**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. 1144, effective January 9, 2003)