



Rep. Sharon Chung

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10300HB4207ham001

LRB103 35030 BDA 71220 a

1 AMENDMENT TO HOUSE BILL 4207

2 AMENDMENT NO. _____. Amend House Bill 4207 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 18k as follows:

6 (615 ILCS 5/18k new)

7 Sec. 18k. National Flood Insurance Program; State agency
8 requirements.

9 (a) As used in this Section:

10 "Department" means the Department of Natural Resources.

11 "Development" and "developed" mean any human-made change
12 to real estate, including, but not limited to:

13 (1) demolition, construction, reconstruction, repair,
14 placement of a building, or any structural alteration to a
15 building;

16 (2) substantial improvement of an existing building;

1 (3) installation of a manufactured home on a site,
2 preparing a site for a manufactured home, or installing a
3 travel trailer on a site for more than 180 days per year;

4 (4) installation of utilities or construction of
5 roads, bridges, culverts, or similar projects;

6 (5) redevelopment of a site, clearing of land as an
7 adjunct of construction, or construction or erection of
8 levees, dams, walls, or fences;

9 (6) drilling, mining, filling, dredging, grading,
10 excavation, paving, or other alterations of the ground
11 surface;

12 (7) storage of materials, including the placement of
13 gas or liquid storage tanks, and channel modifications or
14 any other activity that might change the direction,
15 height, or velocity of flood or surface waters.

16 "Development" and "developed" do not include resurfacing
17 of pavement that does not result in an increase in elevation;
18 construction of farm fencing; or gardening, plowing, and
19 similar practices that do not involve filling, grading, or
20 construction of levees.

21 "Special flood hazard area" means an area that has special
22 flood, mudflow, or flood-related erosion hazards and that is
23 shown on a Federal Emergency Management Agency Flood Hazard
24 Boundary Map or Floor Insurance Rate Map as Zone A, AO, A1-A30,
25 AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30,
26 VE, or V.

1 "State agency" means any department, commission, board, or
2 agency under the jurisdiction of the Governor; any board,
3 commission, agency, or authority which has a majority of its
4 members appointed by the Governor; and the Governor's Office.

5 (b) The Department shall ensure that State agencies comply
6 with National Flood Insurance Program requirements set forth
7 in this Section.

8 (c) All State agencies shall obtain a special flood hazard
9 area development permit before undertaking development
10 activity on State-owned property that is located in a special
11 flood hazard area. The Department shall adopt rules
12 establishing a State special flood hazard area development
13 program to ensure the following via the issuance of permits
14 prior to any State agency development within a special flood
15 hazard area:

16 (1) review of all proposed new development in a
17 special flood hazard area to ensure compliance with the
18 standards set forth in the administrative rules;

19 (2) monitoring and inspecting developments currently
20 under construction in a special flood hazard area to
21 ensure compliance with the standards set forth in the
22 administrative rules;

23 (3) correction, to the extent reasonably practical in
24 the sole determination of the Department, of all previous
25 development in a special flood hazard area found not to be
26 in compliance with the standards set forth in the

1 administrative rules; and

2 (4) adoption of standards in the administrative rules
3 that, at a minimum, are as stringent as the federal
4 regulations that are promulgated by the Federal Emergency
5 Management Agency to implement the National Flood
6 Insurance Act (42 U.S.C. 4001 et seq.) and that are
7 published in 44 CFR 59 through 60.

8 (d) State agencies that administer grants or loans for
9 financing a development within a special flood hazard area
10 shall cooperate with the Department to ensure that
11 participants in their programs are informed of the existence
12 and location of special flood hazard areas and of any State or
13 local floodplain requirements that are in effect in those
14 areas.

15 (e) State agencies that are responsible for regulating or
16 permitting a development within a special flood hazard area
17 shall cooperate with the Department to ensure that
18 participants in their programs are informed of the existence
19 and location of special flood hazard areas and of any State or
20 local floodplain requirements that are in effect in those
21 areas.

22 (f) State agencies that are engaged in planning programs
23 or promoting a program for a development within a special
24 flood hazard area shall cooperate with the Department to
25 ensure that participants in their programs are informed of the
26 existence and location of special flood hazard areas and of

1 any State or local floodplain requirements in effect in those
2 areas.

3 (g) The Department shall provide available special flood
4 hazard area information to assist State agencies in complying
5 with the requirements established by this Section. The
6 Department may enter into a memorandum of understanding with a
7 State agency to outline procedures and processes to review
8 proposed development activity on State-owned property located
9 in a special flood hazard area. Such a memorandum of
10 understanding may allow for alternative approvals for the
11 issuance of permits. If the Department enters into a
12 memorandum of understanding with a State agency to allow an
13 alternative permit process, any permits or work completed
14 under those alternatives is subject to audit and review by the
15 Department."