



Sen. Iris Y. Martinez

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1 AMENDMENT TO SENATE BILL 1489

2 AMENDMENT NO. _____. Amend Senate Bill 1489, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the Green
6 Infrastructure for Clean Water Act.

7 Section 5. Definitions. As used in this Act:

8 "Agency" means the Illinois Environmental Protection
9 Agency.

10 "Green infrastructure" means any storm water management
11 technique or practice employed with the primary goal of
12 preserving, restoring, or mimicking natural hydrology. Green
13 infrastructure includes, but is not limited to, methods of
14 using soil and vegetation to promote soil percolation,
15 evapotranspiration, and filtration. Green infrastructure
16 includes the preservation and restoration of natural landscape

1 features, such as forests, floodplains, headwaters, and
2 wetlands. Green infrastructure also includes rain gardens,
3 permeable pavements, green roofs, infiltration planters, trees
4 and tree boxes, and rainwater harvesting for non-potable uses,
5 such as toilet flushing and landscape irrigation.

6 Section 10. Legislative findings.

7 (a) The General Assembly finds that:

8 (1) urban storm water, when not properly controlled and
9 treated, can cause pollution of the waters of the State,
10 threaten public health, and damage property by carrying
11 pollutants from our highways, streets, roads, parking
12 lots, driveways, sidewalks, alleys, lawns, and other
13 surfaces of low permeability into lakes, rivers, streams,
14 and ponds;

15 (2) development can increase storm water runoff by
16 increasing the size and number of paved and other
17 impervious surfaces within a watershed and decreasing the
18 extent of vegetated and other permeable surface areas that
19 control storm water runoff through natural infiltration
20 and evapotranspiration and groundwater recharge;

21 (3) current urban storm water related threats to the
22 State's water resources include pollution, increased water
23 temperatures, flooding, groundwater depletion, loss of
24 habitat, stream bank erosion, sewer overflows, basement
25 backups, contaminated drinking water sources, and

1 sedimentation of waterways; and

2 (4) some studies show that preserving and expanding
3 natural and built green infrastructure can minimize
4 negative impacts and enhance the resilience of water
5 infrastructure and water bodies.

6 (b) The General Assembly also finds that there are a number
7 of potential benefits from the use of green infrastructure,
8 including:

9 (1) Cleaner Water. Green infrastructure can reduce the
10 volume of storm water runoff in combined and separate sewer
11 systems, and the concentrations of pollutants in those
12 discharges.

13 (2) Enhanced Water Supplies. Most green infrastructure
14 approaches allow at least a portion of storm water to
15 infiltrate surrounding soil, where it recharges the
16 groundwater and stream base flows, contributing to
17 drinking water supplies and helping to stabilize aquatic
18 ecosystems. Green infrastructure systems that capture and
19 reuse storm water also help to conserve other water
20 sources.

21 (3) Reduced Flooding. Green infrastructure can help
22 control surface flooding and stabilize local hydrology by
23 reducing peak flows.

24 (4) Cleaner Air. Trees and vegetation improve air
25 quality by filtering many airborne pollutants, thereby
26 helping to reduce the incidence of respiratory illness.

1 (5) Increased Energy Efficiency. Trees and other
2 vegetation create shade, reduce the amount of heat
3 absorbing materials, and emit water vapor, which controls
4 surface temperature, thus helping to alleviate the urban
5 heat island effect. Limiting impervious surface, using
6 light colored impervious surfaces and green roofs also
7 mitigates extreme urban temperatures. By helping to lower
8 ambient temperatures and, when incorporated on and around
9 buildings, helping to shade and insulate buildings from
10 wide temperature swings, green infrastructure can reduce
11 the energy needed for heating and cooling. Green roofs and
12 shade can increase the life span of roofs, thus reducing
13 the need for production and transportation of conventional
14 roof materials. Energy use associated with pumping and
15 treating can be reduced as storm water is diverted from
16 wastewater collection, conveyance, and treatment systems.

17 (6) Mitigation of and Adaptation to Impacts of Climate
18 Change. Green infrastructure strategies can reduce energy
19 demands and, thus, greenhouse gas emissions by reducing
20 storm water volume and the associated treatment required,
21 reducing the amount of potable water needed, providing
22 thermal insulation and shade for buildings, mitigating the
23 urban heat island effect, and sequestering carbon. These
24 strategies can also help with adaptation to projected
25 climate change impacts, including increased storm
26 intensity, flood potential, and impacts on the quantity of

1 surface and ground water supplies.

2 (7) Wildlife Habitat. Stream buffers, wetlands, parks,
3 meadows, and other forms of green infrastructure increase
4 biodiversity within the urban environment.

5 (8) Community Benefits. Trees and plants improve urban
6 aesthetics and community livability by providing
7 recreational and scenic wildlife areas. Studies show that
8 property values are higher, violence is reduced, and crime
9 is reduced when trees and other vegetation are present.

10 (9) Health Benefits. Studies show that people who have
11 access to the open space provided by green infrastructure
12 in their communities get more exercise, live longer, and
13 report better health in general. Exposure to green
14 infrastructure (even through a window) improves mental
15 functioning, reduces stress, and reduces recovery time
16 from surgery.

17 (10) Green Jobs. Designing, installing, and
18 maintaining green infrastructure creates new jobs for
19 architects, designers, engineers, construction workers,
20 maintenance workers, landscapers, nurseries, and related
21 services.

22 (11) Cost Savings. Using green infrastructure in
23 certain situations can save or reduce (i) capital costs
24 associated with paving, constructing curbs and gutters,
25 and building large collection and conveyance systems; (ii)
26 operating and maintenance expenses for treatment plants,

1 pumping stations, pipes, and other hard infrastructure;
2 (iii) energy costs for pumping water; (iv) costs associated
3 with treatment during wet weather; and (v) costs of
4 repairing the damage caused by storm water, such as stream
5 bank restoration and flood damage.

6 Section 15. IEPA Study. By June 30, 2010, the Illinois
7 Environmental Protection Agency, in consultation with the
8 Illinois Department of Natural Resources, the Illinois
9 Department of Transportation, storm water management agencies,
10 and other interested parties that the Agency deems appropriate
11 to include, shall submit to the General Assembly and the
12 Governor a report that reviews the latest available scientific
13 research and institutional knowledge to evaluate and document
14 the following:

15 (a) The nature and extent of urban storm water impacts on
16 water quality in watersheds in Illinois;

17 (b) Potential urban storm water management performance
18 standards to address flooding, water pollution, stream
19 erosion, habitat quality, and the effectiveness of green
20 infrastructure practices to achieve such standards;

21 (c) The prevalence of green infrastructure use in Illinois;

22 (d) The costs and benefits of green versus grey
23 infrastructure;

24 (e) Existing and potential new urban storm water management
25 regulatory programs and methods and feasibility of integrating

1 a State program with existing and potential regional and local
2 programs in Illinois;

3 (f) Findings and recommendations for adopting an urban
4 storm water management regulatory program in Illinois which
5 includes performance standards and encourages the use of green
6 infrastructure to achieve those standards; and

7 (g) The feasibility and consequences of devoting 20% of the
8 Water Revolving Fund to green infrastructure, water and energy
9 efficiency, and other environmentally innovative activities on
10 a long-term basis.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."