
- e) The Grant Program will provide the approved funding assistance on a cost reimbursement basis.

Section 3051.40 Applicant Eligibility

- a) Applicants must meet the following requirements to be eligible for the Grant Program:
 - 1) Applicants must be *conservation land trusts*;
 - 2) Applicants must be *in good standing with the federal Internal Revenue Service* by holding current status as exempt from taxation under section 501(c)(3) of the Internal Revenue Code; and
 - 3) Applicants cannot be *an agency, organization, or entity that has taxing powers, collects taxes, or has eminent domain powers.* [525 ILCS 31/20]
- b) To be eligible for the Grant Program, applicants shall include only eligible land in their proposals.
- c) If the applicant's proposal includes eligible land owned by another entity, to be eligible for the Grant Program, the applicant:
 - 1) shall have a properly executed agreement with the owner of the land allowing the applicant to perform the proposed project; and
 - 2) shall document that the Commission has been notified of the agreement between the applicant and the owner of the land allowing the applicant to perform the proposed project.

Section 3051.50 Application Procedures and Required Information

- a) This State funded program is subject to GATA. Specific GATA rules are cross-referenced in this Part.

- b) Applications for funding assistance under the Grant Program shall use application forms and instructions available through the Department (see Section 3051.80).
- c) Applications shall be submitted to the Department, Attention: Office of Grant Management and Assistance – Natural Areas Stewardship Program.
- d) The application deadline will be publicly announced by the Department. Applications received after the application deadline will not be considered by the Department.
- e) Applications shall contain the following required information:
 - 1) The name and address of the applicant;
 - 2) The name, telephone number and e-mail address of a contact person for the applicant;
 - 3) Copy of the Internal Revenue Service letter confirming the applicant's current 501(c)(3) tax exempt status;
 - 4) A comprehensive description of the applicant's proposed project, including:
 - A) Project summary;
 - B) Project locations and information showing applicable eligible land;
 - C) Project stewardship actions;
 - D) Project methods and schedule;
 - E) Itemized project budget on the uniform grant budget template provided by GATU (see GATA Rule Section 7000.330);
 - F) Narrative separately addressing each application evaluation criteria in Section 3051.60(c)(1) through (9) applicable to the project;
 - G) If the applicant's proposal includes land owned by another entity, a copy of the agreement with the landowner and documentation that the agreement was provided to the Commission;

- H) If there exists any potential conflict of interest between DNR staff, the entity owning the land, and the applicant and/or its governance board and/or staff members, documentation of the potential conflict of interest and the resolutions or actions taken by the applicant to disclose and resolve the potential conflicts; and
- D) Uniform grant application provided by GATU and signed by an authorized representative (see GATA Rule 7000.330).

Section 3051.60 Application Evaluation and Selection

- a) All applications received by the application deadline will be reviewed by DNR staff.
- b) Applications will be screened for applicant eligibility (see Section 3051.40) and application completeness (see Section 3051.50(e)).
- c) Eligible and complete applications will be evaluated by DNR staff, considering the following criteria:
 - 1) Project benefits to implementing the needs and priorities identified in the Department's current approved:
 - A) Illinois Natural Areas Plan;
 - B) Illinois Sustainable Natural Areas Vision; and
 - C) Illinois Wildlife Action Plan;
 - 2) Project benefits to the following stewardship needs:
 - A) actions identified in a Commission-approved management schedule for each site; and
 - B) actions improving or addressing threats to the qualifying features for which the site was dedicated/registered;
 - 3) Project benefits in consideration of the resources to be impacted by the project:
 - A) Rarity and condition of resources;
 - B) Severity of stewardship need; and

- C) Other resource-based considerations;
 - 4) The availability of the matching funds required by Section 3051.30(d);
 - 5) The availability of other nonfinancial resources to complete the project, such as personnel, volunteers, equipment or supplies;
 - 6) How the project will increase the stewardship capacity of the applicant;
 - 7) Applicant's past performance in completing Grant Program projects or other DNR grant projects;
 - 8) Ability of the applicant to complete the project in the timeframe planned; and
 - 9) Adequacy and sufficient justification of the project budget.
- d) DNR staff will verify that each grantee has completed a prequalification process and has been determined "qualified" by GATU (see GATA Rule Section 7000.70).
 - e) DNR staff will provide to the Director all eligible and complete applications and a prioritized list of applications recommended because of their consistency with the purposes of the Act based on the evaluation criteria of subsection (c).
 - f) Based on available funding, the Director will determine what grants will be awarded after considering the recommendations of Department staff. Applicants shall be notified of the Director's final decision on grant awards.
 - g) For a grant applicant who is a prior recipient of an award under this Part, the Department will review available information on the awardee's prior performance and consider that information when assessing grantee risk. This is part of the grantee risk assessment provided by GATU (see GATA Rule 7000.340).

Section 3051.70 Grant Requirements

- a) Grant Agreement
 - 1) Upon grant award, the grantee and the Department shall execute a written Grant Agreement. All grants shall be in compliance with GATA.

- 2) The Department will enter into a Grant Agreement with the grantee using the Grant Agreement modeled on the uniform GATU template (see GATA Rule Section 7000.370). Project objectives and performance goals will be included in the Grant Agreement to measure the grantee's performance.
 - 3) The Grant Agreement shall contain substantive provisions including, but not limited to, the following:
 - A) recitation of legal authority pursuant to which the Grant Agreement is made;
 - B) identification of the project;
 - C) identification of a completion date;
 - D) identification of the grant amount;
 - E) condition and manner by which the Department will pay the grant amount to the grantee as reimbursements for expenditures made by the grantee, subject at all times to annual appropriation by the General Assembly;
 - F) signed document by the applicant verifying the applicant has the resources to initially finance the project;
 - G) agreement by the grantee to comply with program regulations;
 - H) agreement by the grantee to indemnify the Department from any liability relative to the project;
 - I) agreement by the grantee not to assign or transfer any of the rights, duties or obligations of the grantee without the written consent of the Department; and
 - J) agreement that the grantee shall not deviate from the budget, project scope, or objectives stated in the Grant Agreement except with mutual written agreement of the Department and grantee (see GATA Rule Section 7000.370(b)).
- b) Grant Term

- 1) The grant term begins on the date of the Department's execution of the Grant Agreement, unless a different beginning date is provided in the Grant Agreement.
 - 2) In order for costs to be eligible for reimbursement, the project must not be initiated and costs shall not be incurred prior to the grant term.
 - 3) Grant funds are available as reimbursements for expenditures by a grantee during the grant term, which shall be for a period no longer than 2 years, unless an extension is granted under subsection (b)(4).
 - 4) The grant term ends on the completion date set forth in the Grant Agreement, unless a written request for an extension is submitted by the grantee no later than 30 days prior to the award completion date, based upon circumstances outside of the grantee's control and approved by the Department in writing.
- c) Financial Management
- 1) The grant award will be paid to the grantee as reimbursements for expenditures made by the grantee.
 - 2) Reimbursements will be at the completion of the project, unless the Department, based upon a request from the grantee for good cause, determines to provide reimbursement payments on an interim basis.
 - 3) Upon project completion or for interim reimbursement requests, the grantee must submit a project billing request listing and verifying all funds expended on the project for which reimbursement is sought, as well as required billing documentation.
 - 4) The grantee shall keep adequate records relating to its administration of a project, particularly relating to all incurred costs. These records shall be available for audit by appropriate DNR personnel and the State Auditor General. All records shall be retained in accordance with the State Records Act [5 ILCS 160]. Grantees are subject to the auditing standards stipulated by GATU (see GATA Rule Section 7000.90).
 - 5) All purchases must be completed or legally obligated prior to the end of the term of the Grant Agreement to be eligible for reimbursement.
- d) Equipment

- 1) Equipment acquired pursuant to the Grant Agreement will be limited in use to the purpose of the project for the duration of the grant term, unless specified otherwise in the Grant Agreement.
 - 2) Grantees will be responsible for the maintenance of any equipment purchased through the Grant Program.
 - 3) Equipment is to be kept safe and secure by the grantee.
 - 4) Equipment purchased shall become the property and the responsibility of the grantee at the end of the grant term, unless specified otherwise in the Grant Agreement.
- e) Employees
- 1) Grantee employee salary and indirect costs that are reimbursed pursuant to the Grant Agreement must be documented and included in grantee's final reports, annual progress reports, and interim reimbursement requests, if applicable. Benefit costs are not eligible for reimbursement. Indirect cost rates shall follow GATU processes in place at the time of the Grant Agreement.
 - 2) Documentation of employee salary must be hourly, including a description and location of the work performed.
 - 3) Staff salary for time spent on activities not included in the Grant Agreement is not eligible for reimbursement.
- f) Reporting Requirements
- 1) The grantee shall provide written reports no later than 30 days after the end of each quarter (see GATA Rule Section 7000.410). Reports shall include the status of the project and financial data using the forms or format provided by the Department (see Section 3051.80).
 - 2) The grantee shall provide a written final report to the Department no later than 30 days following the completion date of the Grant Agreement. The final report shall be in the form or format provided by the Department and include:
 - A) A summary of the accomplishments related to the project goals;
 - B) A financial report;

- C) An equipment use report; and
 - D) Any other information requested by the Department.
- 3) For multiple year projects, projects requesting interim reimbursements, and projects involving significant equipment, the Grant Agreement shall address reporting requirements, if any, in addition to the final report.
 - 4) Failure to provide the final report or additional reports as required in this subsection (f) may render the grantee ineligible to receive reimbursement payments under the current award and ineligible for future awards. Due dates for reports may be extended for just cause when requests are submitted in writing at least 2 weeks prior to the due date.
- g) Inspections. The Department may make periodic inspections of the project as stewardship actions progress. The Department will complete a final inspection or document review and formally accept the completed project prior to final grant payment.
 - h) Public Credit. To educate the public and promote the Grant Program, the grantee shall give public credit to the "Illinois Department of Natural Resources – Illinois Natural Areas Stewardship Grant Program" and coordinate with the Department on any publication, written document, news article, television or radio release, interview, or personal presentation, if initiated by the grantee, that refers to the project.

Section 3051.80 Program Information/Contact

For information on the Illinois Natural Areas Stewardship Grant Program, contact:

Illinois Department of Natural Resources
Office of Grant Management and Assistance
One Natural Resources Way
Springfield IL 62702-1271

Telephone: 217/782-7481
Email: DNR.Grants@illinois.gov

Section 3051.90 Final Administrative Decision

Application decisions are final administrative decisions by the Department subject to judicial review under the Administrative Review Law [735 ILCS 5/Art. III].