



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 15-1235 **Version:** 1
Type: Report **Status:** Filed
File created: 10/28/2015 **In control:** Stormwater Management Committee
On agenda: 11/5/2015 **Final action:** 11/5/2015
Title: Report on approval of the District's Green Infrastructure Program Plan by the United States Environmental Protection Agency, pursuant to the Consent Decree entered in United States of America, et al. v. Metropolitan Water Reclamation District of Greater Chicago, 11 C 8859

Sponsors:

Indexes:

Code sections:

Attachments: 1. 7 OCT 15 FINAL GI PROGRAM PLAN 11.5.15.pdf, 2. 8 6 15 Rain Barrel Appendix A 11.5.15.pdf, 3. 8 6 15 Land Use Policy Appendix B 11.5.15.pdf, 4. 8 6 15 OM Appendix D 11.5.15.pdf, 5. WMO APPENDIX C

Date	Ver.	Action By	Action	Result
11/5/2015	1	Board of Commissioners	Published and Filed	Pass
11/5/2015	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR THE BOARD MEETING OF NOVEMBER 5, 2015

COMMITTEE ON STORMWATER MANGEMENT

Mr. David St. Pierre, Executive Director

Report on approval of the District's Green Infrastructure Program Plan by the United States Environmental Protection Agency, pursuant to the Consent Decree entered in *United States of America, et al. v. Metropolitan Water Reclamation District of Greater Chicago, 11 C 8859*

Dear Sir:

On January 6, 2014, the United States District Court for the Northern District of Illinois ("District Court") approved entry of a Consent Decree between the District, the United States Environmental Protection Agency ("USEPA") and the Illinois Environmental Protection Agency ("IEPA") in *United States of America, et al. v. Metropolitan Water Reclamation District of Greater Chicago, 11 C 8859*. In their complaint against the District, the USEPA and IEPA 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. On July 9, 2015, the United States Court of Appeals for the Seventh Circuit affirmed the District Court's approval of entry of the Consent Decree.

On December 18, 2014, the District's Board of Commissioners approved transmittal of a Green Infrastructure Program Plan ("GIP Plan") to USEPA and IEPA, as required by Appendix E, Section II C of the Consent Decree. Thereafter, in May 2015, the USEPA and IEPA contacted District staff regarding questions, comments and proposed revisions to the GIP Plan. From May through July 2015, District staff met with USEPA and IEPA staff and exchanged proposed revisions to the GIP Plan, which were minor and drafted to more closely track the language of the Consent Decree. On August 6, 2015, the Board of Commissioners

approved the revisions to the GIP Plan and authorized transmittal of the GIP Plan to the governments, with the GIP Plan becoming effective upon approval by USEPA.

By letter dated October 7, 2015, the USEPA informed the District that it approved the GIP Plan, with that same date serving as the effective date of the GIP Plan for purposes of determining deadlines and milestones going forward. Attached is a clean copy of the GIP Plan approved by the USEPA.

Requested, Ronald M. Hill, General Counsel, RMH:LLD:BO'C:bh

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Michael A. Alvarez, Chairman Committee on Stormwater Management

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 5, 2015

Attachments