

# STATE WATER PLAN TASK FORCE MEETING

October 18, 2021, 9:00 A.M.

Illinois Department of Natural Resources

Web-Ex Meeting Minutes

## Task Force Members Present:

IDNR–OWR: Loren Wobig, Wes Cattoor, Terra McParland, Rick Pohlman. Jim Casey, Steve Altman, Megan McKinney

IDNR–ORC: Brian Metzke

ISWS: Laura Keefer, Walt Kelly, Glenn Heistand, Trent Ford, Yu-Feng Forest Lin

IDOT: BJ Murray

IDPH: Brian Cox

IEPA: Greg Goode, Michael Brown, Scott Twait, Gary Bingenheimer, Christine Davis, Michael Summers

IDOA: Michael Woods, Brian Rennecker

Agencies not in attendance: IDNR–OMM, IEMA, DCEO, IWRC, IPCB.

## Non-Members Present:

Kelly Thompson, IL Environmental Regulatory Group (IERG)

Raelyn Parmely, IL Farm Bureau (IFB)

The Meeting was called to order at 9:00 A.M. The meeting agenda, meeting recording and minutes are posted on the State Water Plan Task Force (SWPTF) website. The website also contains general information about the State Water Plan's history and current activity.

<https://www.dnr.illinois.gov/WaterResources/Pages/StateWaterPlanTaskForce.aspx>

*Note: An Illinois State Water Plan (SWP) was first published in March of 1967 and was updated in 1984. The Task Force which compiled the 1984 report continued to meet and publish several subsequent documents to continue the planning process and to provide updated information. That State Water Plan Task Force (SWPTF) continues to meet quarterly to address issues related to the waters of Illinois. The SWPTF is comprised of state agency representatives and invited federal and local partners.*

**Welcome:** Loren welcomed everyone to the meeting and thanked everyone for attending and participating in this effort. Loren reminded the group that today we are going to dive into two topic areas for the SWP. We want to have some general discussions and feedback.

Wes reviewed the agenda. There will be no formal presentation today since we are going to be reviewing the submitted topic recommendations instead. Today we're talking about: *Lake Michigan* and *Navigation*. When reviewing the draft sections, we need to discuss cross cutting issues. The two topics will be shared online for discussion purposes and we will discuss each issue and recommendation separately.

## Topic Discussion: Lake Michigan – Jim Casey

- The background explains Lake MI benefits. Tourism is a big issue and environmental resiliency.

- Comments from the Task Force are listed below for the Topic Leader’s use. Blue font is suggestions for word changes noted during the meeting.

Recommendation	Comments
1. Improve public outreach and education related to water use and water conservation measures via Illinois Water Service Center.	- Generic recommendation. No comments
2. Improve annual water allocation use reporting and data submittal processes <a href="#">using a new online portal and update administrative rules accordingly.</a>	<ul style="list-style-type: none"> <li>- This item is related to generating a new online portal for reporting the data.</li> <li>- This isn’t a new program, it will streamline some existing Agency tasks for reviewing and fixing forms while making it easier for all communities to use</li> <li>- No new funding for running the program. However, there might be costs associated with hiring a consultant to generate the online portal. Will revisit funding column later</li> <li>- Added some text about adding the portal and updating the admin rules.</li> <li>- Noted IEPA was on the agency column since reporting will include water loss and that data could be used to help prioritize the revolving fund to those with less water loss. This might be a cross-cutting issue. They will be removed as the Lead Agency.</li> <li>Does this tie into the Water Sustainability recommendation about metering water use? Per Wes, no, that was for groundwater tracking only focusing on irrigation. Plus, Lake MI water use is already metered.</li> <li>- Per Supreme Ct decree, there is a cap at 3200 CFS. So instead of asking for more water, water conservation is the biggest concern.</li> </ul>
3. Update Part 3730 Administrative Rules to reflect a new trend-based approach to regulating a water allocation permittee’s conservation effort related to water loss.	- Right now the max is 10%. Better to look at trends as that is a better way to track a community’s progress when it comes to water conservation. The goal is to reduce water loss.
4. Expand IDNR Water Resources Lake Michigan Programs, to work with under resourced and disadvantaged communities to assist them with their water supply system improvement plans and conservation measures and funding for those plans.	<ul style="list-style-type: none"> <li>- This ties back to the Local Assistance Program recommendation in the Integrated Management. Outreach efforts will be made there. Maybe reference back to that recommendation like in Item 1.</li> <li>- This would require new staff to implement and help with grants and help communities.</li> </ul>
5. Implement water allocation review fees to assist communities with the program reporting, water conservation measures, water system improvement plan implementation, and/or water system improvement plan management.	<ul style="list-style-type: none"> <li>- This recommendation brings funds to the program to implement some of the recommendations in this section.</li> <li>- The rates would be tied to water use so less water use equates to less fee.</li> </ul>

Recommendation	Comments
	<ul style="list-style-type: none"> <li>- If there are excess funds, can be used to provide grants to communities for water improvements.</li> <li>- Expect that there will be push back from the public.</li> <li>- By introducing this concept in the SWP and then it is implemented to meet SWP goals. This is better than just randomly instituting a fee addition.</li> <li>- This will require a rule change.</li> </ul>
<p>6. Establish and lead a Lake Michigan water diversion users workgroup that focuses on the Illinois Lake Michigan Water Allocation Program and common concerns and needs.</p>	<ul style="list-style-type: none"> <li>- This will help users look at the issues at a regional level. And they can help each other and know that their use impacts others in the group.</li> </ul>
<p>7. Partner with the Great Lakes Commission, NOAA, and the US Army Corps of Engineers to explore additional means to enhance coastal resiliency with a focus on regional high lake level protection.</p>	<ul style="list-style-type: none"> <li>- Due to high water levels last year, communities were caught off guard. Lots of damage due to wave action</li> <li>- A study effort is underway now but the recommendation is to stay plugged into this effort to make sure coastal resiliency continues.</li> <li>- Instead of looking at it property by property, look at it as a regional issue with regional fixes.</li> </ul>
<p>8. Work with Illinois port communities to support, increase, and promote sustainable coastal tourism and recreation opportunities including Great Lakes Cruise line industry access to Illinois ports.</p>	<ul style="list-style-type: none"> <li>- This will promote tourism in the Great Lakes</li> <li>- IL needs to be poised to take advantage of this new opportunity.</li> <li>- There has been interest in docking on Navy Pier and there would be other communities along the coastline that would benefit.</li> <li>- Since DCEO is not on these calls, are they aware of this item and that they will be lead? Yes.</li> </ul>
<p>9. Promote increased maritime transportation of commercial goods between the Great Lakes ports and other national and international ports via the Chicago Area Waterway and Gulf of Mexico by improving economic viability and capacity of Illinois' Lake Michigan coastal ports, harbors, and marinas.</p>	<p>No comments</p>
<p>10. Protect, enhance, and restore important coastal habitats with an emphasis on public owned and accessible land and wetlands hydrologically connected to Lake Michigan.</p>	<ul style="list-style-type: none"> <li>- This recommendation is a bit vague and might need some text to clarify exactly what efforts can be completed and measured to show progress for this issue.</li> <li>- The biggest natural habitat for Lake MI is IL Beach State Park, and there is currently a large project going through permitting to restore and protect a good portion of it.</li> </ul>
<p>11. Explore the viability of Lake Michigan based offshore wind and/or wave green energy by defining acceptable and unacceptable zones of</p>	<ul style="list-style-type: none"> <li>- IDNR is already developing mapping</li> <li>- Using red (not acceptable), yellow (might be) or green (acceptable)</li> <li>- Legislation will be required?</li> </ul>

Recommendation	Comments
potential turbine construction that would abide by the Public Trust Doctrine.	- Not clear on what the recommendation is since this effort is already underway. Should clarify.

- Greg Good mentioned that IEPA has an active annual water quality monitoring program in Lake MI
  - Test for nutrients, TSS, organics, metals and sometimes test sediment. They are also watching for harmful algal blooms.
  - They test within 5 km of 63 miles of shoreline and 3 harbors.
  - They use a 26’ boat.
  - He’s mainly letting the group know about that program. No enhancements are needed at this time.
  - Loren asked if IDNR could have use of the boat for their coastal resilience monitoring or regulatory violations as Interagency collaboration. Alternately, a new vessel could be recommended to be used by a variety of agencies. Loren/Jim will think about adding this as a new recommendation. Maybe purchase a used Coast Guard vessel.
- Are invasive/non-native species an impact on commercial fishing in Lake MI? This is covered under the aquatic and riparian habitat Topic. Unless there is a specific issue related only to Lake MI and not the rest of the state and covered under the other topic, there is no need to add a recommendation in this topic section.

**Topic Discussion: Navigation – BJ Murray**

- Comments from the Task Force are listed below for the Topic Leader’s use. Blue font is suggestions for word changes noted during the meeting.
- This is a high-level overview of the topic. They focused mainly on commercial navigation but that also covers many recreational issues.
- They did not cover auto ferries but if someone thinks they should be covered, let BJ know.
- Since Cruise lines were discussed with the Lake MI topic, BJ noted that some cruise lines are considering having trips up and down the MS river. But this isn’t addressed in this section.
- BJ mentioned that he is not an expert in this topic so if there are any other agency concerns, please let him know.

Recommendation	Comments
<p>1. Providing funding to a level that consistently matches system conditions and needs will improve the safety and efficiency of the IMTS. Delays in needed maintenance can result in the need for total rehabilitation which will cost more than regular maintenance. The consistent passage of a Water Resources Development Act (WRDA) on a two-year cycle is one way to manage this need. Another is to approve “flex” funding for waterway infrastructure using existing funding sources.</p>	<p>- Is this report only for state agencies? This is a USACE function so group thought it would be best to continue monitoring.</p> <p>-Generally, we are using one lead agency but due to the IDNR/IDOT history, it might make sense to combine them for navigation issues. And the leads cannot be federal agencies.</p> <p>- Federal funding is not appropriate for the state report so funding was updated to annual funding.</p> <p>- Final column should state legislative action.</p> <p>- Maybe update this recommendation to specifically tell which funding source is recommended.</p>

Recommendation	Comments
<p>2. The State of Illinois will support the replacement of and upgrades needed to the existing infrastructure through the Illinois Port Facilities Capital Investment Grant Program and other funding opportunities. This will improve efficiency and provide for additional marine-based economic opportunities.</p>	<ul style="list-style-type: none"> <li>- Again, there are too many lead agencies. Probably becomes IDOT alone or IDNR/IDOT like No. 1</li> <li>- There currently was a 1-time stimulus funding program for capital investment in ports that should continue.</li> <li>- Perhaps move the funding statement about reestablish funding for the SRF..... to the recommendation column. Funding will simply state Annual Funding.</li> </ul>
<p>3. The State of Illinois and transportation partners will continue to pursue additional funding for lock and dam maintenance on the National Marine Transportation System (NMTS) utilizing the Waterway Trust Fund and other funding opportunities.</p>	<ul style="list-style-type: none"> <li>- Changed to be IDNR/IDOT</li> <li>- The recommendations might be to establish a Marine program in IDOT. The roles and responsibilities need to be determined. This could be a new recommendation. See new Item 10 as added during the meeting.</li> <li>- Then using that new program, fund projects for this issue and the next.</li> </ul>
<p>4. Bridge alignment and clearance issues can be eased with new construction, but that will continue to be an expensive and gradual solution. IDOT and FRA will address bridge clearance issues as existing bridges are upgraded or replaced.</p>	<ul style="list-style-type: none"> <li>- See comments for item above.</li> <li>- Need to take out extra agencies and pick one lead agency (or IDNR/IDOT)</li> <li>- If Item 10 occurs, it might make sense for IDOT to be the lead. IDNR can assist as needed but IDOT would be responsible as part of their new program (item 10).</li> <li>- This item allows open barges to pass and increase more movement of goods.</li> </ul>
<p>5. Coordinate with and track USACE, Port districts, terminal operators, marine system fleet, and harbor operators should all continue to improve operations by taking advantage of technological advancements.</p>	<ul style="list-style-type: none"> <li>- The role of the IDOT Marine program would be to coordinate and track the activities mentioned in this recommendation. Words were added during the meeting.</li> <li>- This one is hard to define since the other groups are the ones buying and installing the new equipment.</li> <li>- Work with outside groups to obtain funding. Perhaps put that in the recommendation.</li> </ul>
<p>6. The State of Illinois should promote the USACE in their channel maintenance dredging program to maintain adequate width and depth by continuing to pursue additional funding for these programs.</p>	<ul style="list-style-type: none"> <li>- This recommendation seems a bit unclear. Added text to help clarify. However, it might be ok to keep the word support like the next item.</li> <li>- Do you mean that IDOT would provide the funding or that IDOT would help find/promote using existing avenues of funding. Might need to clarify the recommendation a bit.</li> <li>- Some current widths are not adequate to allow barges to pass. The reason this issue was included was to separate from routine maintenance. To</li> </ul>

Recommendation	Comments
	allow safe passage. Maybe add that text to the recommendation.
7. The State of Illinois can support the USACE in their channel maintenance dredging program by identifying beneficial uses for dredged material in infrastructure projects and continuing to pursue additional funding for these programs.	<ul style="list-style-type: none"> <li>- Need to reduce number of lead agencies.</li> <li>- Someone asked how are we doing this effort today? Getting land rights and permission</li> <li>- Similar to above, will IDOT be providing the funding or looking for/promoting other sources? Might need to clarify.</li> <li>- The problem is that groups are not collaborating (lots of different USACE districts and agencies)</li> <li>- Maybe the change the recommendation to explore and improve the coordination and collaboration on dredging and dredge disposal.</li> </ul>
8. The IMTS is a precious natural resource, and the State should approach it in a balanced manner taking into consideration both environmental and economic ramifications.	<ul style="list-style-type: none"> <li>- This is a challenge to balance the channel deepening/widening with environmental benefits. The question is how to offset environmental concerns related to navigation improvements.</li> <li>- This recommendation is good but maybe a little vague. How will this effort be measured? Might need to provide more details about how this will be done.</li> <li>- Maybe push for dedicated funding similar to Great Lakes and MS River.</li> </ul>
9. Improve public outreach and education on Navigation via the Illinois Water Center as described in the Integrated Water Management section.	- Generic recommendation. No comments.
10. Explore and Establish centralized IDOT Marine Transportation Section with roles and responsibilities as recommended in Marine Transportation Plan.	<ul style="list-style-type: none"> <li>- New recommendation. Maybe move it up in table since many recommendations tie into this.</li> <li>- It would be good to have a centralized marine transportation system and staff that would deal with these issues on a daily basis.</li> </ul>

- Are underwater pipelines a concern and need any recommendations. Per Loren, there are statewide utility requirements in the statewide permit so if they are followed, they need to bury 3' or encase in concrete. If they don't follow the statewide permit requirements., they need to obtain an indiv permit. Most of the pipelines are in the Joliet area. Doesn't seem to be a need for any new recommendations related to this issue.

**Recommendation Table:**

- The recent topic leaders have used a previous version of the table. The agreed to version does not contain the 3 columns with checkmarks. Wes shared his screen to show the table and the currently agreed to options for the funding and action columns.
- Note, there might be more options added as the report evolves. Such as new funding vs continued funding.

- Reminder that project means something that is constructed. Study is related to the planning/design of a project.

**Table XX – Recommendations**

Issue	Recommendation	Lead Agency	Funding	Action
1. Listed issue	Description of solution to implement	State Agency	Annual One Time None Unknown	Program Policy Legislation Study Project

- The last few topics have presented lots of narrative in the issues section which is repeated in the recommendations table in more of a summary format. Sometimes the headings for issues and recommendations was combined. Per previous discussions, it was agreed that the table would be the only place to provide recommendations. The goal is to keep each section to 3-5 pages to reduce detail level for the Assembly. The issues and recommendations will be separate headings for the section.

**General:**

- Meeting Schedule:
  - 11/22/21: Water Quality and Data Management
  - Dec: Long Term Funding and Water Use Laws & Regulations
  - Jan: Erosion & Sedimentation and Climate Change
  - Wes will send out a poll for when the Dec and Jan meetings will be held.
  - March meeting to review compiled report internally before shared with public.
- Project Schedule:
  - Draft Sections due mid-Feb (basically take your section presented at the Task Force meeting and make changes as recommended by the Task Force)
  - Compiled Reports by mid-March for Task Force internal review
  - Public outreach mid-April
  - Final report mid-July
- Try to include graphics, figures, tables, maps in each section to provide interest to the reader. We will prepare one section in the new few months with examples or a template for the format for including graphic materials.
- Cross cutting issues:
  - A draft graphic will be developed for a future meeting to discuss.
  - Each topic leader should keep track of cross-cutting issues and recommendations to share with those developing the cross-cutting graphics.

**Schedule:** The schedule will be revised and posted on the website.

**Next Meeting Outline:** It was determined using a poll that the next meeting will be set for **November 22, 2021 at 9:00 A.M.** to be held via Web-Ex. The agenda will include a discussion about 2 topics to

identify cross-cutting issues and recommendations. If time remains, we'll talk about report section format and the cross-cutting maps/spreadsheets.

The meeting was concluded at 11:05 A.M.