

## **LAKE COUNTY STORMWATER MANAGEMENT COMMISSION COMMUNITY RE-CERTIFICATION PROCEDURE**

This document contains the Lake County Stormwater Management Commission's (SMC) revised Community Re-certification Procedure (CRP), effective on March 6, 2008. Article III of the Lake County Watershed Development Ordinance (WDO) allows SMC to certify communities to enforce the provisions of the WDO. Certified Communities must be re-certified every three (3) years. This procedure standardizes the certification process, includes a "self-audit" procedure, and will allow SMC staff to evaluate certification or re-certification status consistently between communities.

SMC revised the CRP to enhance customer service and to equitably enforce the WDO.

### **A. Required Information:**

Communities desiring re-certification shall submit a fully executed copy of the Petition for Standard Certification and, if Wetlands Certification is desired, a fully executed copy of the Petition for Isolated Wetland Certification (if appropriate) [WDO Article III, Section B.], signed by the community's mayor/president, which includes:

1. The community is participating in the regular phase of the National Flood Insurance Program.
2. The community has adopted and is enforcing the provisions of the WDO, at a minimum.
3. The community forwards appropriate portions of the Regulatory Floodway Development applications to SMC and/or IDNR/OWR for concurrent review and approval.
4. The community shall maintain records and provide SMC with certain portions of these records as described in Appendix E (L).
5. The community shall require all engineering information and plans prepared by a Registered Professional Engineer, to be reviewed under the supervision of a Registered Professional Engineer under the employ or contract of the community for conformance with this Ordinance prior to permit issuance [WDO Article III, Section A.].

In addition, the petitioning community shall provide the following:

6. Completed Community Certification Information Form.
7. Copy of community Ordinance adopting, at a minimum, most recent WDO provisions.
8. Copy of contract document if community has a professional services contract with outside firm(s) to perform engineering and/or wetland services.
9. Short written description of the permit administration process within your community for the requirements stated in Appendix E.
10. Completed copy of the "Self-Audit Checklist for Re-certification".

For contracted WDO-related Services (Item 8 Above - Enforcement Officer, Wetland Specialist, etc.), the following issues/questions will be addressed:

1. SMC staff will specifically review the scope of services to ensure coverage of Appendix E duties including, but not limited to,:
  - New subdivision site design review.
  - Inspection services during construction.
  - Review and approval of all necessary maintenance plans and deed and plat restrictions as defined in the WDO.
  - “As-built” or “Record Drawing” review.
  - FEMA required CLOMR and LOMR review.
2. Is there allowance for the contract employee to implement enforcement actions against site violations on:
  - Development that is currently under construction.
  - Existing or previously developed sites that create a new violation.
3. Is there contract allowance to review additions to existing homes and other development? This issue is critical in Regulatory Floodplain and Floodway.
4. If the contract between the community and the contract employee does not cover all EO requirements, as described in Appendix E, a Co-Enforcement Officer from the community will be required.

B. Self-Audit Procedure (Self-Audit Checklist for Re-certification Form)

SMC shall require each community to perform a self-audit as part of the re-certification procedure in order to improve all communities’ understanding of their administrative obligations of the WDO. This helps to ensure that the WDO is being properly and equitably enforced, while minimizing the audit burden to communities.

The “Self-Audit Checklist for Re-certification” form, to be filled out by the petitioning community, will summarize all permitting work performed with respect to the WDO for the period between re-certifications. SMC will use the results of this process in the following ways:

- Serve as a standardized format for reporting recertification recommendations to the Commission
- Evaluate the provisions of the WDO and make future revisions to the WDO, as necessary
- Work with each community to ensure understanding and consistent enforcement of the WDO.
- Evaluate ordinance administration performance and determine need of individual site compliance audit

In the case of serious non-compliance issues, including, but not limited to, floodway, floodplain, inadequate detention, and wetland impacts, SMC will require investigation and enforcement, through the Community Notification Procedure, to bring those violations into compliance with the WDO.