

CASE NO. 769-AT-13

SUPPLEMENTAL MEMORANDUM

May 1, 2014

Petitioner: **Zoning Administrator** Prepared by: **John Hall**, Zoning Administrator
Andrew Levy, RPC Planner

Request:

Amend the Champaign County Zoning Ordinance by amending the Champaign County Stormwater Management Policy by changing the name to Storm Water Management and Erosion Control Ordinance and amending the reference in Zoning Ordinance Section 4.3.10; and amend the Storm Water Management and Erosion Control Ordinance as described in the legal advertisement (see attached) which can be summarized as follows:

- I. Revise existing Section 1 by adding a reference to 55 ILCS 5/5-15015 that authorizes the County Board to have authority to prevent pollution of any stream or body of water. (Part A of the legal advertisement)
- II. Revise existing Section 2 by merging with existing Sections 3.1 and 3.2 to be new Section 2 and add purpose statements related to preventing soil erosion and preventing water pollution and fulfilling the applicable requirements of the National Pollution Discharge Elimination System (NPDES) Phase II Storm Water Permit. (Part B of the legal advertisement)
- III. Add new Section 3 titled Definitions to include definitions related to fulfilling the applicable requirements of the National Pollution Discharge Elimination System (NPDES) Phase II Storm Water Permit. (Part C of the legal advertisement)
- V. Revise existing Sections 3.3, 3.4, and 4 and add new Sections 5, 11, 12, 13, 14, and 15 and add new Appendices C, D, and E. Add requirements for Land Disturbance activities including a requirement for a Land Disturbance Erosion Control Permit including Minor and Major classes of Permits that are required within the Champaign County MS4 Jurisdictional Area; add a requirement that land disturbance of one acre or more in a common plan of development must comply with the Illinois Environmental Protection Agency's ILR 10 Permit requirements; add fees and time limits for each class of Permit; add requirements for administration and enforcement of Permits; and add new Appendices with new standards and requirements for both Minor and Major Permits. (Parts D, E, L, M, N, O, T, U, and V of the legal advertisement)
- IV. Revise existing Section 7 to be new Section 6 and add a prohibition against erosion or sedimentation onto adjacent properties and add minimum erosion control and water quality requirements that are required for all construction or land disturbance. (Part F of the legal advertisement)
- VI. Revise existing Section 5 to be new Section 8 and add a Preferred Hierarchy of Best Management Practices. (Part H of the legal advertisement)
- VII. Revise and reformat existing Sections 6, 8, 9, 10, 11, 12, and the Appendices and add new Section 18. (Parts G, I, J, P, Q, R, S and W of the legal advertisement)

STATUS

This case will return to the ZBA on May 29, 2014. The only written comments received thus far in the public hearing are attached.

ATTACHMENTS (* = Attachments lettered consecutively from the Preliminary Memorandum)

- A Case Description from Legal Advertisement 2/6/14**
- *Z Comments received from Berns, Clancy and Associates on February 13, 2014**
- *AA Comments received from Berns, Clancy and Associates on March 13, 2014**



BERNS, CLANCY AND ASSOCIATES

PROFESSIONAL CORPORATION

ENGINEERS • SURVEYORS • PLANNERS

February 13, 2014

THOMAS BERNS
EDWARD CLANCY
CHRISTOPHER BILLING
DONALD WAUTHIER
GREGORY GUSTAFSON

ROGER MEYER
DAN ROTHERMEL
ZACHARY SCHMIDT

MICHAEL BERNS
OF COUNSEL

TO: Champaign County Zoning Board of Appeals

FROM: Don Wauthier *DW*

PROJECT: CASE 789-AT-13
CHAMPAIGN COUNTY STORMWATER MANAGEMENT AND
EROSION CONTROL ORDINANCE

RE: Public Comment

RECEIVED

FEB 13 2014

CHAMPAIGN CO. P & Z DEPARTMENT

Ladies and Gentlemen;

Champaign County proposes to adopt a Stormwater Management and Erosion Control Ordinance so as to bring the County into compliance with the United States Environmental Protection Agency (US EPA) and the Illinois Environmental Protection Agency (IEPA) regulations concerning soil erosion control. We provide the following comments and observations concerning the proposed ordinance:

- A. The draft ordinance is well written and does a good job in providing a regulatory framework for local review of stormwater management and soil erosion control.
- B. We identified a couple of minor wording discrepancies that we will share directly with County staff. However, in general we found the ordinance technically sound and competently prepared. It should be relatively straightforward for applicants to read, comprehend and comply with the regulatory requirements.
- C. The ordinance includes and incorporates the provisions of the current stormwater management policy. That policy did not include definitions related to stormwater management. The new ordinance includes definitions related to erosion control, but does not include definitions related to stormwater management. We suggest that stormwater management definitions be added to the ordinance. We will provide possible terms and definitions directly to County staff for consideration.
- D. On Page F-26, Section 12.3 (E) (u), we question whether the projected vegetative cover is a valid/ reasonable requirement for an application. Construction sites are too unpredictable for this type of information to be of any real value at the application stage of a project.

Public Comment for Case 789-AT-13
Champaign County Stormwater Management
and Erosion Control Ordinance
Champaign County, Illinois
February 13, 2014
Page 2 of 2

- E. On Page F-30, Section 14 and Section 15, please consider revising these sections to make some of the Liability and Enforcement items to be applicable to the Stormwater Management portions of the Ordinance, and not just to LDEC permits.
- F. The map in Appendix C is not readable in its current format. The specific boundaries of the MS-4 jurisdictional area are not clearly identifiable.
- G. Please consider simplifying Appendix D and Appendix E of the Technical Manual. Many of the standard details apply to both major and minor land disturbance. A reorganization may allow some consolidation / simplification of the document.
- H. In some places the Technical Manual Appendix D or Appendix E, references devices manufactured by a specific company. It would be prudent to eliminate such references, and establish generic requirements instead.

In general we are in favor of adoption of these proposed regulations. The federal government has mandated that local governments adopt such regulations. While, as citizens, we are all less than thrilled with incurring additional costs associated with these federally mandated requirements, the proposed ordinance provisions would appear to meet the federally mandated requirements while attempting to minimize the additional effort and expense to be incurred by local citizens.

We appreciate this opportunity to provide public comment to you concerning these proposed regulations.



BERNS, CLANCY AND ASSOCIATES

PROFESSIONAL CORPORATION

ENGINEERS • SURVEYORS • PLANNERS

March 13, 2014

THOMAS BERNS
EDWARD CLANCY
CHRISTOPHER BILLING
DONALD WAUTHIER
GREGORY GUSTAFSON

ROGER MEYER
DAN ROTHERMEL
ZACHARY SCHMIDT

MICHAEL BERNS
OF COUNSEL

**TO: Mr. John Hall
Champaign County Planning and Zoning Department**

FROM: Don Wauthier

**PROJECT: CASE 789-AT-13
CHAMPAIGN COUNTY STORMWATER MANAGEMENT AND
EROSION CONTROL ORDINANCE**

RE: Public Comment

RECEIVED

MAR 13 2014

CHAMPAIGN CO. P & Z DEPARTMENT

John;

Champaign County proposes to adopt a Stormwater Management and Erosion Control Ordinance so as to bring the County into compliance with the United States Environmental Protection Agency (U.S. EPA) and the Illinois Environmental Protection Agency (IEPA) regulations concerning soil erosion control. As promised we reviewed the draft ordinance and provide some "house-keeping" type comments that you may find beneficial. We offer the following suggestions:

1. We enclose a copy of the draft ordinance with mark-up suggestions for minor wording changes.
2. We attach a copy of possible additional definitions to be included in the Ordinance.
3. In Section 5.1, you may want to establish who the reviewing authority is for Land Disturbance Erosion Control (LDEC) permits.
4. In Section 4.3 you may want to clarify what types of projects are exempt.
5. Some of the information requirements set forth in Section 12.3 seem a bit excessive.
6. Section 12.3 (E)(2)(u) is unduly burdensome. There is no way to possibly know what the vegetation condition will be before work begins, because the applicant does not control the contractor's schedule.
7. Section 12.3 (E)(2)(w) is not a requirement, and thus should be designated 12.3 (F) and re-letter thereafter.

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8. Rephrase Section 12.3 (G) as some sediment will always escape. Reasonableness should apply. No release is an impossible standard to meet.
9. Why not make applicable portions of Sections 14, 15, and 17 also apply to storm water permits?
10. The Appendix D and Appendix E technical manuals are cumbersome. Why not make an Appendix with just the standards, and separate Appendices for the applicable forms.
11. You should utilize generic reference standards for the pump discharge filter bags, and not reference a specific product.

In general, we want to reiterate that the Ordinance is well prepared. Even if the "public" does not appreciate the effort involved in its preparation, we certainly understand the thought and effort you and your staff have put into this project.

We appreciate this opportunity to continue provide public comment to you concerning these proposed regulations.

Possible Additional Definitions

Capacity of a Stormwater Drainage Facility. This is the maximum flow at atmospheric pressure that can be conveyed by the facility without causing damage to the public or encroachment upon private property. The capacity of a stormwater drainage facility is determined utilizing "Mannings Equation" or similar approved formula.

Capacity of a Stormwater Detention Facility. This is the maximum volume that can be stored by a stormwater detention facility without causing damage to the public or encroachment upon private property. The capacity of a stormwater detention facility is generally determined utilizing "average end area" or similar volume calculation methods.

Channel. A natural or artificial watercourse of perceptible extent which periodically or continuously contains moving water, or which forms a connecting line between two (2) bodies of water. It has a definite bed and banks which serve to confine the water.

Control Structure. A facility constructed to regulate the volume and rate of stormwater that is released during a specific length of time.

Culvert. A closed conduit for the passage of surface drainage water under a roadway, railroad, or other surface impediment.

Detention Storage. Temporary detention or storage of stormwater in storage basins, on rooftops, in parking lots, school yards, parks, open space, lakes, ponds, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.

Development. Any man-made change to improved or unimproved real estate, including but not limited to, construction of or substantial improvements to buildings or other structures, the placement of mobile homes, paving, mining, filling, or other similar activities.

Discharge. The rate of outflow of water from a stormwater drainage or stormwater detention facility.

Drainage Area. The area from which water is carried off by a drainage system; a watershed or catchment area above a given point.

Dry Bottom Stormwater Detention Basin. A facility that is designed to be normally dry and which accumulates stormwater runoff only during periods when the restricted stormwater runoff release rate is less than the stormwater inflow rate.

Excessive Stormwater Runoff. That portion of stormwater runoff which exceeds the transportation capacity of storm sewers, swales, ditches, or natural drainage channels serving as an outlet for a specific watershed.

Illinois Urban Manual. This term shall mean "A Technical Manual designed for Urban Ecosystem Protection and Enhancement", prepared by the United States Department of Agriculture (USDA) Natural Resources Conservation Service.

Impervious. A term applied to materials through which water cannot pass, or through which water passes with great difficulty or at a very slow rate.

Retention Basin. A structure or feature designed to retain stormwater over a period of time, with its release being positively controlled over a longer period of time than a typical stormwater "detention" storage facility.

Return Period. The average interval of time within which a given rainfall event will be equaled or exceeded once. A flood having a return period of 50 years has a two (2) percent probability of being equaled or exceeded in any one (1) year.

Storm Sewer. A closed conduit for conveying collected stormwater runoff.

Stormwater Drainage System. All means, natural or man-made, used for conducting stormwater runoff to, through or from a drainage area to the point of final outlet, including but not limited to any of the following: conduits, storm sewers, swales, canals, channels, ditches, streams, culverts, streets, and pumping stations.

Stormwater Storage Area. An area designated to temporarily accumulate excess stormwater runoff.

Time of Concentration. The time required for stormwater runoff from the most remote part of the drainage basin to reach the point being considered. Minimum time of concentration required for design of drainage facilities shall be 15 minutes.

Tributary Watershed. The entire catchment area that contributes stormwater runoff to a given point.

Wet Bottom Stormwater Storage Area. A facility that contains a perpetual body of water and which accumulates excess stormwater during period when the restricted stormwater runoff release rate is less than the stormwater runoff inflow rate.

3.2 Words not defined shall be interpreted in accordance with the definitions contained in **Webster's New Collegiate Dictionary.**

DW Comments
2/28/14

Storm Water Management and Erosion Control Ordinance

Champaign County, Illinois

10/29/2013
Draft

The Storm Water Management and Erosion Control Ordinance is part of Champaign County's National Pollution Discharge Elimination System (NPDES) program to comply with State and Federal requirements for storm water discharge.

Attachment F
Draft Storm Water Management and Erosion Control Ordinance

1. AUTHORITY

1.1 Title

This Ordinance shall be known, and may be cited as, the Champaign County Storm Water Management and Erosion Control Ordinance.

1.2 Illinois Compiled Statutes

This Ordinance has been adopted pursuant to Champaign County's authority to zone land (55 ILCS 5/5-12001); Champaign County's authority to adopt rules and regulations for subdivisions (55 ILCS 5/5-1041); and Champaign County's authority to prevent water pollution (55 ILCS 5/5-15015); and other applicable authority, all as amended from time to time.

2. PURPOSE

The purpose of this ordinance is to accomplish the following:

- A. Protect the existing agricultural and natural drainage infrastructure.
- B. Provide for adequate drainage of development sites and surrounding areas.
- C. Guide DEVELOPERS' and builders' attempts to control the movement of STORM WATER and reduce damage to property.
- D. Conserve, preserve and enhance the natural resources of the County, including its SOILS, waters, vegetation, fish and wildlife.
- E. Promote public welfare by guiding, regulating and controlling the design, CONSTRUCTION, use and maintenance of any development or other activity that disturbs SOIL on land situated within the County.
- F. Safeguard persons and protect property from the hazards and negative impacts of SOIL EROSION created by land disturbing activities.
- G. Prevent flooding caused by silt clogging STORM WATER management infrastructure, such as storm sewers, inlets and receiving channels or streams.
- H. Control the rate of release of STORM WATER RUNOFF and require temporary storage of STORM WATER RUNOFF from development sites.
- I. Preserve and enhance water quality by preventing silt-laden water from reaching creeks, channels, streams, WETLANDS and other public waterways.
- J. Fulfill the applicable requirements of the NPDES Phase II Storm Water permit.

3. DEFINITIONS

AGRICULTURE: The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry, and the keeping, raising, and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm BUILDINGS used for growing, harvesting, and preparing crop products for market, or for use on the farm; roadside stands, farm BUILDINGS for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm DWELLINGS occupied by farm OWNERS, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of AGRICULTURE all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning, or

The following definitions shall apply to this Ordinance:

Attachment F
Draft Storm Water Management and Erosion Control Ordinance

- b. For each portion of the lot or SUBDIVISION that drains to a drainage way that serves upstream areas that are under different ownership and that divides that portion of the lot or SUBDIVISIONS from the remainder of the lot or SUBDIVISIONS.
- 5. Pursuant to Section 4.2 A.5., LOTS shall be considered as developed when the LOT or LOTS are:
 - a. Occupied by other than farm structures; or
 - b. Covered in whole or in part by any impervious area except for driveways or parking areas used for agricultural purposes and existing public streets; or
 - c. Included in a plat or legal description and marketed for sale.

4.3 LDEC Permit Exemptions

All LAND DISTURBANCE activities meeting the following requirements are exempt from obtaining a LDEC PERMIT:

- A. AGRICULTURE
- B. LAND DISTURBANCE of less than one acre of land on all or part of a parcel of land that existed on {effective date} provided that the land is not part of any of the following:
 - 1. a COMMON PLAN OF DEVELOPMENT OR SALE OF RECORD; or
 - 2. in a Residential, Business, or Industrial ZONING DISTRICT as defined in the Zoning Ordinance; or
 - 3. in an existing subdivisions of more than four LOTS including any subsequent replat in the AG-1, AG-2, or CR ZONING DISTRICT as defined in the Zoning Ordinance.
- C. Digging activities related to cemetery grave sites
- D. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards.
- E. LAND DISTURBANCE less than 10,000 square feet in area
- F. Activities on LOTS and SUBDIVISIONS subject to annexation agreements, unless limited by applicable intergovernmental agreements.
- G. CONSTRUCTION or LAND DISTURBANCE pursuant to a statewide or regional permit administered by the Illinois Department of Natural Resources Office of Water Resources (IDNR/OWR) and provided that information sufficient to document compliance with the relevant statewide or regional permit is submitted to the ZONING ADMINISTRATOR at least one week prior to the start of LAND DISTURBANCE. This exemption is only applicable to that portion of CONSTRUCTION or LAND DISTURBANCE that is eligible for the statewide or regional permit.

5. AUTHORIZATIONS AND PROJECT TERMINATION

5.1 Reviewing Authorities

For the purposes of this Ordinance the Reviewing Authorities are as follows:

- A. For all subdivisions, the Environment and Land Use Committee of the Champaign County Board.
- B. For Zoning Use Permits, Easements, as-built drawings and Storm Water Drainage Plans, the Champaign County Zoning Administrator.

5.2 Authorizations

This Ordinance provides for the following:

- A. Authorization for CONSTRUCTION when a STORM WATER DRAINAGE PLAN is not required by this Ordinance shall include the following acts in order:
 - 1. Approval of Engineering Drawings required for any Plat of SUBDIVISION if applicable; and

↳ LDEC permits

Is it your intent to regulate construction activities such as form terrace or waterway construction? drainage ditch maintenance? Top road construction? Seems like more exemptions needed outside of the MS4 area.

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Draft Storm Water Management and Erosion Control Ordinance

- a. Approval of a Final Plat of SUBDIVISION after the CONSTRUCTION of all required physical improvements required by the SUBDIVISION Regulations, and
 - b. Full and complete release of any Performance Guarantee related to any Final Plat of SUBDIVISION; and
4. Acceptance by the ZONING ADMINISTRATOR of the certifications required by Section 9.6; and
 5. Full approval and unconditional issuance of a Zoning Compliance Certificate, if required by the Zoning Ordinance; and
 6. If a LDEC PERMIT is required by Section 4, a NOTICE OF TERMINATION shall be submitted to the IEPA and/or the ZONING ADMINISTRATOR, whichever is applicable.

6. PROTECT EXISTING DRAINAGE AND WATER RESOURCES

6.1 General Requirement

The requirements of Section 11 of this Ordinance notwithstanding, no CONSTRUCTION or LAND DISTURBANCE shall cause EROSION on any property or allow SEDIMENT to be deposited on any adjacent property or any adjacent street or adjacent drainage ditch, roadside ditch, or stream.

6.2 Natural Drainage

- A. Existing perennial streams shall not be modified to accommodate on-site flows of STORM WATER. Stream banks may be modified, however, incident to the installation of excess STORM WATER RUNOFF outfalls, necessary to ensure safety or bank stabilization, and/or for the improvement of aquatic habitats, and subject to any required local, state, and federal permits.
- B. Other natural drainage features such as depressional storage areas and swales shall be incorporated into the drainage system.
- C. No sump pump discharge or discharge from any private wastewater treatment system shall discharge directly into or within 10 feet of a roadside ditch, off-site drainage swale, stream, property line, or in such a way that it creates a nuisance condition at any time of year or contributes to erosion.
- D. No sump pump discharge or storm water flow shall be directed to any sanitary sewer.

6.3 Agricultural Drainage Improvements

- A. The outlet for existing agricultural drainage tile will be located and the capacity of the outlet shall be maintained for the WATERSHED upstream of the development area.
- B. Existing easements for any agricultural drainage tile located underneath areas that will be developed shall be preserved. If no easement exists an easement shall be granted for access and maintenance as provided in Section 7. Such easements shall be of sufficient width and located to provide for continued functioning and necessary maintenance of drainage facilities. No buildings or permanent STRUCTURES including paved areas but excluding streets, sidewalks, or driveways, which cross the easement by the shortest possible route may be located within the easement without the consent and approval of any public body to which the easement is granted.
- C. All agricultural drainage tile located underneath areas that will be developed shall be replaced with non-perforated conduit to prevent root blockage provided however that drainage district tile may remain with the approval of the drainage district.
- D. Agricultural drainage tile which, due to development, will be located underneath roadways, drives, or parking areas as allowed by Paragraph C above shall be replaced with ductile iron, or reinforced concrete pipe or equivalent material approved by the reviewing authority as needed to prevent the collapse of the agricultural drainage conduit.

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8. STORM WATER DRAINAGE SYSTEM

8.1 Minor

The minor drainage component of the drainage system shall consist of storm sewers, street gutters, small open channels, and swales designed to store and convey the RUNOFF from the 5-year, 24-hour precipitation event utilizing the Illinois State Water Survey Bulletin 70.

8.2 Major

The major drainage components shall be designed to store and convey STORM WATER flows beyond the capacity of the minor drainage component. Information depicting STORM WATER flow paths (including cross-sectional data), velocities, rates, and elevations and maps of flooding shall be included in the submittal as identified in Section 9.5.

8.3 Hierarchy of Best Management Practices

The drainage system shall be based on the use of appropriate BEST MANAGEMENT PRACTICES as presented in the Technical Appendices and the following hierarchy of preference with items near the beginning of the hierarchy preferred over items near the end.

1. Preserve the natural resource features of the development site (e.g. BEST PRIME FARMLAND, floodplains, wetlands, existing native vegetation as much as practicable.
2. Preserve the existing natural streams, channels and drainage ways. as much as practicable
3. Minimize impervious surfaces created at the site (e.g. using minimum acceptable road width, minimizing driveway length and width, and clustering homes).
4. Use native vegetation as an alternative to turf grass as much as practicable.
5. Use of open vegetated channels, filter strips, and infiltration to convey, filter, and infiltrate STORM WATER RUNOFF as much as practicable.
6. Preserve the natural infiltration and storage characteristics of the site (e.g. disconnection of impervious cover and on-lot bioretention facilities) as much as practicable.
7. Use structural measures that provide STORM WATER quality and quantity control.
8. Use structural measures that provide only STORM WATER quantity control and conveyance.

9. STORM WATER DRAINAGE PLAN

9.1 General Design

A. Design Methods

1. Calculation of Drainage Capacity - The Rational Method may be used to size the minor components for any development
2. Calculation of Required Storage - The volume of required STORM WATER storage shall be calculated on the basis of the maximum value achieved from the RUNOFF of a design event less the volume of water released through the outlet structure.
 - a. Development Watershed Area Less Than or Equal to 10 Acres -The Modified Rational Method shall be acceptable for development WATERSHEDs equal to or less than 10 acres in area. In determining the volume of storage required when using the Modified Rational Method, the release rate of the outlet structure shall be assumed to be constant and equal to the release rate through the outlet structure when one half of the storage volume is filled. In determining the maximum allowable release rate for the 50-year event, a runoff coefficient value of 0.25 shall be used for assumed land cover conditions. Roughness coefficients most closely matching those of the TR-55 Method shall be used to determine time of concentration.

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Draft Storm Water Management and Erosion Control Ordinance

- E. When the LAND DISTURBANCE is completed and all LAND DISTURBANCE on the project SITE has received FINAL STABILIZATION, a LETTER OF TERMINATION shall be submitted by the PERMITTEE to the ZONING ADMINISTRATOR.

12.3 LDEC Permit - Major

The following forms and procedures are required:

- A. Submission of a completed Application Form and Supplemental Land Disturbance Erosion Control Permit Application Form. Copies of the completed and approved Application Form, SWPPP and ESCP shall be kept on the project SITE and made available for public viewing during CONSTRUCTION hours.
- B. The APPLICANT shall complete a NOTICE OF INTENT according to the ILR-10 requirements and submit the NOI to the IEPA and the County.
- C. The APPLICANT shall complete a CONTRACTOR'S CERTIFICATION STATEMENT (CCS) according to the ILR-10 requirements and submit the CCS to the IEPA and the County.
- D. The APPLICANT shall prepare a SWPPP according to the ILR-10 requirements and submit the written SWPPP to the IEPA and the County.
- E. The APPLICANT shall submit an ESCP that has been prepared by a licensed PROFESSIONAL ENGINEER or a CERTIFIED PROFESSIONAL EROSION CONTROL SPECIALIST, for approval by the ZONING ADMINISTRATOR. The ESCP shall be as follows:
1. The ESCP shall be drawn to an appropriate scale and shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed grading on water resources, and measures proposed to minimize SOIL EROSION and offsite SEDIMENTATION.
 2. The following information shall be included in any ESCP:
 - a. A letter of transmittal, which includes a project narrative.
 - b. An attached vicinity map showing the location of the SITE in relationship to the surrounding area's WATERCOURSES, water bodies and other significant geographic features, roads and other significant STRUCTURES.
 - c. An indication of the scale used and a north arrow.
 - d. The name, address, and telephone number of the OWNER and/or DEVELOPER of the property where the land disturbing activity is proposed.
 - e. Suitable contours for the existing and proposed topography.
 - f. Types of SOILS present on the SITE, as defined by the "Soil Survey of Champaign County, Illinois", prepared by the United States Department of Agriculture Soil Conservation Service.
 - g. The proposed grading or LAND DISTURBANCE activity including: the surface area involved, excess spoil material, use of BORROW material, and specific limits of disturbance.
 - h. Location of WASHOUT FACILITIES for concrete and asphalt materials indicated on the SITE PLAN. Provide details of proposed WASHOUT FACILITIES.
 - i. A clear and definite delineation of any areas of vegetation or trees to be saved.
 - j. A clear and definite delineation of any WETLANDS, natural or artificial water storage detention areas, and drainage ditches on the SITE.
 - k. A clear and definite delineation of any 100-year FLOODPLAIN on or near the SITE.
 - l. Storm drainage systems, including quantities of flow and SITE conditions around all points of SURFACE WATER discharge from the SITE.
 - m. EROSION and SEDIMENT control provisions to minimize on-site EROSION and prevent off-site SEDIMENTATION, including provisions to preserve TOPSOIL and

minimize F-25

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Draft Storm Water Management and Erosion Control Ordinance

limit disturbance. Provisions shall be in accordance with the standards presented in the appropriate Technical Appendix.

- n. Design details for both temporary and permanent EROSION control structures. Details shall be in accordance with the standards presented in the appropriate Technical Appendix.
- o. Details of temporary and permanent stabilization measures including a note on the plan stating: "Following initial SOIL disturbance or redistribution, permanent or temporary stabilization shall be completed within seven (7) calendar days on all perimeter dikes, swales, ditches, perimeter SLOPES, and all SLOPES greater than three (3) horizontal to one (1) vertical (3:1); embankments of ponds, basins, and traps; and within fourteen (14) days on all other disturbed or graded areas. The requirements of this section do not apply to those areas which are shown on the plan and are currently being used for material storage or for those areas on which actual CONSTRUCTION activities are currently being performed."
- p. A chronological schedule and time frame (with estimated month) including, as a minimum, the following activities:
 - i. CLEARING AND GRUBBING for those areas necessary for installation of perimeter EROSION control devices.
 - ii. CONSTRUCTION of perimeter EROSION control devices.
 - iii. Remaining interior site CLEARING AND GRUBBING.
 - iv. Installation of permanent and temporary stabilization measures.
 - v. Road grading.
 - vi. Grading for the remainder of the SITE.
 - vii. Building, parking lot, and SITE CONSTRUCTION.
 - viii. Final grading, landscaping or stabilization.
 - ix. Implementation and maintenance of FINAL EROSION CONTROL STRUCTURES.
 - x. Removal of temporary EROSION control devices.
- q. A statement on the plan noting that the CONTRACTOR, DEVELOPER, and OWNER shall request the EROSION CONTROL INSPECTOR to inspect and approve work completed in accordance with the approved ESCP, and in accordance with the ordinance.
- r. A description of, and specifications for, SEDIMENT retention structures.
- s. A description of, and specifications for, surface RUNOFF and EROSION control devices.
- t. A description of vegetative measures.
- u. A proposed vegetative condition of the SITE on the 15th of each month between and including the months of April through October.
- v. The seal of a licensed PROFESSIONAL ENGINEER in the State of Illinois, if applicable.
- w. The APPLICANT may propose the use of any erosion and sediment control techniques in a FINAL ESCP, provided such techniques are proved to be as or more effective than the equivalent best management practices as contained in the manual of practices.

G A The PERMITTEE shall prepare an EROSION CONTROL INSPECTION REPORT (ECIR) on a weekly basis or after any rainfall event one-half (1/2) inch or greater in twenty-four (24) hours, as recorded at the nearest United States Geologic Survey or Illinois State Water Survey rain gauge nearest the site. Submit the ECIR to the ZONING ADMINISTRATOR. Inspections may be

not really worth
much of
application stage
not desirable

this makes
F F

not practical. Some sediment always leaves the site/escapes. Needs to be rephrased.

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Draft Storm Water Management and Erosion Control Ordinance

reduced to once per month when construction activities have ceased due to frozen conditions. Weekly inspections will recommence when construction activities are conducted, or if there is 0.5" or greater rain event, or a discharge due to snowmelt occurs.

H G. The PERMITTEE shall prepare an INCIDENT OF NONCOMPLIANCE (ION) report within forty-eight (48) hours for any incident that allows sediment to leave the project site. The ION report shall meet all ILR-10 requirements. Submit the ION to the IEPA and the County.

I H. Copies of the documents listed above shall be kept on the project site and shall be made available for public viewing during CONSTRUCTION hours.

J X. The PERMITTEE shall prepare a NOTICE OF TERMINATION (NOT) upon FINAL STABILIZATION of the project site. Submit the NOT to the IEPA and the County.

12.4 Fee

At the time the application is filed a fee shall be paid in accordance with the following schedule of fees in addition to any Zoning Use Permit fees that may apply:

- A. LDEC PERMIT - MINOR.....\$50.00
- B. LDEC PERMIT - MAJOR
 - 1. No additional fee is required if a STORM WATER DRAINAGE PLAN is required and a fee has been paid in accordance with Section 9.3.4 of the Zoning Ordinance.
 - 2. If no STORM WATER DRAINAGE PLAN is required the fee shall be the Engineering Review Fee established by Section 9.3.4 of the Zoning Ordinance.

12.5 LDEC Permit Authorization

The issuance of a LDEC PERMIT shall constitute an authorization to do only the work described in the PERMIT or shown on the approved SITE PLANS and specifications, all in strict compliance with the requirements of this ordinance and conditions determined by the Zoning Administrator.

12.6 LDEC Permit Duration

- A. LDEC PERMITS shall be issued for a specific period of time, up to one (1) year. The LDEC PERMIT duration shall reflect the time the proposed land disturbing or filling activities and SOIL storage are scheduled to take place. If the PERMITTEE commences permitted activities later than one hundred eighty (180) days of the scheduled commencement date for grading, the PERMITTEE shall resubmit all required application forms, maps, plans, and schedules to the ZONING ADMINISTRATOR. The PERMITTEE shall fully perform and complete all of the work required in the sequence shown on the plans within the time limit specified in the LDEC PERMIT.
- B. LAND DISTURBANCE activities that require schedules in excess of one (1) year shall be reviewed and authorized by the ZONING ADMINISTRATOR in accordance with paragraph 9.1.2 D. of the Zoning Ordinance.

12.7 Responsibility of the Permittee

- A. The PERMITTEE shall maintain a copy of the LDEC PERMIT, approved plans and reports required under the LDEC PERMIT on the work SITE and available for public inspection during all working hours. The PERMITTEE shall, at all times, ensure that the property is in conformity with the approved grading plan, ESCP's, and with the following:
 - 1. General - Notwithstanding other conditions or provisions of the LDEC PERMIT, or the minimum standards set forth in this Ordinance, the PERMITTEE is responsible for the prevention of damage to adjacent property arising from LAND DISTURBANCE activities. No person shall GRADE on land in any manner, or so close to the property lines as to endanger or damage any adjoining public street, sidewalk, alley or any other public or private

Attachment F
Draft Storm Water Management and Erosion Control Ordinance

4. The ZONING ADMINISTRATOR may require additional inspections as may be deemed necessary.
- D. Work shall not proceed beyond the stages outlined above until the EROSION CONTROL INSPECTOR inspects the SITE and approves the work previously completed.
- E. Requests for inspections shall be made at least twenty-four (24) hours in advance (exclusive of Saturdays, Sundays, and holidays) of the time the inspection is desired. Upon request for inspections, the EROSION CONTROL INSPECTOR shall perform the inspection within forty-eight (48) hours of the request.
- F. The inspection to determine compliance with this Ordinance shall not normally include a new building which was completed and which has been secured, but shall include inspection of any area of the property where land disturbing activity is occurring, or is thought to be planned.

Stormwater permits too?

14. LIABILITY RELATED TO LDEC PERMITS

- A. Neither the issuance of a LDEC PERMIT under the provisions of this Ordinance, nor the compliance with the provisions hereto or with any condition imposed by the ZONING ADMINISTRATOR, shall relieve any person from responsibility for damage to persons or property resulting from the activity of the PERMITTEE.
- B. Compliance with the conditions imposed by this Ordinance, or conditions imposed by the ZONING ADMINISTRATOR, shall not create liability on the County resulting from such compliance.

15. ENFORCEMENT OF LDEC PERMITS

15.1 Compliance

The PERMITTEE shall carry out the proposed work in accordance with the approved plans and specifications, and in compliance with all the requirements of the LDEC PERMIT, including those documents referenced in this Ordinance.

15.2 Deficiency

A SITE is deficient when regular maintenance of EROSION and SEDIMENT CONTROLS has not been completed and can generally be resolved during weekly inspections or inspections following storm events. The ZONING ADMINISTRATOR may send a letter encouraging the PERMITTEE to fix the deficiency before the next rain event when the SITE may become non-compliant.

15.3 Non-Compliance

INCIDENTS OF NON-COMPLIANCE (ION) shall be reported to the IEPA as required by ILR10 and to the ZONING ADMINISTRATOR. The ION shall include statements regarding: the cause of Non-compliance, actions taken to prevent any further non-compliance, environmental impact resulting from the non-compliance, actions taken to reduce the environmental impact from the non-compliance.

- A. If non-compliance occurs and an ION is not filed, the site is in violation of the LDEC PERMIT.
- B. Recurring non-compliance could be a violation of the LDEC PERMIT.

15.4 Notice of Violation

- A. If the ZONING ADMINISTRATOR finds any conditions not as stated in the application or approved plans, the ZONING ADMINISTRATOR may issue a Notice of Violation or a STOP-WORK ORDER on the entire project, or any specified part thereof, until a revised plan is

Why not modify so the F-30 applicable portions also apply to stormwater permits?

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submitted conforming to current site conditions. Failure to obtain a LDEC PERMIT for activities regulated under this Ordinance constitutes a violation.

- B. If the ZONING ADMINISTRATOR issues a Notice of Violation or a STOP-WORK ORDER on the entire project, or any specified part thereof, pursuant to a MAJOR LDEC PERMIT, the ZONING ADMINISTRATOR shall also notify the IEPA that the project may not be in compliance with the ILR-10 permit.

15.5 Prevention of Hazard

Whenever the ZONING ADMINISTRATOR determines that any LAND DISTURBANCE on any private property is an imminent hazard to life and limb, or endangers the property of another, or adversely affects the safety, use, SLOPE, or SOIL stability of a public way, publicly controlled WETLAND, or WATERCOURSE, then the ZONING ADMINISTRATOR shall issue a Stop-Work Order and require that all LAND DISTURBANCE activities cease and the corrective work begin immediately.

15.6 Stop-Work Order

- A. The ZONING ADMINISTRATOR may require that, on a SITE, all work which is being performed contrary to the provisions of this Ordinance or is being performed in an unsafe or dangerous manner shall immediately stop.
- B. STOP-WORK ORDERS do not include work as is directed to be performed to remove a violation or dangerous or unsafe condition as provided in the STOP-WORK ORDER.
- C. The ZONING ADMINISTRATOR may issue a STOP-WORK ORDER for the entire project or any specified part thereof if any of the following conditions exist:
1. Any LAND DISTURBANCE activity regulated under this Ordinance is being undertaken without a LDEC PERMIT.
 2. The ESCP or SWPPP is not being fully implemented.
 3. Any of the conditions of the LDEC PERMIT are not being met.
 4. The work is being performed in a dangerous or unsafe manner.
 5. Refusal to allow entry for inspection.
- D. A STOP-WORK ORDER shall be issued as follows:
1. The STOP-WORK ORDER shall be in writing and shall be posted and served upon the OWNER and PERMITTEE, as provided below. In addition, a copy of the STOP-WORK ORDER may be given to any person in charge of or performing work on drainage improvements in the development, or to an agent of any of the foregoing.
 2. The STOP-WORK ORDER shall state the conditions under which work may be resumed.
 3. No person shall continue any work after having been served with a STOP-WORK ORDER.
 4. For the purposes of this section, a STOP-WORK ORDER is validly posted by posting a copy of the STOP-WORK ORDER on the SITE of the LAND DISTURBANCE in reasonable proximity to a location where the LAND DISTURBANCE is taking place. Additionally, in the case of work for which there is a LDEC PERMIT, a copy of the STOP-WORK ORDER, shall be mailed by first class mail to the address listed by the PERMITTEE and in the case of work for which there is no LDEC PERMIT, a copy of the STOP-WORK ORDER shall be mailed to the person to whom real estate taxes are assessed, or if none, to the taxpayer shown by the records of the Supervisor of Assessment.
 5. If the LAND DISTURBANCE continues more than 24 hours after the STOP-WORK ORDER is posted on the SITE, the ZONING ADMINISTRATOR may do the following:
 - a. If there is a LDEC PERMIT the ZONING ADMINISTRATOR may revoke the LDEC PERMIT
 - b. If there is no LDEC PERMIT, the ZONING ADMINISTRATOR may request the State's Attorney to obtain injunctive relief.

Some
apply
to
stormwater
permits
too?

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6. The ZONING ADMINISTRATOR may retract the revocation.
7. Ten (10) days after posting a STOP-WORK ORDER, the ZONING ADMINISTRATOR may issue a notice to the OWNER and/or PERMITTEE of the intent to perform the work necessary to prevent EROSION and institute SEDIMENT control. The ZONING ADMINISTRATOR or his/her designated representative may go on the land and commence work after fourteen (14) days from issuing the notice. The costs incurred to perform this work shall be paid by the OWNER or PERMITTEE. In the event no LDEC PERMIT was issued, the costs, plus a reasonable administrative fee, shall be billed to the OWNER.
8. Compliance with the provisions of this Ordinance may also be enforced by injunction.

15.7 Legal Proceedings

- Storm water permit too?
- A. A complaint may be filed with the Circuit Court for any violation of this Ordinance. A separate violation shall be deemed to have been committed on each day that the violation existed.
 - B. In addition to other remedies, the State's Attorney may institute any action or proceeding which:
 1. Prevents the unlawful CONSTRUCTION, alteration, repair, maintenance, or removal of drainage improvements in violation of this Ordinance or the violation of any LDEC PERMIT issued under the provisions of this Ordinance.
 2. Prevents the occupancy of a building, STRUCTURE or land where such violation exists.
 3. Prevents any illegal act, conduct, business, or use in or about the land where such violation exists.
 4. Restrains, corrects or abates the violation.
 - C. In any action or proceeding under this section, the State's Attorney may request the court to issue a restraining order or preliminary injunction, as well as a permanent injunction, upon such terms and conditions as will enforce the provisions of this Ordinance. A lien may also be placed on the property in the amount of the cleanup costs.

15.8 Penalties

- A. Penalties for violation of this Ordinance shall be governed by the requirements of this Ordinance and Section 10 of the Champaign County Zoning Ordinance. This Ordinance shall prevail where there is a conflict but the Zoning Ordinance shall prevail where this Ordinance is silent.
- B. Any person, firm, corporation or agency acting as principal, agent, employee or otherwise, who fails to comply with the provisions of this Ordinance shall be punishable by a fine of not less than one hundred dollars (\$100.00) per day and not more than five hundred dollars (\$500.00) per day for each separate offense. Each day there is a violation of any part of this Ordinance shall constitute a separate offense.

16. RULES OF CONSTRUCTION

This Ordinance shall be construed liberally in the interests of the public so as to protect the public health, safety, and welfare.

17. APPEAL, WAIVER OR VARIANCE

- A. Any part here of or this entire Ordinance may be waived or varied by the by the relevant reviewing authority in accord with the relevant provision of Article 18 of the Champaign County Subdivision Regulations or Section 9.1.9 of the Champaign County Zoning Ordinance except for specific requirements of the ILR10.
- B. When the ZONING ADMINISTRATOR is the reviewing authority, the PERMITTEE, or its designee, may appeal a decision of the ZONING ADMINISRATOR pursuant to this Ordinance

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Draft Storm Water Management and Erosion Control Ordinance

as authorized in Section 9.1.8 of the Zoning Ordinance. The filing of an appeal shall not operate as a stay of a Notice of Violation or STOP-WORK ORDER. The County shall grant the appeal and issue the appropriate instructions to the Department of Planning and Zoning upon a finding of fact that there is no violation of the Ordinance or the LDEC PERMIT issued.

18. EFFECTIVE DATE

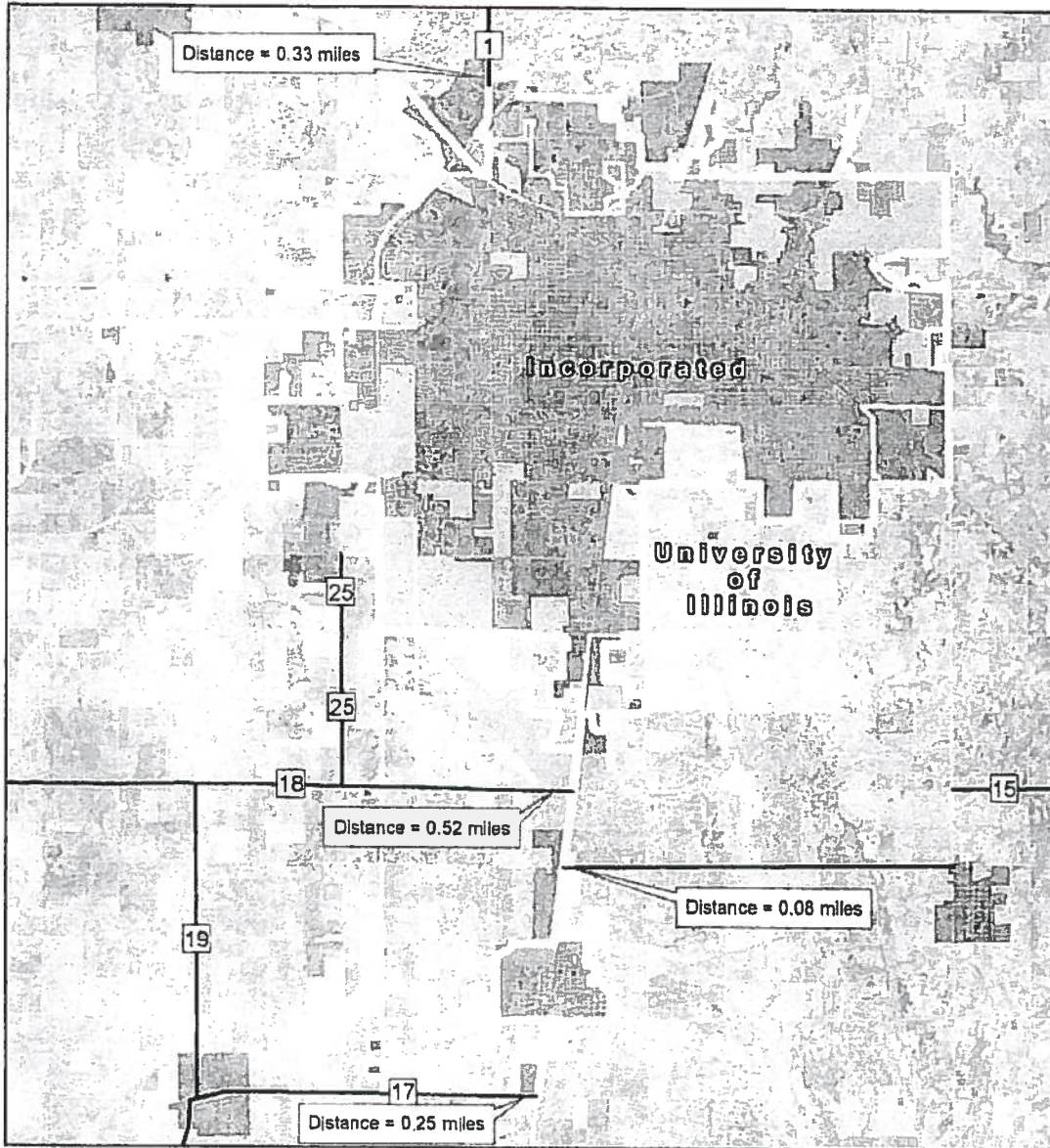
This ordinance shall become effective upon adoption.

Apply to
stormwater permits, too

map not readable - even in color

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Draft Storm Water Management and Erosion Control Ordinance

Appendix C - Champaign County MS4 Jurisdictional Area



Champaign County MS4 Jurisdiction

Urbanized Area based on the 2010 Census

This map shows the defined MS4 jurisdiction including 10.4 square miles of unincorporated County. Location and size of County stormwater facilities are noted.

MS4 Related Boundaries

- County Hwys
- Urbanized Area 2010
- Urbanized Area 2000
- County MS4 Area 2012

Map Created 10/1/13

0 0.75 1.5 3 Miles

CHAMPAIGN COUNTY, ILLINOIS

**Storm Water Management
and
Erosion Control
Ordinance**

Appendix D

Technical Manual

Minor Land Disturbance Erosion Control Permit

Standards and Standard Details

Revise and Reformat The Appendices
Standards and Standard Details

Forms for minor

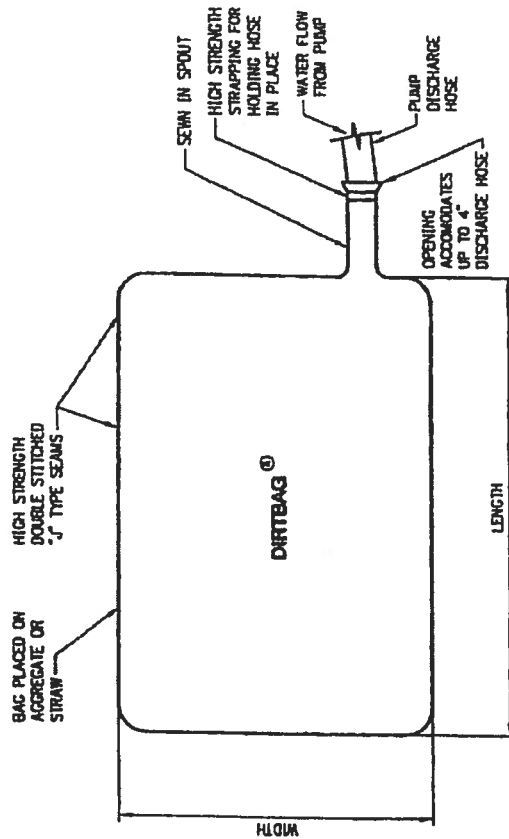
Forms for major

DRAFT

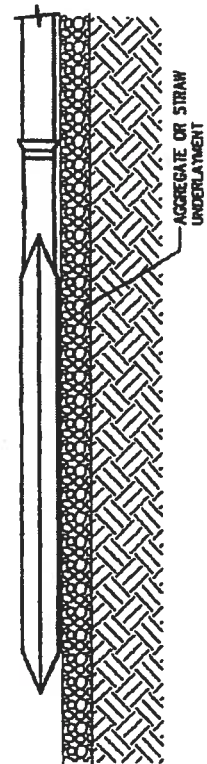
October 25, 2013

utilize generic performance criteria, not a specific manufacturer's device. Other's sell filter bags

PUMP DISCHARGE FILTER BAG:



TOP VIEW



SIDE VIEW

DIRTBAG® PUMP-SILT CONTROL SYSTEM NOTES:

A) GENERAL NOTES:

1. THE DIRTBAG® WILL HAVE AN OPENING LARGE ENOUGH TO ACCOMMODATE A 4" DISCHARGE HOSE WITH ATTACHED STRAP TO TIE OFF THE HOSE TO PREVENT THE PUMPED WATER FROM ESCAPING THE DIRTBAG® WITHOUT BEING FILTERED.
2. INSTALL THE DIRTBAG® ON A SLOPE. IT SHOULD BE PLACED SO THE INCOMING WATER FLOWS THROUGH THE DIRTBAG® SHOULD BE TIED OFF TIGHTLY TO STOP THE WATER FROM FLOWING OUT OF THE OPENING WITHOUT BEING FILTERED THROUGH THE FABRIC TO INCREASE THE EFFICIENCY OF THE FILTRATION. THE BAG SHOULD BE PLACED ON AN AGGREGATE BED TO ALLOW WATER TO FLOW THROUGH ALL SURFACES OF THE BAG.
3. DISPOSAL MAY BE ACCOMPLISHED AS DIRECTED BY THE ENGINEER. IF THE SITE ALLOWS, THE DIRTBAG® MAY BE CUT OPEN AND SEEDED, REMOVING THE VISIBLE FABRIC. THE DIRTBAG® IS STRONG ENOUGH TO BE LIFTED IF IT MUST BE HAULED AWAY. IF THE JOBSITE REQUIRES THE DIRTBAG® TO BE RELOCATED TO LANDFILL FOR DISPOSAL, IT MAY BE HELPFUL TO PLACE THE DIRTBAG® IN THE BACK OF A DUMP TRUCK OR FLATBED PRIOR TO USE, ALLOWING THE WATER TO DRAIN WITH BAG IN PLACE, THEREBY DISMISSING THE NEED TO LIFT THE DIRTBAG®.

B) INSPECTION AND MAINTENANCE:

1. THE DIRTBAG® SHOULD BE CONSIDERED FULL WHEN IT IS IMPRACTICAL FOR THE BAG TO FILTER OUT SEDIMENT AT A REASONABLE RATE, AND SHOULD BE REPLACED WITH A NEW DIRTBAG®.



delete

not latest version

Contractor Certification Statement

This certification statement is a part of the Storm Water Pollution Prevention Plan for the project described below, in accordance with NPDES Permit No. ILR10, issued by the Illinois Environmental Protection Agency on May 14, 1998.

Project Information:

Route _____	Marked _____
Section _____	Project No. _____
County _____	

I certify under penalty of law that I understand the terms of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR 10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification.

_____ Signature	_____ Date
_____ Title	
_____ Name of Firm	
_____ Street Address	
_____ City	_____ State
_____ Zip Code	
_____ Telephone Number	

delete - Not a very good / comprehensive form -



Storm Water Pollution Prevention Plan

Route _____ Marked _____
Section _____ Project No. _____
County _____

This plan has been prepared to comply with the provisions of the NPDES Permit Number ILR10, issued by the Illinois Environmental Protection Agency for storm water discharges from Construction Site Activities.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature _____ Date _____
Title _____

1. Site Description

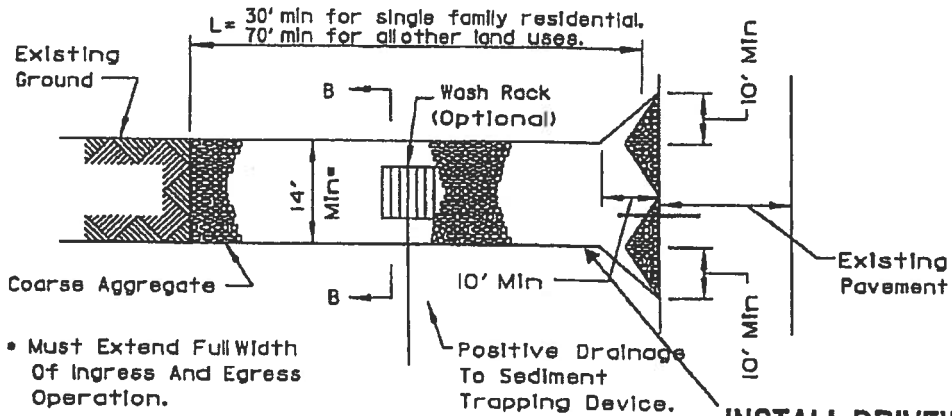
- a. The following is a description of the construction activity which is the subject of this plan (use additional pages, as necessary):
b. The following is a description of the intended sequence of major activities which will disturb soils for major portions of the construction site, such as grubbing, excavation and grading (use additional pages, as necessary):
c. The total area of the construction site is estimated to be _____ acres.

Re arrange the appendices so you don't have to repeat all of these standards

STABILIZED CONSTRUCTION ENTRANCE

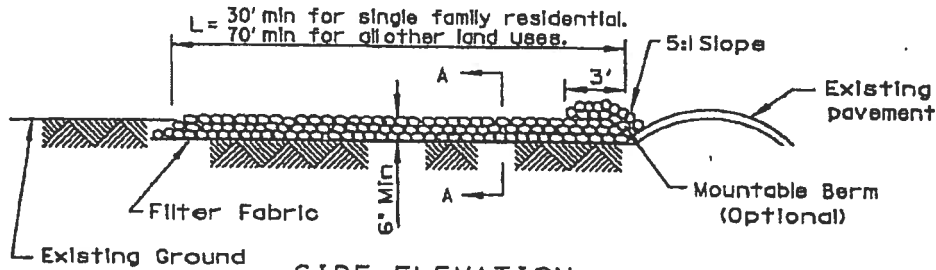
STABILIZED CONSTRUCTION ENTRANCE:

STABILIZED CONSTRUCTION ENTRANCE DETAIL



PLAN VIEW

INSTALL DRIVEWAY CULVERT IF ROADSIDE DITCH IS PRESENT



SIDE ELEVATION

NOTES:

1. Filter fabric shall meet the requirements of material specification 592 GEOTEXTILE, Table for 2, Class I, II or IV and shall be placed over the cleared area prior to the placing of rock.
2. Rock or reclaimed concrete shall meet one of the following IDOT coarse aggregate gradation, CA-1, CA-2, CA-3 or CA-4 and be placed according to construction specification 25 ROCKFILL using placement Method I and Class III compaction.
3. Any drainage facilities required because of washing shall be constructed according to manufacturers specifications.
4. If wash racks are used they shall be installed according to the manufacturer's specifications.