



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**Title:** Authority to transmit the District's Green Infrastructure Program Plan (including Comprehensive Land Use Policy) to the United States Department of Justice, the United States Environmental Protection Agency, and the Illinois Environmental Protection Agency for approval pursuant to the Consent Decree entered in United States of America, et al., v. Metropolitan Water Reclamation District of Greater Chicago, 11 C 8859 (As Revised)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Comprehensive Land Use Policy (Bd Approved Version - Clean), 2. 14-1502 GI Program Plan (includes final Comprehensive Land Use Policy)

Date	Ver.	Action By	Action	Result
12/18/2014	1	Board of Commissioners	Approved	Pass
12/18/2014	1	Committee of the Whole	Recommended	Pass

## TRANSMITTAL LETTER FOR BOARD MEETING OF DECEMBER 18, 2014

### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to transmit the District's Green Infrastructure Program Plan (including Comprehensive Land Use Policy) to the United States Department of Justice, the United States Environmental Protection Agency, and the Illinois Environmental Protection Agency for approval pursuant to the Consent Decree entered in *United States of America, et al., v. Metropolitan Water Reclamation District of Greater Chicago*, 11 C 8859 (As Revised)

Dear Sir:

On January 6, 2014, the District Court approved entry of a Consent Decree between the District, the United States Environmental Protection Agency ("USEPA") and the Illinois Environmental Protection Agency ("Illinois EPA") in *United States of America, et al., v. Metropolitan Water Reclamation District of Greater Chicago*, 11 C 8859. The case was filed in the United States District Court for the Northern District of Illinois. In their complaint against the District, the USEPA and Illinois EPA alleged that the District violated Section 301(a) of the Clean Water Act (33 U.S.C. § 1311(a)), as well as the terms and conditions of certain National Pollutant Discharge Elimination System permits issued to the District. The Consent Decree resolved these claims in their entirety without any admission of liability by the District.

Appendix E, Section II C of the Consent Decree requires that the District submit for approval a Green Infrastructure Program Plan ("GIP Plan"), including a Comprehensive Land Use Policy, to the USEPA and Illinois EPA no later than January 5, 2015. Upon review of the GIP Plan, the USEPA, in consultation with the Illinois EPA, will then either approve or disapprove it based on whether it contains all of the information

required by Section II C of Appendix E. The GIP Plan then becomes effective once it is approved by the USEPA, and the District, under the Consent Decree, is required to implement it immediately. Upon such approval, all existing real estate policies of the District shall be repealed and no longer in effect.

District staff has drafted a GIP Plan, including a Comprehensive Land Use Policy, for consideration and approval by the Board of Commissioners. A study session on the GIP Plan was held by the Board of Commissioners on December 11, 2014.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize the District to transmit the District's Green Infrastructure Program Plan (including Comprehensive Land Use Policy) to the United States Department of Justice, the United States Environmental Protection Agency, and the Illinois Environmental Protection Agency for approval pursuant to the Consent Decree entered in *United States of America, et al., v. Metropolitan Water Reclamation District of Greater Chicago*, 11 C 8859.

Requested, Ronald M. Hill, General Counsel, RMH:STM:CMM:vp

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 18, 2014

Attachment