

## KANE COUNTY STORMWATER ADMINISTRATIVE GUIDE MANUAL

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## INTRODUCTION

The Kane County Stormwater Administrative Guidance Manual (Manual) is, as the name suggests, an administrative guide to provide County and Certified Community Officials assistance in implementing the administrative requirements of a stormwater permit application and the record keeping that is required.

### Purpose

The purpose of the Administrative Guidance Manual is to supplement the Kane County Stormwater Ordinance (Ordinance) by providing background and intent of the technical requirements in the Ordinance. This manual contains extended discussion on the topics found in the Ordinance.

The Manual links directly to the Kane County Stormwater Ordinance by using the same Section numbers as those contained in the Ordinance with a “T” added to the number.

The Manual facilitates implementation and provides guidance necessary to achieve the objectives and standards of the Ordinance. This document has no authority to mandate new criteria.

### Organization

The Manual is comprised of two parts:

- **Part 1** – Administrative guidance covering exempt and grandfathered projects, variances, Ordinance administration, performance security certified community enforcement and qualified review specialists; and
- **Part 2** – Forms pertinent to the administration of the Ordinance.

## **ARTICLE 5 – REQUIRED SUBMITTALS FOR STORMWATER MANAGEMENT PERMITS**

### **§ T511**      **Terms of the Permit/Denial-Appeal**

This section outlines a permit applicant's requirements for filing an appeal of either a permit denial or any special conditions attached to the permit approval. The Oversight Committee is the body responsible for conducting a hearing and taking evidence. The Applicant can appeal the decision of the Oversight Committee to the decision making authority. Further appeal is through the court under the Illinois Administrative Review Law.

## **ARTICLE 8 – GENERAL PROVISIONS**

### **Exempt (or Grandfathered) Projects**

Projects which are “in-process” at the time of the Countywide Stormwater Ordinance adoption and effective date pose a particular dilemma. Vast amounts of time and resources go into developing a good site plan both from the developer and their consultants and from a municipality or a county’s staff review.

There are also often extensive legal negotiations which go on in regard to the annexation which create a “contract” of sorts between the community and the developer. Many communities in Kane County already have in place stormwater management standards and these projects are generally in conformance with those standards. However, those standards may not be fully in accordance with the provisions of this ordinance. Therefore, we create a classification of projects which we call “exempt” or “grandfathered”, from strict application of this ordinance.

The responsibility for final determination of the status of a project as exempt from the provisions of the stormwater ordinance is ultimately up to the Stormwater Committee.

The process starts by action of the community. The community must recognize a project as being far enough along in whatever development process they have in place in order to place the project on their “list of exempt developments”. To be considered exempt, the plan for the project must identify how stormwater from the project is to be managed and the communities review authority must concur that sufficient engineering has been performed to show that the plan is viable. For master-planned sites, this can take the form of review and approval (or substantial approval) of a stormwater management master plan.

Legally binding contracts, entered into by the community and developer in good faith that address stormwater management, will also be honored provided that they have been entered into prior to January 1, 2001.

The community should also note the requirement for posting signs on exempt properties and publishing notice of the list of exempt developments.

Each community’s list is submitted with their application to become a certified community and must be submitted with the Application for Certification on or before January 1, 2002. The lists are then reviewed by the Stormwater Committee. The committee is made up of an equal number of municipal and county government representatives divided into representative zones. The municipal or county representatives within each zone have the right to “remove” a project from the list which falls within their zone. Removal from the list means the project will be reviewed individually. Otherwise, all other projects on the list are passed, unless a majority of the Stormwater Committee approves the removal of a project from the

list. The list is passed and these projects are considered as exempt. The projects which are removed from the list are then considered individually and if the provisions outlined in the ordinance in Section 802B apply then the projects may still be found to be exempt.

For the most part, projects are not actually exempt from all stormwater requirements, but are just exempt from strict application of the new Stormwater Ordinance.

Projects which have not filled or dredged wetlands prior to the effective date of the Ordinance, are not exempt from mitigation requirements regardless of any previous jurisdictional determinations by other agencies. Mitigation will be required in accordance with Article 15.

### Scope of Regulation

This Ordinance for stormwater is equally applicable to all units of local government projects, even those that have not previously had to obtain permits from the unincorporated county or communities. School districts and local road projects are typical examples of a unit of local government which can develop a property without obtaining permits from a village or county who will now be required to obtain a stormwater management permit from either a certified community or the County.

A certified community can permit their own projects provided that they obtain all required state and federal permits for the project and that they follow the same procedures as all other applicants in their permitting, including the use of Qualified Review Specialists to review the application. They must, however, obtain a Kane County Wetland Permit when Applicable.

The recent (January, 2001) ruling by the United States Supreme Court highlighted the potential problems of relying on wetland protection at the Federal level, and Kane County will assume the responsibility for implementing protection of wetlands at a local level, when a development involves dredging or filling wetlands that do not fall under the USACOE jurisdiction or are subject to NRCS Administered programs.

The County is delegating their authority under this ordinance to certified Communities, except for the review of mitigation plans. Projects which include dredging or filling of Wetlands not regulated by the Corps of Engineers must obtain a permit from Kane County, which will review the wetland impacted to verify that an adequate and appropriate mitigation plan has been submitted. Further, Kane county will collect permit review fees for mitigation plans and administer Fee-in-lieu of wetland mitigation programs.

When requested by the Community, the County will also review wetlands subject to regulation by the Community under Article 4. Note that it is possible to have as many as three agencies issuing permits for wetlands on a development: The

USACOE 404 permit, the Stormwater Permit by the Municipality and a Wetland Permit by the County.

When the development does not include the dredging or fill of wetlands or the wetlands impacted are all regulated by the USACOE, then a permit from Kane County is not required. The Certified Communities Stormwater Permit will cover any wetlands remaining on-site.

### Choice of Planning Jurisdiction

The enabling legislation of this ordinance allows communities whose borders straddle more than one county to opt that all property within their boundaries be included within one or the other counties planning jurisdictions. In order to use this option, the county which is an alternative to Kane County must have its own stormwater management committee and plan in place. Certain communities in Kane County, then, have an option of electing to have all of the land within their borders utilize the rules and requirements of McHenry County, DuPage County, or Will County. The State's Attorney's Office should be contacted to determine if this is a viable option for a community to consider.

The County Board authority, however, stops at the County line. Communities who have land within their borders that are outside of Kane County may opt into Kane County for their entire corporate limits. However, the County's authority does not extend past the County line to enforce this ordinance except by intergovernmental agreements. Communities were given the choice of opting out of the Ordinance in January, 1997 and therefore, no longer can opt out if they didn't choose to do so at that time.

## **ARTICLE 9 – VARIANCES**

Regulators can not always anticipate every development scenario. In a few unique situations, some performance standards may not seem appropriate considering the goals of the Ordinance. In those unique situations, the applicant may request a variance. There are some performance standards that may not be varied because of State or Federal law. If a certified community is repeatedly issuing variances for the same performance standard, it is appropriate to request that the Stormwater Committee review and consider amending the Ordinance. A variance request shall only be made after a stormwater management permit application has been filed.

The burden of demonstrating why it is impracticable or impossible to meet the performance standards of the Ordinance rests with the applicant. Table 901 outlines the information required as part of the application for variance. Included in the requirements are statements by the applicant as to 1) what exactly is requested to be varied; 2) why can the Ordinance not be met; 3) what is the impact of the variance (for example – will there be greater risk of flood damage to downstream-upstream properties); 4) demonstrate that the minimum variance is being applied for; and 5) standards in § 904 of the Ordinance are being satisfied. The applicant for a variance request should meet with local officials prior to submitting the variance requests to determine how appropriate the request is and how to best support the request.

A public hearing will be required to discuss the variance request and allow public input. All property owners within 250 feet of the development must be notified. The public notice should state:

1. The specific location of the development, referencing nearby landmarks, streets, the Township, Section, Range and Quarter Section.
2. The name of any impacted waterway or wetland or appropriate designation if no name applies.
3. The name and mailing address of the permit applicant.
4. The name and mailing address of the permit applicant's agent.
5. A description of the development.
6. A statement of what performance standard is requested to be varied.
7. A statement of the proposed variance to the performance standard and what degree of compliance is being achieved in lieu of the full performance standard.
8. A location where plans and supporting documents for the proposed project may be viewed.

9. The effective date and the closing date of the public notice, and the name and mailing address of the person and organization to whom comments should be sent. The Administrator should be the individual to receive and respond to public comments.

The Administrator shall make a written opinion regarding the variance request, which will be given to the Oversight Committee at the public hearing. Therefore, it is important that the applicant meet with the Administrator prior to filing a variance request. All correspondence concerning a variance shall be copied to the Director and every Administrator within the watershed(s) within which the development is occurring.

The Oversight Committee and decision-making authority are both established by the Corporate Authorities of a community at the time they apply for Certification.

Variances of the Provisions of Article 15 on Wetlands may only be granted by the County.

## **ARTICLE 10 – ADMINISTRATION**

### **§ T1000**      **Responsibility for Administration**

The Ordinance creates two responsibilities for implementing the ordinance. Overseeing enforcement of this Ordinance is the duty of the Oversight Committee. The administration of the Ordinance is the duty of the Director and the Administrator. In a certified community, only the position of Administrator is created. The Director is a County employee, responsible for the overall implementation throughout the County and is anticipated to be separate from the Administrator in the unincorporated county.

It is important to note that each community will remain responsible for their own standing in the National Flood Insurance Program (NFIP). The NFIP requires certain record keeping and certain rules and procedures be followed that are compatible with this ordinance, but a separate responsibility. The duties of the Administrator do not specifically cover those duties that are required to maintain standing in the NFIP. This Ordinance is not intended to repeal any of those ordinances adopted specifically to maintain or establish initial standing in the NFIP.

Amendment of the Ordinance requires notification to a number of agencies. It is not intended that the Countywide Ordinance will be amended except as amended by the Stormwater Committee and the County Board and then adopted by Certified Communities. Communities may adopt standards more stringent than those contained in this Ordinance. The Ordinance creates two separate roles in its' implementation. One is that of the Oversight Committee and the other is the Director and Administrator. The Oversight Committee is charged with overseeing enforcement of the Ordinance. The Administrator is the one to administer the day to day requirements of the Ordinance, such as permitting and record keeping, site inspections and other tasks that are required on an on-going basis. The Director is a separate position in Kane County and the duties are to oversee the implementation of the Ordinance countywide. Because of the Director's responsibility for review of the implementation by Certified Communities, the Unincorporated County has a separate Administrator. Specific duties and responsibilities may be delegated to other individuals or outside firms as necessary to bring the required expertise to bare on any particular issue.

This Ordinance is not intended to maintain individual community standing in the NFIP. While it is compatible and consistent with those requirements, it does not require the same documentation and reporting as the NFIP and therefore, any ordinances adopted specifically for the purpose of maintaining standing in the NFIP are not repealed by this Ordinance. Amendment of the countywide ordinance can only be done through the SMC and is adopted by the County Board. Individual Communities may adopt more restrictive

requirements on their own, which may be considered then in addition to the minimum requirements set forth in this ordinance. The Community must however, notify the Director of these amendments.

#### § T1001      Duties of the Director

The position of the Director is created by Kane County for the purpose of day to day administration of the entire countywide ordinance program and issuing permits for wetland impacts on those wetlands not regulated by the Corps of Engineers or in agriculture. His/Her services are also available for the review of complex stormwater management permits when requested by a Certified Community.

The Director shall also review the implementation of the countywide ordinance by each Certified Community. This review is to ensure that all communities are enforcing the minimum standards set forth in the ordinance.

The Director is responsible for maintaining the list of Qualified Review Specialist's and Qualified Wetland Review Specialist's. The Director will maintain a list of those so qualified.

#### § T1002      Duties of the Administrator

The Administrator is a position appointed by each Certified Community. They are charged with the day to day tasks involved in an ordinance and permitting program. The duties are listed in the Ordinance and each one will be considered here individually. For communities with a Public Works Director or a Village Administrator, it is encouraged that a municipal employee take on the duties of the Stormwater Administrator. For communities without a Public Works Director or Village Administrator, it is expected that the duties of the Stormwater Administrator will be carried out by a consultant.

Stormwater permits often overlap jurisdictions of other agencies, such as State Floodway construction permitting and the Federal United States Army Corps of Engineers 404 Wetland Permitting. Duplication of permit review has been minimized in the Ordinance. However, each Administrator must recognize that a stormwater plan's compliance with the Ordinance may depend on the ultimate review and approval and permit issuance by an outside agency. It is common for a project to want to begin construction before permits are issued by other agencies. The Ordinance does not prohibit the issuance of a permit for work outside the area so affected, however, it will be the Administrator's responsibility to see that the work permitted and allowed to begin construction is a "stand-alone project" which will still meet the minimum standards of the Ordinance, even if the other agency permits are ultimately denied.

Special Management areas which consist of wetlands, floodplains, and floodways must be delineated for each sight individually and their absence or presence ascertained. The Administrator is responsible for reviewing the submittal and seeing that such special management areas have been properly identified and appropriate actions taken with regard to meeting the Ordinance requirements for those areas. The Administrator issues permits for projects with on-site wetlands that are not to be dredged or filled.

A Stormwater Permit cannot be issued unless a Qualified Review Specialist has reviewed the permit application and made recommendations with regard to granting or denying the permit. The Administrator is responsible for permit issuance, however, he/she must consider carefully the recommendations made by the qualified review specialist and determine whether or not modification to the plan is required or whether the plan meets the minimum standards of the Ordinance.

The Administrator also performs those tasks related to variances, such as, providing notice to the Director and other communities. The Administrator should also advise the applicant that issuance of the variance can result in increased rates for flood insurance, depending on rulings made by the Federal Emergency Management Agency (FEMA), in regard to the NFIP.

When a project submitted involves a Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) the Administrator should forward a copy of the submittal to the Director.

The Administrator is responsible for seeing that inspections of the development occur so that an opinion can be rendered with regard to whether or not the as-built condition is in compliance with the Ordinance. The Administrator can develop his/her own permit inspection program and forms. Suggested forms and inspection times have been included in this Technical Reference Manual as an aid in development of the communities inspection requirements.

The Administrator is charged with investigation of complaints of violations of this Ordinance. Complaints can be filed by anyone, against a permitted project or can be brought against individuals that are performing acts, which are believed by the complainant to require permits. Along with the responsibility of investigation comes the responsibility to initiate any other legal proceedings required to obtain relief and to enforce this Ordinance including stoppage of work and requesting that legal proceedings be initiated.

The Administrator must also maintain documentation for the purpose of ascertaining whether or not the community is implementing the provisions of the countywide ordinance. This includes copies of applications and submittals

for other Federal and State permits, as well as variances. Other records which must be maintained include the cost information necessary to determine when a substantial improvement to a structure has occurred.

§ T1003      Representative Capacity

This section states that neither the Director or Administrator can be held personally liable for actions taken with regard to enforcement of the Ordinance.

§ T1004      Oversight Committee

The corporate authorities will establish an Oversight Committee for each respective community. The duties of the Oversight Committee include hearing variances, and other duties as assigned by the corporate authorities. It is intentionally flexible as to who the Oversight Committee will be so that the program can utilize the people in each community who are used to hearing technical evidence submitted such as Planning Commissions and Zoning Board of Appeals, but is also the corporate authorities themselves, who are assigned these responsibilities.

It will be the Oversight Committee's responsibility to interpret the Ordinance for situations where there is a dispute between the Administrator and the developer/applicant. There is no direct relationship between the developer/applicant and the Qualified Review Specialist. When the Qualified Review Specialist prepares comments for a development, the comments are forwarded to the Administrator who then decides which comments to forward to the developer/applicant. The review comments received by the developer/applicant are the Administrator's comments, therefore there is no direct relationship between the developer/applicant and the Qualified Review Specialist.

## **ARTICLE 11 – CERTIFIED COMMUNITY ENFORCEMENT**

Certified Community refers to any city, village or the County, which has received the approval of the Stormwater Committee for delegation of authority for enforcement of Article 1-Article 14 of the Ordinance. A Certified Community receives all permitting authority that the Ordinance may delegate which excludes permitting wetland impacts. Certified Communities review, issue and enforce all aspects of the Ordinance. If the development is located in a Certified Community (other than the Unincorporated County) in good standing with the KCSMC and there are no wetlands being impacted, no permit review by the County is required. If wetlands are impacted, and the impacted wetlands are regulated by the USACOE, then no permit from the County is required either. Communities must petition the Committee to request a Certified Community status and follow the criteria outlined in §1102. The Petition For Certification is due within 90 days of the adoption of the Ordinance, and in June of subsequent years.

The Committee reviews and approves Petitions for Certification within 60 days of filing.

Certified Communities must keep certain records from the time they are granted the certification. For example, all projects which are issued a Stormwater Management Permit shall be logged and a copy of the “as-built” plans shall be kept. In addition, Certified Communities shall prepare an annual report to the Director regarding all Stormwater Management Permits issued in the preceding year. To assist the Certified Community in the annual report, Form 7 has been developed and should be used for project correspondence with the Director.

When complaints are brought against a Certified Community, or on the initiative of the Director, the Community is expected to cooperate in resolving the matter. Most complaint investigations will necessitate a review of the submittals and community correspondence and field inspections of sites under construction. The Administrator will often have to make interpretations, and the purpose of an investigation is not to second guess the Administrator’s judgement. Where the Ordinance has clearly stated criteria, following this criteria is required unless a variance is issued. Where approval is explicitly in the hands of the Administrator, his approval will be considered final unless clearly in violation of the spirit and intent of the Ordinance.

## **ARTICLE 12 – PERFORMANCE SECURITY**

The developer is required to post a performance security before construction begins. The form of the securities required is a decision that may be made by the Administrator although in general a letter of credit is preferred. When considering accepting the bonds posted by a contractor to the developer the community should also consider whether they have the right to draw on those bonds to be sure that they are adequately protected.

Prior to issuance of a stormwater permit the developer must submit a cost estimate for the construction costs of stormwater facilities. These stormwater facilities generally include mass grading, storm sewers, culverts, curb and gutter, stormwater structures related to the conveyance of and storage of run off. They also include the cost of sub-surface drainage systems for water table control but do not include the portions of actual structures related to stormwater run off such as down spouts, sump pumps, or similar improvements. They also do not include the costs of paving and landscaping other than provided under the sediment and erosion control security. The cost estimate shall be prepared by either the developers engineer or the developer, and shall be subject to the review and acceptance by the Administrator. The Administrator may require back-up information and documentation of the costs submitted by the developer.

Cost estimates are preferred over actual bids as there is no assurance that the contractual arrangement that the developer has entered into may be obtained by the Village for completion of any facilities due to the failure of the developer. The estimates shall be multiplied by a factor 1.1 and this total cost shall then be the dollar amount for which the security must be posted. This additional increment is to cover such additional costs as engineering and field supervision and administration should the developer default on his obligations under the permit.

The sediment and erosion control security shall be posted to assure that the sediment and erosion control plan contained in the permit drawings is implemented. The Administrator shall review the sediment and erosion control cost estimate and shall approve the cost estimate for the purposes of establishing a sediment and erosion control security. Failure of the developer to implement an adequate sediment and erosion control plan in a timely manner shall be cause for the Administrator to draw on the security to have a sediment and erosion control plan implemented.

Forms 8 and 9, in Part 2, have been provided as examples of the statements required under §1201(1.c & d), and 1202(1.b).

When the County must issue a permit for a wetland impact, an additional security is required when the mitigation option chosen is at a wetland mitigation facility. This security remains in effect until the wetland mitigation facility meets performance criteria, or may be drawn upon to meet mitigation for non-performance.

## **ARTICLE 14 – QUALIFIED REVIEW SPECIALISTS**

### **§ T1400**      **General**

The use of qualified reviewers for both stormwater submittals and wetland reviews shall occur as part of the stormwater permit application process. The reviewer is responsible for recommending to the Administrator whether or not the plans submitted comply with the ordinance. It is expected that dialogue between the designer, reviewer, and Administrator will resolve ordinance compliance issues. The Director of the Kane County Department of Environmental Management will maintain a list of Qualified Review Specialist and Qualified Wetland Review Specialists. The review of wetland submittals may be waived if a COE permit is required.

### **§ T1401**      **Requirements for Qualified Review Specialist – Stormwater Planning**

A Qualified Review Specialist shall meet the following minimum requirements or the identified experience.

- Registered Professional Engineer (Illinois License)
- Expertise by training and/or education
- Design and permitting of stormwater management facilities
- Experience with the identification of floodplains and floodways including familiarity with FEMA and IDNR-OWR maps, policies and procedures
- Erosion and sediment control practices and procedures
- Construction practices and inspection procedures
- Complete sign and seal the Qualified Review Specialist Statement
- File the Qualified Review Specialist Statement form with the Kane County Department of Environmental Management, 719 S. Batavia Avenue, Geneva, Illinois 60134
- Pay the current fee as set in the County Code

### **§ T1402**      **Requirements for Qualified Wetland Review Specialist**

A Qualified Wetland Review Specialist shall meet the following minimum requirements.

- Completed an approved wetland delineation course.
- Have a Bachelors degree in an earth science, biological science or engineering together with at least one of the following types of experience in the Upper Midwest.
- Personnel involvement in the design of at least ten wetland mitigation areas.
  
- 3 years full time experience consulting on wetland projects.
- Completion of at least 100 wetland delineations.

- 300 hours of field review of wetland indicators or 6 years full time experience consulting on wetland projects.
- Complete, sign and professionally seal the Qualified Wetland Review Specialist Statement.
- Pay the current fee as set in the County Code.
- File the Qualified Wetland Review Specialist Statement form with the Director.

#### § T1403

The Director shall notify the applicant of his or her inclusion on the list within 30 days of filing. Applicants who are not included (approved) for the list may appeal the decision to the Review Specialist Qualification Committee within 30 days of receiving notice of disqualification. Disqualified applicants shall receive a hearing in accordance with § 1407 and 1408 of the ordinance.

Applicants should prepare a thorough explanation of experience which includes the following information:

- Education, Highest Degree, Granting Institution
- Work experience – All relevant work experience including employers name, address, phone number, length of employment and positions held.
- Professional experience – detail types of work activities performed, professional licenses, certifications, and continuing education credits
- References who can verify length of employment, types of works, quality of work

#### § T1404      Review Specialist Qualification Committee

The Chairman of the County Board shall appoint a Review Specialist Qualification Committee that shall be approved by the County Board. The primary responsibilities of this committee will be to:

- Hear appeals of disqualified applicants for appointment to the Qualified Review or Qualified Wetland Review Specialist list.
- Hear complaints from the Director concerning investigations of failure of the specialist to discharge the duties properly.
- Serve copies of complaint reports upon the specialist and all communities for whom the specialist has done reviews.
- Decide whether or not to suspend or revoke the certification of the specialist based upon the findings of the hearing.

## **PART 2 – FORMS**

## **PART 2 – FORMS**

### **FORMS**

The following sheets contain forms that are meant to be copied and used by either the developer/applicant, community official or review engineer. The forms contained in this section are listed below.

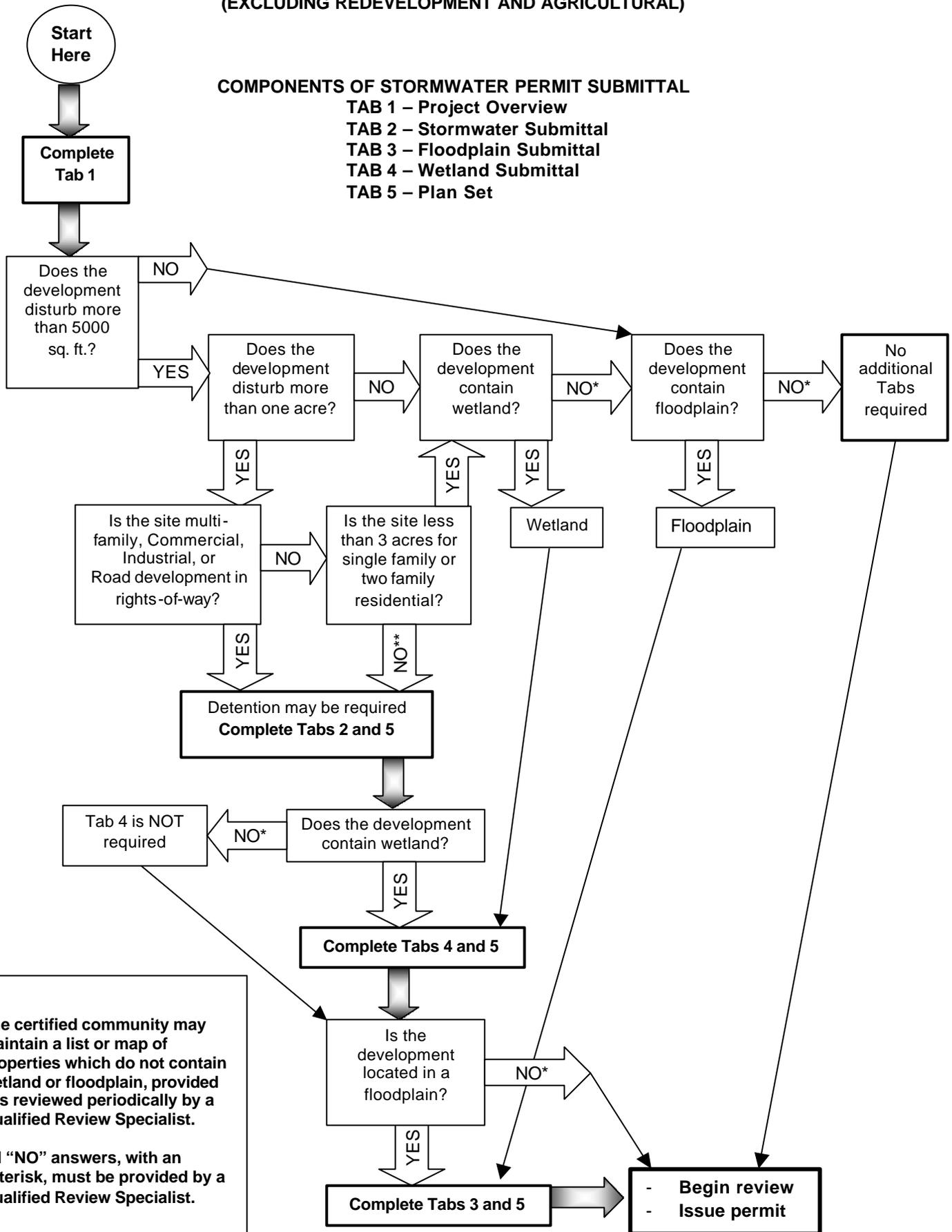
### **FORM NO.**

1. Kane County Stormwater Management Typical Permit Submittal Flowchart
2. Kane County Stormwater Management Permit Application
3. Kane County Stormwater Management Submittal Checklist
4. Community Certification Status Report
5. Community Contact For Stormwater Management Questions
6. Certified Community Form For Exempt Project
7. Certified Community Annual Form For Project Status
8. Inspection Checklist During Construction
9. Inspection Checklist After Construction
10. Developers Statements – Right to Draw on Securities
11. FEMA Community Acknowledgement Form
12. Erosion and Sediment Control Inspection Report

KANE COUNTY STORMWATER MANAGEMENT TYPICAL PERMIT SUBMITTAL FLOWCHART  
(EXCLUDING REDEVELOPMENT AND AGRICULTURAL)

COMPONENTS OF STORMWATER PERMIT SUBMITTAL

- TAB 1 – Project Overview
- TAB 2 – Stormwater Submittal
- TAB 3 – Floodplain Submittal
- TAB 4 – Wetland Submittal
- TAB 5 – Plan Set



**NOTE:**

1. The certified community may maintain a list or map of properties which do not contain wetland or floodplain, provided it is reviewed periodically by a Qualified Review Specialist.
2. All "NO" answers, with an asterisk, must be provided by a Qualified Review Specialist.

**KANE COUNTY STORMWATER MANAGEMENT PERMIT APPLICATION**

Date Application Received:	Date Permit Issued:
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Name & Address of Applicant:      Name & Address of Owner(s):      Name & Address of Developer:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Title: \_\_\_\_\_

Telephone no. during business hours:      Telephone no. during business hours  
A/C(    ) \_\_\_\_\_ - \_\_\_\_\_      A/C(    ) \_\_\_\_\_ - \_\_\_\_\_

Indicate which Submittals apply to application\* (see flowchart):

- ? Stormwater Submittal
  - ? Flood Plain Submittal
  - ? Wetland Submittal
  - ? No special management areas encroach the development
- \*Must be identified by qualified review specialist

Names, addresses and telephone numbers of all adjoining property owners within 250 feet of the development (use additional sheets if necessary):

Common Address of Development:	Legal Description (attach):
Street address _____	¼, Section, Township, Range _____
Community _____	
Name of local governing authority _____	P.I.N. _____
Watershed planning area and tributary _____	

Is any portion of this project now complete?    \_\_\_\_\_ Yes    \_\_\_\_\_ No, If "yes," explain in description portion.

I hereby certify that all information presented in this application is true and accurate to the best of my knowledge. I have read and understand the Kane County Stormwater Management Ordinance, and fully intend to comply with those provisions.

Signature of Developer \_\_\_\_\_      Date \_\_\_\_\_

I have read and understand the Kane County Stormwater Management Ordinance, and fully intend to comply with those provisions.

Signature of Owner \_\_\_\_\_      Date \_\_\_\_\_

Applicant: _____	Reviewer: _____	Stormwater Permit No.: _____
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The following tables contain a checklist of the requirements before a review for a Stormwater submittal will be accepted. The flow chart on the previous page shall be completed prior to completing the following tables. The flow chart identifies which Tab(s) need to be completed for a particular submittal. Not all requirements pertain to every stormwater submittal. For those requirements that you believe do not pertain to the this submittal, please give the reasons in the comment box.

**TAB 1 – PROJECT OVERVIEW**

Identifier	Requirement	Section	Comments
1A	Completed Stormwater Permit Application	503(b)	
1B	Copy of a completed Joint Application form with transmittal letters to the appropriate agencies (wetland or floodplain submittal).	503(b)	
1C	Copies of other relevant permits or approvals (include applications if permits have not been issued)	503(b)	
1D	Narrative description of development, existing and proposed conditions, and project planning principles considered, including BMPs utilized.	503(b)	
1E	Subsurface drainage investigation report	503(b)	

Name of Applicant: _____	Name of Reviewer: _____
Signature of Applicant: _____	Signature of Reviewer: _____
Date: _____	Date: _____

**PROJECT INFORMATION:**

Project Name: \_\_\_\_\_

Site Location: \_\_\_\_\_

Township, Range: \_\_\_\_\_

Site Area (acres): \_\_\_\_\_

Please check the following activities that apply (from the flow chart):

Type of development:      ? Residential      ? Commercial      ? Industrial      ? Agricultural      ? Other

The site has the following constraints:

Floodplain ? YES _____ ? NO _____ Qualified Review Specialist Signature _____ Print Name	Floodway ? YES _____ ? NO _____ Qualified Review Specialist Signature _____ Print Name	Wetlands ? YES _____ ? NO _____ Qualified Wetland Review Specialist _____ Print Name
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**Note:** Please attach a narrative project description to this Tab, if Applicant is not completing Tab 2.

## Kane County Stormwater Management Submittal Checklist

### TAB 2 – STORMWATER SUBMITTAL

Identifier	Requirement	Section	Comments
2A	Narrative description of the existing and proposed site conditions. Include description of off-site conditions.		
2B	Schedule for implementation of the site stormwater plan.		
	Site runoff calculations:		
2C	Documentation of the procedures/assumptions used to calculate hydrologic and hydraulic conditions for sizing major and minor systems.	202.3, 202.4, 202.8	
2D	Cross-section data for open channels.	203.14	
2E	Hydraulic grade line and water surface elevations under design conditions.		
2F	Hydraulic grade line and water surface elevations under base flood conditions		
	Site Runoff and Storage Calculations:		
2G	Calculation of hydraulically connected impervious area and corresponding retention volume.	203.7	
2H	Documentation of the procedures/assumptions used to calculate hydrologic and hydraulic conditions for determining the allowable release rate.	203.2, 203.4	
2I	Documentation of the procedures/assumptions used to calculate on-site depressional storage.	201.8	
2J	Documentation of the procedures/assumptions used to calculate hydrologic and hydraulic conditions for determining the storage volume.	203.7, 203.8	
2K	Elevation-area-storage data.		
2L	Elevation-discharge data.	203.5	

## Kane County Stormwater Management Submittal Checklist

### TAB 3 – FLOODPLAIN SUBMITTAL

Identifier	Requirement	Section	Comments
3A	Regulatory floodplain boundary determination:	400	
3B	Provide source of flood profile information.	401.1.a, 402.6	
3C	Provide all hydrologic and hydraulic study information for site-specific floodplain studies, unnumbered Zone A area elevation determinations, and floodplain map revisions.	203.9, 203.10, 401.1	
3D	Floodway hydrologic and hydraulic analyses for the following conditions:		
3E	Existing conditions (land use and stream system).		
3F	Proposed conditions (land use and stream system).		
3G	Tabular summary of 100-year flood elevations and discharges for existing and proposed conditions.		
3H	Calculations used for model development.		
3I	Floodplain fill and compensatory storage calculations for below and above 10-year flood elevation:	401.7	
3J	Tabular summary for below and above 10-year flood elevation of fill, compensatory storage, and compensatory storage ratios provided in proposed plan.		
3K	Floodproofing Measures:	401.4	
3L	Narrative discussion of flood proofing measures including material specifications, calculations, design details, operation summary, etc.		
3M	Flood Easements when required by the countywide ordinance or local jurisdiction.		

## Kane County Stormwater Management Submittal Checklist

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### TAB 4 – WETLAND SUBMITTAL

Identifier	Requirement	Section	Comments
4A	Wetland Delineation Report (COE format)		
4B	Calculation of required buffer (including width, size and vegetation quality)		
4C	Wetland Delineation Plan View Drawing:		
4C-1	Location of existing and proposed impacted or undisturbed wetlands.		
4C-2	Location of buffers.		
4C-3	Planting plan for buffer area.		
4C-4	Identify all required wetland management activities.		
4C-5	Submittal to the USACOE for permit application.		

## Kane County Stormwater Management Submittal Checklist

### TAB 5 – PLAN SET SUBMITTAL

Identifier	Requirement	Section	Comments
5A	All drawings should be signed and sealed by a P.E.		
5B	Site Topographic Map:		
5B-1	Map scales at 1 inch = 100 feet (or less) and accurate to +/- 0.5 feet.		
5B-2	Existing and proposed contours on-site and within 100 feet of site.		
5B-3	Existing and proposed drainage patterns and watershed boundaries.		
5B-4	Delineation of pre-development regulatory floodplain/floodway limits.		
5B-5	Delineation of post-development regulatory floodplain/floodway limits.		
5B-6	Location of cross-sections and any other modeled features.		
5B-7	Location of drain tiles.		
5B-8	Location of all wetlands, lakes, ponds, etc. with normal water elevation noted.		
5B-9	Location of all buildings on the site.		
5B-10	Nearest base flood elevations.		
5B-11	FEMA and Kane County Survey Control Network benchmark.		
5C	General Plan View Drawing (may be more than one drawing for clarity)		
5C-1	Map scales at 1 inch = 100 feet (or less) and accurate to +/- 0.5 feet contour interval.		
5C-2	Existing major and minor stormwater systems.		
5C-3	Proposed major and minor stormwater systems.		
5C-4	Design details for stormwater facilities (i.e. structure and outlet work detail drawings, etc.).		
5C-6	Scheduled maintenance program for permanent stormwater facilities including BMP measures.		
5C-7	Planned maintenance tasks and schedule.		
5C-8	Identification of persons responsible for maintenance.		
5C-9	Permanent public access maintenance easements granted or dedicated to, and accepted by, a government entity.		
5D	Sediment/Erosion Control Plan:		
5D-1	Sediment/erosion control installation measures.		
5D-2	Existing and proposed roadways, structures, parking lots, driveways, sidewalks and other impervious surfaces.		

## Kane County Stormwater Management Submittal Checklist

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Identifier	Requirement	Section	Comments
5D-3	Limits of clearing and grading.		
5D-4	Wetland location(s).		
5D-5	Proposed buffer location.		
5D-6	Existing soil types, vegetation and land cover conditions.		
5D-7	List of maintenance tasks and schedule for sediment/erosion control measures.		
5E	Vicinity Topographic Map:		
5E-1	Vicinity topographic map covering entire area upstream of the development site and downstream to a suitable hydraulic boundary condition.		
5E-2	A 2' contour map is preferred at a scale readable by the reviewer.		
5E-3	Watershed boundaries for areas draining through or from the development.		
5E-4	Soil types, vegetation and land cover affecting runoff upstream of the site for any area draining through the site.		
5E-5	Location of development site within the major watersheds.		

## Kane County Stormwater Management Submittal Checklist

### TAB 6 – SECURITY SUBMITTAL

Identifier	Requirement	Section	Comments
	Estimate of Probable Cost to construct stormwater facilities.		
	Development security:		
	Schedule for the completion of stormwater facilities.		
	Irrevocable letter of credit for 110% of estimated probable cost to construct the stormwater facilities.		
	Right to draw on the security statement - signed by the holder of the security.		
	Right to enter the development site to complete required work that is not completed according to schedule.		
	Indemnification statement - signed by developer.		
	Sediment and erosion control security:		
	Irrevocable letter of credit for 110% of estimated probable cost to install sediment and erosion control facilities.		
	Right to draw on the security statement - signed by the holder of the security.		
	Right to enter the development site to complete required work that is not installed and maintained according to schedule.		
	Letter of Credit Requirements:		
	Statement that indicates that the lending institution capital resources at least \$10,000,000, or as authorized.		
	Lending institution has an office location within the Chicago Metropolitan Area.		
	Lending institution is insured by the Federal Deposit Insurance Corporation.		
	Allows Administrator to withdraw without consent of developer.		
	Allows Administrator to withdraw within 45 days of expiration date.		

## Kane County Stormwater Management Submittal Checklist

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### TAB 7 – VARIANCE SUBMITTAL

Identifier	Requirement	Section	Comments
	Completed Stormwater Permit Application and all required submittals.		
	Completed variance petition including all information identified in Section 15-236.7.a.-l.		
	Statement as to how the variance sought satisfies the standards in Section 15-236.10. Address each condition separately.		

**COMMUNITY CERTIFICATION STATUS REPORT**  
**AS OF JANUARY 14, 2001**

<b>COMMUNITY</b>	<b>CERTIFIED</b>	<b>RECEIVED PETITION</b>	<b>IN PROGRESS</b>	<b>NON- CERTIFIED</b>
Aurora (C)				
Algonquin (V)				
Barrington Hills (V)				
Bartlett (V)				
Batavia (C)				
Burlington (V)				
Carpentersville (V)				
East Dundee (V)				
Elburn (V)				
Elgin (C)				
Geneva (C)				
Gilberts (V)				
Hampshire (V)				
Hoffman Estates (V)				
Huntley (V)				
Lily Lake (V)				
Maple Park (V)				
Montgomery (V)				
North Aurora (V)				
Pingree Grove (V)				
St. Charles (C)				
Sleepy Hollow (V)				
South Elgin (V)				
Sugar Grove (V)				
Virgil (V)				
Wayne (V)				
West Dundee (V)				
Unincorporated County				

**COMMUNITY CONTACT FOR STORMWATER MANAGEMENT PERMIT APPLICATION QUESTIONS  
AS OF JANUARY 14, 2001**

<b>COMMUNITY</b>	<b>VILLAGE ENGINEER OR CONSULTING ENGINEER</b>	<b>ADDRESS</b>	<b>PHONE (FAX)</b>	<b>E-MAIL ADDRESS</b>
Aurora	Peter Haurykiewicz	44 E. Downer Place Aurora, IL 60507	(630) 844-3620 (630) 892-0322	N/A
Algonquin	Scheflow Engineers Frank Cuda	1814 Grandstand Place Elgin, IL 60120	(847) 697-7095 (847) 697-7099	scheflow@foxvalley.net
Barrington Hills	Gewalt Hamilton Assoc. Inc. Don Matthews	850 Forest Edge Dr. Vernon Hills, IL 60061	(847) 478-9700 (847) 478-9701	Dmatthews@gha-engineers.com
Bartlett	Pavia Marting & Co. Dale Marting, Sr.	910 W. Lake St. Roselle, IL 60172	(630) 529-8000 (630) 894-4910	N/A
Batavia	Ted Bergeson	100 N. Island Ave. Batavia, IL 60510	(630) 879-1424 (630) 879-1012	Tbergeson@cityofbatavia.net
Burlington	Engineering Enterprises, Inc. John Whitehouse	52 Wheeler Road Sugar Grove, IL 60554	(630) 466-9350 (630) 466-9380	Jwhitehouse@eeiweb.com
Carpentersville	Bill Emmerich	1200 LW Besinger Dr. Carpentersville, IL 60110	(847) 551-3480 (847) 426-0864	villeng@yahoo.com
East Dundee	Gerald Heinz	206 N. River East Dundee, IL 60118	(847) 426-4535 (847) 426-4584	Glheinzinc@aol.com
Elburn	Rempe-Sharpe & Assoc. Bill Gain	324 W. State St. Geneva, IL 60134	(630) 232-0827 (630) 232-1629	billgain@inil.com
Elgin	Joe Evers	150 Dexter Ct. Elgin, IL 60120	(847) 931-5955 (847) 931-5965	evers_j@cityofelgin.org
Geneva	Dan Dinges	1800 South St. Geneva, IL 60134	(630) 232-1501 (630) 208-1503	ddinges@geneva.il.us
Gilberts	Robert Anderson & Assoc. Tony Malone	220 W. River Drive St. Charles, IL 60174	(630) 584-3530 (630) 584-3047	tmalone@haengr.com
Hampshire	Engineering Enterprises, Inc. Pete Wallers / Brad Sanderson	52 Wheeler Rd. Sugar Grove, IL 60554	(630) 466-9350 (630) 466-9380	pwallers@eeiweb.com bsanderson@eeiweb.com
Hoffman Estates	Gary Salavitch	1900 Hassell Rd. Hoffman Estates, IL 60195	(847) 781-2636 (847) 781-2664	gary.salavitch@hoffmanesstates.org

<b>COMMUNITY</b>	<b>VILLAGE ENGINEER OR CONSULTING ENGINEER</b>	<b>ADDRESS</b>	<b>PHONE (FAX)</b>	<b>E-MAIL ADDRESS</b>
Huntley	Baxter & Woodman Bill Blecke	8678 Ridgefield Rd. Crystal Lake, IL 60012	(815) 459-1260 (815) 455-0450	bblecke@baxwood.com
Lily Lake	Engineering Resource Assoc. Rod Beadle	214 W. Willow Ave. Wheaton, IL 60187	(630) 668-5995 (630) 668-0693	era@eraconsultants.com
Maple Park	Engineering Enterprises, Inc. Dave Burroughs	52 Wheeler Road Sugar Grove, IL 60554	(630) 466-9350 (630) 466-9380	Dburroughs@eeiweb.com
Montgomery	Engineering Enterprises, Inc. Pete Wallers	52 Wheeler Road Sugar Grove, IL 60554	(630) 466-9350 (630) 466-9380	pwallers@eeiweb.com
North Aurora	Rempe-Sharpe & Assoc. Jim Bibby	324 W. State St. Geneva, IL 60134	(630) 232-0827 (630) 232-1629	billgain@inil.com
Pingree Grove	Scheflow Engineers Frank Cuda	1814 Grandstand Place Elgin, IL 60120	(847) 697-7095 (847) 697-7099	schefflow@foxvalley.net
St. Charles	Greg Chismark	2 E. Main St. St. Charles, IL 60174	(630) 377-4486 (630) 584-6520	gchismark@ci.st-charles.il.us
Sleepy Hollow	Gerald Hines & Associates Joe Hines	206 N. River East Dundee, IL 60118	(847) 426-4535 (847) 426-4584	glheinzinc@aol.com
South Elgin	Baxter & Woodman Steve Larson	4845 W. 167 <sup>th</sup> Street Oak Forest, IL 60452	(708) 560-7070 (708) 560-7556	slarson@baxwood.com
Sugar Grove	Engineering Enterprises, Inc. Dave Burroughs	52 Wheeler Road Sugar Grove, IL 60554	(630) 466-9350 (630) 466-9380	dburroughs@eeiweb.com
Virgil	Wendler Eng. & Surveying Inc. David Weber	444 E. Hillcrest DeKalb, IL 60115	(815) 756-7756 (815) 748-0961	davew@wendler.nu
Wayne	Christopher Burke Eng. Dan Lynch	9575 W. Higgins Rd. Suite 600 Rosemont, IL 60018	(847) 823-0500 (847) 823-0520	dlynch@cbbel.com
West Dundee	Christopher Burke Eng. Donald Dressel and Earth Tech Jay Kesson	9575 W. Higgins Rd. Suite 600 Rosemont, IL 60018 3121 Butterfield Rd. Oak Brook, IL 60521	(847) 823-0500 (847) 823-0520  (630) 574-2006 (630) 574-2007	ddressel@cbbel.com  james_kessen@earthtech.com
Unincorporated County	Paul Schuch	719 Batavia Ave, Geneva, IL 60134	(630) 232-3497	schuchpaul@co.kane.il.us

**CERTIFIED COMMUNITY FORM FOR EXEMPT PROJECT**

Name of Community/Unincorporated Area applying for exemption \_\_\_\_\_

Name, Address, and Title of Submitter:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Title: \_\_\_\_\_

Indicate reason for exemption:

- ? Substantial Development has commenced
- ? Stormwater Development Plan provides:
  - minimum detention of 0.15 cfs/acre release rate
  - designed conveyance system for flow rates up to base flood with no damage
  - soil erosion and sediment control with Illinois Urban Manual

Description of Proposed Development (Describe in detail, including area of site, drainage area, project purpose and intended use, and estimated time until completion):

Location of Proposed Development:

Legal Description:

\_\_\_\_\_  
 Name of waterway at development

\_\_\_\_\_  
 ¼, Section. Township, and Range

\_\_\_\_\_  
 Street address or other descriptive location

Review of this exemption is hereby made for authorization for the proposed development described herein. I certify that the information in this submission is true, complete, and accurate.

\_\_\_\_\_  
 Signature of Submitter

\_\_\_\_\_  
 Date

**Office Use Only**

Municipal Approval	Date	Signature
Approved by Village/Council Board _____		
Final Approval	Date	Signature
Director of Environmental Management _____		
Special Conditions of Exemption:		

**CERTIFIED COMMUNITY ANNUAL FORM FOR PROJECT STATUS**

(This form shall be completed for each project)

Community \_\_\_\_\_

Date \_\_\_\_\_

Name, Address and Title of Submitter:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone no. during business hours:

A/C ( ) \_\_\_\_\_ - \_\_\_\_\_

Fax no. (if applicable)

A/C ( ) \_\_\_\_\_ - \_\_\_\_\_

**PROJECT INFORMATION:**

Project Name: \_\_\_\_\_

Site Location: \_\_\_\_\_

Section/Township/Range: \_\_\_\_\_

Check components that affect project:

? stormwater

? floodplain

? wetlands

Check Phase of Construction:

? pre-construction

? during construction

? post-construction

Please Describe Tasks completed during year:

Please Describe Tasks to be completed in the following year:

I hereby certify that all tasks completed during this year comply with the Kane County Stormwater Management Ordinance, and that all information presented in this submittal is true and accurate to the best of my knowledge.

\_\_\_\_\_  
Signature of Submitter

\_\_\_\_\_  
Date

*\* A copy of every stormwater permit application (Form 2) shall be included with this form.*

**INSPECTION CHECKLIST DURING CONSTRUCTION**

1. Is the sediment an erosion control system as depicted on the plans installed?
2. Has the developer been maintaining the system after rain fall events?
3. Is there evidence of sediment being carried down stream from the development site at the project boundaries? If so, this is an indicator of an inadequate sediment erosion control plan and corrective action must be taken.
4. As construction progresses are there provisions for handling off site flows into the construction site without increasing upstream water surface elevations?
5. Is there adequate stormwater storage provided in sedimentation basins? Is there functional detention storage being provided for the development as it is being constructed? (In general some sort of detention basin must be in place prior to the construction of impervious surfaces).
6. Are existing wetlands to be preserved adequately protected during construction with fencing and other appropriate sediment and erosion control measures to limit both vehicle access and the impact of sediment from the construction site?
7. Is any required culvert or bridge being constructed in a manner to provide the least disturbance of the aquatic resource?
8. Are buffers delineated in the field and protected from intrusion by construction vehicles and other construction activities?
9. Are any required restrictor structures installed as soon as practicable on the conveyance system?
10. Are sediments being removed from basins and disposed of properly on site in a manner that does not promote their reintroduction into the stream system?
11. Are the limitations to the amount of area that can be worked being followed?

**INSPECTION CHECKLIST AFTER CONSTRUCTION**

1. Are required storm water detention/retention facilities in place and generally as they appear on the as-builts from the permitted plans?
2. Are any required restrictors in place and is the outlet control structure generally “clean”?
3. Are any required on site buffers around wetlands in place and free from prohibited activities?
4. Are there signs of failed construction?
  - a. Settlement of berms.
  - b. Slope instability.
  - c. Accumulated sediment in detention/retention facilities.
  - d. Questionable conditions at facilities related to retaining walls.
  - e. Adequate stabilization of surfaces – i.e., stand of grass or other stabilizing means.
5. Have “record drawings” been submitted?

**DEVELOPER'S STATEMENT**

Right to Draw on Securities  
Section 1201.1 (c & d) & 1202.1.b

I, \_\_\_\_\_, do hereby grant to the Administrator of \_\_\_\_\_  
Developers Name County/Municipality

The right to draw on performance security posted in accordance with the Storm Water Permit \_\_\_\_\_ for the purpose of completing any and all  
(Number/Description)  
Stormwater Facilities and completing or maintaining Sediment and Erosion Control Measures included in the referenced permit. The decision to draw on the security shall be at the discretion of the Administrator. I further grant the right to enter the property for the purpose of performing the work to whoever the Administrator designates and agree to identify \_\_\_\_\_ against any increased costs  
County/Community  
attributable to concurrent activities or conflicts between the Administrators design's and any other contractors on site. I further warrant that I am a duly authorized representative of the developer with the authority to make this statement, and that this statement shall remain binding until final inspection and acceptance of all permitted Stormwater Facilities.

STATEMENT FOR: \_\_\_\_\_  
Developer

BY: \_\_\_\_\_  
Name and Signature

TITLE: \_\_\_\_\_

**RELEASED BY FINAL ACCEPTANCE**

FOR: \_\_\_\_\_  
County/Community

BY: \_\_\_\_\_  
Administrator

DATE: \_\_\_\_\_

**EROSION AND SEDIMENT CONTROL INSPECTION REPORT**

Project Name: \_\_\_\_\_ File No.: \_\_\_\_\_  
 Inspection Date: \_\_\_\_\_ Time: \_\_\_\_\_ Inspected By: \_\_\_\_\_

**Stage of Construction**

Pre-Construction Mtg.     Rough Grading     Finish Grading  
 Clearing & Grubbing     Building Construction     Final Stabilization

**YES NO N/A    Inspection Checklist**

- 1. Have all disturbed areas requiring temporary or permanent stabilization been stabilized? Seeded? Mulched? Graveled?
- 2. Are soil stockpiles adequately stabilized with seeding and/or sediment trapping measures?
- 3. Does permanent vegetation provide adequate stabilization?
- 4. Have sediment trapping facilities been constructed as a first step in disturbance activity?
- 5. For perimeter sediment trapping measures, are earthen structures stabilized?
- 6. Are sediment basins installed where needed?
- 7. Are finished cut and fill slopes adequately stabilized?
- 8. Are on-site channels and outlets adequately stabilized?
- 9. Do all operational storm sewer inlets have adequate inlet protection?
- 10. Are stormwater conveyance channels adequately stabilized with channel lining and/or outlet protection?
- 11. Is in-stream construction conducted using measures to minimize channel damage?
- 12. Are temporary stream crossings of non-erodible material installed where applicable?
- 13. Is necessary restabilization of in-stream construction complete?
- 14. Are utility trenches stabilized properly?
- 15. Are soil and mud kept off public roadways at intersections with site access roads?
- 16. Have all temporary control structures that are no longer needed been removed? Have all control structure repairs and sediment removal been performed?
- 17. Are properties and waterways downstream from development adequately protected from soil erosion and sediment deposition due to increases in peak stormwater runoff?