

## **21. DRAINAGE AND STORMWATER MANAGEMENT**

### **Drainage**

We support:

1. More coordination among drainage districts and other government entities in a common watershed.
2. Landowners within an inactive drainage district to reactivate the district or to consolidate the district with that of an active neighboring drainage district. In the event that reactivating or consolidating a drainage district is not feasible, we encourage all property owners, including state and federal entities, to maintain drainage systems on their property.
3. Uniform interpretation of regulations to allow stream and drainage ditch maintenance practices consistent with good husbandry, such as removing silt, trees, restoring stream banks, and restoring drainage ditches to their optimal condition without the requirement of a permit.
4. Better coordination among the various district offices of the U.S. Army Corps of Engineers (Corps) serving Illinois to foster more fair and consistent administration of the Clean Water Act and other laws and regulations.
5. Working with other groups to develop appropriate means to resolve drainage problems arising from land development and road construction. Such means should include holding developers financially responsible for damages done to agricultural drainage.
6. Mandating that units of local government require developers to provide surety bonds to guarantee full compliance with the drainage law in regard to land development and road construction.
7. Techniques and voluntary programs through agencies such as the Natural Resources Conservation Service (NRCS) that put more emphasis on stabilization of stream banks.
8. Enforcement of the concepts within the Illinois Drainage Code which prevent all governmental agencies from using public right-of-way to channel drainage water onto private land without considering the volume of water being drained or the absorption rate of the soils receiving the water.
9. A requirement that soil erosion control be considered as a part of all drainage plans.
10. A reasonable use standard for management of agricultural drainage.
11. Making NRCS the lead agency in determining if a drainage project needs a 404 permit and providing the local contact for that permitting process. If a 404 permit is needed, we support making the Corps the only agency in charge of issuing a permit for drainage projects.
12. Means to require any incorporated area or drainage district with a population of 5,000 or more to pay downstream drainage districts for maintenance and expansion of waterways that receive the accumulated increase in water flow.
13. Drainage districts as independent units of local government and their right to retain control.
14. Educational programs for drainage district commissioners concerning their duties, state and federal regulations impacting them, and the need to properly and routinely maintain the district's drainage facilities.
15. Drainage commissioners' authority to accumulate or build up a fund which shall not exceed an amount equal to the total of five years annual maintenance assessment.
16. Efforts to exempt prior constructed waterways to drainage channels from archaeological study requirements.
17. Efforts to remove beavers and their structures when they alter drainage resources.

We oppose:

1. Unwarranted interference with drainage work.
2. Legislation that would forcibly diminish or usurp the power and authority of drainage districts.

### **Stormwater Management**

We support:

1. Requiring money collected for stormwater management be used exclusively for control of runoff in the watershed where it was collected, not in an unrelated watershed.
2. Representation on any county stormwater management commission to have mandated broad based makeup, including municipal, engineering, agricultural, industrial, commercial, and homeowner voting members.

3. Requiring municipalities to integrate stormwater management control structures and plans into any new or existing development.
4. The use of tax credits, abatements, or incentive payments to property owners who construct, maintain, and use approved stormwater management devices (e.g. catch ponds, lagoons, holding basins, terraces, contour farming, pasture land, timberland).
5. Efforts requiring that new commercial and residential developments be planned for anticipated runoff and constructed with the structures necessary to control it.
6. Encouraging local governmental units to unite to solve stormwater problems stemming from impervious surfaces in watersheds within their jurisdictions so long as the power and authority of drainage districts are not forcibly usurped or diminished. For purposes of stormwater management, farmland would not be considered an impervious surface.
7. Efforts to amend the Soil and Water Conservation District Act to expand the role of the Soil and Water Conservation Districts to address urban wetland and stormwater management problems. The Soil and Water Conservation Districts should make every effort to coordinate and cooperate with other organizations and agencies within the district to achieve these goals.
8. Amendments to the enabling legislation of stormwater management agencies that would explicitly exempt agricultural land and practices.
9. Reducing the amount of taxes and fees assessed against property for stormwater management purposes by the amount of taxes and fees assessed against that property by a drainage district.

We oppose:

1. Granting any stormwater management authority the power to regulate farmland drainage.
2. The establishment of a county stormwater runoff management planning commission without voter approval.
3. The use of eminent domain by a stormwater commission except for specific and immediate use for stormwater runoff control.
4. The involuntary dissolution of agricultural drainage districts and their administration and taxing levy being assumed by the county stormwater commission.
5. Any efforts to require agriculture to pay for more than its fair share of any taxing plan or any effort to force agricultural lands to receive excessive and unobstructed runoff caused by upstream development that lacks reasonable stormwater management structures.