**Section 1075.20 Definitions**

The following terms will be used throughout this Part:

 "Act" – the Illinois Endangered Species Protection Act [520 ILCS 10].

"Action" – construction, land management or other activities that are authorized, funded or performed in whole or in part by agencies of State and local governments and that will result in a change to the existing environmental conditions or may affect listed endangered or threatened species or their essential habitat or natural areas.

"Adverse Impact" – a direct or indirect alteration of the physical or biological features of the air, land or water that may affect the survival, reproduction or recovery of a listed species or that may diminish the viability of a natural area.

"Agency" – all State agencies and units of local government and their political subdivisions, agencies, boards, committees and commissions.

"Agency Action Report" – a report submitted to the Department by agencies proposing actions requiring consultation. The information required to be submitted shall be sufficient to determine the presence or absence of a threatened or endangered species or natural area in the vicinity of the proposed action.

"Applicant" – the agency or third party consulting with the Department. A third-party applicant is a non-governmental party consulting with the Department on behalf of an agency because the third-party is seeking financial support, funding, authorization or other approval from the agency.

"Authorized" or "Authorization" – any permitting, licensing, zoning or other administrative approval provided by an agency.

"Biological Opinion" – the component of the Detailed Action Report prepared by the Department, when a valid record of an occurrence for a threatened or endangered species or natural area exists within the vicinity of a proposed action. This opinion will conclude whether the action will jeopardize the listed species present, destroy or adversely modify their essential habitat, or adversely modify a natural area.

"Carried Out" – conducted by, or on behalf of, an agency or its agents through contract, agreement or other legal arrangement.

"Conservation" – utilization of all methods and procedures necessary to bring any endangered or threatened species to the point at which the protection provided by the Act are no longer necessary. These methods and procedures include, but are not limited to, all activities associated with scientific resources management, such as research, census, habitat acquisition, habitat management restoration, and maintenance and propagation.

"Consultation" – process of review of actions of governmental and third party actions pursuant to Section 11(b) of the Act and Section 17 of the Natural Areas Act.

"Cumulative Effects" – direct and indirect effects of a proposed action, together with the identifiable effects of actions that are interrelated or interdependent with the action. Indirect effects are those that are caused by the action but are later in time or farther in distance. Interrelated actions are those that are a part of a larger action. Interdependent actions are those that have independent utility apart from the action.

"Department" – means the Department of Natural Resources.

"Detailed Action Report" – a written report that is prepared by an agency when a threatened or endangered species or natural area has been identified within the vicinity of a proposed action. This report shall contain sufficient information to make a judgement regarding the potential adverse impacts to a listed species or its essential habitat or a natural area.

"EcoCAT" – the Department's on-line consultation application process.

"Essential Habitat" – the physical and biological environment that is required to maintain viable populations of a listed species in order to ensure the survival and recovery of that species.

"Funded" – receipt of any grant, loan, loan guarantee, bond or other public financing provided by an agency.

"Jeopardize" – to engage in an action that would reduce the likelihood of the survival or recovery of a listed species or would result in the destruction or adverse modification of the essential habitat of such a species or would result in the destruction or adverse modification of a natural area.

"Listed Species" – any species of plant or animal that has been listed as endangered or threatened by the Illinois Endangered Species Protection Board or the U.S. Fish and Wildlife Service.

"Natural Area" – any area of land in public or private ownership that is registered under the Natural Areas Act or is identified in the Illinois Natural Areas Inventory.

"Natural Areas Act – Illinois Natural Areas Preservation Act [525 ILCS 30].

"Vicinity" – the area surrounding the action, as determined by the life history requirements of the species of concern or proximity to a natural area.

(Source: Amended at 37 Ill. Reg. 11359, effective July 5, 2013)