



Rep. Deanne M. Mazzochi

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10200HB0688ham001

LRB102 13848 RAM 23408 a

1 AMENDMENT TO HOUSE BILL 688

2 AMENDMENT NO. _____. Amend House Bill 688 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Rivers, Lakes, and Streams Act is amended
5 by adding Section 29b as follows:

6 (615 ILCS 5/29b new)

7 Sec. 29b. Modification of certain structures associated
8 with Graue Mill.

9 (a) As used in this Section, "structure" means a dike,
10 dam, weir, barrage, or man-made public works or private
11 improvement that directs or controls stormwater, drainage,
12 flooding, or erosion within a waterway and is contained fully
13 within, or is located within feet of, the historic district
14 commonly known as Graue Mill and located at 3800 York Road in
15 the Village of Oak Brook.

16 (b) Notwithstanding any other provision of law, after

1 January 1, 2022 or the effective date of this amendatory Act of
2 the 102nd General Assembly, whichever is later, no person,
3 State agency, or unit of local government shall materially
4 reduce, demolish, materially impair, or remove in whole or in
5 part a structure until the performance of a study and
6 submission of a report by the Graue Mill Intergovernmental
7 Working Group or December 31, 2022, whichever is later.

8 (c) The Graue Mill Intergovernmental Working Group is
9 created. The Graue Mill Intergovernmental Working Group shall
10 include the following members:

11 (1) A designee by each owner of property lying within
12 50 feet of the structure. If the surrounding land is
13 public space, then a designee of the unit of local
14 government responsible for the repair and maintenance of
15 the structure shall be appointed by the head of the unit of
16 local government.

17 (2) An appointee from the DuPage County Board, to be
18 selected by the County Board Chair. The County Board
19 appointee shall be either: (i) an elected county board
20 member in whose district the structure is located; or (ii)
21 an elected county board member who has responsibilities
22 for stormwater management, at the discretion of the County
23 Board Chair. If no qualified elected member is willing to
24 serve, then the appointment may be at the discretion of
25 the County Board Chair.

26 (3) An appointee by the head of any municipality that

1 is geographically located within 1,000 feet of the
2 structure.

3 (4) An appointee by any historical district that is
4 geographically located within 500 feet of the structure.

5 (5) As ex officio members, a representative from the
6 Department of Natural Resources; the State Representative
7 and State Senator encompassing the area where the
8 structure is located; and a representative of the County
9 Board of the next County downstream from the structure.

10 (d) No structure that was built, in whole or in part, using
11 funds from this State shall be demolished without first
12 securing advance written approval from the State agency
13 supplying the funding. If that agency no longer exists or the
14 proper agency cannot be determined, then notice shall be given
15 to the Governor, but only upon the approval of the State
16 Representative and State Senator for the area where the
17 structure is located. Nothing in this Section shall prevent
18 the party responsible for a structure from engaging in
19 ordinary and customary maintenance and repair of the
20 structure, including dredging around the structure, so long as
21 the process does not materially impair or destabilize the
22 structure.

23 (e) The Graue Mill Intergovernmental Working Group shall
24 meet at least quarterly. It shall investigate and present
25 findings on the following topics:

26 (1) the historical significance of a structure in Salt

1 Creek within the Graue Mill historic preservation site,
2 and any adverse consequences to the historical impact of
3 the site if a structure in Salt Creek is impaired or
4 removed;

5 (2) the impact on stormwater, floodplains, and
6 stormwater retention in the surrounding area as well as on
7 regions downstream from the structure if the structure is
8 removed;

9 (3) measurements of water oxygenation in the locations
10 immediately preceding and immediately following the
11 structure within Salt Creek, and whether water oxygenation
12 improves after overflowing the structure;

13 (4) the less restrictive alternatives available to
14 improve water oxygenation and protect fish and wildlife
15 that do not involve removal of the structure;

16 (5) the viewpoints of the Army Corps of Engineers on
17 the necessity, if any, of removing or modifying the dam;
18 and

19 (6) the impact on property values for properties and
20 homeowners' associations in the surrounding historical
21 district that would be caused by removal or impairment of
22 the structure."