



Sen. Ram Villivalam

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10300SB1701sam002

LRB103 29043 AWJ 59331 a

1 AMENDMENT TO SENATE BILL 1701

2 AMENDMENT NO. _____. Amend Senate Bill 1701 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing
5 Section 6z-32 as follows:

6 (30 ILCS 105/6z-32)

7 Sec. 6z-32. Partners for Planning and Conservation.

8 (a) The Partners for Conservation Fund (formerly known as
9 the Conservation 2000 Fund) and the Partners for Conservation
10 Projects Fund (formerly known as the Conservation 2000
11 Projects Fund) are created as special funds in the State
12 Treasury. These funds shall be used to establish a
13 comprehensive program to protect Illinois' natural resources
14 through cooperative partnerships between State government and
15 public and private landowners. Moneys in these Funds may be
16 used, subject to appropriation, by the Department of Natural

1 Resources, Environmental Protection Agency, and the Department
2 of Agriculture for purposes relating to natural resource
3 protection, planning, recreation, tourism, climate resilience,
4 and compatible agricultural and economic development
5 activities. Without limiting these general purposes, moneys in
6 these Funds may be used, subject to appropriation, for the
7 following specific purposes:

8 (1) To foster sustainable agriculture practices and
9 control soil erosion, sedimentation, and nutrient loss
10 from farmland, including grants to Soil and Water
11 Conservation Districts for conservation practice
12 cost-share grants and for personnel, educational, and
13 administrative expenses.

14 (2) To establish and protect a system of ecosystems in
15 public and private ownership through conservation
16 easements, incentives to public and private landowners,
17 natural resource restoration and preservation, water
18 quality protection and improvement, land use and watershed
19 planning, technical assistance and grants, and land
20 acquisition provided these mechanisms are all voluntary on
21 the part of the landowner and do not involve the use of
22 eminent domain.

23 (3) To develop a systematic and long-term program to
24 effectively measure and monitor natural resources and
25 ecological conditions through investments in technology
26 and involvement of scientific experts.

1 (4) To initiate strategies to enhance, use, and
2 maintain Illinois' inland lakes through education,
3 technical assistance, research, and financial incentives.

4 (5) To partner with private landowners and with units
5 of State, federal, and local government and with
6 not-for-profit organizations in order to integrate State
7 and federal programs with Illinois' natural resource
8 protection and restoration efforts and to meet
9 requirements to obtain federal and other funds for
10 conservation or protection of natural resources.

11 (6) To support ~~implement~~ the State's Nutrient Loss
12 Reduction Strategy, including, but not limited to, funding
13 the resources needed to support the Strategy's Policy
14 Working Group, cover water quality monitoring in support
15 of Strategy implementation, prepare a biennial report on
16 the progress made on the Strategy every 2 years, and
17 provide cost share funding for nutrient capture projects.

18 (7) To provide capacity grants to support soil and
19 water conservation districts, including, but not limited
20 to, developing soil health plans, conducting soil health
21 assessments, peer-to-peer training, convening
22 producer-led dialogues, professional memberships,
23 professional development, and travel stipends for meetings
24 and educational events.

25 (8) To develop guidelines and local soil health
26 assessments for advancing soil health.

1 (9) To implement a crop insurance premium discount
2 program at the State level for practices that improve soil
3 health.

4 (b) The State Comptroller and State Treasurer shall
5 automatically transfer on the last day of each month,
6 beginning on September 30, 1995 and ending on June 30, 2023,
7 from the General Revenue Fund to the Partners for Conservation
8 Fund, an amount equal to 1/10 of the amount set forth below in
9 fiscal year 1996 and an amount equal to 1/12 of the amount set
10 forth below in each of the other specified fiscal years:

11 Fiscal Year	Amount
12 1996	\$ 3,500,000
13 1997	\$ 9,000,000
14 1998	\$10,000,000
15 1999	\$11,000,000
16 2000	\$12,500,000
17 2001 through 2004	\$14,000,000
18 2005	\$7,000,000
19 2006	\$11,000,000
20 2007	\$0
21 2008 through 2011	\$14,000,000
22 2012	\$12,200,000
23 2013 through 2017	\$14,000,000
24 2018	\$1,500,000
25 2019	\$14,000,000
26 2020	\$7,500,000

1 2021 through 2023 \$14,000,000

2 (c) The State Comptroller and State Treasurer shall
3 automatically transfer on the last day of each month beginning
4 on July 31, 2021 and ending June 30, 2022, from the
5 Environmental Protection Permit and Inspection Fund to the
6 Partners for Conservation Fund, an amount equal to 1/12 of
7 \$4,135,000.

8 (c-1) The State Comptroller and State Treasurer shall
9 automatically transfer on the last day of each month beginning
10 on July 31, 2022 and ending June 30, 2023, from the
11 Environmental Protection Permit and Inspection Fund to the
12 Partners for Conservation Fund, an amount equal to 1/12 of
13 \$5,900,000.

14 (d) There shall be deposited into the Partners for
15 Conservation Projects Fund such bond proceeds and other moneys
16 as may, from time to time, be provided by law.

17 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21;
18 102-699, eff. 4-19-22.)

19 Section 10. The Grant Accountability and Transparency Act
20 is amended by changing Section 45 as follows:

21 (30 ILCS 708/45)

22 Sec. 45. Applicability.

23 (a) Except as otherwise provided in this Section, the
24 requirements established under this Act apply to State

1 grant-making agencies that make State and federal pass-through
2 awards to non-federal entities. These requirements apply to
3 all costs related to State and federal pass-through awards.
4 The requirements established under this Act do not apply to
5 private awards, to allocations of State revenues paid over by
6 the Comptroller to units of local government and other taxing
7 districts pursuant to the State Revenue Sharing Act from the
8 Local Government Distributive Fund or the Personal Property
9 Tax Replacement Fund, to allotments of State motor fuel tax
10 revenues distributed by the Department of Transportation to
11 units of local government pursuant to the Motor Fuel Tax Law
12 from the Motor Fuel Tax Fund or the Transportation Renewal
13 Fund, or to awards, including capital appropriated funds, made
14 by the Department of Transportation to units of local
15 government for the purposes of transportation projects
16 utilizing State funds, federal funds, or both State and
17 federal funds. This Act shall recognize that federal and
18 federal pass-through awards from the Department of
19 Transportation to units of local government are governed by
20 and must comply with federal guidelines under 2 CFR Part 200.

21 The changes made by this amendatory Act of the 102nd
22 General Assembly apply to pending actions as well as actions
23 commenced on or after the effective date of this amendatory
24 Act of the 102nd General Assembly.

25 (a-5) Nothing in this Act shall prohibit the use of State
26 funds for purposes of federal match or maintenance of effort.

1 (b) The terms and conditions of State, federal, and
2 pass-through awards apply to subawards and subrecipients
3 unless a particular Section of this Act or the terms and
4 conditions of the State or federal award specifically indicate
5 otherwise. Non-federal entities shall comply with requirements
6 of this Act regardless of whether the non-federal entity is a
7 recipient or subrecipient of a State or federal pass-through
8 award. Pass-through entities shall comply with the
9 requirements set forth under the rules adopted under
10 subsection (a) of Section 20 of this Act, but not to any
11 requirements in this Act directed towards State or federal
12 awarding agencies, unless the requirements of the State or
13 federal awards indicate otherwise.

14 When a non-federal entity is awarded a cost-reimbursement
15 contract, only 2 CFR 200.330 through 200.332 are incorporated
16 by reference into the contract. However, when the Cost
17 Accounting Standards are applicable to the contract, they take
18 precedence over the requirements of this Act unless they are
19 in conflict with Subpart F of 2 CFR 200. In addition, costs
20 that are made unallowable under 10 U.S.C. 2324(e) and 41
21 U.S.C. 4304(a), as described in the Federal Acquisition
22 Regulations, subpart 31.2 and subpart 31.603, are always
23 unallowable. For requirements other than those covered in
24 Subpart D of 2 CFR 200.330 through 200.332, the terms of the
25 contract and the Federal Acquisition Regulations apply.

26 With the exception of Subpart F of 2 CFR 200, which is

1 required by the Single Audit Act, in any circumstances where
2 the provisions of federal statutes or regulations differ from
3 the provisions of this Act, the provision of the federal
4 statutes or regulations govern. This includes, for agreements
5 with Indian tribes, the provisions of the Indian
6 Self-Determination and Education and Assistance Act, as
7 amended, 25 U.S.C. 450-458ddd-2.

8 (c) State grant-making agencies may apply subparts A
9 through E of 2 CFR 200 to for-profit entities, foreign public
10 entities, or foreign organizations, except where the awarding
11 agency determines that the application of these subparts would
12 be inconsistent with the international obligations of the
13 United States or the statute or regulations of a foreign
14 government.

15 (d) 2 CFR 200.101 specifies how 2 CFR 200 is applicable to
16 different types of awards. The same applicability applies to
17 this Act.

18 (e) (Blank).

19 (f) For public institutions of higher education, the
20 provisions of this Act apply only to awards funded by federal
21 pass-through awards from a State agency to public institutions
22 of higher education. This Act shall recognize provisions in 2
23 CFR 200 as applicable to public institutions of higher
24 education, including Appendix III of Part 200 and the cost
25 principles under Subpart E.

26 (g) Each grant-making agency shall enhance its processes

1 to monitor and address noncompliance with reporting
2 requirements and with program performance standards. Where
3 applicable, the process may include a corrective action plan.
4 The monitoring process shall include a plan for tracking and
5 documenting performance-based contracting decisions.

6 (h) Notwithstanding any provision of law to the contrary,
7 grants awarded from federal funds received from the federal
8 Coronavirus State Fiscal Recovery Fund in accordance with
9 Section 9901 of the American Rescue Plan Act of 2021 are
10 subject to the provisions of this Act, but only to the extent
11 required by Section 9901 of the American Rescue Plan Act of
12 2021 and other applicable federal law or regulation.

13 (i) This Act does not apply to the Department of
14 Agriculture's Soil and Water Conservation District Grants
15 Program.

16 (Source: P.A. 101-81, eff. 7-12-19; 102-16, eff. 6-17-21;
17 102-626, eff. 8-27-21; 102-813, eff. 5-13-22; 102-1092, eff.
18 6-10-22.)

19 Section 15. The Soil and Water Conservation Districts Act
20 is amended by adding Sections 3.24, 3.25, 3.26, 3.27, 22.03a,
21 22.03b, 22.03c, and 22.03d as follows:

22 (70 ILCS 405/3.24 new)

23 Sec. 3.24. "Healthy soils practices" means systems of
24 agricultural, forestry, and land management practices that:

1 (1) improve the health of soils, including, but not
2 limited to, consideration of depth of topsoil horizons,
3 water infiltration rate, water-holding capacity, organic
4 matter content, biologically accessible nutrient content,
5 bulk density, biological activity, and biological and
6 microbiological diversity;

7 (2) follow the principles of: minimizing soil
8 disturbance and external inputs; keeping soil covered;
9 maximizing biodiversity; diversifying crop rotations;
10 maximizing presence of living roots; integrating animals
11 and insects into land management, including grazing
12 animals, birds, beneficial insects, or keystone species,
13 such as earthworms; and incorporating the context of local
14 conditions in decision-making, including, for example,
15 soil type, topography, and time of year; and

16 (3) include practices such as tillage or no-till,
17 cover-cropping, perennialization of highly erodible land,
18 precision nitrogen and phosphorus application, managed
19 grazing, integrated crop-livestock systems, silvopasture,
20 agroforestry, perennial crops, integrated pest management,
21 nutrient best management practices, invasive species
22 removal and the planting of native species and those
23 practices recommended by the United States Department of
24 Agriculture's Natural Resources Conservation Service -
25 Field Office Technical Guide.

1 (70 ILCS 405/3.25 new)

2 Sec. 3.25. "Soil health assessment" means a suite of
3 soil-health-indicator measures, including, but not limited to,
4 soil organic matter, soil structure, infiltration and bulk
5 density, water-holding capacity, microbial biomass, and soil
6 respiration.

7 (70 ILCS 405/3.26 new)

8 Sec. 3.26. "Initiative" means the Illinois Healthy Soils
9 Initiative.

10 (70 ILCS 405/3.27 new)

11 Sec. 3.27. "Healthy soil" means the continuing capacity of
12 a soil to function as a vital, living biological system that
13 sustains plants, animals, and humans, increases soil organic
14 matter, improves soil structure and water-holding and
15 nutrient-holding capacity and nutrient cycling, enhances water
16 infiltration and filtration capability, promotes water
17 quality, and results in net long-term ecological benefits.
18 "Healthy soil" includes soil that hosts a diversity of
19 beneficial organisms, grow vigorous crops, enhance
20 agricultural resilience, including the ability of crops and
21 livestock to tolerate and recover from drought, temperature
22 extremes, extreme precipitation events, pests, diseases, and
23 other stresses, break down harmful chemicals, and help convert
24 organic residues into stable soil organic matter and retaining

1 nutrients, especially nitrogen and phosphorus.

2 (70 ILCS 405/22.03a new)

3 Sec. 22.03a. Illinois Healthy Soils Initiative.

4 (a) The Illinois Healthy Soils Initiative is created. It
5 is the purpose of the Initiative to improve the health of soils
6 through efforts that improve soil and water quality, increase
7 the resilience of ecosystems to extreme weather events,
8 protect and improve agricultural productivity, and support
9 aquatic and wildlife habitat.

10 The Initiative shall be administered by the Director of
11 Agriculture with consultation from soil and water conservation
12 districts, the Illinois Environmental Protection Agency, the
13 Department of Natural Resources, and the University of
14 Illinois Extension Program. The Department shall create
15 guidelines and guidance to assist soil and water conservation
16 districts in developing soil health assessments in order to
17 identify desired capacity and funding levels and establish
18 regular, measurable, cost-effective, and technically
19 achievable goals to advance voluntary and incentive-based
20 strategies that improve healthy soils. These assessments shall
21 be used to identify opportunities to access and leverage
22 financial and technical assistance from local, State, and
23 federal sources to guide resources to their best potential
24 use.

25 The Initiative shall complement and improve coordination

1 of existing resources and processes and shall not replace
2 existing, local, State, private, or federal funding or
3 technical assistance programs. The Department shall report on
4 progress of the Initiative annually.

5 The Initiative shall promote voluntary and incentive-based
6 soil health efforts. No part of this Section shall be used to
7 impose mandates or require practice adoption.

8 (70 ILCS 405/22.03b new)

9 Sec. 22.03b. Guidelines for soil health assessments. The
10 Department shall adopt and revise guidelines to assist soil
11 and water conservation districts in determining local goals
12 and needs for implementing soil health assessments.

13 In developing its guidelines to assist soil and water
14 conservation districts in determining local goals and needs
15 for soil health assessments, the Department shall consider:

16 (1) county and State levels of conservation practice
17 adoption. Guidance should also be provided to districts to
18 meet USDA Natural Resource Conservation Service determined
19 conservation practice standards or Illinois Urban Manual
20 Practice Standards;

21 (2) information regarding beginning, socially
22 disadvantaged, and veteran farmers and ranchers, as well
23 as disadvantaged communities;

24 (3) availability of State, federal, and private
25 financial and technical assistance programs to soil and

1 water conservation districts, local governments, and
2 conservation partners; and

3 (4) opportunities for evaluating results-based
4 practices utilizing tools, such as the U.S. Department of
5 Agriculture's revised universal soil loss equation, that
6 model environmental outcomes at the field, county,
7 watershed, or State level.

8 The information collected through the development of the
9 guidelines shall be summarized and provided to the soil and
10 water conservation districts to inform the development of
11 local soil health assessments.

12 Initial guidelines shall be completed and provided to soil
13 and water conservation districts by July 1 of each year and
14 shall include the grant agreement for the Soil and Water
15 Conservation District Grants Program as well as outlining the
16 funding resource support contained within the grant agreement
17 to better inform the development of local soil health
18 assessments.

19 (70 ILCS 405/22.03c new)

20 Sec. 22.03c. Local soil health assessments. Upon the
21 adoption of guidelines described in Section 22.03b, each soil
22 and water conservation district shall develop its own soil
23 health assessment to guide voluntary and incentive-based
24 strategies to improve soil health. The soil health assessment
25 shall be technically feasible and economically reasonable.

1 The Department shall provide a template to the districts
2 for the local soil health assessment, including the required
3 information listed in this Section as well as information
4 regarding available data and support materials collected as
5 the guidance information listed in Section 25.

6 Each district is encouraged to collaborate with other
7 local governmental entities and local stakeholders in
8 developing and implementing its soil health assessment. Each
9 district shall use the guidelines provided by the Department
10 in developing its soil health assessment.

11 Upon the request of a district, the Department shall
12 assist in the preparation of the district's soil health
13 assessment. Districts may also work collaboratively to
14 establish joint plans to leverage existing capacity and
15 resources most effectively.

16 To carry out its assessment, a district shall identify
17 soil health practices. The soil health assessment must
18 consider opportunities to access, leverage, and use State and
19 federal resources within a specific soil and water
20 conservation district service area.

21 Soil and water conservation districts may also convene
22 producer-led dialogues to identify special initiatives or
23 pilot projects to leverage additional resources and implement
24 soil health practices at scale across multiple operations and
25 land ownerships.

26 In developing a soil health assessment, the soil and water

1 conservation district shall:

2 (1) evaluate existing assets, such as current
3 practices, current cropping systems, crop processing and
4 market infrastructure, riparian buffers, wetlands, public
5 lands, funding, education, research and peer-to-peer
6 training opportunities, and existing partnerships;

7 (2) consider the eligible funding categories available
8 through the Partners for Conservation Fund and the
9 district's ability to advance healthy soils practices
10 consistent with Natural Resource Conservation Service soil
11 health principles within a soil and water conservation
12 district service area;

13 (3) determine vulnerabilities, such as runoff risk,
14 riparian function, stormwater, floodplains and stream
15 impairments, and observed and predicted impacts from
16 climate change, especially to socially disadvantaged
17 farmers, ranchers, and communities;

18 (4) identify opportunities to conduct outreach to
19 agricultural producers and landowners and to develop
20 individual soil health plans;

21 (5) establish goals for achieving measurable outcomes
22 for soil health and farmer viability through voluntary and
23 incentive-based activities. This includes identifying
24 opportunities to support beginning, socially
25 disadvantaged, and veteran farmers as well as small and
26 mid-scale farmers;

1 (6) estimate 2-year funding levels needed from State,
2 federal and private sources in order to achieve goals; and

3 (7) identify opportunities to develop partnerships and
4 leverage resources from local governments, utilities, and
5 State and federal agencies.

6 The Department shall identify shared goals and priorities
7 between districts and shall assist in developing partnerships
8 and shared funding approaches to maximize capacity and
9 resources. Initial soil health assessments shall be submitted
10 to the Department by September 1, 2024.

11 (70 ILCS 405/22.03d new)

12 Sec. 22.03d. Compliance and standards; cost sharing. To be
13 eligible to receive State cost-share support after September
14 1, 2024, soil and water conservation districts shall have an
15 updated soil health assessment.

16 The Department shall update its rules and procedures for
17 cost-share funding to be inclusive of all relevant soil health
18 practices promoting the rapid adoption of cost-effective and
19 technically feasible projects. Updates to the rules and
20 procedures for State cost-share programs shall also address
21 barriers to access experienced by beginning, socially
22 disadvantaged, and veteran farmers.

23 The Department may require results-based practices or the
24 assessments of the environmental outcomes of projects, at the
25 field or county level, as a condition of cost-share funding.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".