

HB0863



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0863

Introduced 2/10/2021, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

New Act

Creates the Vegetative Buffer Act. Provides that all State property adjacent to a body of water must contain a vegetative buffer that at a minimum meets a 30-foot minimum width. Exempts State land if certain conditions are present. Defines "vegetative buffer". Effective January 1, 2022.

LRB102 11409 KMF 16742 b

A BILL FOR

1 AN ACT concerning vegetation.

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 Vegetative Buffer Act.

6 Section 5. Vegetative buffer protection; requirements.

7 (a) In this Section, "vegetative buffer" means an area
8 consisting of perennial vegetation, excluding invasive plants
9 and noxious weeds adjacent to all bodies of water within this
10 State that protects the water resources from runoff pollution,
11 stabilizes soils, shores, and banks to protect or provide
12 riparian corridors.

13 (b) All State property adjacent to a body of water must
14 contain a vegetative buffer that at a minimum meets a 30-foot
15 minimum width.

16 (c) State land subject to this Act shall be exempt if the
17 land is:

18 (1) used as a public or private water access or
19 recreational use area including stairways, landings,
20 picnic areas, access paths, beach and watercraft access
21 areas, and permitted water-oriented structures;

22 (2) covered by a road, trail, building, or other
23 structure, whether or not it exists before or after the

1 effective date of this Act;

2 (3) regulated by a national pollutant discharge
3 elimination system or State disposal system permit under
4 35 Ill. Adm. Code Section 309 and provides water resources
5 for riparian protection in any of the following
6 categories:

7 (A) municipal separate storm sewer system;

8 (B) construction stormwater;

9 (C) industrial storm water; or

10 (D) part of a water-inundation cropping system; or

11 (4) in a temporary non-vegetated condition due to
12 drainage tile installation and maintenance, alfalfa, or
13 other perennial crop or plant seeding, or construction or
14 conservation projects authorized by a federal, State, or
15 local government unit;

16 (5) used for agricultural purposes.

17 Section 99. Effective date. This Act takes effect January
18 1, 2022.