



STORMWATER MANAGEMENT COMMISSION

We hope to see you at the next TAC meeting on **Thursday, December 19, 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 amendment #3
- Fee-In-Lieu of Storage above 50-Year Detention Volume Program



STORMWATER MANAGEMENT COMMISSION

**TECHNICAL ADVISORY COMMITTEE
AGENDA**

December 19, 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 TAC 2020 Schedule
 - 4.2 Updated Bulletin 70 Part 2 (<https://www.ideals.illinois.edu/handle/2142/106006>)
- 5.0 APPROVAL OF THE MINUTES
 - 5.1 November 21, 2019 Minutes
Action Requested: APPROVAL
- 6.0 OLD BUSINESS
 - 6.1 Program for Fee-In-Lieu Option For Storage above 50-year, 24-hour (FIL50) Detention Volume
Action Requested: APPROVAL
 - 6.2 WDO Amendment #3 – 509.04 Fee-In-Lieu Option For Storage above 50-year, 24-hour Detention Volume [7.5”]
Action Requested: APPROVAL
- 7.0 NEW BUSINESS
- 8.0 ADJOURNMENT

Technical Advisory Committee

<p>James Anderson (Term Expires May 2020) 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) (Term Expires May 2020) 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 (Term Expires May 2020) 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 (Term Expires May 2020) 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 (Term Expires May 2020) 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 (Term Expires May 2020) 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 (Term Expires May 2020) 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 (Term Expires May 2020) 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 2020 Meeting Schedule

Pursuant to the Open Meetings Act, public notice is hereby given that the Lake County Stormwater Management Commission's Technical Advisory Committee will meet monthly at **9:00 a.m.** at the Lake County Central Permit Facility, 2nd Floor Conference Room, 500 W. Winchester Road, Libertyville IL 60048.

January 16, 2020

February 20, 2020

March 19, 2020

April 16, 2020

May 21, 2020

June 18, 2020

July 16, 2020

August 20, 2020

September 17, 2020

October 15, 2020 (TO BE HELD AT LC DIV. OF TRANSPORTATION)

November 19, 2020 (TO BE HELD AT LC DIV. OF TRANSPORTATION)

December 17, 2020 (TO BE HELD AT LC DIV. OF TRANSPORTATION)

TECHNICAL ADVISORY COMMITTEE
MEETING MINUTES
November 21, 2019
Lake County Stormwater Management Commission
500 W. Winchester, Libertyville, IL

1.0 CALL TO ORDER 9:04 AM

TAC Members & Alternates	Staff Present	General Public
Manny Gomez	Mea Blauer	Scott Griffith
Donald Dressel	Ernesto Huaracha	Jacob Wellbank
Kathy Chernich-arrived at 9:16am	Kurt Woolford	Susan Novak
Mei Zhu		Rich McMorris
Heather Galan		Lisa Woolford
Kurt Baumann		
Tom Polzin		
Joy Corona		
Bill Hupperich		
Jim Anderson		
Brian Frank		

2.0 ADDITIONS TO THE AGENDA – None

3.0 PUBLIC COMMENT- None

4.0 STAFF REPORT-

4.1 Mr. Kurt Woolford presented a special recognition for SMC’s retired legal counsel James Bakk. Mr. Bakk was instrumental in the creation and development of SMC’s regulatory program. His 30+ years of SMC service included legal review of all WDO language prior to SMC approval.

4.2 Mr. Woolford briefly mentioned that the ISWS Report #2 (updated Huff Distributions) has not been released, but a presentation at a recent ASCE conference included an update. The update distributions, as shown in the presentation, did not appear to be significantly different than the current distributions. Once the Report #2 is released, TAC will review for necessary WDO changes [WDO Amendment #1b].

5.0 APPROVAL OF THE MINUTES

Mr. Kurt Baumann moved to approve the October 17, 2019 TAC minutes, seconded by Ms. Heather Galan. Vote: Approved 8-0-2 (Abstain: Anderson, Frank)

6.0 OLD BUSINESS

6.1 Discussion continued on WDO Amendment #3 for new WDO Section 509.04: Fee-In-Lieu for Storage above 50-year, 24-hour Detention Volume (FIL50), along with the requested DRAFT Program language in New Business Item 7.1.

7.0 NEW BUSINESS

7.1 The initial DRAFT Program language for the proposed FIL50 amendment was presented and discussed. Most of the TAC members agreed that the goal of the program should be to reduce flood damage, and not limit the expenditure of collected fees to provide a volumetric mitigation requirement. Staff was directed to revise the scoring criteria of the program like existing WMB and SIRF programs.

8.0 ADJOURNMENT

Motion to end discussion and adjourn by Mr. Jim Anderson, seconded by Ms. Joy Corona. Meeting adjourned at 11:00 AM (scheduled time) Vote: Approved 11-0-0 (unanimous)



STORMWATER MANAGEMENT COMMISSION

POLICIES AND PROCEDURES

Fee-In-Lieu of Storage Above 50-Year, 24-Hour Detention Volume Program (FIL50)

Lake County Stormwater Management Commission

Approved

Xxxxxxx, xx, 2020



STORMWATER MANAGEMENT COMMISSION

POLICIES AND PROCEDURES

Fee-In-Lieu of Storage Above 50-Year, 24-Hour Detention Volume Program (FIL50)

These Policies and Procedures provide general guidance on administration and project eligibility for the FIL50 Program of the Lake County Stormwater Management Commission (SMC). The Watershed Development Ordinance (WDO) 509.04 [proposed amendment] sets countywide minimum requirements for Fee-In-Lieu of Storage Above 50-Year, 24-Hour Detention Volume (FIL50) program. The FIL50 program is administered and implemented as an option for development permitted after [NEW WDO DATE] in accordance with the WDO.

PURPOSE

The purpose of the FIL50 is to collect development fees and disperse funds to resolve local, inter-jurisdictional, and regional drainage and flooding related problems. The program's goal is to reduce protect existing buildings from flood damages to the greatest extent possible with an emphasis on existing buildings and infrastructure. The FIL50 program is optional and may only be used in communities that have adopted WDO 509.04.

ADMINISTRATION

- A. Storage Requirement: The required detention volume shall be calculated for the 100-year, 24-hour storm event. The FIL50 program may only be used for the required volume above the 50-year, 24-hour storm event.
- B. Calculation of FIL50 Fees: The fee will be set by SMC as a fee per acre-foot or part thereof for the volume difference between the required and approved design storage. The fee will be included on SMC's fee schedule and will be valid until the fee schedule is modified or changed by SMC. The fee will be calculated using estimated administrative, planning, engineering, construction, monitoring and maintenance costs and watershed land values.
- C. WDO Review Process:
 1. **Non-Certified Communities**: Upon written request by the applicant, as part of the review process, the SMC Chief Engineer will verify the volume difference between the required and approved design storage and inform the applicant of the required fee-in-lieu volume. All required fees, including applicable permit review fees and fee in-lieu payment, will be due to SMC prior to final authorization.
 2. **Certified Communities**: Upon written request by the applicant, as part of the review process, the Enforcement Officer will verify the volume difference between the required and approved design storage and inform the applicant of the required fee-in-lieu volume. The Enforcement Officer will then provide SMC with the approved fee-in-lieu volume and applicant contact information. SMC will inform the Certified Community with written acceptance once SMC receives the fee-in-lieu payment. The Certified Community can then issue the required Watershed Development Permit.

- D. Separate FIL50 fund accounts will be established for each watershed and will be formatted to track payment deposits and disbursements. Fee-in-lieu payments shall be collected and deposited by SMC into the applicable account for the watershed where the impact occurs.
- E. FIL50 shall be administered by SMC staff and all fund expenditures shall be approved by the Commission at a SMC meeting. Funds shall be expended to resolve local, inter-jurisdictional, and regional drainage and flooding related problems in the same watershed where the impacts occurred. Funds in each watershed account shall be expended annually, to the extent possible, unless the account has less than \$75,000 unencumbered funds. Projects shall benefit communities and sub-watersheds where FIL50 fees were received, to the extent possible. Appropriate expenditures include costs to ~~administer, plan, design,~~ construct, improve, and acquire property, ~~maintain and monitor drainage improvement sites~~. Funds shall not be used to reimburse project expenses incurred prior to Commission approval. Upon project approval, SMC will deduct a 10% administrative and project management fee from the watershed-specific account balance.
- F. An annual report prepared by SMC staff summarizing fee-in-lieu payments received, projects status and benefits, categorized by watershed and municipality, will be provided to SMC.
- G. FIL50 is intended as a cost share match program although it is recognized that some high-priority flood mitigation problems may not have funding match capability from project partners. Reference the Environmental Justice Area criteria as described in K below and in the Project Rating and Prioritization Criteria. Funding match can be from any funding source outside FIL50 itself. For example, project partner match can be from a grant source, local units of government, homeowners' associations and individual resident contributions.
- H. Benefited property owners should contribute some type of remuneration to the project, either land value or easements needed, cash or in-kind services if appropriate, which can be applied to cost share requirement. FIL50 funding will not pay for any easements, deed or plat restrictions, necessary to implement the project on property that is benefiting from the project.
- I. The project agreement may be made directly to the project partner if it is an incorporated entity (e.g., municipality, not-for-profit, HOA). If the project partner is not incorporated, the project agreement, if necessary, shall be approved and executed with a local government or agency that is an active participant in the project.
- J. Project partner shall provide evidence, if requested, that the project partner has an existing fiscal system in place to track and administer funds. Awardees will also be required to sign a project agreement and submit a final project report.
- K. To account for Environmental Justice area income disparity, a project cost adjusting factor, the Environmental Justice Multiplier (EJM), is applied to the evaluation process on a project specific basis.

PROJECT COMPLIANCE CRITERIA

The following requirements shall provide basis for project compliance with the FIL50 program.

1. Identify one or more clearly defined stormwater infrastructure problems that the project will address.
2. Produce a clear work plan, which describes the tasks to be accomplished, end results, method for evaluating the effects of the project, products to be completed and the time frame to accomplish.
3. All requests for resources shall result in the implementation of in-the-ground projects, although funding request may be in the categories of planning, engineering analysis, alternate solution evaluation, design, capital construction, maintenance and repairs and property acquisition. Projects required as part of a regulatory permit are not eligible for FIL50 funding. Variances to this may be warranted due to unique circumstances.
4. Project partners may provide cost-share with cash contribution, in-kind or professional services, property donation value or a combination of these. Several project partners could combine resources to provide project match or propose other funding sources to meet the cost share requirement.
5. Municipalities requesting FIL50 funds as a project partner shall be in good standing with the National Flood Insurance Program and comply with SMC policies.
6. The project shall comply with or be consistent with the Watershed Development Ordinance (WDO), applicable watershed plans, and all regulations, laws and statutes.
7. Approval and execution of project agreements are limited to FIL50 funds and SMC staff capacity not currently encumbered by workplan commitments or prior executed project agreements.
8. "Land Rights" - For all properties where in-the-ground construction will or may occur, the project partner shall provide evidence in the form of previously recorded documentation or written authorization, from all property owners affected. Documentation or authorization may include, WDO defined 'deed or plat restrictions', or prescriptive easement (with Owner's authorization or evidence of local government authority); or other Owner-approved and SMC accepted legal instruments (e.g., Owner-executed License Agreement). Work within public road rights-of-way shall not be performed without appropriate permits or authorization from the jurisdictional Road Authority.
9. Project Audit: SMC may audit any project for; completeness of FIL50 funded work products or deliverables, adherence to agreed schedules or extensions, and appropriateness of FIL50 fund expenditures. Incomplete work products or deliverables, delays beyond agreed deadlines and expenditures of funds that do not achieve agreed deliverables may result in forfeiture of grant funding pursuant to the executed project agreement or a determination of ineligibility for the applicant, project manager or project consultant to apply for future grants.

FIL50 REQUEST FOR PROJECT PROPOSALS

1. SMC Staff shall initiate a request for project proposals in April of each year. Projects will be evaluated and accompanied by staff recommendations. A minimum project damage point calculation is required for a project to be considered for funding and a minimum protection level attained by project implementation is the 10-year critical duration storm event. An exception is allowed for a one-time expenditure for emergency services per project area that is in conjunction with the permanent project measures.
2. SMC Staff will make project recommendations to the Commission for their final approval in accordance with the Project Rating and Prioritization Criteria.
3. SMC Staff will review the proposals considering FIL50 fund availability, staff capacity and compliance criteria. After consulting with the project partner for any additional information, SMC staff will perform a project evaluation and develop a written staff recommendation.
4. The proposal, project evaluation, summary information and recommendations will be included in the SMC agenda packet along with an invitation to the project partner to attend the meeting. SMC staff shall fulfill requests for additional information as they arise on an individual basis.
5. SMC staff will present the request, evaluation results, recommendation and rationale. The project partner may expand on this presentation. A project partner representative is recommended to attend the meeting to address questions that may arise by the SMC. A comment, question and answer, and discussion period shall be facilitated by the SMC Chair.
6. After a motion, second and any further discussion, an SMC roll call vote will be taken to authorize, not authorize, authorize with revisions or conditions added to the staff recommendations, or defer action until a following meeting.
7. Commission approval of the recommended proposal does not constitute a project agreement and does not authorize expenditure of any reimbursable expenses. Project proposals that receive Commission approval and do not execute a project agreement the same fiscal year, shall be placed on inactive status (i.e., not under consideration for available funding).
8. SMC staff will work with the project partner to ensure that all remaining project compliance criteria has been met before bringing the project back to the Commission for approval and execution of the Project Agreement.
9. SMC staff shall prepare the project agreement with the project partners for the disposition of approved, available funds and staff commitments. All project agreements must be approved and executed at a subsequent SMC board meeting unless the project agreement is approved and executed by the Commission along with the recommended project proposal.
10. Only project expenses incurred after Commission approval and execution of the project agreement can be reimbursed.
11. It is recognized that specific beneficial projects meeting policy criteria may become readied for implementation and that status may be factored into Commission decisions on implementation of project agreements.

PROJECT RATING AND PRIORITIZATION CRITERIA

The following shall be considered by SMC staff in the development and prioritization of the staff recommendation for each watershed.

1. The FIL50 Project Rating and Prioritization Criteria will be used to evaluate the severity and frequency of several flood damage categories. The outcome of the evaluation uses weighted flood damage point categories that are totaled to produce Project Damage Points.
2. Project Effectiveness is determined by dividing the estimated FIL50 component of the Project Cost by the Project Damage Points. The project with the lowest number represents the most cost-effective use of funding rank and higher priority.
3. Project can achieve a lower Project Effectiveness score through cooperative intergovernmental arrangements that lower the estimated FIL50 project expense. Therefore, communities would provide land, funds, assume operation and maintenance responsibilities, etc. to reduce FIL50 project costs and a resultant higher priority.
4. The estimated project cost includes engineering, land acquisition, construction, and capitalized operation and maintenance costs.
5. Maintenance of stormwater projects not originally implemented by the SMC will not be considered for a project, unless a project could upgrade the existing system to alleviate or prevent flood damages.
6. The Environmental Justice Multiplier (EJM) is determined as the complementary percentage of the Low-Income Percent (Equals 1 minus the 'Low Income Percentage' expressed as a decimal value). This data component is within the metadata of the Environmental Justice Areas as defined by the IL EPA and can be determined at any county location by clicking on the GIS map ([SMC EJ Map](#)). The weighted average of the EJM for the area benefitting from the project, is then applied to the estimated project cost to reduce that value, which thereby increases the project priority.

Project Damage Evaluation Matrix

Flood problem areas will be evaluated and assigned Project Damage Points. The flood occurrences for each property or road in the 10 years preceding the evaluation will be used in the calculation and based upon the best available information. Projects must receive a minimum score of 500 Project Damage Points to qualify for FIL50 funding.

<u>Damage Type</u>	<u># Affected</u>	<u>Frequency of Occurrence (Previous 10 years)</u>	<u>Weight Factor</u>	<u>Category Score</u>
Primary Property Damage			10	
Disruption of Revenue/Business			5	
Secondary Property Damage			3	
Primary Road Damage			40*PRDMF	
Secondary Road Damage			10	
Nuisance Flooding			1	
Flood Problem Area - Project Damage Point Evaluation Score Total				

Primary Property Damages are considered to be flood impacted residential and commercial principal buildings and non-roadway publicly owned infrastructure. Each principal building or infrastructure component is counted once. No additional points will be given for secondary property or nuisance flood damage on a property that claims primary property damage.

Disruption of Revenue/Business are considered for each business that has cannot operate due to flooding, including flooded parking lots. Each business that is disrupted is counted and this value can be added to primary property damage.

Secondary Property Damages are considered to be detached garages, sheds, landscaping, cars, Health/safety (septic systems, wells). Each secondary damage type can be added and accumulated per parcel (e.g. 1 garage, 1 well, 1 septic =3). No additional points will be given for nuisance flood damage on a property that claims secondary property damage.

Primary Road* Damages are given to freeway/expressway, principal arterial, and minor arterial major and minor collectors (i.e. state, county, township, municipal). Each roadway impacted is counted once. The Primary Road Damage Multiplication Factor (PRDMF) numeric value is developed from [traffic count information](#) and is a multiplier to the weight factor category for roads to recognize the disruption of roadway users for differing level of users of the road system. Example: Washington Street has an Average Daily Traffic (ADT) count of 27500 which is higher than the countywide average ADT of 12300 for primary roads. The PRDMF = $(27500/12300) = 2.24$, Total weight factor = $40*2.24 = 89.6$.

Secondary Road* Damages are given to neighborhood/subdivision level local roads and streets. Each roadway impacted is counted once.

Nuisance Flooding Damages – parcels that are flooded and affect the aesthetics or results in minor ponding. Each parcel impacted is counted once.

*Road classifications are as defined in the CMAP Roadway Functional Classification Revision Workbook (August 2019)

WDO AMENDMENTS FOR TAC – December 19, 2019

WDO Amendment #3 - NEW

§ 509.04 Fee-In-Lieu Option For Storage above 50-year, 24-hour Detention Volume [7.5”]

509.04 *The following fee-in-lieu of on-site stormwater storage procedures shall be authorized for all developments permitted after [NEW WDO DATE].*

- A. *The **Enforcement Officer** may require, or the **applicant** may submit, a written request for the payment of a **fee-in-lieu of on-site stormwater storage** to fulfill all or part of the on-site detention requirement above the 50-year, 24-hour detention volume using Appendix I: Rainfall Depth Duration Frequency Tables for Lake County. A request for fee-in-lieu of on-site stormwater storage shall be either rejected or approved within forty-five (45) days of the written request unless additional engineering studies are required.*
- B. *Approval of a request for **fee-in-lieu of on-site stormwater storage** on a **development** site above the 50-year, 24-hour detention volume shall be determined by the **Enforcement Officer**.*
- C. *The 50-year, 24-hour detention volume shall be calculated using a rating curve with a maximum release rate not exceeding the 100 Year value listed in Appendix J: Watershed Specific Release Rates. For tributary drainage areas less than one hundred (100) acres, Appendix K: Detention Volume Versus Percent Impervious may also be used, when appropriate and upon approval of the Enforcement Officer, for determination of detention storage requirements.*
- D. ***Fee-in-lieu of on-site stormwater storage** shall be the fee computed for each acre-foot or cubic yard or part thereof of stormwater storage approved in accordance with the procedures and schedules as approved by the SMC.*
- E. *A fund will be maintained by the SMC for each of the four major Lake County **watersheds** for the purpose of identifying and controlling all revenues and expenditures resulting from fee-in-lieu of on-site stormwater storage approvals. All **fee-in-lieu of on-site stormwater storage** revenues received from each **watershed** shall be deposited in these funds for use within that watershed.*
- F. *The following requirements must be met before a **fee-in-lieu of on-site stormwater storage** will be approved:*
 - 1. *The downstream **stormwater management system** has “**adequate downstream stormwater capacity**” (see Appendix A: Definitions); and*
 - 2. *The SMC has an adopted fee-in-lieu of on-site stormwater storage program.*

- G. *Fee-in-lieu of on-site stormwater storage* revenues may be used to plan, design, or construct an upgrade to existing or future *stormwater management systems* if the upgrade is consistent with a *basin plan*, *floodplain study*, or stormwater system improvement that has been approved by the SMC.

Purpose: Provide fee-in-lieu option, as determined by the Enforcement Officer. Communities may be more restrictive and omit this option during Community Ordinance adoption.

TAC Vote: 9/19 unanimous consent to draft Program for TAC review. 11/19 discussion to specify which release rate to use to determine 50-year volume.