



LAKE COUNTY FOREST PRESERVES

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Preservation, Restoration, Education and Recreation

DATE: April 30, 2018
MEMO TO: Carol Calabresa, Chair
Planning Committee
FROM: Alex Ty Kovach
Executive Director

REQUEST: Provide policy direction regarding the request from Riverwoods Land Venture, LLC for the Lake County Forest Preserve District (District) to execute an Environmental Land Use Control (ELUC) and record it against up to 18.4 acres of District property at the Cahokia Flatwoods Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Leadership

FINANCIAL DATA: None

BACKGROUND: Riverwoods Land Venture, LLC (Owner) owns a 37-acre parcel (Property) near the southeast corner of Milwaukee Avenue and Deerfield Road and adjacent to Cahokia Flatwoods Forest Preserve. The Property is 37 acres in size. Nine acres are located within the Village of Riverwoods and the rest is within unincorporated Vernon Township. An old, closed landfill is located within both the Property and Cahokia Flatwoods. The Owner is trying to obtain a No Further Remediation (NFR) letter from the Illinois Environmental Protection Agency (IEPA) so that it can redevelop the Property. Staff has been advised that the Property owner and Riverwoods are negotiating to annex the entire Property (37 acres) into Riverwoods. To obtain the NFR letter, Owner must first obtain an ELUC from the District that would be recorded against Cahokia Flatwoods and would prevent groundwater from an 18.4-acre portion of Cahokia Flatwoods from being used as a potable water supply. The Villages of Riverwoods and Buffalo Grove have both approved ordinances prohibiting the potable use of groundwater in areas around the old landfill. Both ordinances recite the villages' desire to protect public health "while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents." In addition, staff has spoken to the mayor of Riverwoods, who spoke in favor of the redevelopment of the property.

If Owner can obtain the NFR letter, it will be positioned to repurpose an old landfill and help in the economic development of the area. The Villages of Riverwoods and Buffalo Grove have already approved ordinances prohibiting the use of groundwater as a potable water supply for properties surrounding the old landfill site.

This request differs from previous requests that the District has received to execute ELUC's. First, both Riverwoods (which includes a portion of, and plans to annex the remainder of, the Property) and Buffalo Grove (a neighboring municipality) have already taken formal action to promote the redevelopment of the property. Second, the District property that would be burdened with the ELUC was also part of a landfill and, as such, would almost certainly never be appropriate as a source for potable groundwater.

Staff believes that, by executing the ELUC, the District can promote intergovernmental cooperation and foster future development of the old landfill site, without prejudicing the District's interests. If the Committee agrees, it would be appropriate for the Committee to direct staff and counsel to negotiate an appropriate ELUC with the Owner that would come back to the Planning Committee for its review and recommendation.

REVIEW BY OTHERS: Corporate Counsel.