

## **ARTICLE 3. WATERSHED MANAGEMENT PERMIT REQUIREMENTS AND SUBMITTALS**

### **§ 300. General Requirements and Limitation**

1. The issuance of a **Watershed Management Permit** does not:
  - A. Convey any property rights or any exclusive privilege;
  - B. Authorize any injury to private property or invasion of private rights; or
  - C. Release the **applicant** from liability for damage to **persons** or property resulting from the work covered by the permit.
2. The **Watershed Management Permit** application and plan set submittals shall be certified by a **Professional Engineer**, as required on the permit application form, indicating that the technical submittal meets the criteria required by this **Ordinance**.
3. The **Watershed Management Permit** application shall include the name(s), legal address(es), and original signature(s) of the **applicants** attesting to the understanding of the requirements and intent to comply with this **Ordinance**, according to the following:
  - A. For **projects** located within a **municipality's** corporate limits, both the **permittee** and **co-permittee(s)** must sign the **Watershed Management Permit** application;
  - B. For **projects** located in unincorporated areas, the **co-permittee(s)** must sign the permit application and the **permittee** (Cook County) is requested to sign the permit application. The **co-permittee** must comply with the following requirements:
    - (1) For **projects** which include qualified **sanitary sewer** work without a **permittee**, the **Watershed Management Permit** may be issued under a **sole permittee** status, and must demonstrate all of the following:
      - (a) The area to be served is outside the jurisdiction of any local sanitary district, township, or public utility company which is certified for such service;
      - (b) The facilities to be served are for the sole and exclusive use of the property **owner**, and no sewer extension is contemplated for other private users;
      - (c) Evidence of responsibility, as determined by the **District's Board of Commissioners**;

- (d) Compliance with the administrative requirements in the **TGM**; and
  - (e) The permit must be recorded with the Cook County Clerk's Recordings Division according to §307 of this **Ordinance**.
- (2) For **projects** that involve **development**, the **co-permittee** must adhere to the additional **maintenance** requirements in §902 of this **Ordinance**. The permit must be recorded with the Cook County Clerk's Recordings Division according to §307 of this **Ordinance**.
- 4. Prior to commencing construction, the **applicant** shall secure all appropriate approvals from local, state, regional, and federal authorities or their designee, including, but not limited to, **IDNR-OWR**, the **Corps**, **IEPA**, and **FEMA**.
  - 5. **Applicants** proposing **runoff** at a location on or adjacent to holdings or property of Forest Preserve District of Cook County (FPD) shall contact FPD for review of the proposed work to determine **stormwater** impacts to FPD property and methods to reduce or eliminate any adverse impacts. Refer to the **TGM** for further details.
  - 6. Either the **District** or relevant **authorized municipality** shall make the final determination that all pertinent information is submitted by the **applicant** to allow for **Watershed Management Permit** review and/or issuance. Additional information or calculations may be requested from the **applicant** by either the **District** or **authorized municipality** to ensure compliance with this **Ordinance**.
  - 7. Any error or omission in the approved **Watershed Management Permit** documents shall not relieve the **applicant** from any requirement of this **Ordinance**.

### § 301. Permit Fees

- 1. The **District** shall establish a schedule of permit fees in accordance with the provisions of this **Ordinance**, which may be amended from time to time. The Schedule of permit fees is included in Appendix F of this **Ordinance**.
- 2. An **authorized municipality** may establish a schedule of permit fees in accordance with the provisions of this **Ordinance**, which may be amended from time to time.
- 3. Fees shall be based upon the costs either the **District** or **authorized municipality** incurs for all aspects of the permitting process, including, but not limited to, review of permit applications and inspections.

4. The **applicant** shall pay all relevant permit fees at the time of application for a **Watershed Management Permit**. Permit fees shall be refunded if the permit application is cancelled subject to the conditions of §1401.3 of this **Ordinance**. Base fees, and other completed review fees, are considered non-refundable.

### § 302. Watershed Management Permit Application Submittal

The **Watershed Management Permit** submittal shall include the permit application and all of the following when applicable:

1. A general narrative description of the proposed **project** that shall include:
  - A. The common address and legal description of the **property holdings** where the **project** will take place;
  - B. **Project** type, which includes **Single-Family Homes, Residential Subdivisions, Multi-Family Residential, Non-Residential, Right-of-Way, and Open Space**;
  - C. Size of the **property holdings** where the **project** will take place;
  - D. Size of the proposed **project**;
  - E. A statement from either a **Professional Engineer** or **Wetland Specialist** when **flood protection areas** are not present within:
    - (1) The **project** area;
    - (2) The property holdings; or
    - (3) 100 feet beyond the **project** area, including areas not located within the **property holdings**.
2. The following submittals, as detailed in Article 3 of the **TGM**:
  - A. The **Erosion** and **Sediment** Control Submittal, including:
    - (1) Schedule P signed by the **co-permittee**; and
    - (2) A narrative of the **erosion** and **sediment** control plan that describes all measures appropriate for the **project** such that all the requirements of Article 4 of this **Ordinance** are met.
  - B. The **Stormwater** Management Submittal, including:

- (1) The applicable Schedule D or Schedule D-Legacy with applicable supporting calculations, signed and sealed by a **Professional Engineer**;
  - (2) The **runoff** plan for the **development** that describes all measures appropriate to meet the requirements of §502 of this **Ordinance**;
  - (3) A volume control plan that describes all measures appropriate for the **development** in accordance with §503 of this **Ordinance**;
  - (4) A **detention facility** plan that describes all measures appropriate for the **development** in accordance with §504 or §505 of this **Ordinance**;
  - (5) Schedule K (Disclosure of **Property Interests**), signed and notarized by the **applicant** and Notary Public, respectively, if the aggregate total area of property and all other lands **contiguous** to said property in which the **applicant** has **property interest** is less than the **stormwater** detention threshold stipulated under Table 2 in §501 of this **Ordinance**; and
  - (6) Schedule L (Notice of Requirements for **Stormwater** Detention), signed and notarized by the **applicant** and Notary Public, respectively, for **property holdings** requiring detention in which there are previously undeveloped **property holdings** areas not included in the detention calculations.
- C. The **Floodplain** Submittal for **development** associated with a **floodplain** and/or **floodway** designated in §601 of this **Ordinance**, including:
- (1) Schedule H and applicable supporting calculations, signed and sealed by a **Professional Engineer**;
  - (2) A narrative description of the proposed **project** within the limits of the **floodplain** and **floodway**, and details of **floodproofing** measures including material specifications, construction methods, and calculations;
  - (3) A determination of the **BFE** and **FPE**, including the source of the determination, in accordance with §601.4 and §601.9 of this **Ordinance**;
  - (4) A copy of the **Cook County FIS Floodway** Data Table, if available;
  - (5) Revisions to **FIRM(s)** including all hydrologic and hydraulic calculations, modeling, and all **CLOMR/LOMR** applications;

- (6) **Floodplain** fill and **compensatory storage** calculations in accordance with §602.6, §602.7, and §602.8 of this **Ordinance**; and
  - (7) Calculations or analyses that demonstrate compliance with §602.23 of this **Ordinance** for **development** in the **floodway**.
- D. The **Wetland** Submittal for any **development** associated with a **wetland** designated in §603 of this **Ordinance**, including:
- (1) Schedule W, signed by a **Wetland Specialist**;
  - (2) Copies of the following forms of correspondence ~~from the Corps, as applicable:~~
    - (a) A document from the Corps Jurisdictional Determination indicating ~~that whether~~ the ~~impacted wetland~~ is ~~not~~ under the jurisdiction of the **Corps**; or
    - (b) ~~If required by the Corps, a~~ Section 404 permit application, all associated correspondence, and a copy of the completed joint application form (NCR Form 426, "Protecting Illinois Waters") signed by the **applicant**, or a document from the Corps indicating that an impact to the wetland is allowed.; ~~or~~
    - ~~(c) If the wetland is not impacted, and the applicant does not receive a Corps Jurisdictional Determination within ninety (90) days of submitting a complete request to the Corps or if the applicant can demonstrate through documentation that a Corps Jurisdictional Determination has not been issued, a statement of opinion from a qualified wetland specialist on whether the wetland is a Corps jurisdictional wetland or an isolated wetland is required. The wetland determination provisions of §603.4 apply.~~
  - (3) The **isolated wetland** submittal for a **standard isolated wetland** that is less than one-tenth of an acre (0.10 acre) in aggregate;
  - (4) The **isolated wetland** submittal for a **high quality isolated wetland** or a **standard isolated wetland** greater than or equal to one-tenth of an acre (0.10 acre) in aggregate;
  - (5) An **isolated wetland** delineation report consistent with the requirements for **wetland** delineation provided in §603 of this **Ordinance**, including all **Corps** "Routine Wetland Determination Data Form(s);"

- (6) If **wetland mitigation** is required, a **wetland mitigation** document shall be developed in accordance with §604 of this **Ordinance**; and
  - (7) An approved and active **MWRD** Wetland/Riparian Environment Verification form may be substituted for the documentation of §302.2.D(2)-§302.2.D(5), as applicable.
- E. The **Riparian Environment** Submittal for any **development** associated with a **riparian environment** designated in §606 of this **Ordinance**, including;
- (1) Either Schedule H or Schedule W, signed by a **Professional Engineer** or **Wetland Specialist**, respectively;
  - (2) A delineation of the **riparian environments** in accordance with §606.2 of this **Ordinance**;
  - (3) If mitigation is required, a **riparian environment** mitigation document must be developed in accordance with §607 and a plan in accordance with §303.2.N of this **Ordinance**;
  - (4) For impacts to a **Jurisdictional Waters of the U.S.**, provide a copy of one of the following forms of correspondence from the **Corps**:
    - (a) A Letter of No Objection stating that no permit is necessary; or
    - (b) A Section 404 permit application from the **Corps**, all associated correspondence and a copy of the completed joint application form (NCR Form 426, "Protecting Illinois Waters") signed by the **applicant** or agent.
  - (5) For channel relocation, include documentation indicating that the length of the mitigated channel is greater than or equal to the length of the disturbed channel.
- F. The **Qualified Sewer** Submittal for any **qualified sewer** construction, as designated in Article 7 of this **Ordinance**, including:
- (1) Schedules A, B, and C;
  - (2) Schedule E and applicable supporting calculations for new, reconstructed, or modified public lift stations and/or forcemains;
  - (3) Schedules F and G and applicable supporting documentation for onsite treatment or pre-treatment of **industrial wastes**;

- (4) Schedule J, signed and notarized by the **applicant** and Notary Public, respectively, for **projects** located in a **municipality** that has not adopted ordinances requiring overhead plumbing and prohibiting footing drain discharge into the **sanitary sewer** system. Said ordinances shall be filed with the **District**.
- (5) Schedule O for either of the following:
  - (a) Direct connections to **District** infrastructure; or
  - (b) New or reconstructed **outfalls** to **waterways** or Lake Michigan;
- (6) All **District** required general notes, approved materials, applicable standard details (or equivalent), technical requirements, and design guidelines for **qualified sewer** construction available from the **TGM**;
- (7) Population Equivalency (PE) calculations for expected sewer flows based on new, existing, and/or expanded service area;
- (8) Service area and future service area exhibits along with supporting population calculations;
- (9) A narrative description of any live sewer connection or live sewer bypass protocol;
- (10) A recorded **maintenance** agreement between all **sewer system owners** when a new connection to a privately-owned sewer is proposed; and
- (11) Other calculations necessary to demonstrate compliance with this **Ordinance**.

G. The **Maintenance** and Monitoring Plan Submittal, including:

- (1) Schedule R, signed and notarized by the **applicant** and Notary Public, respectively;
- (2) A schedule of implementation of the **erosion** and **sediment** control plan;
- (3) A scheduled perpetual **maintenance** program for the following:
  - (a) Stormwater management facilities, including major stormwater systems, volume control practices, stormwater detention facilities, native planting conservation areas, and other stormwater facilities;

- (b) **Compensatory storage** facilities;
- (c) Wetlands;
- (d) Riparian environments; and
- (e) **Qualified sewer.**

3. All applicable exhibits and plan sheets specified in §303 of this **Ordinance**.

### § 303. Plan Set and Exhibits Submittal

Depending on the complexity of the proposed **project**, combining plan sheets is desirable if information provided on all plan sheets is clear, specific, and legible. The Plan Set and Exhibits Submittal shall include the following when applicable:

1. All required topographic information shall be tied to the North American Vertical Datum of 1988 (NAVD88);
2. The plan set being submitted under the **Watershed Management Permit** shall be comprised of the following plan sheets and exhibits, as applicable:
  - A. Cover or Title Sheet, including the following:
    - (1) A location map made to scale displaying the following:
      - (a) The **project** location, and named streets, highways, railroads and **waterways**;
      - (b) Delineation of the conveyance route and indication of the **sewer system owner** of the **stormwater** drainage from the **project** to the receiving **waterway** or **combined sewer**; and
      - (c) Delineation of the conveyance route and indication of the **sewer system owner** of sanitary, storm, and/or **combined sewers** from the **project** through the local sewer system(s) to the receiving **District** interceptor or facility;
    - (2) The index of plan sheets that are included as part of the plan set; and
    - (3) Original seal and signature of the **Professional Engineer** of record.
  - B. MWRD General Notes plan sheet;

- C. Existing Conditions Plan;
- D. **Demolition** Plan;
- E. Dimensional or Geometry Plan;
- F. Paving Plan;
- G. Grading Plan;
- H. Utility Plan;
- I. **Erosion** and **Sediment** Control Plan;
- J. Construction Details;
- K. **Stormwater** Management Exhibit including:
  - (1) **Development** Area Exhibit; and
  - (2) Tributary Area Exhibit.
- L. **Floodplain** plan sheet(s) including:
  - (1) Location of the existing and proposed **BFE** and **floodway**; and
  - (2) Cross section profiles of **floodplain** fill and **compensatory storage** with a tabular summary of cut and fill volumes below the 10-year **flood** elevation and between the 10-year and **100-year flood elevations**.
- M. **Wetland** plan sheet(s), including:
  - (1) The location of **wetland** and **wetland buffer** on or within 100 feet of the **project**, based upon a survey of the **wetland** delineation in accordance with §603 of this **Ordinance**;
  - (2) Area of proposed impact to **wetland** or **wetland buffer**; and
  - (3) A proposed **wetland mitigation** plan that meets the requirements of §604 of this **Ordinance**, if impacts to the **wetland** or **wetland buffer** are proposed.
- N. **Riparian Environment** plan sheet(s), including:

- (1) Location of **riparian environments** located within the **project**, based upon a survey of the Ordinary High Water Mark (**OHWM**) of the channel or stream and associated **riparian environment**;
  - (2) Area of proposed impact to **riparian environments** as defined in §607.3 of this **Ordinance**; and
  - (3) Proposed **riparian environment** mitigation plan that meets the requirements of §607 of this **Ordinance**, if impacts to the **riparian environment** are proposed.
3. The Plat of Survey, Exhibit A, meeting the requirements of Section 1270.54 of Title 68 of the Illinois Administrative Code. When Exhibit A is submitted with Schedule L, it shall also meet the requirements of the Cook County Clerk Recordings Division;
  4. The **Maintenance** and Monitoring plan sheet(s) shall include the following:
    - A. The common address, legal description, and property index number (PIN);
    - B. The location of all existing and proposed systems indicated in §302.2.G(3) of this **Ordinance**; and
    - C. The type and schedule of **maintenance activities** to be performed on the existing and proposed systems as required under §302.2.G of this **Ordinance**.

#### **§ 304. Terms of Permit/Denial - Appeal**

1. Upon receipt of a complete **Watershed Management Permit** application, either the **District** or an **authorized municipality** may:
  - A. Request clarifications or revisions from the **co-permittee**;
  - B. Issue a **Watershed Management Permit**;
  - C. Issue a **Watershed Management Permit** with special conditions in accordance with this **Ordinance**; or
  - D. Deny the application for a **Watershed Management Permit**.
2. Any **applicant** aggrieved by the special conditions or denial of a **Watershed Management Permit** may appeal said denial or special conditions as specified in Article 13 of this **Ordinance**.

### § 305. Construction Timeline Requirements and Approval of Plan Revisions

1. Construction activities authorized under a **Watershed Management Permit** must be initiated within one year following the date of permit issuance. If construction activity has not started within one year following the date of permit issuance and the **applicant** intends to pursue the permitted activity, then the **applicant** shall submit a written request for an extension. Upon receipt of such request, either the **District** or an **authorized municipality** may grant an extension to start the construction activities under the **Watershed Management Permit**. Failure to commence construction activities within one year following the date of permit issuance or by the granted extension date renders the issued **Watershed Management Permit** null and void.
2. Construction activities authorized under a **Watershed Management Permit** must be completed within three years following the date of permit issuance. If construction activity has been started but is not completed within three years of the date of issuance of a **Watershed Management Permit** and the **applicant** intends to continue the permitted activity, then the **applicant** shall submit a written request for an extension. Upon receipt of such request, either the **District** or an **authorized municipality** may grant an extension for construction activities under a **Watershed Management Permit**.
3. After issuance of a **Watershed Management Permit**, all **material revisions** to the plans require the approval of either the **District** or an **authorized municipality**. The **applicant** shall submit a written request for approval, the appropriate fee, and the revised plans. If either the **District** or **authorized municipality** determines that the revised plans are in compliance with the then current requirements of this **Ordinance**, an approval of the revised plans will be issued.

### § 306. Record Drawings

1. Upon completion of the project, record drawings of all plan sheet(s) shall be submitted to the District.
2. All **record drawings** shall contain benchmark information and reference a vertical datum.
3. **Record drawing** calculations shall be submitted to the **District** for the following:
  - A. As-built volume of constructed **volume control practices, detention facilities, and compensatory storage**; and
  - B. Acreage of constructed **native planting conservation areas, wetland mitigation areas, and riparian environment** mitigation areas.

4. If the constructed grades, geometries, inverts, acreage, or volumes of constructed stormwater facilities, volume control practices, detention facilities, compensatory storage, native planting conservation areas, wetland mitigation areas, or riparian environment mitigation areas are not in conformance with the approved plans, the applicant shall be responsible for any modifications required for compliance with this Ordinance.
5. **Record drawings** shall be prepared, signed, and sealed by a **Professional Engineer** or a **Professional Land Surveyor**. The record calculations shall be prepared, signed, and sealed by a **Professional Engineer**.

**§ 307. Recordation and Obligations of a Watershed Management Permit**

1. The **applicant** is responsible for ensuring Schedule R, specified under §302.2.G of this **Ordinance** is recorded with the Cook County Clerk's Recordings Division.
2. At the expense of the **applicant**, the **District** may record Schedule R, specified under §302.2.G of this **Ordinance** with the Cook County Clerk's Recordings Division.
3. The **Director of Engineering** may record the **Watershed Management Permit** and any amendments thereto with the Cook County Clerk's Recordings Division.
4. Obligations imposed under a recorded **Watershed Management Permit** shall continue into perpetuity or until the **property holding** is redeveloped under a new **Watershed Management Permit**.