



STORMWATER MANAGEMENT COMMISSION

We hope to see you at the next TAC meeting on **Thursday, October 17, 2019** at 9:00 AM.

The meeting will be held at:

Lake County Central Permit Facility
500 W. Winchester
Second Floor - Large Conference Room
Libertyville, IL 60048

Meeting Topics:

- WDO amendments



STORMWATER MANAGEMENT COMMISSION

**TECHNICAL ADVISORY COMMITTEE
AGENDA**

October 17, 2019

9:00 AM – 12:00 PM

500 W. Winchester, Libertyville, Illinois



- 1.0 CALL TO ORDER
- 2.0 ADDITIONS TO THE AGENDA
- 3.0 PUBLIC COMMENT
- 4.0 STAFF REPORT
 - 4.1 Welcome Joel Krause – New TAC Alternate
 - 4.2 ASCE EWRI Bulletin 70 Workshop – October 23
 - 4.3 ASCE EWRI Permitting Workshop – November 7
 - 4.4 Gary Jeréb Retirement
 - 4.5 November 21 TAC Meeting Time Change
- 5.0 APPROVAL OF THE MINUTES
 - 5.1 September 19, 2019 Minutes
Action Requested: APPROVAL
- 6.0 OLD BUSINESS
 - 6.1 WDO Amendment #5 – 302.02 Exempted Developments
Action Requested: APPROVAL
 - 6.2 WDO Amendment #6 – 501.06 Developed Soil HSG
Action Requested: APPROVAL
 - 6.3 WDO Amendment #7 – 501.07 NEW/CLARIFICATION Native Plantings Incentive
Action Requested: APPROVAL
- 7.0 NEW BUSINESS
 - 7.1 WDO Amendment #8 – 401.05 Updated Hydric Soil Classification
Action Requested: APPROVAL
 - 7.2 WDO Amendment #9 – 600.09 Permanent Stabilization 90% Requirement
Action Requested: APPROVAL
 - 7.3 WDO Amendment #10 – 600.11 Steep Slope Failures
Action Requested: APPROVAL

- 7.4 WDO Amendment #11 – 100 Introduction
Action Requested: APPROVAL
- 7.5 WDO Amendment #12 – 504.02 Water Quality Treatment
Action Requested: APPROVAL
- 7.6 WDO Amendment #13 – 1008.02 Detention in Isolated Waters of Lake County
Action Requested: APPROVAL
- 7.7 WDO Amendment #14 – Appendix A: Definitions
Action Requested: APPROVAL
- 7.8 WDO Amendment #15 – Appendix J: Watershed Specific Release Rates
Action Requested: APPROVAL

8.0 ADJOURNMENT

Technical Advisory Committee

<p>James Anderson <i>(Term Expires May 2020)</i> Director of Natural Resources LC Forest Preserve District 1899 W. Winchester Rd. Libertyville, IL 60048 Phone: 847-968-3282 Fax: 847-367-6649 Email: janderson@lcfpd.org</p>	<p><u>Alternates</u> John Nelson Director of Operations & Infrastructure LC Forest Preserve Dist. 19808 W. Grand Avenue. Lindenhurst, IL 60046 Phone: 847-968-3407 Fax: 847-367-6649 Email: jnelson@lcfpd.org</p> <p>Ken Klick Restoration Ecologist LC Forest Preserve Dist. 1899 W. Winchester Rd. Libertyville, IL 60048 Phone: 847-968-3284 Fax: 847-367-6649 Email: kklick@lcfpd.org</p>	<p>Tom Polzin (Vice Chairman) <i>(Term Expires May 2020)</i> Hey & Assoc., Inc. 26575 W. Commerce Dr., Ste. 601 Volo, IL 60073 Phone: 847-740-0888 Fax: 847-740-2888 Email: tpolzin@heyassoc.com</p>	<p><u>Alternate</u> Vince Mosca Hey & Assoc., Inc. 26575 W. Commerce Dr., Ste. 601 Volo, IL 60073 Phone: 847-740-0888 Fax: 847-740-2888 Email: vmosca@heyassoc.com</p>
<p>Mike Zemaitis <i>(Term Expires May 2020)</i> Engineer of Design LC Division. of Transportation 600 Winchester Rd. Libertyville, IL 60048 Phone: 847-377-7400 Fax: 847-362-5290 Email: mzemaitis@lakecountyil.gov</p>	<p><u>Alternate</u> AI Giertych Assist. County Engineer LC Division of Transportation 600 Winchester Rd. Libertyville, IL 60048 Phone: 847-377-7400 Fax: 847-362-5290 Email: agiertych@lakecountyil.gov</p>	<p>Pat Bleck <i>(Term Expires May 2020)</i> Bleck Engineering Co., Inc. 1375 Western Ave. Lake Forest, IL 60045 Phone: 847-295-5200 Fax: 847-295-7081 Email: pbleck@bleckeng.com</p>	<p><u>Alternate</u> Joy Corona Bleck Engineering Co., Inc. 1375 Western Ave. Lake Forest, IL 60045 Phone: 847-295-5200 Fax: 847-295-7081 Email: jcorona@bleckeng.com</p>
<p>Patrick Glenn <i>(Term Expires May 2020)</i> Senior Engineer Gewalt Hamilton Assoc. Inc. 625 Forest Edge Dr. Vernon Hills, IL 60061 Phone: 847-478-9700 Fax: 847-478-9701 Email: pglenn@gha-engineers.com</p>	<p><u>Alternate</u> Mei Zhu Senior Engineer Gewalt Hamilton Assoc. Inc. 625 Forest Edge Dr. Vernon Hills, IL 60061 Phone: 847-478-9700 Fax: 847-478-9701 Email: mzhu@gha-engineers.com</p>	<p>Bill Heinz <i>(Term Expires May 2020)</i> Village of Grayslake 585 Berry Ave. Grayslake, IL 60030 Phone: 847-223-2323 Fax: 847-223-4821 Email: wheinz@villageofgrayslake.com</p>	<p><u>Alternate</u> Kurt Baumann Baxter & Woodman 442 N. Cedar Lake Rd. Round Lake, IL 60073 Phone: 815-444-3313 Email: baumann@baxterwoodman.com</p>
<p>Kathy Chernich <i>(Term Expires May 2020)</i> U.S. Army Corp. of Engineers 231 LaSalle St., Ste. 1500 Chicago, IL 60604 Phone: 312-846-5531 Fax: 312-353-4110 Email: Kathy.G.Chernich@usace.army.mil</p>	<p><u>Alternate</u> Kaitlyn Pascus U.S. Army Corp. of Engineers 231 LaSalle St., Ste. 1500 Chicago, IL 60604 Phone: 312-846-5533 Fax: 312-353-4110 Email: kaitlyn.a.pascus@usace.army.mil</p>	<p>Peter Manhard <i>(Term Expires May 2020)</i> Manhard Consulting One Overlook Point, Suite 290, Lincolnshire, IL 60069 Phone: 847-634-5550 Fax: 847-634-0095 Email: pmanhard@manhard.com</p>	<p><u>Alternate</u> Bill Hupperich Manhard Consulting, Ltd. One Overlook Point, Suite 290, Lincolnshire, IL 60069 Phone: 847-634-5550 Fax: 847-634-0095 Email: whupperich@manhard.com</p>

Technical Advisory Committee

<p>Don Dressel (Chairman) <i>(Term Expires May 2020)</i> Christopher Burke Engineering 9575 W. Higgins Rd., Ste. 600 Rosemont, IL 60018-4920 Phone: 847-823-0500 Fax: 847-823-0520 Email: Ddressel@cbbel.com</p>	<p><u>Alternates</u> Kay Whitlock Christopher Burke Engineering 9575 W. Higgins Rd., Ste. 600 Rosemont, IL 60018-4920 Phone: 847-823-0500 Fax: 847-823-0520 Email: kwhitlock@cbbel.com</p> <p>Scott Griffith Christopher Burke Engineering 9575 W. Higgins Rd., Ste. 600 Rosemont, IL 60018-4920 Phone: 847-823-0500 Fax: 847-823-0520 Email: sgriffith@cbbel.com</p>	<p>Ramesh Kanapareddy <i>(Term Expires May 2020)</i> City of Highland Park 1150 Half Day Rd. Highland Park, IL 60035 Phone: 847-432-9907 Fax: 847-432-0807 Email: rkanapareddy@cityhpil.com</p>	<p><u>Alternate</u> Manny Gomez City of Highland Park 1150 Half Day Rd. Highland Park, IL 60035 Phone: 847-432-1186 Fax: 847-432-0807 Email: egomez@cityhpil.com</p>
<p>Eric Steffen <i>(Term Expires May 2020)</i> Operations Manager Lake County Planning Building & Development 500 W. Winchester Rd. Libertyville, IL 60048 Phone: 847-377-2109 Fax: 847-984-5853 Email: esteffen@lakecountyil.gov</p>	<p><u>Alternates</u> Brian Frank Principal Engineer Lake County Planning, Building & Development 500 W. Winchester Rd. Libertyville, IL 60048 Phone: 847-377-2086 Fax: 847-984-5853 Email: bfrank@lakecountyil.gov</p> <p>Joel Krause Senior Engineer Lake County Planning, Building & Development 500 W. Winchester Rd. Libertyville, IL 60048 Phone: Fax: 847-984-5853 Email: jkrause@lakecountyil.gov</p>	<p>Heather Galan <i>(Term Expires May 2020)</i> Village Engineer Village of Gurnee 325 N. O'Plaine Rd. Gurnee, IL 60031 Phone: 847-599-7582 Fax: 847-623-9475 Email: hgalan@village.gurnee.il.us</p>	<p><u>Alternates</u> Nicholas Leach Village of Gurnee 325 N. O'Plaine Rd. Gurnee, IL 60031 Phone: 847-599-7586 Fax: 847-623-9475 Email: nleach@village.gurnee.il.us</p> <p>Dave Ziegler Director of Community Development Village of Gurnee 325 N. O'Plaine Rd. Gurnee, IL 60031 Phone: 847-599-7550 Fax: 847-623-9475 Email: davidz@village.gurnee.il.us</p>

TECHNICAL ADVISORY COMMITTEE
MEETING MINUTES
September 19, 2019
Lake County Stormwater Management Commission
500 W. Winchester, Libertyville, IL

1.0 CALL TO ORDER 9:06 AM

TAC Members & Alternates	Staff Present	General Public
Brian Frank	Mike Warner	Scott Griffith
Donald Dressel	Kurt Woolford	Darren Olson
Kathy Chernich-arrived at 9:32am	Kelcey Traynoff	Ron Milanesio
Mei Zhu		Peter Monko
Dave Ziegler		
Jim Anderson		
Kurt Baumann-arrived at ~9:15am		
Tom Polzin		
Joy Corona		
Bill Hupperich		

2.0 ADDITIONS TO THE AGENDA – None

3.0 PUBLIC COMMENT- None

4.0 STAFF REPORT-

Mr. Kurt Woolford started the discussion by informing TAC that Lake County experienced major flooding along the Des Plaines River and the Chain. Lake County staff members performed damage assessments using a new app available through the iPads. Mr. Woolford also mentioned that Matt Meyers, from PB&D, was appointed Assistant County Administrator.

5.0 APPROVAL OF THE MINUTES

Mr. Tom Polzin moved to approve the August 15, 2019 TAC minutes, seconded by Mr. Jim Anderson.
Vote: Approved 8-0-0.

6.0 OLD BUSINESS

6.1 Mr. Darren Olson presented on the site-specific detention analysis for Foxconn. Mr. Olson explained that the goal of the analysis was to determine the difference in net buildable area and to compare this area if it were built in both Wisconsin and Illinois, based on the current and updated rainfall. Some TAC members recommended the analysis should show the percentage increase in unbuildable land.

6.2 Mr. Peter Monko from MWRD presented on the WMO composite curve number reduction for volume control practices and gave an update on the unit area detention sizing charts. Mr. Monko explained that MWRD will also be using the new rainfall data, along with making the release rates more restrictive. Mr. Monko explained and demonstrated the CN adjustment calculator MWRD created and presented on volume control underdrain reduction. Mr. Kurt Woolford asked TAC if there was an objection or consensus on moving towards a CN chart rather than a curve. There were no objections and it was thought to be beneficial to use CNs instead of percent impervious for the detention sizing curves.

6.3 WDO Amendment #1a for Appendix I: Rainfall Depth Duration Frequency Table was discussed. Ms. Joy Corona motioned to approve this amendment, seconded by Ms. Mei Zhu. Vote: Approved 9-0-1 (Ziegler abstain)

- 6.4 WDO Amendment #1b for Appendix I: Huff Rainfall Distributions was briefly discussed. This amendment was tabled for later discussion, after the 2nd report is issued by ISWS. Vote: 10-0-0 (unanimous).
- 6.5 WDO Amendment #2 for WDO Section 507.01.B: Emergency Overflow Top of Impoundment was discussed. Mr. Kurt Baumann motioned to approve this amendment, seconded by Bill Hupperich. Vote: 7-3-0. (Nay: Anderson, Polzin, Ziegler)
- 6.6 WDO Amendment #3 for WDO Section 509.04: Fee-In-Lieu for Volume Above 50-year was discussed. TAC members discussed the need for additional criteria and that a draft program implementation document (similar to SMC's Wetland Restoration Fund) be developed and brought back for TAC deliberation. The amendment was not voted on but, there was a unanimous consent vote to develop the draft program language for future approval.
- 6.7 WDO Amendment #4 for the Des Plaines River Mainstem FPE was discussed. After much discussion on the methodology, TAC members provided suggestions for additional technical analyses. Mr. Jim Anderson motioned to table this amendment, seconded by Ms. Joy Corona. Vote: 10-0-0 (unanimous).
- 6.8 WDO Amendments #5, #6, and #7 were not discussed due to time.

7.0 NEW BUSINESS - None

8.0 ADJOURNMENT

Motion to adjourn by Mr. Kurt Baumann, seconded by Mr. Dave Ziegler. Meeting adjourned at 12:17PM
Vote: Approved 10-0-0 (unanimous).



UPDATED BULLETIN 70 SEMINAR

The Environmental & Water Resources Institute (EWRI) is proud to present the **UPDATED BULLETIN 70 SEMINAR**. Following a presentation by the Illinois State Water Survey and the new State Climatologist, various agencies will present the impacts the updated rainfall will have on their respective ordinances/requirements. The presentations will be followed by a panel discussion. Topics will include:

- Implementation Date
- Grandfathering Projects
- Last Date for Applications Using the Current Rainfall
- Impacts to New Developments
- Impacts to Partially Developed Sites



Illinois Section
Founded 1916

DATE:
October 23, 2019

LOCATION:
Fountain Blue
2300 Mannheim Road
Des Plaines, IL 60018

TIME:
9:00 am – 3:00 pm

COST:
\$100.00
ASCE/EWRI Members

\$75.00
Government Employees

\$125.00
Non-Members



PRESENTERS AND PANEL DISCUSSION REPRESENTATIVES FROM:

- ISWS
- MWRD
- LCSMC
- McHenry County
- DuPage County
- City of Chicago
- IDNR
- IDOT
- ISTHA
- CCTHD

WHO SHOULD ATTEND?

Consulting engineers, municipal/government engineers, water resources planners, land development engineers, young engineers, land developers, and other professionals looking to learn about new requirements.

Registration deadline is **October 16, 2019**. This seminar has limited capacity, so register today!

A continental breakfast and lunch will be served. Contact Jeana Gowin at jgowin@cbbel.com or 847-823-0500 for more information.

To register, visit <https://www.123signup.com/register?id=rsyys>

SPONSORSHIP OPPORTUNITIES:

- Bronze:** \$200 (includes registration for 1 attendee)
- Silver:** \$350 (includes registration for 2 attendees)
- Gold:** \$500 (includes registration for 3 attendees)

**EARN
4 PDHS!**

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IAFSM

*Illinois Association for
Floodplain and Stormwater Management*

After almost 40 years, Gary Jereb is retiring from the IDNR-OWR. Please join us on **Thursday, November 21st** in our Bartlett office to celebrate Gary's retirement.

 [Image result for confetti clipart](#)

Chipotle taco lunch will be served at 12pm. Price is \$25 which includes lunch, soft drinks/water, cake and his gift.

Please RSVP by Nov. 13th to Cathy Reilly at 847/608-3112 or by email at Cathy.Reilly@Illinois.gov

The party will be at 2050 W. Stearns Road, Bartlett, IL 60103 at the James Pate Philip State Park

If you can't make it for lunch, well-wishers are welcome all day. Please pass this invite to anyone that I may have missed. Thank you!



WDO AMENDMENTS FOR TAC – October 17, 2019

WDO Amendment #5 § 302.02 Exempted Developments

Annexation agreements, final plats, Planned Unit Developments, site development permits, or current building permits approved between October 18, 1992 and ~~July 10, 2012~~ **[Lake County Board WDO Adoption DATE + six (6) months]** if the approved plans and designs are in conformance with the ~~pre-[Lake County Board WDO Adoption DATE] July 10, 2012~~ Ordinance provisions. That portion of any annexation agreement, final plat, Planned Unit Development, site development permit, or current building permit which is amended after **[DATE + 6 months]** ~~the effective date of this Ordinance~~ and which affects the stormwater management system is not exempt from the provisions of this Ordinance.

Purpose: Allowance for exemptions (e.g., Appendix I: Rainfall) to be requested up to 6 months after effective WDO adoption date. Sets a consistent target date for all Communities to use [WDO Date + 6 months]. Communities typically adopt the WDO within 90 days after Lake County Board approval (anticipated March 2020).

TAC Vote:

WDO Amendment #6 § 501.06 Developed Soil HSG

For determination of soil runoff characteristics, areas of the development that are hydrologically disturbed and compacted shall be changed to the **next higher that hydrologic soil types' highest runoff potential/soil** group classification **e.g., B to C, C to D**. Soil groups that are not hydrologically disturbed will retain their current runoff characteristics. ~~Areas that are deed or plat restricted for native planting areas may be determined to have lower runoff characteristics, and may be taken into account when meeting the runoff volume reduction requirements of this Ordinance (503.02). The Enforcement Officer may determine these areas are not hydrologically disturbed and may be removed from the required detention volume calculation.~~

Purpose: Clarify how HSG's are changed for hydrologically disturbed areas. Separate native planting section into new paragraph – see amendment #7.

TAC Vote:

WDO Amendment #7
§ 501.07 Native Planting Incentive

Areas that are deed or plat restricted for native planting areas may be determined to have lower runoff characteristics, and may be taken into account when meeting the runoff volume reduction requirements of this Ordinance (503.02). ***The Enforcement Officer may determine these areas are not hydrologically disturbed and may be removed from the required detention volume calculation.***

Purpose: Separated from 501.06 to clarify incentive for native planting areas.

TAC Vote:

WDO Amendment #8
§ 401.15 Updated Hydric Soil Classification

If the soil mapping submitted for the development indicates the presence of ***soils classified as a hydric soil (USDA/NRCS Soil Classification) in its very poorly drained condition*** ~~the soils listed in this subsection~~, then the applicant shall provide site-specific soil mapping performed by a certified soil classifier for the development. No buildings shall be constructed on these soils unless appropriate building methods, such as pilings, caissons, or removal and replacement of unsuitable soils, as approved by the Enforcement Officer, are used to provide and protect a suitable building foundation.

~~**Soils classified as a hydric soil (USDA/NRCS Soil Classification) in its very poorly drained condition or the following three soil classification in any condition:**~~

- ~~A. **Houghton Muck (W103)**~~
- ~~B. **Houghton Peat (W97)**~~
- ~~C. **Peetone Silty Clay Loam (W330)**~~

Development that is exempted from this requirement is any development activity not resulting in the construction of a building.

Purpose: Capture all current poorly drained hydric soils per 2005 Lake County Soil Survey e.g., Houghton Peat (W97) does not exist, while many others are included.

TAC Vote:

WDO Amendment #9
§ 600.09 Permanent Stabilization 90% Requirement

All temporary soil erosion and sediment control measures shall be removed within thirty (30) days after final site stabilization is achieved or after the temporary measures are no longer needed. Trapped sediment and other disturbed soil areas shall be permanently stabilized ***with a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 90 percent on all unpaved areas and areas not covered by permanent structures.***

Purpose: Clarify and codify 90% vegetative cover requirement for permanent stabilization. Mirrors IEPA ILR10 language which requires 70 percent. SMC requires 90 percent.

TAC Vote:

WDO Amendment #10
§ 600.11 Steep Slope Failures

Earthen embankments shall be constructed with side slopes no steeper than 3H:1V. Steeper slopes may be constructed with appropriate ***analysis, design, specification, and*** stabilization as approved by the Enforcement Officer.

Purpose: Recent issues concerning large embankment safety, slope stability, and localized slide failures.

TAC Vote:

WDO Amendment #11
§ 100 Introduction

This Ordinance is one part of the adopted Lake County Comprehensive Stormwater Management Plan. It sets forth the minimum requirements for the stormwater management aspects of development in Lake County. The Lake County Stormwater Management Commission is the corporate enforcement authority for the Ordinance. Illinois Compiled Statutes Chapter 55, Act 5, Section 5-1062 [55 ILCS 5/5-1062] states, “The purpose of this Section is to allow management and mitigation of the effects of urbanization on stormwater drainage... by consolidating the existing stormwater management framework into a united, countywide structure...” The Lake County Comprehensive Stormwater Management Plan, adopted by Ordinance on June 11, 1990 states, “... that the regulations be uniformly and consistently enforced throughout the County by all agencies.” While local conditions may sometimes require extraordinary regulatory measures, the Lake County Stormwater Management Commission (SMC) has determined that uniform and consistent enforcement will be enhanced by municipalities adopting the standards of the Watershed Development Ordinance. In those instances where the requirements of this Ordinance are not stipulated in a municipal ordinance or do not meet the minimum requirements herein, this Ordinance shall prevail. ~~It is recognized that~~ A community has an individual right to enact **stricter** standards beyond the minimum standards presented in this Ordinance. The SMC has developed ~~a~~ Technical **Reference Manual Guidance Memorandums** which ~~is a~~ **are** recommended guides for users of this Watershed Development Ordinance (WDO).

Purpose: 1) Clarify that community Ordinances can be more restrictive. 2) Remove all TRM references as the manual is no longer supported by SMC. TGMs are now used.

TAC Vote:

WDO Amendment #12
§ 504.02 Water Quality Treatment

Prior to discharging to Waters of the United States, Isolated Waters of Lake County, or adjoining property, the development shall divert and detain at least the first 0.01 inch of runoff for every 1% of impervious surface for the development with a minimum volume equal to 0.2 inch of runoff (e.g., 20% or less impervious = 0.2-inch, 50% impervious = 0.5-inch, 90% impervious = 0.9-inch); or provide an equivalent level of treatment of runoff as approved by the Enforcement Officer and consistent with ~~the~~ best management practices. ~~guidance contained in the Technical Reference Manual.~~

Purpose: Remove all TRM references as the manual is no longer supported by SMC. Optionally, reference a Technical Guidance Memorandum, if desired.

TAC Vote:

WDO Amendment #13
§ 1008.02 Detention in Isolated Waters of Lake County

The following shall apply when using Isolated Waters of Lake County for detention and not for wetland enhancement mitigation credit:

- A. The applicant shall use a “wetland detention basin” design ~~as provided in the Technical Reference Manual (TRM)~~, and shall re-establish vegetation within the detention basin using the Native Plant Guide for Streams and Stormwater Facilities in Northeastern Illinois, NRCS, et al., (as amended) as a minimum standard for the re-vegetation plan.

Purpose: Remove all TRM references as the manual is no longer supported by SMC. This section is under the Wetlands section of the WDO and would be administered by a Certified Wetland Specialist. Optionally, reference a Technical Guidance Memorandum, if desired.

TAC Vote:

WDO Amendment #14
§ Appendix A: Definitions

~~**Technical Reference Manual (TRM): The Lake County Stormwater Management Commission Technical Reference Manual. This manual contains design guidance for a development site to meet the Watershed Development Ordinance performance standards.**~~

Purpose: Remove all TRM references as the manual is no longer supported by SMC.

TAC Vote:

WDO Amendment #15
§ Appendix J: Watershed Specific Release Rates

WATERSHED		Release Rates (cfs/acre)		
	MAJOR TRIBUTARIES	100 Year	2 Year	
	MINOR TRIBUTARIES	Storm Event	Storm Event	Comments ^{1/}

...

LAKE MICHIGAN ^{2/}				
	Bluff/Ravine	0.150	0.040	WDO Maximum Allowable
	Dead River	0.150	0.040	WDO Maximum Allowable
	Bull Creek	0.150	0.040	WDO Maximum Allowable
	Kellogg Creek	0.150	0.040	WDO Maximum Allowable
	Pettibone Creek	0.150	0.040	WDO Maximum Allowable
	Waukegan River	0.150	0.040	WDO Maximum Allowable

...

1/ Individual Communities within these watershed boundaries may have more restrictive release rates.

2/ Development adjacent to the Lake Michigan shoreline is not required to meet the release rate requirements of §502.01 if all of the following conditions are met:

- A. The development discharges stormwater to a maintainable outlet with adequate downstream stormwater capacity (as defined in Appendix A: Definitions) and will not result in increased flood and drainage hazard;**
- B. The development complies with the water quality treatment requirements of §504.**

Purpose: Provide reasonable detention requirements for developments adjacent to Lake Michigan. Consistent with MWRD WMO.

TAC Vote:

"Contractor" means a person or firm that undertakes a contract to provide materials or labor to perform a service or do a job related to construction of the project authorized by this permit.

"CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et seq.).

"Dedicated portable asphalt plant" A portable asphalt plant that is located on or contiguous to a construction site and that provides asphalt only to the construction site that the plant is located on or adjacent to. The term dedicated portable asphalt plant does not include facilities that are subject to the asphalt emulsion effluent limitation guideline at 40 CFR 443.

"Dedicated portable concrete plant" A portable concrete plant that is located on or contiguous to a construction site and that provides concrete only to the construction site that the plant is located on or adjacent to.

"Dedicated sand or gravel operation" An operation that produces sand and/or gravel for a single construction project.

"Director" means the Director of the Illinois Environmental Protection Agency or an authorized representative.

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and either of the two following conditions are met:

- (i) A uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or
- (ii) Equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

For individual lots in residential construction, final stabilization means that either:

- (i) The homebuilder has completed final stabilization as specified above, or
- (ii) The homebuilder has established temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization.

"Large and Medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

- (i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
- (ii) Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
- (iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

"NOT" means notice of termination of coverage by this permit (See Part II of this permit.)

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated that meet the description of the facilities listed in this paragraph (i)-(x)) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this paragraph);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28, 29, 311, 32, 33, 3441, 373;

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- (1) Be approved under a **Watershed Management Permit** meeting all of the requirements of Article 5 of this **Ordinance**;
 - (2) Provide one hundred percent (100%) of the deficient onsite volume for the associated **development**;
 - (3) Capture **stormwater runoff** from a **property holding** that is not tributary to an existing **stormwater detention facility**;
 - (4) Be functional before the **applicant** requests final inspection of the associated traded **development**;
 - (5) Provide a trade agreement for perpetual **maintenance** of the **offsite detention facility** between all parties that have an **interest** in the **offsite detention facility** and obligates the parties' successors and assigns to perpetually maintain the **offsite detention facility**.
 - (6) Record the recording submittal specified in §307 of this **Ordinance** with the Cook County Recorder of Deeds to ensure perpetual existence, function, trade agreement, and **maintenance**.
17. The **detention facility** shall be constructed prior to or concurrently with other construction on the **project** and shall be completed and functional prior to occupancy or **sanitary sewers** being placed in service, and prior to the Request for Final Inspection (RFI).
18. A **development** is not required to comply with the detention requirements per §504.1 of this **Ordinance** if all of the following conditions are met:
- A. The **development** discharges **stormwater** to a **stormwater facility** that is tributary to Lake Michigan;
 - B. The downstream receiving **stormwater facility** has adequate capacity as determined by the governing **municipality**;
 - C. The **development** complies with the volume control requirements of §503 of this **Ordinance**; and
 - D. The **development** intercepts and treats all onsite **stormwater runoff** to improve water quality prior to discharge.

§ 505. Development and Redevelopment Tributary to Existing Detention Facilities

1. Incidental disturbance to an **existing detention facility** to provide the new required additional detention volume may be considered **non-qualified development**.