



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4502

by Rep. Jil Tracy

SYNOPSIS AS INTRODUCED:

615 ILCS 5/40 new

Amends the Rivers, Lakes, and Streams Act. Provides that the Department of Natural Resources shall (1) for levee improvements provide notice of submissions, a detailed timeline, specific requirements, and any internal review procedures to the submitter within 90 days; (2) for rural construction along navigable waterways permit a water surface profile increase of 0.5 feet; (3) for urban construction permit a water surface profile increase of 0.1 feet; and (4) require a mitigation analysis only if water surface profile increases exceed an induced head study. Effective immediately.

LRB098 17642 MLW 52755 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Rivers, Lakes, and Streams Act is amended by
5 adding Section 40 as follows:

6 (615 ILCS 5/40 new)

7 Sec. 40. Department requirements.

8 (a) For the purposes of this Section:

9 "Base condition" means the current pre-permit top of levee
10 elevation profile, cross-sections, and levee centerline
11 alignment.

12 "Induced head" means:

13 (i) the change of the water surface profile; and

14 (ii) any change in water elevations upstream or
15 downstream of the proposed improvement due to the change of
16 a base condition in levee height to a proposed condition in
17 levee height or encroachment.

18 "Proposed condition" means the change requested for State
19 and federal permits.

20 (b) Notwithstanding any other provision of law, the
21 Department shall require the following:

22 (1) with respect to the Department's permit process for
23 levee improvements, the Department shall provide notice of

1 submissions, a detailed timeline, specific requirements,
2 and any internal review procedures for review to the
3 submitter within 90 days;

4 (2) with respect to Department standards for
5 construction in rural areas along navigable waterways, the
6 Department shall permit a water surface profile increase of
7 0.5 feet;

8 (3) with respect to Department standards for
9 construction in urban areas, the Department shall permit a
10 water surface profile increase of 0.1 feet; and

11 (4) with respect to mitigation analysis, a mitigation
12 analysis shall only be performed if a water surface profile
13 increase of 0.5 feet in rural areas, or of 0.1 in urban
14 areas, exceeds an induced head study.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.