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## COOK COUNTY STORMWATER MANAGEMENT PLAN AMENDMENT

### STORMWATER MANAGEMENT PHASE II PROGRAM REVISIONS

## PREAMBLE

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The Illinois General Assembly enacted Public Act 93-1049 ("P.A. 93-1049") in 2004. P.A. 93-1049 placed countywide responsibility for stormwater management under the supervision of the Metropolitan Water Reclamation District of Greater Chicago (District). As described in the Cook County Stormwater Management Plan (CCSMP) adopted on February 15, 2007 by the District's Board of Commissioners, the District may plan, manage, implement, and finance activities related to stormwater management in Cook County. These activities previously authorized under P.A. 93-1049 and further defined in the CCSMP and now known as Phase I of the District's Stormwater Management Program, include the development of Detailed Watershed Plans (DWP's), and the implementation of stormwater projects intended to address critical erosion and/or overbank flooding along **regional** waterways.

Due to the large number of local stormwater problems identified during the District's DWP studies or reported by local agencies, the enabling legislation was amended to give the District the authority to participate in addressing local stormwater problems. On June 18, 2014, Governor Pat Quinn signed HB 3912 into law, becoming Public Act 98-0652 ("P.A. 98-0652"), which amends the District's statutory authority to allow for acquisition of flood-prone properties and to plan, implement, finance, and operate **local** stormwater management projects. This component of the District's Stormwater Management Program will be known as Phase II. Under Phase II, it is the District's intention to assist local units of government to address local flooding, however this should not be construed to mean the District is required to address any and all local issues associated with stormwater management.

The District routinely collects information related to local stormwater management problem areas and potential solutions from municipalities, townships, and regional agencies. The District may provide assistance for qualifying projects in the form of funding, engineering, or other means to be defined through negotiations between the District and the involved entities via Intergovernmental Agreements.

Additionally, based on the authority granted in P.A. 98-0652, the District will take steps to set up a program for purchasing flood prone and flood damaged property. The District will establish an application process and priority matrix prior to purchasing properties. Factors to be considered include the severity and frequency of flooding and whether any viable alternatives to acquisition are feasible.

The following is a summary of the proposed revisions to be made to the CCSMP to be consistent with the authority given by P.A. 98-0652.

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**Chapter 1 - Authority, Purpose and Goals:**

References to P.A. 93-1049 will be revised to refer also to the recent amendments made via P.A. 98-0652. The project minimum requirements for both regional and local projects will be updated to clarify the types of projects that will be considered for implementation or assistance by the District. The types of projects that will be excluded from consideration are also provided.

**Chapter 2 - Existing Stormwater Management Framework and Resources:**

This chapter describes the stormwater management framework in Cook County prior to the passage of P.A. 93-1049. There are no changes proposed to Chapter 2.

**Chapter 3 - Assessment of Stormwater Management Activities and Programs in Cook County:**

A minor revision to Section 3.4 which compares the CCSMP goals to planning activities will be made to incorporate 'local' flooding problems along with regional flooding problems to be identified and investigated.

**Chapter 4 - Assessment of Stormwater Conditions and Problems:**

This chapter reviews the features and characteristics of Cook County as they relate to stormwater management. There are no changes proposed to Chapter 4.

**Chapter 5 - Countywide Stormwater Management Program:**

Additional language describing the potential for project cost-sharing opportunities between the District and municipalities or townships will be included in the discussion of funding mechanisms. The narrative describing Project Implementation will be revised to incorporate reference to Phase II projects and the acquisition of flood prone property.

**Chapter 6 - Watershed Planning:**

Chapter 6 describes the process for developing Detailed Watershed Plans. There are no changes proposed to this Chapter.

**Chapter 7 – Regulatory Concepts:**

This chapter discusses the regulatory concepts to be considered in development of the WMO. With the recent adoption of the WMO on May 1, 2014, there are no changes necessary to Chapter 7.

**Chapter 8 - Watershed Planning:**

Chapter 8 describes the four implementation phases of the CCSMP. There are no changes proposed to this Chapter.