



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2729

Introduced 2/6/2025, by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

New Act

Creates the Riparian Protection and Water Quality Practices Act. Requires landowners who own property that is adjacent to a water body identified and mapped on a buffer-protection map to maintain a buffer to protect the State's water resources. Sets forth requirements concerning the types of buffers that must be installed and the timelines for their installation. Requires soil and water conservation districts to develop and submit to each local water management authority a summary of watercourses within their jurisdiction by July 1, 2026. Requires local water management authorities to incorporate these recommendations into their comprehensive water management plans. Exempts certain lands from the requirements of the Act. Allows the Department to withhold funding from local authorities that fail to implement the Act. Contains provisions concerning judicial review of decisions of the Department of Natural Resources. Specifies that the Act applies to State property. Defines terms.

LRB104 11125 BDA 21207 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Riparian Protection and Water Quality Practices Act.

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

7 "Buffer" means an area that consists of perennial
8 vegetation, excluding invasive plants and noxious weeds, that
9 is adjacent to bodies of water within the State, that protects
10 water resources from runoff pollution, that stabilizes soils,
11 shores, and banks, and that protects or provides riparian
12 corridors.

13 "Buffer-protection map" means maps of buffer areas
14 established and maintained by the Department of Natural
15 Resources.

16 "Department" means the Department of Natural Resources.

17 "Director" means the Director of Natural Resources.

18 "Local water management authority" means a county,
19 municipal government, drainage district, or watershed
20 management authority authorized under Illinois law to oversee
21 water management practices.

22 "Normal water level" means the level evidenced by the
23 long-term presence of surface water as indicated directly by

1 hydrophytic plants or hydric soils, or indirectly determined
2 via hydrological models or analysis.

3 "Public waters" means waters under the jurisdiction of
4 Illinois as defined by the Environmental Protection Act and
5 rules adopted under the Act.

6 "With jurisdiction" means a determination by the
7 Department that a county or local authority has adopted and is
8 implementing rules, ordinances, or official controls providing
9 procedures for compliance with this Act. This determination is
10 revocable by the Department if the adoption and implementation
11 of such rules or controls are not in compliance with the
12 requirements of this Act.

13 Section 10. Purpose. It is the policy of the State of
14 Illinois to establish riparian buffers and water quality
15 practices to: (1) protect State water resources from erosion
16 and runoff pollution; (2) stabilize soils, shores, and banks;
17 and (3) protect or provide riparian corridors.

18 Section 15. Riparian protection requirements for public
19 waters and drainage system. (a) Landowners owning property
20 adjacent to a water body identified and mapped on a
21 buffer-protection map must maintain a buffer to protect the
22 State's water resources as follows:

23 (1) For public waters, the buffer shall be (i) a
24 50-foot average width, 30-foot minimum width, continuous

1 buffer of perennially rooted vegetation or (ii) as
2 specified by the Illinois Rivers, Lakes, and Streams Act
3 or other applicable State rules.

4 (2) For public drainage systems, the buffer shall be a
5 minimum 16.5-foot continuous buffer as required under
6 applicable drainage district rules and shall not impede
7 future maintenance of the drainage system.

8 (b) Landowners engaged in cultivation farming adjacent to
9 identified water bodies may meet the requirements under
10 subsection (a) by implementing retention ponds or other
11 measures preventing overland flow to the water resource or by
12 using alternative riparian water quality practices based on:
13 (i) the Natural Resources Conservation Service Field Office
14 Technical Guide; (ii) common practices approved by the
15 Department; or (iii) locally approved practices by the soil
16 and water conservation district.

17 (c) Buffers on public waters must be measured from the top
18 or crown of the bank or, if no defined bank exists, from the
19 edge of the normal water level. Buffers on public drainage
20 systems must follow measurement guidelines established by the
21 drainage authority.

22 (d) Buffers or alternative practices required under this
23 Section must be implemented by: (1) November 1, 2026, for
24 public waters and (2) November 1, 2027, for public drainage
25 systems.

26 (e) Landowners planting buffers after the effective date

1 of this Act must use seed mixes approved by the Department of
2 Agriculture to prevent contamination by invasive species or
3 noxious weeds.

4 Section 20. Local water resources and riparian protection.

5 (a) Soil and water conservation districts, in consultation
6 with local water management authorities, must develop and
7 submit to each local water management authority a summary of
8 watercourses within their jurisdiction by July 1, 2026.

9 (b) Local water management authorities must incorporate
10 these recommendations into their comprehensive water
11 management plans by July 1, 2027, without requiring a formal
12 plan amendment, provided the recommendations are distributed
13 to relevant stakeholders.

14 Section 25. Exemptions. A landowner is exempt from the
15 requirements of Section 15 with respect to land that is: (1)
16 enrolled in the federal Conservation Reserve Program; (2) used
17 as a public or private water access or recreational area; (3)
18 covered by a road, trail, building, or other structures; (4)
19 regulated by a National Pollutant Discharge Elimination System
20 (NPDES) permit; (5) part of a water-inundation cropping
21 system; or (6) temporarily nonvegetated due to authorized
22 construction, maintenance, or conservation projects.

23 Section 30. Local implementation and assistance.

1 (a) Soil and water conservation districts must assist
2 landowners with planning, technical support, and
3 implementation of water resource protection requirements.

4 (b) The Department must provide sufficient funding to
5 local authorities and conservation districts to implement this
6 Act.

7 Section 35. Corrective actions.

8 (a) Noncompliant landowners will receive notice from the
9 local water management authority, including required
10 corrective actions and timelines.

11 (b) Authorities may enforce compliance through
12 administrative penalties or other measures if corrective
13 actions are not taken.

14 (c) Penalties may be forgiven upon sufficient corrective
15 actions.

16 Section 40. Withholding funding. The Department may
17 withhold funding from local authorities that fail to implement
18 this Act, with restoration contingent upon approval of a
19 corrective action plan.

20 Section 45. Appeals. Landowners may appeal validation or
21 penalty decisions to the Department within 30 days of
22 notification. The Director shall issue a final administrative
23 decision within 60 days, which is appealable to the Illinois

1 courts in accordance with the Administrative Review Law.

2 Section 50. Landowner Financial Assistance. Landowners may
3 contact soil and water conservation districts for information
4 on financial assistance to establish buffers or alternative
5 water resource protection measures.

6 Section 55. Applicability to State Lands. This Act applies
7 to State lands and agencies, ensuring consistency across
8 public and private lands.