



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1314

Introduced 2/8/2011, by Sen. Jeffrey M. Schoenberg

SYNOPSIS AS INTRODUCED:

New Act

Creates the Offshore Wind Energy Facilities Advisory Council Act. Creates the Offshore Wind Energy Facilities Advisory Council as a separate entity within the Department of Natural Resources. Provides that the Advisory Council shall consist of the Director of Natural Resources, the Director of the Illinois Environmental Protection Agency, the Director of the Illinois Power Agency, the Chairman of the Illinois Commerce Commission, and certain other public members selected by the Director of Natural Resources. Provides that members of the Advisory Council shall serve without compensation, but may be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the Advisory Council. Provides that the Offshore Wind Advisory Council shall examine certain topics related to offshore wind energy facilities on Lake Michigan and report its findings and recommendations to the Governor and General Assembly by June 30, 2012. Provides that the Act shall be repealed on July 1, 2012. Effective July 1, 2011.

LRB097 08274 ASK 48400 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning wind energy.

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 Offshore Wind Energy Facilities Advisory Council Act.

6 Section 5. Definitions. In this Act:

7 "Advisory Council" means the Offshore Wind Energy
8 Facilities Advisory Council created under this Act.

9 "Aquatic environment" means the physical, chemical,
10 atmospheric, and biological components, conditions, and
11 factors that interactively determine the productivity, state,
12 condition, and quality of the aquatic ecosystem of the Great
13 Lakes.

14 "Commercial activities" means site assessment activities,
15 construction of an offshore wind energy facility, commercial
16 operations, and decommissioning.

17 "Commercial operations" means all activities located on or
18 in unpatented bottomlands or above, on, in, or under waters of
19 Lake Michigan associated with the generation, storage, or
20 transmission of electricity or other energy product from an
21 existing offshore wind energy facility, for distribution,
22 sale, or other commercial use.

23 "Decommissioning" means removal of structures authorized

1 under a construction and operations permit and restoration of
2 leased bottomlands and waters to their prerelease condition.
3 "Decommissioning" does not mean the replacement of portions of
4 an existing offshore wind energy facility.

5 "Department" means the Illinois Department of Natural
6 Resources.

7 "Local government" means county, township, or
8 municipality.

9 "Offshore wind energy facility" means any electrical
10 energy producing wind turbines connected to the electric power
11 grid by transmission lines and permanently or temporarily
12 attached to unpatented bottomlands, including any associated
13 structures such as support towers, permanently moored vessels,
14 interturbine cables, electric service platforms, and export
15 cables, but not including transmission lines. Any group of such
16 installations that includes a primary installation with one or
17 more secondary installations is a single offshore wind energy
18 facility for purposes of this Act, unless the Department
19 determines that the complexity of the secondary installations
20 justifies their classifications as one or more separate
21 offshore wind energy facilities.

22 Section 10. The Offshore Wind Energy Facilities Advisory
23 Council.

24 (a) The Offshore Wind Energy Facilities Advisory Council is
25 created as a separate entity within the Department of Natural

1 Resources and shall consist of the Directors or Chairman of the
2 following 4 State agencies:

3 (1) The Director of Natural Resources.

4 (2) The Director of the Illinois Environmental
5 Protection Agency.

6 (3) The Director of the Illinois Power Agency.

7 (4) The Chairman of the Illinois Commerce Commission.

8 (b) The Director of Natural Resources shall serve as
9 chairperson of the Council. The chairperson shall select the
10 following 8 public members to serve on the Advisory Council:

11 (1) One individual representing a statewide
12 environmental organization.

13 (2) One individual representing the tourism industry.

14 (3) One individual representing the commercial
15 shipping industry.

16 (4) One individual representing an electrical utility
17 industry.

18 (5) One individual representing the commercial fishing
19 industry.

20 (6) One individual representing an independent
21 transmission company.

22 (7) One individual representing the wind energy
23 industry.

24 (8) One individual representing local government
25 officials.

26 (c) Members of the Advisory Council shall serve without

1 compensation, but may be reimbursed for actual and necessary
2 expenses incurred in the performance of their official duties
3 as members of the Advisory Council.

4 Section 15. Duties of the Offshore Wind Energy Facilities
5 Advisory Council. The Offshore Wind Advisory Council shall
6 examine the following topics:

7 (1) The location and site assessment for offshore wind
8 facilities, including permits for such facilities, and the
9 role of local government.

10 (2) Potential impacts on Lake Michigan's aquatic
11 environment including (A) identification of critical
12 habitat for endangered species of animals and plants and
13 (B) environmental monitoring.

14 (3) Leasing of bottomland parcels for commercial
15 activities and operations including lease auctions.

16 (4) Identification of areas unsuitable for commercial
17 development.

18 (5) Cable connection to the electric grid of wind
19 generation facilities including offshore transformers.

20 (6) Assessment of federal and State laws affecting the
21 development of offshore wind generation.

22 The Offshore Wind Advisory Council shall assess and make
23 recommendations on these topics and report its findings and
24 recommendations to the Governor and General Assembly by June
25 30, 2012.

1 Section 20. Repeal of Act. This Act shall be repealed on
2 July 1, 2012.

3 Section 99. Effective date. This Act takes effect July 1,
4 2011.