

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER g: GRANTS

PART 3000
GRANT REVIEW AND PROCESSING FEES

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AUTHORITY: Implementing and authorized by Section 805-70 of the Civil Administrative Code [20 ILCS 805/805-70]; Sections 1.28, 1.29, 1.31 and 1.32 of the Wildlife Code [520 ILCS 5/1.28, 1.29, 1.31 and 1.32]; the Habitat Endowment Act [520 ILCS 25]; the Illinois Non-Game Wildlife Protection Act [30 ILCS 155]; Sections 8-1, 9-1 and 9-2 of the Snowmobile Registration and Safety Act [625 ILCS 40/8-1, 9-1 and 9-2]; Section 805-325 of the Civil Administrative Code [20 ILCS 805/805-325]; Section 10-1 of the Boat Registration and Safety Act [625 ILCS 45/10-1]; Section 63a36 of the Civil Administrative Code [20 ILCS 805/63a36]; Section 2-119 of the Illinois Vehicle Code [625 ILCS 5/2-119]; Section 15 of the Recreational Trails of Illinois Act [20 ILCS 862/15]; Open Land Trust Act [525 ILCS 33]; Park and Recreational Facility Construction Act [30 ILCS 764]; and Section 1-25(22) of the Department of Natural Resources Act [20 ILCS 801/1-25(7)].

SOURCE: Adopted at 38 Ill. Reg. 530, effective December 17, 2013.

Section 3000.10 Definitions

Applications – A program specific request for financial assistance submitted by a grantee to the Department for funding consideration. Applications must comply with the requirements of Section 4 of the Illinois Grant Funds Recovery Act [30 ILCS 705/4].

Capital Grants – Grants under which the funds are used by the grantee for the acquisition of lands, development of permanent improvements, enhancement of habitat, or other permanent or temporary purposes for public use. These grants may be distributed through advance payments or reimbursements to the grantee and shall comply with the provisions of the Illinois Grant Funds Recovery Act.

Department – The Department of Natural Resources.

Disadvantaged Community – A local government defined as disadvantaged in specific grant program statutes or rules (see 30 ILCS 764/10-5 and 17 Ill. Adm. Code 3050.20).

Eligible Grant Programs – Grant programs requiring inclusion of an application fee with submittal of the grant application.

Excluded Grant Programs – Grants programs not requiring inclusion of an application fee with submittal of the grant application.

Grant Agreement – A program specific, written document between the Department and a grantee outlining the terms of the grant and grantee obligations and responsibilities under the grant. Acceptance of the grant agreement by the grantee is required prior to any disbursement of grant funds. Grant agreements must comply with the requirements of Section 4 of the Illinois Grant Funds Recovery Act.

Grant Applicant – A person, organization or government entity applying to the Department for financial assistance.

Grant Application Fee – The initial fee required to be submitted by an applicant in conjunction with a grant application.

Grant Award Fee – The fee a grantee is required to submit following successful award of a grant. If the grantee so chooses, the grant award fee may be considered as a reimbursable project cost for purposes of seeking reimbursement from the grant award.

Grantee – A person, organization or government entity that receives grant funds from the Department.

Grants – Any public funds dispensed by the Department to any person, organization or government entity for obligation, expenditure or use by that person, organization or government entity for a specific purpose or purposes.

Operational Grants – Grants under which the funds are not used by the grantee for the acquisition of lands or development of improvements (including habitat enhancement). Youth and veteran employment grants are considered operational grants. These grants may be distributed through advance payments or reimbursements to the grantee and shall comply with the provisions of the Illinois Grant Funds Recovery Act.

Section 3000.20 Purpose

The purpose of this Part is to clarify and explain the Department's grant review and processing fees (i.e., the "grant application fee" and "grant award fee"). The Department will charge a non-refundable grant application fee. The Department will also charge a project award fee to entities successfully awarded a grant. Grant application and award fees are limited to capital grant programs (not operational grant programs).

Section 3000.30 Eligible and Excluded Grant Programs

- a) Grant applications for all Department grant programs, except as excluded by subsection (c), shall include a non-refundable grant application fee.
- b) Following award of a grant, a grant applicant shall submit a grant award fee to the Department. The grantee may choose to consider the grant award fee as an allowable reimbursement cost and include this cost in the identified costs of the project if so desired.
- c) The following grants are excluded from both the grant application fee and grant award fee requirements:
 - 1) As stated in the authorizing statutes, the Open Space Land Acquisition and Development (OSLAD) and Land and Water Conservation Fund (LWCF) grant programs;
 - 2) Grants for which the total value of the financial assistance being sought is less than \$25,000;
 - 3) Grants being sought by disadvantaged communities, as determined and verified by the Department prior to application;
 - 4) Grants to other State agencies or the federal government;
 - 5) Special Wildlife Funds grants, as defined in 17 Ill. Adm. Code 3060;
 - 6) Operational grants.

Section 3000.40 Application and Award Fee Assessment

- a) Grant Application Fees
 - 1) The grant application fee amount shall be calculated as $\frac{1}{4}$ of 1% of the total funding assistance requested in the grant application; however, no single grant application fee shall be less than \$100 or exceed \$300.

EXAMPLES:

A \$50,000 grant application would require a \$125 grant application fee ($\$50,000 \times 0.0025 = \125).

A \$750,000 grant application would require a \$300 grant application fee ($\$750,000 \times 0.0025 = \$1,875$, which exceeds the \$300 maximum).

- 2) Grant application fees shall be rounded up to the nearest whole dollar amount.

EXAMPLE:

A \$54,750 grant application would require a \$137 grant application fee ($\$54,750 \times 0.0025 = \136.87 , rounded up to the nearest whole dollar = \$137).

- 3) Instructions will be provided to the grant applicant explaining how the correct grant application fee for the program being applied to is calculated. The applicant will identify the amount of the calculated fee on the application, and the Department will verify this against the submitted fee amount prior to accepting the grant application.

b) Grant Award Fees

- 1) The grant award fee amount shall be calculated as 1% of the total funding assistance granted to the applicant; however, no single grant award fee shall exceed \$5,000.

EXAMPLES:

A \$200,000 grant award would require a \$2,000 grant award fee ($\$200,000 \times 0.01 = \$2,000$).

A \$750,000 grant award would require a \$5,000 grant award fee ($\$750,000 \times 0.01 = \$7,500$, which exceeds the \$5,000 maximum).

- 2) Grant award fees shall be rounded up to the nearest whole dollar amount.

EXAMPLE:

A \$54,750 grant award would require a \$548 grant award fee ($\$54,750 \times 0.01 = \547.50 , rounded up to the nearest whole dollar = \$548).

- 3) Instructions will be provided to the grantee explaining how to calculate the correct grant award fee. The grantee will identify the amount of the calculated fee on the grant agreement, and the Department will verify this against the submitted fee amount prior to processing and executing the grant agreement.

Section 3000.50 Submission of Fees

- a) Grant Application Fees
 - 1) The required grant application fee is due to the Department immediately upon submittal of the grant application.
 - 2) Except when possible through electronic fee submittal, the grant applicant shall submit the required grant application fee in the form of a bank draft made payable to the "Illinois Department of Natural Resources".
 - A) If the grant application is submitted as a paper document (hard copy), the grant application fee shall be attached to the application at the time of submittal.
 - B) If the grant application is submitted electronically, but the Department lacks a means to accept the payment electronically, the grant applicant shall, in advance of the electronic submission of the application, submit a bank draft in the amount of the correct calculated grant application fee. The Department will hold the grant application fee pending receipt of the grant application. If the electronic grant application is not submitted to the Department prior to the grant program application deadline, the application fee will be returned to the grant applicant.
 - C) The grant applicant shall attach the grant application fee bank draft to supporting documentation that clearly identifies the grant program, grant project, grant request amount, and calculated grant application fee due with the application.
 - 3) Applications submitted without the required grant application fee, or with an incorrect amount, will not be accepted by the Department. These applications will be returned to the grant applicant without consideration

and will not be held by the Department while awaiting submittal of the required or correct grant application fee.

- 4) Failure of a grant application fee to clear the bank it is drawn against may result in termination of the grant award without further consideration.

b) Grant Award Fees

- 1) Except when possible through electronic fee submittal, the grantee shall submit the required grant award fee in the form of a bank draft made payable to the "Illinois Department of Natural Resources".
 - A) If the grant agreement is submitted as a paper document (hard copy), the grant award fee shall be attached to the grant agreement at the time of submittal.
 - B) If the grant agreement is submitted electronically, but the Department lacks a means to accept the payment electronically, the grantee shall, in advance of the electronic submission of the grant agreement, submit a bank draft in the amount of the correct calculated grant award fee. The Department will hold the grant award fee pending receipt of the grant agreement.
- 2) The grantee shall attach the grant award fee bank draft to supporting documentation that clearly identifies the grant program, grant project, grant award amount, and calculated grant award fee due with the grant agreement.
- 3) The Department will not execute grant agreements submitted without the required grant award fee, or with an incorrect amount.
- 4) Failure of a grant award fee to clear the bank it is drawn against may result in termination of the grant award without further consideration.
- 5) A grant award fee will be refunded to the grantee if the State unilaterally rescinds a grant agreement at any time prior to the commencement of a project in the event that State funds are not appropriated for the grant program. If a grantee withdraws from a grant agreement prior to commencement of a project, the grant award fee will only be refunded if, in the judgment of the Department, the circumstances of the withdrawal are due to no fault of the grantee (e.g., statutory changes, act of God). A project shall be deemed to be commenced when the grantee makes any expenditure or incurs any obligation with respect to the project.

- 6) Failure by the grantee to comply with any grant program regulations or the grant agreement shall be cause for the suspension of all grant assistance obligations, including reimbursement of a grant award fee, unless, in the judgment of the Department, the failure was due to no fault of the grantee (e.g., statutory changes, acts of God).

Section 3000.60 Deposit and Disposition of Fees

- a) Except as otherwise provided in statute or rule, all revenue collected from grant application and award fees shall be deposited into the Park and Conservation Fund for the furtherance of the Department's grant programs or use by the Department for ordinary and contingent expenses of the Department.
- b) Except as otherwise provided in statute or rule, all revenue collected from the grant application and award fee for the State Migratory Waterfowl Stamp Fund shall be deposited into the State Migratory Waterfowl Stamp Fund.
- c) Except as otherwise provided in statute or rule, all revenue from the grant application and award fee for the State Pheasant Fund shall be deposited into the State Pheasant Fund.
- d) Except as otherwise provided in statute or rule, all revenue collected from the grant application and award fee for the Illinois Habitat Fund shall be deposited into the Illinois Habitat Fund.
- e) Except as otherwise provided in statute or rule, all revenue collected from the grant application fee for the State Furbearer Fund shall be deposited into the State Furbearer Fund.
- f) The monies deposited into the Park and Conservation Fund, the State Migratory Waterfowl Stamp Fund, the State Pheasant Fund, the Illinois Habitat Fund, and the State Furbearer Fund under this Section shall not be subject to administrative charges or charge backs unless otherwise provided in the authorizing statute.

Section 3000.70 No Refund of Fees for Unsuccessful Grant Applications

Grant application fees submitted with a grant application will not be refunded by the Department to the grant applicant if the applicant fails to receive the requested grant. Grant application fees are tendered for consideration of the application only and do not imply any promise of financial assistance by the Department.

Section 3000.80 Report on Grant Fee Efficacy

The Department shall file with the Governor and the General Assembly a progress report on the implementation of grant fees created pursuant to Section 805-70(c) of the Department of Natural Resources Law [20 ILCS 805]. The report shall be filed by January 15 of 2015 and each year thereafter. The report shall include quantifiable support documentation on revenues derived from grant fees, operational expenditures of the Department for management of the eligible grant programs, including performance and measurement criteria sufficient to enable the Governor and General Assembly to properly evaluate and review grant fee effectiveness.