**Section 1515.30 Enrollment Process**

a) IDNR will determine if enrollment for Illinois CREP is available based on Illinois CREP appropriations and availability of Federal CREP. IDNR will post notice of Illinois CREP availability on the IDNR CREP website.

b) Landowners enrolling acreage in Illinois CREP shall initiate the enrollment process through their local SWCD office. If their local SWCD is not participating in Illinois CREP, IDNR will direct the Landowner to an alternative SWCD.

c) Illinois CREP enrollment shall adhere to the following timing requirements:

1) Landowners enrolling acreage in an Illinois CREP Grant of Conservation Right and Easement Agreement that is subject to a Federal CREP contract enrolled before May 26, 2021 must execute the Illinois CREP Grant of Conservation Right and Easement Agreement prior to the termination date of the Federal CREP contract, unless an extension is granted by IDNR.

2) Landowners enrolling acreage in an Illinois CREP Grant of Conservation Right and Easement Agreement that is subject to a new Federal CREP contract after May 26, 2021 must execute the Illinois CREP Grant of Conservation Right and Easement Agreement within 18 months of execution of the Federal CREP contract, unless an extension is granted by FSA.

3) Landowners enrolling acreage in an Illinois CREP Grant of Conservation Right and Easement Agreement that is subject to an expired Federal CREP contract enrolling acreage, but is under an existing 15-year or 35-year Illinois CREP Grant of Conservation Right and Easement Agreement, have the following options:

A) Landowners may request a subsequent 15-year Illinois CREP Grant of Conservation Right and Easement Agreement within the last 18 months of an existing Illinois CREP Grant of Conservation Right and Easement Agreement.

B) Landowners may request the conversion of an existing Illinois CREP Grant of Conservation Right and Easement Agreement to a permanent Illinois CREP Grant of Conservation Right and Easement Agreement at any time.

d) IDNR or the associated SWCD shall assist the Landowner and conduct the enrollment process. Illinois CREP enrollment forms are available on the IDNR CREP website. A complete Illinois CREP enrollment application shall include the following:

1) Signed Illinois CREP enrollment application form;

2) Current Federal CREP Contract (CRP-1) and Federal CREP Worksheet (CRP-2C), if applicable;

3) Current Illinois CREP Grant of Conservation Right and Easement Agreement, if applicable;

4) Property identification information, including aerial photo or satellite imaging depicting the Federal CREP acreage; Illinois CREP Acreage; Additional Acres; and site access routes;

5) Deed;

6) Property tax bills;

7) Letter of commitment for grant of ingress/egress, if applicable;

8) Power of Attorney, if applicable;

9) Current Federal Conservation Plan or Schedule of Operation or an Illinois Conservation Management Plan; and

10) Any additional or clarifying information that may be requested by IDNR.

e) The Illinois CREP enrollment application will be submitted to the Technical Review Team.

1) The Technical Review Team shall conduct an initial review of the enrollment application to:

A) Determine if all required documents have been submitted;

B) Determine if the proposed Illinois CREP Acreage meets all eligibility requirements of Section 1515.20 ; and

C) Assign an application receipt date and enrollment number.

2) The initial review may result in:

A) Approval of the enrollment application for further evaluation;

B) Suggested changes in the application; or

C) Denial of the enrollment application with the basis or reasoning for the denial.

3) Upon approval of the enrollment application for further evaluation, the Technical Review Team shall conduct a technical review and negotiate terms of a proposed Illinois CREP Grant of Conservation Right and Easement Agreement to:

A) Document field conditions of the property, such as the presence of permanent structures, waste dumps, and other uses or conditions;

B) Analyze or review any new information obtained by the field review or other sources;

C) Prepare a preliminary Illinois Conservation Management Plan of the proposed acreage; and

D) Negotiate the following terms of the proposed Illinois CREP Grant of Conservation Right and Easement Agreement:

i) Specific acres to be enrolled;

ii) The Illinois CREP payment rate for the acres to be enrolled (see Section 1515.50);

iii) Estimated Illinois CREP Grant of Conservation Right and Easement Agreement payment;

iv) Estimated Illinois CREP cost-share payment, if any; and

v) Preliminary Illinois Conservation Management Plan.

4) Upon completion of the technical review and negotiation of the proposed Illinois CREP Grant of Conservation Right and Easement Agreement, the Technical Review Team may:

A) Approve the enrollment application for further processing of the proposed Illinois CREP Acreage, as identified; or

B) Deny the enrollment application, with the basis and reasoning for the denial.

f) The Landowner will be provided with a preliminary draft of the proposed Illinois CREP Grant of Conservation Right and Easement Agreement reflecting the negotiated terms.

1) If the Landowner approves of the preliminary draft, the Landowner shall provide the approval using a form provided by IDNR.

2) If the Landowner cancels or withdraws from the Illinois CREP enrollment process after providing written approval of the preliminary draft, but prior to the closing on the Illinois CREP Grant of Conservation Right and Easement Agreement, the Landowner shall be required to pay costs incurred by the SWCD and IDNR after the date of approval. These costs include: administrative costs for meetings and field visits; costs associated with completing Illinois CREP documents and executing the Illinois CREP Grant of Conservation Right and Easement Agreement; attorney fees; survey expenses; title work; and other SWCD costs. IDNR will send written notice to the Landowner requesting payment with a summary of the costs incurred from the written approval date through the date of cancellation or withdrawal.

g) IDNR will confirm the necessary title and land rights for the purchase of the Illinois CREP Grant of Conservation Right and Easement Agreement.

1) IDNR or SWCD and the Landowner shall address, if necessary, the following property issues including:

A) Title commitments and title insurance policies;

B) Mortgage subordinations, if applicable;

C) Survey of proposed acreage, if IDNR determines a survey is necessary; and

D) Any other appropriate property issues.

2) If IDNR determines that any condition of the property or its title is incompatible with the proposed Illinois CREP requirements, IDNR will notify the SWCD and the Landowner and suspend the Illinois CREP enrollment process until the incompatible condition of the property or in the property title is resolved. If the incompatible condition cannot be resolved on a timely basis, IDNR may terminate the enrollment process, with notice to the SWCD and the Landowner.

h) Upon IDNR approval of the necessary title and land rights, the SWCD or IDNR and the Landowner will close on the purchase of the Illinois CREP Grant of Conservation Right and Easement Agreement. All executed Illinois CREP Grant of Conservation Right and Easement Agreement shall be recorded with the local County Recorder.

i) If, at any time during the enrollment process set forth in this Section, IDNR determines that insufficient funds are available to complete the purchase of an Illinois CREP Grant of Conservation Right and Easement Agreement, IDNR or the SWCD will notify the Landowner of this situation and the enrollment process shall be delayed until sufficient funding becomes available. Should an enrollment process be delayed for lack of sufficient funds, the Landowner may elect to wait for sufficient funding or elect to terminate the enrollment process at no cost to the Landowner.

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