

**Wetland Restoration Fund Implementation Guidance Document
Lake County Stormwater Management Commission**

Revised January 22, 2010
SMC Approved on February 4, 2010

TABLE OF CONTENTS

1.0	Introduction
1.1	WRF Goals
1.2	How the WRF Will Meet the Goals
2.0	WRF Project Information
2.1	Eligibility
2.2	RFP Submittal Requirements
2.2.1	Project Narrative and Plans
2.2.2	Monitoring and Management
2.2.3	Long Term Protection Requirements
2.2.4	Financial Assurance
2.3	Wetland Mitigation Credit Generation
2.4	Mitigation Performance Standards and Success Criteria
2.5	Fund Expenditures
2.6	Project Match Requirement
3.0	Selection Criteria
3.1	Pre-Screening
3.2	Project Evaluation Criteria
3.3	RFP Selection Team and Process
4.0	Project Refinement and Contracting
4.1	Project Refinement
4.1.1	Project Scope
4.2	Contracts or Agreements
4.3	Financial Assurance
5.0	Project Compliance and Completion
5.1	Project As-Builts
5.2	Project Completion
Table 1.	Wetland Restoration Fund Scoring Matrix
Appendix A	Request For Proposals (RFP)
Appendix B	Wetland Restoration Fund Application Form
Appendix C	Wetland Restoration Fund - Project Match Summary
Appendix D	Notice of Invitation to Bid

Wetland Restoration Fund Implementation Guidance Document Lake County Stormwater Management Commission

1.0 Introduction

The Lake County Board adopted the Lake County Stormwater Management Commission's (SMC) Wetland Restoration Fund (WRF) on November 8, 2005. The SMC administers and implements the WRF for impacts to Isolated Waters of Lake County (IWLC) that exceed the mitigation threshold in watersheds where mitigation credits are unavailable. The SMC created separate WRF accounts for each major watershed, including the Fox River, Des Plaines River, North Branch of the Chicago River, and Lake Michigan. The SMC collects fees during the permit review process and deposits these fees into the watershed-specific account. The SMC originally approved the implementation guidance document on January 4, 2007.

This document provides internal SMC WRF implementation guidance once fees are deposited into the watershed-specific account, including:

- Request for Proposals (RFP) process and requirements;
- RFP Evaluation and Project Selection;
- Mitigation Project Performance Standards and Project Success Criteria; and,
- Contract Negotiation Guidance.

1.1 WRF Goals

The WRF goals are to: (1) meet Lake County's "no-net-loss" of wetland acreage per watershed on a programmatic basis within five years of wetland impact, (2) provide wetland mitigation alternatives for smaller impacts, and (3) further SMC's mission to provide desired community services toward the primary goals of flood damage reduction and surface water quality improvement (from SMC's 2002 Lake County Comprehensive Stormwater Management Plan).

1.2 How the WRF Will Meet the Goals

To meet the WRF goals, the SMC may: (1) award contracts for projects that will meet or exceed the required wetland mitigation acreage, or (2) purchase credits (i.e., on an acreage basis) from a wetland mitigation bank as specified below. For all RFPs, SMC will follow the process described in this document.

RFP Process: SMC will distribute a request for proposals (RFP) for qualifying wetland restoration, creation and enhancement projects. In general, projects that restore historic wetland areas and demonstrate the highest likelihood of meeting the wetland mitigation performance requirements will be given priority. The sample RFP is included in Appendix A and the sample WRF Application Form is included in Appendix B.

Mitigation Bank Credit Purchase Process: This option may be used when SMC or U.S. Army Corps of Engineers-approved wetland mitigation bank credits (acres) become available, prior to initiating the project RFP process within a watershed having already collected funds in the WRF account. SMC will solicit sealed bids for wetland mitigation bank credit costs (see Appendix C for a template of notice). The award of the bank credit purchase agreement will be made to the lowest responsible bidder to provide the required mitigation acreage.

2.0 WRF Project Information

2.1 Eligibility

Eligibility is open to landowners (public or private) whose ownership property lies within Lake County and within the watershed described in the RFP. Landowners can include single owners, multiple owners, not-for-profit corporations, federal, state, or local agencies, or local units of government including park districts and forest preserve districts. SMC will require a signed letter from each property owner for those entities representing multiple property owners.

Projects required as part of a regulatory permit or an enforcement action are not eligible for WRF funding. The wetland acreage created, restored, or enhanced using WRF monies cannot be utilized or sold as a wetland mitigation credit.

2.2 RFP Submittal Requirements

2.2.1 Project Narrative and Plans

Applicants shall submit a completed WRF Application Form (Appendix B), signed by the site owner or designated agent, a project narrative describing the items listed in Sections B and C of the WDO's Appendix N, site concept plans, Appendix C, and an estimate of probable cost. These sections contain the submittal requirements for WRF projects and include information on the proposed mitigation site (e.g., site location, physical description, land use, ownership, and significant biological resources) and the proposed mitigation design (e.g., topography, hydrology, soils, and planting plan). The site design plans can be conceptual at the time of RFP but should include enough information to support that the site will be successfully restored, created or enhanced as wetland and will be sustained as a wetland in the long term.

The narrative must include supporting documentation on the applicant's capability and past experience in designing, constructing, maintaining, and successfully carrying-out a wetland mitigation project. SMC may also require more site-specific background information including, but not limited to, a wetland determination report meeting WDO requirements, a jurisdictional determination for any existing on-site wetlands, a drain-tile survey, or site-specific soils study.

2.2.2 Monitoring and Management

Refer to WDO Appendix N, Section I for the minimum five-year management and monitoring requirements. The proposal submittal must contain information on the anticipated management and monitoring plan for the mitigation site. Such plan shall

include, at a minimum, a description of the sampling methodologies to be followed for evaluating hydrology in the mitigation wetlands and assessing vegetation in the mitigation wetlands and buffers, the frequency of sampling, and the report(s) to be generated.

The five-year management plan shall include a description of the anticipated management practices to be employed each year to meet the performance standards in Appendix N, Section H., and a schedule of all proposed management and monitoring practices (i.e., a calendar indicating month and year of activity). In addition, the plan shall identify the entity whom assumes responsibility for long-term management of the mitigation wetlands and wetland buffers after the five-year performance period and the dedicated source of funding for long-term management.

2.2.3 Long Term Protection Requirements

All mitigation wetlands, as well as other preserved wetlands or waters and wetland buffers on the mitigation site, must be protected in perpetuity by a deed or plat restriction and recorded with Lake County Recorder of Deeds. The site owner shall provide the SMC with a statement of acknowledgement and sketch of the deed or plat restricted areas.

2.2.4 Financial Assurance

The applicant must acknowledge that they will provide SMC with a financial surety in the form of an irrevocable Letter of Credit prior to construction [WDO Appendix N, Section F]. The surety amount shall equal 110% of the total estimated cost for construction, monitoring, and management of the mitigation wetlands and wetland buffers.

2.3 Wetland Mitigation Credit Generation

The Mitigation acreage shall be credited on the following basis:

1. 100% credit for each acre of wetland restored or created. Wetland restoration includes restoration of historic wetlands which have been filled, drained, or otherwise manipulated to the extent the areas no longer exhibit wetland characteristics. Wetland creation refers to the construction of wetlands in historically upland areas. Unless compensating directly for open water impacts specified in the RFP, no credit will be given for open water creation. The term "open water" is defined in WDO Appendix A. When allowed, open water creation shall be credited at 100% for in-kind mitigation (e.g., one acre of open water created for one acre of open water impacted). No mitigation credit shall be given for open water creation to compensate for non-open water impacts.
2. 25% credit for each acre of non-farmed wetland enhanced. Enhanced wetlands must meet the same vegetative performance criteria for restored or created wetlands.
3. 100% credit for each acre of farmed wetland enhancement. Enhanced wetlands must meet the same vegetative performance criteria for restored or created wetlands.

4. Enhanced upland areas or enhanced wetland edges used to meet the buffer requirements in Article IV.B.1.i. of the WDO shall be credited at 25% for each acre enhanced. Created or restored wetland edges used to meet the buffer requirements of the WDO shall be credited at 75% for each acre created or restored. A maximum of 30% of the total mitigation credits to be generated by the project may consist of enhanced buffers. All high quality aquatic resources existing on the mitigation site shall, at a minimum, meet the buffer requirements for high quality aquatic resources; all other existing enhanced, created or restored wetland areas shall, at a minimum, meet the non-high quality aquatic resource buffer requirements of the WDO.

2.4 Mitigation Performance Standards and Success Criteria

The vegetative performance standards for mitigation projects are contained in WDO Appendix N, Section H. At the time of RFP submittal, the project narrative shall reference the performance standards and provide supporting documentation on how those requirements will be met. The project contract documents shall reference these performance standards.

The narrative shall provide an acknowledgement of the mitigation project success criteria as specified in Sections J and K of Appendix N.

2.5 Fund Expenditures

On a per watershed basis, the WRF program requires that SMC expend or encumber account monies no more than three years from first receipt of an account deposit unless the account has less than \$75,000. Once the account exceeds \$75,000, or three years have elapsed from receipt of first payment if the account has less than \$75,000, SMC will, within 60 days, either initiate a request for project proposal or solicit bids from wetland mitigation banks. If an agreement cannot be reached by the period specified above, SMC may approve a one (1) year extension. Once SMC approves a project or encumbers all available funds per watershed, the three year time period expires and then re-starts with the next receipt of an account deposit.

Appropriate WRF expenditures include costs to administer, plan, design, construct, improve, acquire property, manage and monitor wetland mitigation sites in the specified watershed. In the event that a wetland mitigation bank approved by SMC or the U.S. Army Corps of Engineers (Corps) becomes available within a watershed having a WRF-established account, fee expenditures may include payments into the wetland mitigation bank in addition to the uses above. In this case, SMC may forgo the RFP process and make payment(s) to the mitigation bank to obtain all or a portion of the mitigation needed in a specific watershed. Once mitigation bank credits are available within a watershed that contains a WRF account, SMC will no longer collect WRF fees, but will direct applicants to the appropriate wetland bank contact. Project expenses incurred prior to RFP selection, with the exception of land value, do not qualify for WRF funds. However, these expenditures may apply to the local project funding match requirement.

Project expenses incurred between project selection and contract execution, in response to SMC request, are eligible for reimbursement.

SMC will deduct an administrative fee from the WRF watershed-specific account and credit the SMC wetland permit fees account as follows: (1) 10% of the account balance for each RFP process or, (2) 5% of the account balance for each mitigation bank credit purchase process.

2.6 Project Match Requirement

The WRF requires applicants provide a cost share match of at least 30% of the total project cost. Direct project related expenditures that qualify for match may include land value, in-kind services such as volunteer or donated professional time, feasibility study costs, and site evaluation study costs conducted no more than three (3) years prior to or during the WRF application process.

Applicants shall provide an estimate of probable cost for the project, including the applicant's cost share match and a completed WRF Project Match Summary (Appendix C). The estimate of probable cost shall include expenses of reasonable expected costs and summary total of anticipated matching expenditures.

3.0 Selection Criteria

3.1 Pre-Screening

The WRF selection team described in Section 3.3 below will pre-screen applications and reject, or return to the applicant for additional information, those submittals that do not include the following:

1. A completed and signed WRF Application Form; and,
2. A mitigation project narrative that incorporates the submittal requirements listed in the Section 2 above;

SMC may require more specific site background information including, but not limited to, a wetland determination report meeting the WDO's requirements, a jurisdictional determination (JD) for existing on-site wetlands, a drain-tile survey, information on proximity to other wetland or natural areas, or site-specific soils investigation.

SMC will encourage WRF applicants to hold a pre-application meeting with the selection team. The pre-application meeting will provide applicants with specific RFP requirements, answer questions concerning acceptable match expenditures, and can be used to refine proposed projects.

3.2 Project Evaluation Criteria

The WRF selection team will evaluate and rank the projects that have passed the pre-screening criteria in section 3.1 above. Projects will be ranked and scored based upon the project evaluation criteria as shown on Table 1. The WRF selection team may recommend multiple projects during the RFP evaluation to meet overall program goals.

The evaluation criteria contain both primary and secondary evaluation factors. The primary evaluation factors place emphasis on projects that contain a higher degree of

restoration of formerly drained wetland areas as these projects have the greatest success likelihood. Secondary criteria are those factors that are not primary to mitigation success, but that help to make projects easier to administer.

3.3 RFP Selection Team and Process

SMC's Watershed Engineer, Watershed Planner, and Wetland Specialist representing the respective watershed will first review responses to the RFP. This group will evaluate the RFPs, complete the scoring matrix, and select the proposed project(s). The group will then present the findings to SMC's Executive Director and Chief Engineer for final selection. The Executive Director will submit the final selected project(s) for Commission approval.

4.0 Project Refinement and Contracting

4.1 Project Refinement

The selection team may meet with the applicant(s) of the selected project(s) to refine the scope of the project to meet program goals or applicant objectives. At this time, the selection team may ask for a revised project cost estimate or request that revisions be made to the submitted estimated costs based on any scope refinements.

During scope refinement, projects will undergo a technical notice sent to the designated federal, state, and appropriate community contacts per WDO Article IV, Section E.2.c.(11)(b). The SMC will enter into a contract with the property owner (i.e., applicant) once the scope and budget are approved.

4.1.1 Project Scope

An important objective of the negotiation process is to reach a complete and mutual understanding of the project scope and the required performance measures. The scope and conceptual plans developed during the selection process may be too broad to serve as the contract scope of service. The negotiation process offers the opportunity for refinement, amendment and clear definition of the services to be rendered, as well as the areas of responsibility and liability for those services. Mutual understanding on these points, at the negotiation stage, can minimize the possibility of misunderstanding as the project progresses. Specific elements of the contract to be established during negotiation include:

1. Project approach
2. Project schedule
3. Areas of responsibility/liability
4. Detailed definition of "deliverables"
5. Financial Items:
 - a. Budget – detailed estimate of probable cost
 - b. Payment schedule (amount of payment for partial completion of work)
 - c. Financial assurance
6. Performance measures and compliance
7. Project completion criteria

4.2 Contracts or Agreements

Legally binding agreements or contracts shall be executed between SMC and the owner/applicant for mitigation projects. All subcontractors or sub consultants shall be subject to approval by SMC. If SMC is able to reach an agreement with the applicant and the fee is within range of the budget, SMC will proceed to finalize the contract. If problems arise with the scope of the project or the fee, further discussion and clarification may be required.

If SMC and the applicant cannot agree on the scope and fee, SMC will cease negotiations with the top ranked applicant and continue the process with the second ranked applicant. This process will continue until a mutual accord has been reached. Generally, this accord will likely be reached with the first or second ranked applicant.

4.3 Financial Assurance

The applicant or applicant's contractor must provide SMC with a financial surety (e.g., irrevocable Letter of Credit) prior to construction [WDO Appendix N, Section F]. The surety amount shall equal 110% of the total estimated cost for construction, monitoring, and management of the mitigation wetlands and wetland buffers.

The amount of the financial surety shall be based upon the detailed estimate of probable cost for completing the approved mitigation plan. The estimate shall include earthwork, planting, and monitoring and management. The monitoring and management shall be estimated for a minimum of five (5) full growing seasons after planting is completed. The cost estimate shall be provided to the SMC for approval prior to obtaining the financial surety.

The financial surety shall be held by the SMC until the mitigation site meets the performance standards in Appendix N, Section H. Such surety may be phased out or reduced, up to a maximum of 70%, upon receipt and approval of a revised estimate of probable cost and the applicable items in Section 5.

Final surety release can be completed by the SMC once it has been demonstrated that the mitigation site is functionally mature and/or self-sustaining in accordance with the performance standards in Appendix N, Section H.

5.0 Project Compliance and Completion

Project compliance and completion measures follow WDO Appendix N, Section K, and as specified below

5.1 Project As-Builts

As-built plans follow the requirements of WDO Appendix N, Section G requirements. Upon the completion of earthwork, but prior to planting, the awardee shall provide an as-built topographic survey to the SMC for approval. If the as-built plan and site inspection

are determined to be in conformance with the approved design, the SMC shall issue a written approval of the as-built plan and planting activities may commence.

Upon the completion of planting activities, the awardee shall provide the SMC with lists and locations of the species actually planted in the mitigation wetlands and wetland buffers, including the common and scientific name of each species, the quantity of each species planted (e.g., weight of seeds/acre, number of plugged plants/acre), the source of the seeds/plants, the planting method(s) used, and the date(s) seeding or planting occurred.

5.2 Project Completion

The awardee's responsibility for the project area, including mitigation wetlands and wetland buffers, shall be released in writing by the SMC as follows. After the performance period, the awardee shall provide written notification to the SMC along with following information: 1) a scaled plan (min. 1 in. = 100 ft.) showing the delineated boundaries and actual acreages of the mitigation wetlands and wetland buffers, and 2) a summary of how the performance standards have been met for each wetland and buffer.

Upon notification, the SMC shall review the submitted information and perform a site inspection to evaluate the success of the mitigation site. If the mitigation goals and performance standards have been met, the SMC shall notify the awardee in writing that the responsibility for the mitigation site is released. A copy of the written release shall be provided to the entity designated for long-term management of the mitigation site.

If the SMC determines that the mitigation goals or performance standards have not been met based on the information submitted and site inspection, the SMC shall notify the awardee in writing of the specific shortfalls. The awardee shall be granted a specified time limit to respond to the identified shortfalls. Failure to fully respond to the identified shortfalls within the specified time limit may result in SMC use of the mitigation surety to correct the shortfalls.

Table 1. Wetland Restoration Fund Scoring Matrix

SMC Approved January 4, 2007
 (Revised July 15, 2008)

Project:

Criteria	Score Range	Project measure	Score	Weight Factor	Subscore	Max Score
Primary Evaluation Factors:						
Project Type:						
Wetland Restoration Percent (restoration acreage/RFP Acreage goal)	1 for every 10% up to 100% of RFP Acreage goal, then 0.25 point for every 10% above goal			3		NA
Wetland Creation Percent (creation acreage/RFP Acreage goal)	1 for every 10% up to 100% of RFP Acreage goal, then 0.25 point for every 10% above goal			2		NA
Wetland Enhancement Percent (enhancement acreage/RFP Acreage goal)	1 for every 10% up to 100% of RFP Acreage goal, then 0.25 point for every 10% above goal			1		NA
Buffer Enhancement (buffer area to be enhanced/total available buffer area)	1 for every 10% up to 100% of RFP Acreage goal, then 0.25 point for every 10% above goal			1		NA
Proposed Site Characteristics:						
Soils	1 through 5 (1 for extensive grading, 5 for native drained hydric in-situ)			2		10
Vegetation Quality (incl. Veg. & prox. quality?)	1 through 5 (1 for lower diversity/quality, 5 for highest diversity/quality)			2		10
Hydrology	1 through 5 (1 for artificial, 5 for permanent, or ground water)			2		10
Beneficial proximity to other wetland/natural areas	1 through 5 (e.g. upstream/downstream distance and quality)			1		5
Submittal Information						
Plans	1 through 5 (1 for incomplete/disorganized, 5 for complete/well organized)			1		5
Project Narrative	1 through 5 (1 for incomplete/lacks detail, 5 for complete/detailed)			2		10
Project Match Summary	1 through 5 (1 for incomplete/lacks detail, 5 for complete/detailed)			1		5
Estimate of Probable Cost	1 through 5 (1 for incomplete/lacks detail, 5 for complete/detailed)			1		5
Educational/Stewardship	1 through 5 (1 for little/none, 5 for high potential)			1		5
Long Term Protection:						
Type of protection	1 for deed restriction, 3 for public ownership, 5 for conservation easement			2		10
Total size protected (percent of total project size)*	1 for <25%, 5 for 25% to 50%, 10 for >50%			1		10
Maintenance Plan	1 through 5 (1 for incomplete/lacks detail, 5 for complete/detailed)			1		5
Monitoring Plan	1 through 5 (1 for incomplete/lacks detail, 5 for complete/detailed)			1		5
Secondary Evaluation Factors:						
Has two or fewer principal landowners	1 for No, 5 for Yes			1		5
Contains two or fewer contiguous mitigation areas	1 for No, 5 for Yes			1		5
Preserves existing HQAR** wetlands	1 for No, 5 for Yes			2		10
Flood damage reduction benefits	1 for No, 5 for Yes			2		10
Meets Watershed Planning Goal or Action Plan Item (if applicable)	1 for No, 5 for Yes			2		10
				TOTAL SCORE =		

*Note that all area for restoration/creation/enhancement credit needs to be deed restricted or protected.
 **High Quality Aquatic Resource (HQAR) as defined in WDO Appendix A and L.

TAPPENDIX A
REQUEST FOR PROPOSALS (RFP)
SMC Wetland Restoration Fund

**(Fox River)(Des Plaines River)(North Branch of the Chicago River)(Lake Michigan)
Watershed**

Issued: (date)

Closes: (date)

The Lake County Board adopted the Lake County Stormwater Management Commission's Wetland Restoration Fund (WRF) on November 8, 2005. The SMC administers and implements the WRF for Isolated Waters of Lake County (IWLC) impacts exceeding the mitigation threshold in watersheds where mitigation credits are unavailable. At this time, we are sending this Request for Proposals (RFP) for wetland mitigation projects using WRF funds within the (Fox)(Des Plaines)(North Branch of the Chicago River)(Lake Michigan) Watershed to achieve a RFP mitigation acreage goal of x.xx acres.

1. Who is Eligible to Apply?

Eligibility is open to any landowner (public or private) whose ownership property lies within Lake County and within the watershed described in the RFP. Landowners can include single owners, multiple owners, not-for-profit corporations, federal, state, or local agencies, or local units of government including park districts and forest preserve districts. SMC will require a signed letter from each property owner for those entities representing multiple property owners.

The wetland acreage created, restored, or enhanced using WRF monies cannot be utilized or sold as a wetland mitigation credit.

2. How Can Funds Be Used?

Appropriate WRF expenditures include costs to administer, plan, design, construct, improve, acquire property, manage and monitor wetland mitigation sites in the specified watershed. WRF monies may be used to restore, create or enhance wetlands on project sites located in the specified watershed within Lake County. Project expenses incurred prior to RFP selection, with the exception of land value, do not qualify for WRF funds. However, these expenditures may apply to the local project funding match requirement.

The WRF requires applicants provide a cost share match of at least 30% of the total project cost. Expenditures that qualify for match can include land value, in-kind services such as volunteer or donated professional time, feasibility study costs, and site evaluation study costs conducted prior to WRF application.

3. How Many Mitigation Credits Are Needed?

The RFP mitigation acreage goal is x.xx. To qualify for WRF funding, a proposed mitigation project must provide at least 1.5 acres of mitigation credit. Projects can include wetland restoration, creation, and enhancement as described below.

4. How Are Credits Generated?

The Mitigation acreage shall be credited on the following basis:

- a. 100% credit for each acre of wetland restored or created. Wetland restoration includes restoration of historic wetlands which have been filled, drained, or otherwise manipulated to the extent the areas no longer exhibit wetland characteristics. Wetland creation refers to the construction of wetlands in historically upland areas. Unless compensating directly for open water impacts specified in the RFP, no credit will be given for open water creation. The term “open water” is defined in WDO Appendix A. When allowed, open water creation shall be credited at 100% for in-kind mitigation (e.g., one acre of open water created for one acre of open water impacted). No mitigation credit shall be given for open water creation to compensate for non-open water impacts.
- b. 25% for each acre of non-farmed wetland enhanced. Enhanced wetlands must meet the same vegetative performance criteria for restored or created wetlands.
- c. 100% for each acre of farmed wetland enhancement. Enhanced wetlands must meet the same vegetative performance criteria for restored or created wetlands.
- d. Enhanced upland areas or enhanced wetland edges used to meet the buffer requirements in Article IV.B.1.i. of the WDO shall be credited at 25% for each acre enhanced. Created or restored wetland edges used to meet the buffer requirements of the WDO shall be credited at 75% for each acre created or restored. A maximum of 30% of the total mitigation credits to be generated by the project may consist of enhanced buffers. All high quality aquatic resources existing on the mitigation site shall, at a minimum, meet the buffer requirements for high quality aquatic resources; all other existing enhanced, created or restored wetland areas shall, at a minimum, meet the non-high quality aquatic resource buffer requirements of the WDO.

5. What Performance Standards Must Be Met?

The vegetative performance standards for mitigation projects are contained in WDO Appendix N, Section H. At the time of RFP submittal, the project narrative shall reference the performance standards and provide supporting documentation on how those requirements will be met. The project contract documents shall reference these performance standards.

6. Do We Require Long Term Protection?

All mitigation wetlands, as well as other preserved wetlands or waters and wetland buffers on the mitigation site, must be protected in perpetuity by a deed or plat restriction and recorded with Lake County Recorder of Deeds. The site owner shall provide the

SMC with a statement of acknowledgement and sketch of the deed or plat restricted areas.

7. Does the Project Require Management and Monitoring?

Refer to WDO Appendix N, Section I for the minimum five-year management and monitoring requirements. The proposal submittal must contain information on the anticipated management and monitoring plan for the mitigation site. Such plan shall include, at a minimum, a description of the sampling methodologies to be followed for evaluating hydrology in the mitigation wetlands and assessing vegetation in the mitigation wetlands and buffers, the frequency of sampling, and the report(s) to be generated.

The five-year management plan shall include a description of the anticipated management practices to be employed each year to meet the performance standards in Appendix N, Section H., and a schedule of all proposed management and monitoring practices (i.e., a calendar indicating month and year of activity). In addition, the plan shall identify the entity whom assumes responsibility for long-term management of the mitigation wetlands and wetland buffers after the five-year performance period and the dedicated source of funding for long-term management.

8. How Are Projects Evaluated?

Projects will be evaluated by SMC in accordance with the guidance contained in the Commission-approved SMC *Wetland Restoration Fund Implementation Guidance Document* dated December 21, 2006. In general, projects that restore historic wetland areas and demonstrate the highest likelihood of meeting the wetland mitigation performance requirements will be scored the highest. Please refer to the attached Wetland Restoration Fund Scoring Matrix containing the specific evaluation criteria. (To Be Attached).

9. What Do I Need To Submit For Funding?

Applicants shall submit a completed WRF Application Form (attached) signed by the site owner or agent, and a narrative describing the items listed in Sections B and C of the WDO's Appendix N. These sections include information on the proposed mitigation site (e.g., site location, physical description, land use, ownership, and significant biological resources) and the proposed mitigation design (e.g., topography, hydrology, soils, and planting plan). The site design plans can be conceptual at the time of RFP but should include enough information to support that the site will be successfully restored, created or enhanced as wetland and will be sustained in the long term.

The narrative also needs to contain supportive documentation on your capability and past experience to implement a wetland mitigation plan including design, construction, and management and monitoring. The applicant must acknowledge that, upon awarding, they will provide SMC with a financial surety in the form of an irrevocable Letter of Credit prior to construction [WDO Appendix N, Section F]. The surety amount shall equal 110% of the total estimated cost for construction, monitoring, and management of the mitigation wetlands and wetland buffers, as approved by SMC.

Please note that SMC may require more specific site background information including, but not limited to, a wetland determination report meeting the WDO's requirements, a jurisdictional determination (JD) for existing on-site wetlands, a drain-tile survey, or site-specific soils investigation.

SMC encourages WRF applicants hold a pre-application meeting with the SMC selection team. The pre-application meeting will provide applicants with specific RFP requirements, answer questions concerning acceptable match expenditures, and can be used to refine proposed projects.

10. Who Do I Send Information To:

Send the application materials to the SMC by the C.O.B on (date) at the address below:

Wetland Restoration Fund Application
Attn: (Joseph Hmieleski)(Glenn Westman)
Lake County Stormwater Management Commission
333 Peterson Road
Libertyville, IL 60048
Or email to: (jhmieleski@co.lake.il.us) (gwestman@co.lake.il.us)

SMC Use Only

Appendix B
Wetland Restoration Fund Application Form

Received _____
 Received _____

Watershed: (Select Watershed)	
Site Location: Enter Name of Village, Township, HOA	
Property Id. Number (PIN)	
Total Site Size (Acres)	
Owner/Authorized agent name	
Address	
City, State Zip	Phone
Email	applicant Name/Phone #
Project Type, Acreage, Credits	
TOTAL MITIGATION CREDITS (acres) =	
<input type="checkbox"/> Wetland Restoration: <input type="checkbox"/> Wetland Creation: <input type="checkbox"/> Wetland enhancement: Acres: Credits: Acres: Credits: Acres: Credits:	
<input type="checkbox"/> Buffer Enhancement: Acres: Credits:	
Will the Project Impact? JD done? Yes no Waters of the U.S.? <input type="checkbox"/> No <input type="checkbox"/> Yes – Acres: Corps Permit Issued? <input type="checkbox"/> No <input type="checkbox"/> Yes Isolated Waters of Lake County? <input type="checkbox"/> No <input type="checkbox"/> Yes – Acres: WDP/IWCC Permit Issued? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Mitigation Project Description	
Project Description (use additional sheets if necessary):	

U:\Regulatory Program\Wetland Restoration Fund\WRF Implementation Guidance Documents_SMC Approved\WRF Request Form
 Fillable2_SMC_Approved.doc

Cost Summary: (Complete Appendix C and provide estimate of probable cost)		
	Project Total Cost	\$ Percent Match (%)
Schedule:	Start Date	Completion Date
Please provide statement of recognition and information on Long Term Site Protection (deed restriction, conservation easement)		
Summary of Project Benefits (relating to water quality improvement, natural resource enhancement or flood damage reduction)		

Signature of Site Owner/Authorized agent

Printed Name

Signature of Applicant (date)

Printed Name

- Requested Attachments:
1. Location Map (note existing wetlands/natural areas on map)
 2. WRF Project Narrative (see RFP description)
 3. Statement of compliance with SMC policies, local plans and WDO
 4. Completed Appendix C
 5. Estimate of Probable Cost

U:\Regulatory Program\Wetland Restoration Fund\WRF Implementation Guidance Documents_SMC Approved\WRF Request Form
Fillable2_SMC_Approved.doc

Appendix C
Wetland Restoration Fund - Project Match Summary

SMC APPROVED January 4, 2007

Budget Item	WRF COSTS: (\$) <small>(Place costs in this column if not being used as match)</small>	MATCH COSTS: (\$) <small>(Place costs in this column if being used as match)</small>	TOTAL COSTS: (\$) <small>(Sum row)</small>
Administrative			
Planning & Engineering <small>(example*: information gathering, wetland delineation, plan preparation, survey, permits, approvals, drain tile and soil investigation)</small>			
Construction <small>(example*: site preparation, clearing, grading, erosion control water control structures)</small>			
Planting <small>(example: planting/seeding/installation, enhancement)</small>			
Management & Monitoring <small>(include period up to compliance, and any long term funding)</small>			
Land Value <small>(includes the project area only)</small>			
Column Subtotal (without contingency)			
Contingency		NA	
Column Subtotal----->			
PROJECT TOTAL (sum WRF and Match costs)=			
% Match-----> <small>(min. 30% required)</small>			

*Example budget items provided are for guidance only. Your project may have additional expenses.
 For these items, place the item within the closest topic category above.

Appendix D – Notice of Invitation to Bid

NOTICE OF INVITATION TO BID

**SMC Wetland Restoration Fund – XXX Watershed
Lake County, Illinois**

The Lake County Stormwater Management Commission (SMC) desires to purchase a minimum of x.xx acres of *standard* wetland mitigation bank credits or a minimum of [x.xx] acres of *certified* wetland mitigation bank credits from a [U.S. Army Corps of Engineers (USACE) or SMC] permitted mitigation bank in the XXX Watershed within Lake County, Illinois.

Notice is hereby given that SMC is seeking **sealed bids** from qualified wetland mitigation bank administrators for the purchase of the above referenced wetland mitigation bank credits. The deadline for submission of sealed bids is xx, 20xx at xx:00 A.M. (CST) at the SMC office at 500 West Winchester Road, Unit 201, Libertyville, Illinois, 60048. At that time, the bids will be publicly opened and read. Sealed envelopes or packages containing bids shall be clearly marked or endorsed: "*Wetland Mitigation Credits – XXX Watershed*".

Sealed bids must contain the following:

- (1) Copy of Page 2 of this Notice with all information completed, including original signature of authorized representative;
 - (2) Copy of USACE permit for the mitigation bank from which credits will be purchased;
- and,
- (3) Copy of USACE documentation confirming release/availability of mitigation credits at the mitigation bank from which credits will be purchased.

Award of Purchase Agreement: The award of the bank credit purchase agreement will be made to the lowest responsible bidder to provide the required mitigation acreage. SMC reserves the right to reject any and all non-conforming, non-responsive, unbalanced, or conditioned bids, and to reject the bid and any bidder if SMC believes that it would not be in the best interest of the SMC to make an award to that bidder. SMC also reserves the right to waive irregularities or information or informalities at its discretion. SMC also reserves the right to negotiate the purchase of additional credits at the unit price contained in the bid of the selected bidder
Contact XXX, SMC Chief Engineer, at 847-xxx-xxxx with any questions.

NOTICE OF INVITATION TO BID – PAGE 2

SMC Wetland Restoration Fund – XXX Watershed Lake County, Illinois

Name of Firm: _____

Address: _____

Contact Person: _____

Phone/E-Mail: _____

Name of Mitigation
Bank*: _____

Type of Mitigation
Credit Available**
(Standard or
Certified): _____

Unit Price (\$ per acre): _____

Total Price (Unit Price x Credit Acreage Needed): _____

Authorized Representative:

Signature: _____ Date: _____

Print Name: _____

* Include copy of USACE permit for referenced mitigation bank.

** Include USACE documentation confirming release/availability of mitigation credits at referenced mitigation bank.