

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Illinois Natural Areas Stewardship Act.

6 Section 5. Legislative findings and statement of public
7 policy.

8 (a) The General Assembly finds that:

9 (1) The Illinois Natural Areas Preservation Act
10 defines natural areas and creates the Illinois Nature
11 Preserves Commission to preserve the highest quality
12 natural areas in perpetuity to sustain for the people of
13 present and future generations the benefits of an enduring
14 resource of natural areas, including the elements of
15 natural diversity present.

16 (2) The Natural Areas Acquisition Fund, established in
17 the Open Lands Acquisition and Development Act, shall be
18 used by the Department of Natural Resources for the
19 acquisition, preservation, and stewardship of natural
20 areas, including habitats for endangered and threatened
21 species, high quality natural communities, wetlands, and
22 other areas with unique or unusual natural heritage
23 qualities.

1 (3) The condition of dedicated and registered sites
2 tends to degrade over time without stewardship actions.
3 Once degraded, the public's significant investment is
4 devalued and these natural areas provide reduced benefit to
5 the people of present and future generations.

6 (4) Conservation land trusts have experience managing
7 natural areas in order to counter the constant and
8 increasing pressures exerted on conservation lands by
9 ecological succession, habitat fragmentation, hydrological
10 alteration, pollution, encroachment by invasive and exotic
11 species, and criminal trespass.

12 (5) This Act and the powers afforded to the Illinois
13 Nature Preserves Commission are desirable to guide and
14 preserve the highest quality natural areas in perpetuity.

15 (b) It is the purpose of this Act to:

16 (1) increase stewardship by providing stewardship
17 grants to conservation land trusts to help perform
18 stewardship actions on eligible lands; and

19 (2) to enhance stewardship capacity within
20 conservation land trusts in local areas.

21 Section 10. Definitions. As used in this Act:

22 "Administrative decision" has the same meaning ascribed to
23 the term in Section 3-101 of the Administrative Review Law of
24 the Code of Civil Procedure.

25 "Commission" means the Illinois Nature Preserves

1 Commission.

2 "Conservation land trust" means an entity exempt from
3 taxation under Section 501(c)(3) of the federal Internal
4 Revenue Code whose purposes include the restoration,
5 stewardship, or conservation of land, natural areas, open
6 space, or water areas for the preservation of native plants or
7 animals, biotic communities, geologic formations, or
8 archeological sites of significance.

9 "Department" means the Department of Natural Resources.

10 "Eligible land" means a site that has been dedicated by the
11 Commission as an Illinois Nature Preserve or dedicated buffer
12 or registered as a Land and Water Reserve, and has a current,
13 approved management schedule.

14 "Illinois Natural Areas Stewardship Grant Program" means a
15 program established under Section 20 of this Act.

16 "Land" means real property and ownership rights applying to
17 it and includes the real property, structures, and
18 improvements.

19 "Management schedule" means an approved document
20 consistent with rules for Management of Nature Preserves or
21 rules for Register of Land and Water Reserves under the
22 Illinois Administrative Code developed for the preservation,
23 protection, management, and use of lands.

24 "Stewardship actions" means actions identified in an
25 approved management schedule which are designed to maintain,
26 preserve, or improve the condition of native natural

1 communities, diversity of species, and ecological processes on
2 eligible lands, such as, but not limited to, prescribed burns,
3 control of exotic and invasive species, fencing, and other
4 restorative practices.

5 "Stewardship grant" means a grant from the Department to a
6 conservation land trust for the purpose of providing
7 stewardship actions under Section 20 of this Act.

8 Section 15. Powers, duties, and authorizations. The
9 Department may:

10 (1) make stewardship grants under Section 20 of this
11 Act from the Natural Areas Acquisition Fund to conservation
12 land trusts to conduct stewardship actions on eligible
13 lands;

14 (2) establish the total amount of funds available for
15 annual stewardship grants, except the amount of
16 stewardship grants made for any fiscal year may not exceed
17 the amount set by administrative rule and shall not result
18 in adverse impacts on the operations funded by the Natural
19 Areas Acquisition Fund;

20 (3) accept and receive any funds including by
21 agreement, grant, contract, donation, gift, or bequest
22 from any corporation, foundation, non-governmental agency,
23 individual, or instrumentality of any of those for the
24 purposes of executing stewardship grants under this Act and
25 these funds are to be deposited into the Natural Areas

1 Acquisition Fund;

2 (4) develop and administer the Illinois Natural Areas
3 Stewardship Grant Program within the Department;

4 (5) adopt rules to effectuate the purposes of this Act;
5 or

6 (6) use funds received under this Act to pay for the
7 cost of departmental personnel; contractual, professional
8 or technical services; and equipment, materials, and
9 supplies necessary or appropriate to perform the functions
10 under this Act.

11 Section 20. Illinois Natural Areas Stewardship Grant
12 Program.

13 (a) The Illinois Natural Areas Stewardship Grant Program is
14 established to make grants to conservation land trusts for the
15 purpose of promoting stewardship actions on eligible lands.

16 (b) A conservation land trust in good standing with the
17 federal Internal Revenue Service may apply for a grant.

18 (c) An agency, organization, or entity that has taxing
19 powers, collects taxes, or has eminent domain powers is not
20 eligible to apply for the grant program under this Act.

21 (d) Eligible land held by agencies, organizations, or other
22 entities may be the recipient of stewardship actions conducted
23 under the grant as long as there is a properly executed
24 agreement between the agency, organization, or entity and the
25 conservation land trust that has been awarded the grant.

1 (e) The Department shall adopt administrative rules in
2 consultation with the Commission for grant writing, the
3 selection of grant recipients, amount of grant awards, and
4 eligibility requirements to implement the purposes of this Act.
5 However, the rules shall include the following requirements:

6 (1) amounts for match and caps for any stewardship
7 grant under this Act; and

8 (2) the Commission shall be notified of any agreement
9 between a conservation land trust and an owner of eligible
10 lands for stewardship actions to be conducted under the
11 grant agreement.

12 Section 25. Priorities. In considering applications for
13 grants under this Act, the Department shall establish
14 priorities that:

15 (1) provide the greatest benefit to implementing the needs
16 and priorities identified in the Illinois Natural Area Plan,
17 the Illinois Sustainable Natural Areas Vision, and the Illinois
18 Wildlife Action Plan;

19 (2) provide the greatest benefit to other stewardship needs
20 identified by the Department, in consultation with the
21 Commission, in administrative rule; and

22 (3) consider, but not be limited to, the rarity and
23 condition of resources, severity of stewardship need,
24 timeliness of actions, proposed stewardship actions, and
25 availability of other resources.

1 Section 30. Administrative Review Law. All final
2 administrative decisions under this Act are subject to judicial
3 review under the Administrative Review Law of the Code of Civil
4 Procedure.

5 Section 35. Fund depository. All funds, assessments,
6 fines, settlements, compensations, transfers, appropriations,
7 penalties, and donations made under this Act shall be deposited
8 into the Natural Areas Acquisition Fund subject to the
9 limitations described in subsection (2) of Section 15 of this
10 Act.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.