

Talking Points: Reasons to oppose HB 3099

HB3099 proposes government unit consolidation by combining the DuPage County Forest Preserve under County Board rule. As of 2002, the Forest Preserve has been a separate government entity in DuPage County. HB 3099 proposes that the county board Chairman appoint an environmentalist to vet forest preserve decisions made after the two agencies are combined. **HB 3099 was amended during the week of 3/16/15 to include a clause allowing for communities with populations > 3M to separate forest preserve rule from county government.** DuPage County has a population of approximately 1M. HB 3099 is in committee and will be up for vote on 3/25/15. **MOST RECENT AMMENDMENT:** Stipulates that forest preserve landfill reserves are to be frozen upon the bill being enacted.

Reasons to oppose HB3099:

1. There is an inherent conflict of interest between County governance and land management. The County develops land and builds roads. The forest preserve is mandated by the Downstate Forestry Act to preserve and restore land. An example of this conflict of interest is Currier School, built in Blackwell Forest Preserve and Diehl Rd, which cuts through McDowel Forest Preserve. Both of these projects were approved when the forest preserve was managed by the county board.
2. The forest preserve currently has \$250 million in cash reserves, held in escrow, that the County would manage once the two agencies combined. These reserves are earmarked for mitigation of landfill problems, should any of the district's five landfills experience problems. It would be dangerous and irresponsible to use this money for any purpose other than landfill mitigation. These cash reserves are not derived from tax dollars; they are saved from landfill tipping fees and produce interest income that is used to offset the district's annual budget. In actual practice, these cash reserves save tax payer dollars and guard against future tax payer liability in the event of a landfill problem. **The most recent amendment to HB 3099 would freeze landfill escrow money immediately upon the bill being enacted, even though the consolidation would not occur until 2018.**
3. HB 3099 suggests that combining the two agencies would save tax payers around \$500,000. Yet there is no formal financial statement showing the actual savings against future expenses (such as salary and benefits for a full time environmentalist). At the very least, a balance sheet showing potential savings against future expenses should be considered prior to discussion of combining the two agencies. Additionally, basing a land management decision solely on cost savings does not take into consideration intangible values, such as benefits of open space on the environment, flood mitigation and stormwater management, property values, and physical and mental health.
4. The forest preserve is not an environmental agency. Its primary purposes is land management. A county board chairman appointed environmentalist may not be the most qualified person to make land management decisions and an appointed employee may not be free to argue for best practice management when pressured by county board members to decide in favor of constituent demands for land development. This is the current case with St. Francis Academy and Belleau Woods, for example.
5. Other county boards in Illinois are moving toward separating forest preserves from county board governance. In fact, Cook County has prepared a document arguing the benefits of separation and plans to begin proceeding with separation in the coming year or two.
6. It is bad precedent for state government to take away local county planning and management rights without full disclosure of financial costs, management risks and consideration of intangible benefits/drawbacks to the public.
7. Note that, when the original county board voted for the separation that occurred in 2002, the vote was 100% in favor of separating the two boards.

Contact Shannon Burns for more information about action you can take to oppose HB3099.

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