**Section 1515.20 Acreage Eligibility**

a) Illinois CREP Acreage must contain the entirety of all acres enrolled in a current Federal CREP contract or a current Illinois CREP Grant of Conservation Right and Easement Agreement to qualify for the program.

b) Additional Acres may be enrolled, at IDNR's discretion, in the Illinois CREP Grant of Conservation Right and Easement Agreement in addition to the land currently enrolled in Federal CREP. For purposes of Illinois CREP, Additional Acres must meet all of the following criteria:

1) Land must be immediately contiguous to land currently enrolled in Federal CREP. Land physically located immediately across a road, stream, or river from the land enrolled in Federal CREP will be considered contiguous to this land.

2) Land must be physically located on the same "farm", as defined by FSA at 7 CFR 718.2, as the immediately contiguous land enrolled in Federal CREP.

3) Land must be devoted to a cover that is equivalent to, or exceeds, FSA criteria and standards for one or more eligible Federal CREP conservation practices at the time the Illinois CREP Grant of Conservation Right and Easement Agreement is approved; or devoted to a cover that is equivalent to or exceeds, FSA criteria and standards for one or more eligible Federal CREP conservation practices no later than 12 months after the Illinois CREP Grant of Conservation Right and Easement Agreement is executed. IDNR will not provide any cost-share or other payment to improve, enhance, or otherwise establish a cover on Additional Acres.

4) Land, in combination with the land enrolled in Federal CREP, must further the purposes of Federal CREP and the goals of Illinois CREP to improve water quality and fish and wildlife habitat, and create or expand a corridor for the protection of fish and wildlife.

5) Land containing aquatic acres. The total permanent aquatic acres shall not exceed 10% of any Illinois CREP Acreage. Eligibility of intermittent aquatic acres is not limited for enrollment in an Illinois CREP Grant of Conservation Right and Easement Agreement. Aquatic acres are defined as:

A) Permanent aquatic acres: perennial streams, rivers, ponds or lakes capable of sustaining fish populations year-round during years receiving normal site precipitation.

B) Intermittent aquatic acres: non-perennial or ephemeral streams, rivers, ponds or lakes incapable of sustaining fish populations year-round during years receiving normal site precipitation.

c) Acres currently encumbered by a conservation related easement or property right, other than Federal CREP or Federal CRP contracts or Illinois CREP Grant of Conservation Right and Easement Agreement, are not eligible for enrollment in Illinois CREP.

d) IDNR may, at its discretion, extend the environmental and conservation benefits of the Illinois CREP Grant of Conservation Right and Easement Agreement by enrolling an existing 15-year or 35-year Illinois CREP Grant of Conservation Right and Easement Agreement, with no current violations, in a new Illinois CREP Grant of Conservation Right and Easement Agreement for an additional 15 years or into perpetuity.

e) Acres are not eligible for Illinois CREP if enrolling that acreage would result in payments of greater than $500,000 or 5% of available Illinois CREP funds, whichever is less, for any given State of Illinois fiscal year to an individual, or consortium of governmental organizations, not-for-profit organizations, or mutually related benefiting organizations associated with a collective enrollment.

(Source: Amended at 46 Ill. Reg. 5986, effective March 30, 2022)