**Section 1523.150 Ecosystem** **Vision Plan, Project, and Support Grant Compliance Requirements**

All recipients of the Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grants must comply with the following program requirements:

a) The grantee must notify the media that the Ecosystem Vision Plan or Ecosystem Project has received funding from the State of Illinois, Department of Natural Resources, Conservation 2000 Fund. All publications, written documents, news articles, TV and radio releases, interviews and personal presentations that relate to this project must credit the Department's Conservation 2000 Ecosystems Program. A notice crediting the Conservation 2000 Ecosystems Program must be posted at the main entrance to any real property or interest in real property purchased under the program.

b) For grants or agreements that include the purchase of equipment, the grantee must provide a written report to the Department by March 31 for equipment purchased during the preceding calendar year (January 1 through December 31) and an equipment usage report must be submitted for each of the succeeding three calendar years after purchase. Equipment usage reports must include a detailed description of the equipment items, a description of habitat management accomplished, resources protected, theft prevention measures, property and license controls, and a quantitative measure of equipment usage. Equipment purchased by the grantee, under the terms of a grant, shall become the property of the grantee. Equipment acquired under this program may not be employed for commercial purposes, and may only be used for purposes similar to those described in the Ecosystem Vision Plan, Ecosystem Partnership Support or Ecosystem Project grant agreement.

c) The grantee must provide a written preliminary report to the Department within 90 days after receipt of notice of the award of Conservation 2000 Funds for conservation or habitat practices, land acquisition or a conservation easement. The report shall be for the portions of the property covered by a practice, acquisition or easement funded in part or solely by the Department. The report shall include specifics on the project site, ownership, conditions, changes, and any issues specified in the grant agreement. Thereafter, the grantee must provide to the Department a written report containing this same information once every 5 years throughout the life of the practice, throughout the duration of the easement, or as long as the acquisition is held in the grantee's ownership. It shall be the obligation of the grantee to ensure the reporting requirements are also binding on any successors or assigns.

d) If the purchase of equipment is part of an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant, and the cost of that equipment, individually or in aggregate from the same vendor, meets or exceeds $25,000, the equipment must either be purchased through an established State, federal or municipal procurement process, or purchased through a competitive procurement process. In the latter case, documentation of invitation, submission, opening, evaluation, correction, withdrawal, and award of bids will be required for reimbursement. The Department reserves the right to require the grantee to use a written, competitive sealed bidding process for costs under $25,000.

e) If the purchase of professional or artistic services, computer equipment telecommunication equipment, software or services is identified as a project component, and the cost meets or exceeds $25,000, the grantee must use a written process for the solicitation of competitive sealed proposals, unless the grantee verifies, in writing, that competitive sealed bidding for a single procurement is not practical or advantageous; or the grantee documents, in writing, to the Ecosystems Division, that sole source procurement is the most economically feasible solution. The Department reserves the right to require the grantee to use a written, competitive sealed bidding process for costs under $25,000.

f) All equipment, materials, supplies or personal property purchased through the Ecosystems Program is subject to retrieval by the Department and/or reassignment by the Director upon dissolution of the grantee, abandonment of the Ecosystem Vision Plan process, Ecosystem Project or Ecosystem Support function, or as a result of grantee non-compliance with the terms and conditions of the grant. All property retrieved by the Department shall be reassigned by the Director for uses as similar as possible to the original Ecosystem Vision Plan process, Ecosystem Project or Ecosystem Partnership Support purposes.

g) Any real property or interest in real property purchased with State funds, in part or solely, under the Ecosystems Program must have a lien or conservation easement, as deemed appropriate by the Department, recorded on the property and must be available for inspection by Department staff to determine compliance with provisions of the purchase and/or provisions of the grant. Any diversion of such property from its stated uses shall be grounds for recovery of the funds granted toward purchase of the property. The grantee shall replace the property, upon a determination that a diversion has occurred, if the diversion is not addressed to the Department's satisfaction. The Department shall provide written acceptance of the proposed replacement property. Failure to comply with the notification and request for repayment will render the grantee ineligible for participation in this or any other Department grant or cost-share programs. Should the grantee fail to repay the grant funds plus interest, the Department reserves the right to avail itself of judicial means of recovery.

h) The grantee is fully responsible for and must assume all operation and maintenance costs and responsibilities associated with an Ecosystem Vision Plan process, or Ecosystem Project or Ecosystem Partnership Support Grant. The Department will not be responsible for any operation and maintenance costs associated with an Ecosystem Vision Plan process, Ecosystem Project, or Ecosystem Partnership Support function, unless that project has been implemented upon Department property, and only with approval prior to submission of the application for the project.

i) Any Conservation 2000 monies not expended or legally obligated at the completion of an Ecosystem Vision Plan process or Ecosystem Project, or during the term of an Ecosystem Partnership Support Grant, must be returned to the Department for deposit in the Conservation 2000 Fund within 45 days. Any expenditure by the grantee that does not comply with the grant will be disallowed and must be returned to the Department for deposit in the Conservation 2000 Fund. Conservation 2000 Fund monies received as an advance payment shall become part of the project principal and must be reported as a part of expenditure documentation. In accordance with Section 10 of the Illinois Grant Funds Recovery Act [30 ILCS 705/10] all interest earned on funds held by the grantee shall become part of the grant when earned. Any interest earned under the grant and not expended as grant principal during the term of the grant shall be returned to the Department.

j) No equipment, materials, supplies or real property purchased as part of an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant shall be transferred or disposed of or used in a manner other than specified by the grant without approval of the Department.

k) If Department funds are used, partially or solely, to install land management practices on a property or acquire interests in real property, the grantee cannot develop or use that property in any manner that is not compatible with sustaining the practices or with perpetuating the ecological conditions that were preserved through the acquisition, respectively, unless otherwise specified in the terms and conditions of the grant. No changes or disturbance will be allowed by the grantee on that portion of the property covered by an Ecosystem Project, unless otherwise stipulated in the terms and conditions of the grant, without the written approval of the Director. The terms and conditions of this grant shall be binding on the grantee and any successors or assigns of interests in the real property.

l) If the terms and conditions allow the owner of any outstanding interest in real property acquired through an Ecosystem Project to undertake capital improvements, remove vegetation, disturb soil or similar activities with the grantee's approval, the grantee shall consult with the Department at least 60 days in advance of providing the owner with approval to proceed. The Department shall reply to the grantee, in writing, pursuant to the proposed action of the owner.

m) Department representatives must have reasonable access to an Ecosystem Project at any reasonable time during project development and after completion to assess progress or to ensure continuing compliance with program requirements.

n) Reports or informational, media, or publicity materials associated with an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant must credit the Department and Conservation 2000 Ecosystems Program, and must stipulate that the Department has participated in the development of these materials through financial and other support but does not necessarily endorse all of the views expressed in the materials.

o) The grantee of an Ecosystem Vision Plan, Ecosystem Project or Ecosystem Partnership Support Grant must certify, in writing, that it will comply with all the terms and conditions of the grant agreement for that grantee's specific project.

(Source: Amended at 27 Ill. Reg. 1144, effective January 9, 2003)