



LAKE COUNTY FOREST PRESERVES

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Preservation, Restoration, Education and Recreation

**DATE:** November 8, 2018  
**TO:** S. Michael Rummel, Chair  
Finance Committee  
**FROM:** Alex Ty Kovach  
Executive Director

**Agenda Item#** 9.2

**RECOMMENDATION:** Recommend approval of a Resolution approving the 2019 Legislative Program for the Lake County Forest Preserve District.

**STRATEGIC DIRECTIONS SUPPORTED:** Organizational Sustainability; Leadership

**FINANCIAL DATA:** There is no immediate financial impact. Achieving the legislative objectives and initiatives will assist in protecting the District from the potential adverse financial impact of legislative changes, and in soliciting state and federal grant project funding.

**BACKGROUND:** Approval of a Legislative Program by the Finance Committee and Board allows the District to proactively address legislative issues when the Illinois General Assembly and the United States Congress begin their legislative sessions at the beginning of the year. The District follows a process and schedule for coordinating its annual Legislative Program that is similar to that used by Lake County. General objectives and specific issues in the Program provide guidance to the District's Finance Committee, President, Executive Director, and legislative consultant in addressing legislative opportunities and threats as they arise during the legislative session.

General state and federal legislative objectives are identified on the attached Program.

State legislative initiatives for 2019 include:

- Protect the District's statutory authority.
- Establish responsible and efficient purchasing/contracting authority.
- Prevent new, and reducing existing, unfunded mandates.
- Limit exposure to additional liability or legal costs.
- Ensure continued financial integrity of the Illinois Municipal Retirement Fund (IMRF).
- Maintain or enhance current grant funding sources.
- Oppose sweeps of dedicated accounts.
- Advocate for adequate and consistent funding of Illinois Department of Natural Resources (IDNR).
- Ensure funds authorized by Tort Immunity Act are able to be used appropriately.

Federal legislative initiatives for 2019 include:

- Protect existing authority to issue tax-exempt municipal-type bonds, and prevent additional reductions in existing tax rate rebate incentives for Build America Bonds previously issued by the District.
- Restore the authority to issue tax-exempt advanced refunding municipal-type bonds.
- Continuation of tax incentives for conservation easement donations.
- Approval of Leave No Child Inside legislation promoting environmental education and getting kids outdoors.
- Oppose disproportionate cuts to federal conservation programs, including grants and other funding sources.
- Support continuation or strengthening of existing federal protections for the Great Lakes, clean air and water, and endangered and threatened species.
- Support continued implementation of Hackmatack National Wildlife Refuge in McHenry County and the Kankakee National Wildlife Refuge and Conservation Area in Kankakee and Iroquois Counties.
- Support the ACOE and Upper Des Plaines River Project Phase II, subject to appropriate financial protections.

**REVIEW BY OTHERS:** Chief Operations Officer, Department Directors, Corporate Counsel.

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

**BOARD OF COMMISSIONERS  
LAKE COUNTY FOREST PRESERVE DISTRICT  
REGULAR NOVEMBER MEETING  
NOVEMBER 13, 2018**

**MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:**

Your **FINANCE COMMITTEE** presents herewith "A Resolution approving the Annual Legislative Program for 2019" and requests its approval.

**FINANCE COMMITTEE:**

Date: 11/8/2018      Roll Call Vote: Ayes: \_\_\_\_ Nays: \_\_\_\_  
 Voice Vote Majority Ayes: Nays: 0

**LAKE COUNTY FOREST PRESERVE DISTRICT  
LAKE COUNTY, ILLINOIS**

**A RESOLUTION APPROVING THE ANNUAL LEGISLATIVE PROGRAM FOR 2019**

**WHEREAS**, the Finance Committee of the Lake County Forest Preserve District (the "District") Board of Commissioners prepares and recommends the annual Legislative Program for the District in accordance with the District's Rules of Order and Operational Procedures; and

**WHEREAS**, under the state and federal legislative processes and schedules, it is in the District's best interests for the Board of Commissioners to review and approve an annual Legislative Program for the District prior to the start of the calendar year in which the Program will be effective; and

**WHEREAS**, the attached 2019 Legislative Programs for the state and federal levels (collectively, the "Program") have been reviewed and recommended for approval by the Finance Committee;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois, THAT:

Section 1: Recitals. The recitals set forth above are incorporated as part of this Resolution by this reference.

Section 2: Approval. The Program is hereby approved. The President and Finance Committee shall use the Program to guide coordination of the District's legislative activities during 2019.


Section 3: Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this 13<sup>th</sup> day of NOVEMBER, 2018.

AYES: 16

NAYS: 0

APPROVED this 13<sup>th</sup> day of NOVEMBER, 2018.

  
\_\_\_\_\_  
Ann B. Maine, President  
Lake County Forest Preserve District

ATTEST:


  
\_\_\_\_\_  
Julie Gragnani, Secretary  
Lake County Forest Preserve District

Exhibit No. 5465



# 2019 STATE LEGISLATIVE PROGRAM

## STATE LEGISLATIVE OBJECTIVES

- Protect the District's current statutory authority.
- Establish responsible and efficient purchasing/contracting authority, including the ability to use Design – Build contracts.
- Prevent new, and reduce existing outdated, unfunded mandates that increase the District's operational or administrative costs.
- Limit exposure to additional liability or legal costs.
- Ensure continued financial integrity of the Illinois Municipal Retirement Fund.
- Maintain or enhance current grant funding sources and budgets for state agencies that assist in fulfilling the District's mission.
- Oppose sweeps of dedicated accounts.
- Advocate for adequate and consistent funding of Illinois Department of Natural Resources.
- Ensure funds authorized by the Tort Immunity Act are able to be used appropriately.

## STATE LEGISLATIVE INITIATIVES

### Funding of State Matching Grant Programs

#### *OSLAD, TAP, Bike Path and Public Museum Capital Grants*

The state should honor its commitments and reimburse previously approved grants.

- Continued funding for the *Open Space Land Acquisition and Development (OSLAD) Grants* will leverage locally approved funds for trails and other public access improvements to our Forest Preserves. Countywide surveys have consistently shown that the Lake County residents frequently use Forest Preserve trails for walking and biking and want new trails created in the future. They also supported children's play equipment, picnic shelters, educational facilities and youth campgrounds. All of these are the types of projects supported by *OSLAD* grants.
- The *Transportation Alternatives Program Grants (TAP)* and *Illinois Bike Path Grants* also benefit Lake County in many similar ways by providing safe trails and road crossings, such as recent TAP grants for the Wilson Road tunnel, the Middlefork Savanna bridge and the Lyons Woods to Waukegan Savanna trail. The Governor is requested to commit to continuing use of federal Transportation Alternatives dollars to maintain TAP funding at the current percentage of total federal transportation funding received, not diverted for other uses.
- *Illinois Public Museum Capital Grants* have helped to create educational exhibits and restore historic buildings at Ryerson Woods, Lake County Discovery Museum and Bonner Heritage Farm and are needed to leverage local funds for similar projects in the future.

### Curtailing Sweeps of Dedicated Accounts

Future "sweeps" of dedicated park, recreation, conservation and youth accounts into the General Fund should be prevented so that the dedicated funds can be used as intended.

## **Illinois Department of Natural Resources**

The Illinois Department of Natural Resources (IDNR) benefits from having leadership that is qualified in the conservation, park and recreation profession. Adequate and consistent Illinois General Revenue funding for IDNR to continue existing IDNR services is supported, as is diversification of IDNR revenue sources to provide a sustainable funding stream for the long term. IDNR support of the Illinois Coastal Management Zone, Illinois Nature Preserves Commission, Illinois Endangered Species Act, Illinois Clean Water Act, and other regional efforts such as Chicago Wilderness and the Ecosystem Partnerships for the Fox, Des Plaines and Chicago Rivers and Lake Michigan should be strengthened.

## **Local Government Tax Levies Funds Usage**

Ensure that funds from certain taxes authorized under the Local Governmental and Governmental Employees Tort Immunity Act may be used for the funding of sprinklers, health or medical insurance premiums or health savings plans, and pension funds.



# 2019 Federal LEGISLATIVE PROGRAM

## FEDERAL LEGISLATIVE OBJECTIVES

- Protect the District's existing authority to issue tax-exempt municipal-type bonds, and prevent additional reductions in existing tax rate rebate incentives for Build America Bonds previously issued by the District.
  - Reinstatement of the District's ability to issue advanced refunding tax exempt bonds which was taken away by the Tax Cuts and Jobs Act of 2017.
- Continuation of tax incentives for conservation easement donations.
- Approval of Leave No Child Inside legislation promoting environmental education and getting kids outdoors.
- Oppose disproportionate cuts to federal conservation programs, including grants and other funding sources.
- Support continuation or strengthening of existing federal protections for the Great Lakes, clean air and water, and endangered and threatened species.
- Support continued implementation of Hackmatack National Wildlife Refuge in McHenry County and Kanakakee National Wildlife Refuge and Conservation Area in Kankakee and Iroquois Counties.
- Support the ACOE and Upper Des Plaines River Project Phase II while understanding the associated financial implications and risks.

## FEDERAL LEGISLATIVE INITIATIVES

### Protecting and Restoring Lake Michigan and Other Great Lakes

The US EPA and other agencies need to continue initiatives designed to protect and improve water quality and supply, and the natural and recreational resources found in Lake Michigan along Lake County's shoreline and elsewhere in the Great Lakes Basin. Public education about the Great Lakes' natural and cultural history also should be supported. Sustain Our Great Lakes Coastal Management Program and the Great Lakes Fishery and Ecosystem Restoration Program are federal programs that have provided important support for our efforts to restore coastal habitats in Lake County, and have led to the designation of 3900 acres as a Wetland of International Importance by the RAMSAR Convention.

### Endangered Species, Clean Air and Clean Water

Lake County is home to more rare, threatened and endangered species than any other county in Illinois. Voters have consistently supported efforts to preserve and restore habitat for these and other native plants and animals. Protections provided by the federal Endangered Species Act benefit both the wellbeing of humans and native wildlife and plant populations that live in or migrate through our Forest Preserves. The District also supports efforts to strengthen the protections provided by the Clean Air and Clean Water Acts to ensure the health of Lake County residents. Federal discussions about potential changes to environmental protection laws and regulations should be held separately and transparently, not combined with budgetary bills or other issues.

## **Tax-Exempt Public Bonds**

Lake County voters have overwhelmingly and consistently support referenda to authorize the Forest Preserve District to issue tax-exempt bonds for preserving more land, restoring additional wildlife habitat, and constructing new trails and other public access improvements. Federal tax exemptions for municipal type bonds need to be maintained. Removal or reduction of the tax exemptions would increase costs to Lake County voters for future bond issues.

## **Advanced Refunding Tax-Exempt Public Bonds**

The Tax Cuts and Jobs Act of 2017 banned the issuance of tax-exempt advanced refunding bonds after December 31, 2017. The issuance of tax-exempt advanced refunding bonds allowed local governments to take advantage of lower interest rates to refinance existing debt prior to the call date and save local tax payer money. The District took advantage of this in 2016 and saved Lake County property tax payers \$10 million. The ban on tax-exempt advanced refunding bonds should be removed.

## **Transportation Alternative Program (TAP) Grants**

Federal transportation programs, such as TAP, should continue to fund trails, bike lanes and other non-motorized transportation projects. These federal dollars have been key in the development of the Millennium Trail and other important trail connections throughout Lake County and the region.

## **Funding for Federal Matching Grant and Assistance Programs**

*Great Lakes Restoration Initiative, Land and Water Conservation Fund, National Coastal Zone Management Program, Transportation Alternatives, U.S. Fish and Wildlife Service Great Lakes Fish and Wildlife Restoration Act, State and Tribal Assistance Forestry Grants, North American Wetlands Conservation Act, USDA Wildlife Services, Save America's Treasures, Institute for Museum and Library Services, USEPA Healthy Waters*

Federal matching grant programs leverage bond dollars approved by Lake County voters, and other local funds for important projects to preserve land, restore wildlife habitats, create trail connections, improve public access to outdoor recreation, educate local citizens, and care for historic buildings and collections. Funding for such programs should not be disproportionately cut during budgetary deliberations. Lake County Forest Preserves are part of a system of natural areas, forest preserves, parks, outdoor recreation and historic facilities at the national, state, regional, county and local levels. Full funding of the *Land and Water Conservation Fund*, including stateside pass-through grants to local agencies, and similar national grant programs such as *State and Tribal Wildlife Grants* and *North American Wetlands Conservation Act*, acquire and restore habitats needed by migratory wildlife, create multi-agency trail and greenway corridors, acquire and manage lands along waterways, promote public health through outdoor recreation, and preserve historic sites. Restoration and protection of Lake Michigan and Great Lakes have been greatly enhanced by the Great Lakes Restoration Initiative and the National Coastal Zone Management Program, which has led to designation of over 3900 acres of Lake Michigan Lake Plain as a RAMSAR international wetland. USFWS Great Lakes Fish and Wildlife Restoration Act assists with the District's restoration efforts of the largest Illinois population of Blanding's Turtle at the RAMSAR international wetland which includes Spring Bluff Forest Preserve, Illinois Beach State Park and Chiwaukee Prairie in Wisconsin. USDA Wildlife Services provide contracted assistance to the District and other nearby conservation agencies for regional wildlife management and restoration efforts. *Transportation Alternatives* funding helps construct safe road crossings and connections for regional trails. *Save America's Treasures* has supported design of exhibits for the District's Adlai E. Stevenson II Historic Home, and the *Institute for Museum and Library Services* has supported improved public access to the Lake County Discovery Museum and its archives.



## **No Child Left Inside**

Support passage of the No Child Left Inside Act or similar future legislation to promote environmental education in our schools in order to give future citizens the information and critical thinking skills that they will need to address the environmental issues facing our region, nation and world. Also supported are other legislation and initiatives to encourage children to become active outdoors to reduce childhood obesity, improve mental health, and develop an interest in nature and conservation.

## **Conservation and Trail Easement Incentives**

Congress has regularly extended enhanced tax incentives for donors of conservation easements. The incentives need to continue to be reinstated in the future and made permanent or multiyear to assist the District in securing needed conservation and trail easements.

## **Hackmatack National Wildlife Refuge and Kankakee National Wildlife Refuge and Conservation Area**

Support continued implementation of these federal land management initiatives in northeastern Illinois and southeastern Wisconsin. As proposed, these newly dedicated areas will protect private property rights, retain local ownership and control of existing public forest preserves, conservation areas and parks. They will also enhance protection and restoration of habitat for federally and state-listed endangered and threatened species, and expand public education and outdoor recreation opportunities, all nearby to the Chicago region and other major metropolitan areas in the Midwest.

## **USACOE and Upper Des Plaines River Project**

In conjunction with the District's strategic goal of protecting and restoring three 10,000-acre ecological complexes, support the Army Corps of Engineers and Upper Des Plaines River Project Phase II while understanding the associated financial implications and risks.