



**DATE:** November 2, 2020

**TO:** Jennifer Clark, Chair  
Legislative Committee

**FROM:** Alex Ty Kovach  
Executive Director

**RECOMMENDATION:** Recommend approval of a Resolution approving the 2021 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 position the District to be able to ask the voters for an increase in operational funding, and 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 Legislative Committee and Board allows the District to proactively address legislative issues when the Illinois General Assembly and the United States Congress open their legislative sessions at the beginning of the year. General objectives and specific issues in the Program provide guidance to the District's Legislative 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 Program attached to the Resolution.

State legislative initiatives for 2021 include:

- Support legislation amending the Downstate Forest Preserve District Act, increasing the maximum allowable tax rates for the General Corporate and Land Development levies by no more than .02%.
- Protect the District's statutory authority.
- Establish responsible and efficient purchasing/contracting authority, including the ability to use Design-Build contracts and increase the purchasing amount that triggers a competitive bidding process.
- Prevent new, and reduce existing, unfunded mandates.
- Limit exposure to additional liability or legal costs and ensure funds authorized by the Tort Immunity Act are able to be used appropriately.
- Ensure continued financial integrity of the Illinois Municipal Retirement Fund (IMRF).
- Maintain or enhance current grant funding sources.
- Oppose sweeps of dedicated accounts, especially the Open Space Land Acquisition and Development (OSLAD) Grant Fund.
- Advocate for adequate and consistent funding of Illinois Department of Natural Resources (IDNR).

Federal legislative initiatives for 2021 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.
- Support passage of HR 3742 – Recovering America’s Wildlife Act – which would provide \$1.3 billion dollars annually for states to implement wildlife action plans. Much of these funds will be made available as grants to local agencies for habitat restoration projects.
- Support passage of SB 4538 – Restore Employment in Natural and Environmental Conservation Corps Act – which would employ a total of 1M people during a 5-year period to work on conservation land projects on Federal, State and local agency lands.
- Support passage of HR 7324 – Universal Giving Pandemic Response Act, or other legislation that extends the date of the current Universal Charitable Deduction and increases the cap on deduction, which would significantly increase tax incentives for charitable giving.
- Support passage of HR 7073 – The Special Districts Provide Essential Services Act, or similar legislation, that will formally include Special District units of government in future federal COVID – 19 relief funding packages.
- Support continuation of tax incentives for conservation easement donations.
- 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 continuation and funding of the US Army Corps of Engineers (USACOE) programs that create and enhance healthy aquatic ecosystems: the Great Lake Fishery and Ecosystem Restoration Program; the Aquatic Ecosystems Restoration Program; and the Upper Des Plaines River Flood Reduction Program.
- Support continued federal funding support of the National Fish and Wildlife Foundation (NFWF) which leverages contribution from corporations, foundations and other sources to fund conservation projects. The District has been awarded grants from the NFWF for projects at Middlefork Savanna and the Lake Michigan Lake Plane.

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



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

**A RESOLUTION APPROVING THE ANNUAL LEGISLATIVE PROGRAM FOR 2021**

**WHEREAS**, the Legislative 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 2021 Legislative Programs for the state and federal levels (collectively, the “Program”) have been reviewed and recommended for approval by the Legislative 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 Legislative Committee shall use the Program to guide coordination of the District’s legislative activities during 2021.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Angelo D. Kyle, President  
Lake County Forest Preserve District

ATTEST:

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

Exhibit No. \_\_\_\_\_

# 2021 STATE LEGISLATIVE PROGRAM



## STATE LEGISLATIVE OBJECTIVES

- Support legislation amending the Downstate Forest Preserve District Act, increasing the maximum allowable tax rates for the General Corporate and Land Development levies by no more than .02%.
- Protect the District's statutory authority.
- Establish responsible and efficient purchasing/contracting authority, including the ability to use Design-Build contracts and increase the purchasing amount that triggers a competitive bidding process.
- Prevent new, and reduce existing, unfunded mandates.
- Limit exposure to additional liability or legal costs and ensure that funds authorized by the Tort Immunity Act are able to be used appropriately.
- Ensure continued financial integrity of the Illinois Municipal Retirement Fund (IMRF).
- Maintain or enhance current grant funding sources.
- Oppose sweeps of dedicated accounts, specifically the Open Space Land Acquisition and Development (OSLAD) Grant Program.
- Advocate for adequate and consistent funding of Illinois Department of Natural Resources (IDNR).

## STATE LEGISLATIVE INITIATIVES

### Funding of State Matching Grant Programs

#### *OSLAD, TAP, Bike Path and Public Museum Capital 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 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 Edward L. Ryerson Conservation Area, Dunn 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 Levy 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.

# 2021 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.
- Support passage of HR 3742- Recovering America's Wildlife Act – which would provide \$1.3 billion dollars annually for states to implement wildlife action plans. Much of these funds will be made available as grants to local agencies for habitat restoration projects.
- Support passage of SB 4538 – Restore Employment in Natural and Environmental Conservation Corps Act – which would employ a total of 1M people during a 5-year period to work on conservation land projects on Federal, State and local agency lands.
- Support passage of HR 7324 – Universal Giving Pandemic Response Act, or other legislation that extends the date of the current Universal Charitable Deduction and increases the cap on deduction, which would significantly increase tax incentives for charitable giving.
- Support passage of H.R. 7073, the Special Districts Provide Essential Services Act, or similar legislation, that will formally include Special District units of government in future federal COVID – 19 relief funding packages.
- Support continuation of tax incentives for conservation easement donations.
- 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 Kankakee National Wildlife Refuge and Conservation Area in Kankakee and Iroquois Counties.
- Support the continuation and funding of the US Army Corps of Engineers (USACOE) programs that create and enhance healthy aquatic ecosystems: the Great Lake Fishery and Ecosystem Restoration Program; the Aquatic Ecosystems Restoration Program; the Upper Des Plaines River Flood Reduction Program; and the flood risk management study of the Fox River.

## FEDERAL LEGISLATIVE INITIATIVES

### Funding State Wildlife Action Plans

The bipartisan **Recovering America's Wildlife Act** will be the most significant investment in wildlife conservation in a generation. The bill seeks to fund proactive efforts led by the states, territories and tribes to address the nation's looming wildlife crisis and to prevent species from becoming endangered. \$1.3 billion from this bill will be spent by state fish and wildlife agencies, in partnership with state-based conservation entities, such as the District, to implement their congressionally mandated State Wildlife Action Plans. These

detailed plans incorporate science and public input and are approved by the U.S. Fish and Wildlife Service. This is consistent with our 100-year Vision Conservation Goals of “Prevent Species Loss” and “Data-driven Conservation”.

## **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 3,900 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 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 supported referenda to authorize the Forest Preserve District to issue tax-exempt bonds for preserving land, restoring 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.

## **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. *Transportation Alternatives* funding helps construct safe road crossings and connections for regional trails.

## **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 (USFWS) Great Lakes Fish and Wildlife Restoration Act, State and Tribal Assistance Forestry Grants, North American Wetlands Conservation Act, United States Department of Agriculture (USDA) Wildlife Services, Save America’s Treasures, Institute for Museum and Library Services, United States Environmental Protections Agency (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 other 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 3,900 acres of Lake Michigan Lake Plain as a RAMSAR Wetland of International Importance. 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. *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 Bess Bower Dunn Museum of Lake County and its collections.

### **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.

### **US Army Corps of Engineers (USACOE)**

Support the continuation and funding of the 2020 USACOE Water Resources Development Act programs that create and enhance healthy aquatic ecosystems: the Great Lake Fishery and Ecosystem Restoration Program (Section 506); the Aquatic Ecosystems Restoration Program (Section 206); and the Upper Des Plaines River Flood Reduction Program. Also support the implementation of the flood risk management study of the Fox River, as proposed in H.R. 7575, that will address flooding along the Fox River and Chain of Lakes that has been damaging homes and businesses, decreasing property values, and creating unsafe infrastructure conditions. This study authorization is an important step towards compiling accurate data to guide important local decisions in the Fox River Valley, and towards directing more federal resources and U.S. Army Corps of Engineers intervention in this large challenge facing our communities.

### **National Fish and Wildlife Foundation (NFWF)**

Support continued federal funding for the National Fish and Wildlife Foundation which works with dozens of America's leading corporations to implement their philanthropic conservation strategies. They collaborate with each partner on goals and actions, investing funds in priority conservation projects that ensure the highest impact. NFWF administers an environmental grant portfolio for each corporate partner, basing awards on sound science and measurable outcomes. Through the partnership with NFWF the District has received funding for the Lake Michigan Lakeplain Partnership and the Pilot Buckthorn Removal Project at Middlefork Savanna Forest Preserve.