

**LAKE COUNTY STORMWATER MANAGEMENT COMMISSION
GENERAL PERMIT NUMBER 3
AUTHORIZING MINOR MAINTENANCE DREDGING ACTIVITIES**

I. INTRODUCTION

This document is created under the authorities granted to the Lake County Stormwater Management Commission (LCSMC) with respect to the Lake County Watershed Development Ordinance (WDO) and delegated to LCSMC by the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR). This document is intended to apply to development specified herein under the jurisdictions of the LCSMC and Isolated Wetland Certified Communities (IWCC) that have adopted this General Permit.

This permit embodies the specified standards and general conditions of IDNR/OWR applicable Statewide and Regional Permits. Additional criteria, general conditions, and covered activities unique to minor maintenance dredging have been added to meet the performance standards and intended development purview of the WDO. Upon the effective date of this permit, it will not be necessary to submit permit applications to the LCSMC for individual development, except as specified herein, which meet the specified standards and general conditions in this permit.

II. APPLICABILITY

- A. Coverage: This permit applies only with regard to minor maintenance dredging activities that are under the jurisdictions of the LCSMC or IWCC, including, but not limited to, flood-prone areas, Regulatory Floodplains and Floodways as defined by the IDNR/OWR pursuant to 17 Illinois Administrative Code, Part 3708. This permit is not valid within Public Bodies of Water as defined by IDNR/OWR and listed in the WDO Appendix F. This permit is applicable within Waters of the United States when a written authorization has been issued by the U.S. Army Corps of Engineers (USACE).
- B. Combined/Concurrent Development Actions: Development covered under this permit shall not be combined with other concurrent development that would create a need for an individual permit.
- C. Enforcement: The LCSMC or IWCC will retain enforcement authority over development covered under this permit. Development found to be in violation of this permit will be required to obtain an individual after-the-fact permit from the LCSMC or IWCC. Additional enforcement actions may also be taken.

III. NOTIFICATION AND INFORMATION REQUIREMENTS

Notification to the LCSMC or IWCC is required a minimum of 30 calendar days before initiating the development covered under this permit, except for emergency maintenance. The 30-day minimum notification shall include the following information:

- A. Completed Notification Form signed by the Applicant (see attached form).
- B. Permit review fee, restoration and erosion control surety, as applicable.
- C. Site location map of where the minor maintenance dredging is to occur.
- D. Location map and plan showing:
 - (1) Approximate area proposed to be used for dredge material spreading, storing or stockpiling.
 - (2) Pre- and post-construction ground elevations or grading information.
 - (3) Approximate IWLC, WOUS and floodplain boundaries.

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- E. Restoration plan and erosion control measures for all areas temporarily impacted by minor maintenance dredging operations, including streambank/shoreline access point(s) and haul roads, as applicable.
- F. Wetland delineation and jurisdictional determination (JD), in accordance with the applicable provisions of the WDO, may be required if the proposed disposal or stockpile area is determined to be adjoining a regulated IWLC or WOUS. A JD can only be performed by the USACE or USACE-approved agency.
- G. If any of the following criteria are met, coordination with the USACE is required to determine if a Letter of No Impact (LONI) or Joint Permit Application is necessary. A copy of the Joint Permit Application and instructions may be found here:
<http://www.lrc.usace.army.mil/Portals/36/docs/regulatory/forms/appform.pdf>
 - (1) Area to be dredged is a WOUS;
 - (2) The dredge disposal or stockpile area is a WOUS; or
 - (3) Water from dredged or stockpiled material will be returned to a WOUS.
 - i. If the project will include return waters to a WOUS, an IEPA 401 water quality certification or an IEPA Subtitle C Permit may be required.

If the LCSMC or IWCC determines that the proposed development does not qualify for authorization under this General Permit, the LCSMC or IWCC shall provide a written response to the applicant within 30 calendar days. If no response is received from the LCSMC or IWCC within 30 calendar days, the applicant may assume the proposed development is authorized under this General Permit and no further authorization will be required from the LCSMC or IWCC.

IV. SPECIFIED DEVELOPMENT

To be authorized by this permit, minor maintenance dredging shall meet the following criteria:

- A. In the case of dredging in a stream channel, the affected length of the stream shall not, either singularly or concurrently, exceed 1,000 feet. The cross-sectional area of the dredged channel shall conform to that of the natural channel upstream and downstream of the site.
- B. Dredged material, excavated material or obstructions removed shall be either:
 - (1) Disposed of, land applied or stockpiled in any area that does not contain greater than 0.75 acre-foot of depressional storage, flood-prone area, Regulatory Floodplain, Regulatory Floodway, IWLC or WOUS;
 - (2) Placed in a site approved by the USACE, IDNR/OWR, LCSMC or IWCC in accordance with the conditions of the approval;
 - (3) Used for beach nourishment, provided the material meets all applicable water quality standards; or
 - (4) Utilized for erosion restoration or top dressing per WDO Article IV.C.2.d.(4), (5) or (6).
- C. Dredging or placement of dredged material shall not result in increased flood or drainage hazards or shall not adversely alter existing hydrology of IWLC.

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- D. Disturbance of shoreline and bank vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. Refer to Section V. of this permit for soil erosion and sediment control performance standards.
- E. Stockpiled materials resulting from the dredging operations shall be protected from soil erosion according to the performance standards of Section V. of this permit.

V. SOIL EROSION AND SEDIMENT CONTROL STANDARDS

To be authorized by this permit, the sediment and erosion control standards for all specified development shall meet the following criteria:

- A. Sediment control measures shall be constructed prior to the commencement of hydrologic disturbance of upland areas.
- B. For those developments that require a Designated Erosion Control Inspector (DECI), inspections and documentation shall be performed, at a minimum:
 - (1) Upon completion of sediment and runoff control measures (including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading.
 - (2) After every seven (7) calendar days or storm event with greater than 0.5 inch of rainfall or liquid equivalent precipitation.
- C. Soil disturbance shall be conducted in such a manner as to minimize erosion. If stripping, clearing, grading, or landscaping are to be done in phases, the Permittee shall plan for appropriate soil erosion and sediment control measures.
- D. A stabilized mat of crushed stone meeting IDOT Gradation CA-1 underlain with filter fabric and in accordance with the Illinois Urban Manual, or other appropriate measure (s) as approved by the Enforcement Officer, shall be installed at any point where traffic will be entering or leaving a construction-site. Sediment or soil reaching an improved public right-of-way, street, alley or parking area shall be removed by scraping or street cleaning as accumulations warrant and transported to a controlled sediment disposal area.
- E. Temporary diversions shall be constructed as necessary to direct all runoff from hydrologically disturbed areas to an appropriate sediment trap or basin.
- F. All cofferdams shall be constructed to allow the passage of high flows, maintain downstream flows, and withstand anticipated erosive forces.
- G. Disturbed areas shall be stabilized with temporary or permanent measures within seven (7) calendar days following the end of active hydrologic disturbance or redisturbance.
- H. All stockpiles shall have appropriate measures to prevent erosion. Stockpiles shall not be placed in flood-prone areas or wetlands and designated buffers.
- I. All stormwater management systems that are or will be functioning during construction shall be protected by an appropriate sediment control measure.
- J. If dewatering services are used, adjoining properties and discharge locations shall be protected from erosion and sedimentation. Discharges shall be routed through an approved anionic polymer dewatering system or a similar measure as approved by the Enforcement Officer.

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Dewatering systems should be inspected daily during operational periods. The Enforcement Officer, or approved representative, must be present at the commencement of dewatering activities.

- K. If installed soil erosion and sediment control measures do not minimize sediment leaving the development site, additional measures such as anionic polymers or filtration systems may be required by the Enforcement Officer.
- L. All temporary and permanent erosion control measures must be maintained and repaired as needed. The property owner shall be ultimately responsible for maintenance and repair.
- M. Revegetation of disturbed buffer areas, temporarily impacted wetlands, or wetlands to remain on-site shall be done with appropriate seed and plant mixes per planting zone as specified in the Native Plant Guide for Streams and Stormwater Facilities in Northeastern Illinois.
- N. The erosion control measures indicated on the plans are the minimum requirements. Additional measures may be required, as directed by the Engineer, Enforcement Officer, or other governing agency.

VI. GENERAL CONDITIONS

- A. This permit is granted in accordance with the Rivers, Lakes and Streams Act 615 ILCS 5 and the Lake County Watershed Development Ordinance.
- B. The LCSMC or IWCC retains the right to require an individual permit for the development if the scope of work exceeds the intended limits of this permit.
- C. This permit does not release any Permittee from liability for damage to persons or property resulting from any activity covered by this permit, and does not authorize any injury to private property or invasion of private rights.
- D. This permit does not relieve the Permittee of the responsibility to obtain other federal, state or local authorizations required for the development activity. If the Permittee is required by law to obtain approval from any federal, state or local agency to do the work, authorization granted by this permit is not effective until the other approvals are obtained.
- E. In issuing this permit, the LCSMC or IWCC does not approve the adequacy of the design or development authorized by this permit.
- F. This permit shall remain in effect until such time as it is modified, suspended or revoked by the LCSMC or IWCC.

VII. EFFECTIVE DATE

This permit is effective on the date signed below.



Kurt Woolford, Chief Engineer
Lake County Stormwater Management Commission

Date: September 5, 2013

GENERAL PERMIT #3 – NOTIFICATION FORM

(To be completed and delivered to LCSMC or IWCC a minimum of 30 calendar days prior to the development activity.)

Project Name _____ Dredging Contractor _____

Project Location (PIN, Address, Intersection, etc.) _____

Applicant Name & Address _____

Applicant Phone #, Fax #, E-mail _____

INFORMATION REQUIRED PER SECTION III

(Check items enclosed – Failure to provide applicable information invalidates this permit authorization)

At a minimum, please provide the following:

- Review fee, restoration and erosion control surety, as applicable
- Site location map
- Site plan with limits of dredging and disposal
- Restoration & soil erosion/sediment control plan

As applicable per Section III, please provide the following:

- Written Jurisdictional Determination (JD)
- Wetland delineation
- Copy of the Letter of No Objection (LONI) or USACE written authorization

PROJECT INFORMATION

Description of Activity _____

Dredging Method _____

Estimated Amount of Material to be Removed (cy) _____

Estimated Length of Stream Channel to be Affected (ft) _____

Dredging Start Date _____ Dredging End Date _____

Date that final revegetation/restoration will be completed _____

SEND THIS NOTIFICATION FORM AND REQUIRED INFORMATION TO:

LCSMC or IWCC

ATTENTION: Enforcement Officer

Signatures

_____ Print Name _____ Date _____

Applicant Signature

_____ Print Name _____ Date _____

Certified Wetland Specialist (if applicable)