

TITLE 17: CONSERVATION
CHAPTER V: NATURE PRESERVES COMMISSION

PART 4005

PUBLIC MEETING ON PROPOSED ACTION - NATURE PRESERVES COMMISSION

Section

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AUTHORITY: Implementing and authorized by the Illinois Natural Areas Preservation Act [525 ILCS 30].

SOURCE: Joint rule of the Department of Conservation and the Nature Preserves Commission adopted and codified at 7 Ill. Reg. 15609, effective November 8, 1983; transferred to the Nature Preserves Commission by P.A. 83-1072, effective July 1, 1984; recodified from 17 Ill. Adm. Code 1505 at 8 Ill. Reg. 14989.

Section 4005.10 Notice of Proposed Action

- a) Before the Commission takes an action pertaining to one or more specific areas that, under the Illinois Natural Areas Preservation Act, requires public notice and the opportunity for any person to be heard at a public meeting or to request the holding of a public meeting, it shall provide such notice and opportunity in the following manner:
- b) The Commission shall publish at least once, in a periodical publication of general circulation in the county or counties within which the area is located, a notice of the proposed action and of the opportunity for a public meeting to be held. It shall also give or mail the notice to the Governor, all persons who regularly receive notices, agendas, or minutes of meetings of the Commission, all persons known by it to be owners or taxpaying agents of owners of tracts within the area to be affected by the proposed action, all persons who have requested notice of proposed actions concerning the area or proposed actions of the Commission in general, and all organizations and agencies it knows to be directly concerned with the preservation of natural areas in general or the specific area. The notice shall locate, with or without legal description, the area affected, set forth the substance of the proposed action, and state the availability of additional information, if any.

Section 4005.20 Public Meeting

- a) If, within 45 days after publication of the notice of proposed action, any person with a demonstrable economic or other direct interest requests in writing to the Commission that it hold a public meeting on the proposed action, the Commission

shall call a public meeting for public discussion of the matter and give notice of it in the same manner as it gave notice of the proposed action and of the opportunity for a public meeting to be held. The notice shall include the time, place, and purpose of the meeting. If the Commission determines that the facilities in the nearest county or counties are physically unable to accommodate the number of persons expected to attend, the meeting shall be held in the next nearest county or counties. The meeting shall be held not less than 45 nor more than 90 days after publication and giving of the notice.

- b) The Commission shall publish notice of its intent to hold a public meeting at the time it publishes notice of the proposed action, if at that time the Commission is aware that a public meeting shall be held.
- c) The meeting shall be conducted and heard by one or more persons either serving on the Commission or employed by the Commission. No transcript of the meeting is required. The public meeting need not be a meeting of the Commission.

Section 4005.30 Public Comment

Written comments may be submitted to the Commission 45 days after publication of the notice of proposed action or prior to the public meeting. Any interested person or his/her representative may speak at the public meeting.

Section 4005.40 Review of Public Comment

- a) The person or persons designated to hear the meeting shall transmit the remarks made at the meeting, or a summary thereof, to the Commission, together with copies of any written statements received. The meeting must, at a minimum, be tape-recorded to ensure that the final report conveys an accurate recounting of the events of the meeting.
- b) The Commission shall consider the statements submitted in writing or at the public meeting in determining its decision concerning the proposed action.