



Sen. Jason A. Barickman

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1 AMENDMENT TO SENATE BILL 1029

2 AMENDMENT NO. _____. Amend Senate Bill 1029 by replacing
3 everything after the enacting clause with the following:

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

1 the Open Lands Acquisition and Development Act, shall be
2 used by the Department of Natural Resources for the
3 acquisition, preservation, and stewardship of natural
4 areas, including habitats for endangered and threatened
5 species, high quality natural communities, wetlands, and
6 other areas with unique or unusual natural heritage
7 qualities.

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

13 (4) Conservation land trusts have experience managing
14 natural areas in order to counter the constant and
15 increasing pressures exerted on conservation lands by
16 ecological succession, habitat fragmentation, hydrological
17 alteration, pollution, encroachment by invasive and exotic
18 species, and criminal trespass.

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

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

23 (1) increase stewardship by providing stewardship
24 grants to conservation land trusts to help perform
25 stewardship actions on eligible lands; and

26 (2) to enhance stewardship capacity within

1 conservation land trusts in local areas.

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

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

6 "Commission" means the Illinois Nature Preserves
7 Commission.

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

15 "Department" means the Department of Natural Resources.

16 "Eligible land" means a site that has been dedicated by the
17 Commission as an Illinois Nature Preserve or dedicated buffer
18 or registered as a Land and Water Reserve, and has a current,
19 approved management schedule.

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

22 "Land" means real property and ownership rights applying to
23 it and includes the real property, structures, and
24 improvements.

25 "Management schedule" means an approved document

1 consistent with rules for Management of Nature Preserves or
2 rules for Register of Land and Water Reserves under the
3 Illinois Administrative Code developed for the preservation,
4 protection, management, and use of lands.

5 "Stewardship actions" means actions identified in an
6 approved management schedule which are designed to maintain,
7 preserve, or improve the condition of native natural
8 communities, diversity of species, and ecological processes on
9 eligible lands, such as, but not limited to, prescribed burns,
10 control of exotic and invasive species, fencing, and other
11 restorative practices.

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

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

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

21 (2) establish the total amount of funds available for
22 annual stewardship grants, except the amount of
23 stewardship grants made for any fiscal year may not exceed
24 the amount set by administrative rule and shall not result
25 in adverse impacts on the operations funded by the Natural

1 Areas Acquisition Fund;

2 (3) accept and receive any funds including by
3 agreement, grant, contract, donation, gift, or bequest
4 from any corporation, foundation, non-governmental agency,
5 individual, or instrumentality of any of those for the
6 purposes of executing stewardship grants under this Act and
7 these funds are to be deposited into the Natural Areas
8 Acquisition Fund;

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

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

13 (6) use funds received under this Act to pay for the
14 cost of departmental personnel; contractual, professional
15 or technical services; and equipment, materials, and
16 supplies necessary or appropriate to perform the functions
17 under this Act.

18 Section 20. Illinois Natural Areas Stewardship Grant
19 Program.

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

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

25 (c) An agency, organization, or entity that has taxing

1 powers, collects taxes, or has eminent domain powers is not
2 eligible to apply for the grant program under this Act.

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

8 (e) The Department shall adopt administrative rules in
9 consultation with the Commission for grant writing, the
10 selection of grant recipients, amount of grant awards, and
11 eligibility requirements to implement the purposes of this Act.
12 However, the rules shall include the following requirements:

13 (1) amounts for match and caps for any stewardship
14 grant under this Act; and

15 (2) the Commission shall be notified of any agreement
16 between a conservation land trust and an owner of eligible
17 lands for stewardship actions to be conducted under the
18 grant agreement.

19 Section 25. Priorities. In considering applications for
20 grants under this Act, the Department shall establish
21 priorities that:

22 (1) provide the greatest benefit to implementing the needs
23 and priorities identified in the Illinois Natural Area Plan,
24 the Illinois Sustainable Natural Areas Vision, and the Illinois
25 Wildlife Action Plan;

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

4 (3) consider, but not be limited to, the rarity and
5 condition of resources, severity of stewardship need,
6 timeliness of actions, proposed stewardship actions, and
7 availability of other resources.

8 Section 30. Administrative Review Law. All final
9 administrative decisions under this Act are subject to judicial
10 review under the Administrative Review Law of the Code of Civil
11 Procedure.

12 Section 35. Fund depository. All funds, assessments,
13 fines, settlements, compensations, transfers, appropriations,
14 penalties, and donations made under this Act shall be deposited
15 into the Natural Areas Acquisition Fund subject to the
16 limitations described in subsection (2) of Section 15 of this
17 Act.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.".