



Village of Wauconda Building, Planning, and Zoning
109 W. Bangs Street ~ 847-526-9609 ~ BZ@wauconda-il.gov



SHORELINE PROTECTION / SEAWALL PERMIT REQUIREMENTS

1. **VILLAGE OF WAUCONDA PERMIT APPLICATION** and permit fee which is paid after all required materials are submitted, reviewed, and approved.
2. **PLAT OF SURVEY** with location of seawall marked to scale.
3. **ESCROW ACCOUNT** with \$1,000 beginning fund balance to pay for engineering reviews and inspections.
4. **WATERSHED DEVELOPMENT PERMIT** (3 copies) signed by an Illinois Licensed Professional Engineer.
5. **US ARMY CORPS OF ENGINEERS INDIVIDUAL PERMIT**
 - Refer to the attached “Army Corps Permit Requirements for Bangs Lake”.
6. **GRADING PLAN**, which must include:
 - Existing topography on NGVD 29 vertical datum and benchmark used to establish vertical datum.
 - Proposed topographic contours and top of seawall elevation.
 - Base Flood Elevation (BFE) for Bangs Lake and the vertical datum used.
 - Dimensions referencing the horizontal location of the proposed seawall.
 - Signature and seal of Illinois Licensed Professional Engineer



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Army Corps Permit Requirements for Bangs Lake

Bangs Lake is listed as an ADID (Advanced Identification) lake because there are several threatened and endangered species present. This report was created to clarify the complicated permitting requirements and identify the steps necessary to obtain permitting for shoreline modifications in this lake.

Army Corps and local permits are needed for any project that will disturb soil, sediment, or fill areas in and near a lake, stream, or wetland. Cutting vegetation without disturbing the soil does not require an Army Corps permit. This report covers pier installation and shoreline stabilization.

The shoreline of **Bangs Lake** is owned by many different individuals, each preferring to have different treatments, choice of materials, budgets, timelines, techniques, and appearances to their shorelines. Because of these differences a one-permit-fits-all approach would not be available to homeowners wanting to perform shoreline stabilization activities on their shoreline. If the entire shoreline was owned by one entity and was stabilized at the same time then only one permit would be required.

Due to the individual aspects of each shoreline, it is highly recommended that an on-site pre-application meeting with the Army Corps, Village Engineer, consultant, and permittee be performed and will likely save significant time and effort.

- Army Corps project manager is Melyssa Navis (melyssa.r.navis@usace.army.mil).
- Village Engineer is William Rickert at RHMG Engineering, Inc., (wrickert@rhmg.com or 847-362-5959).

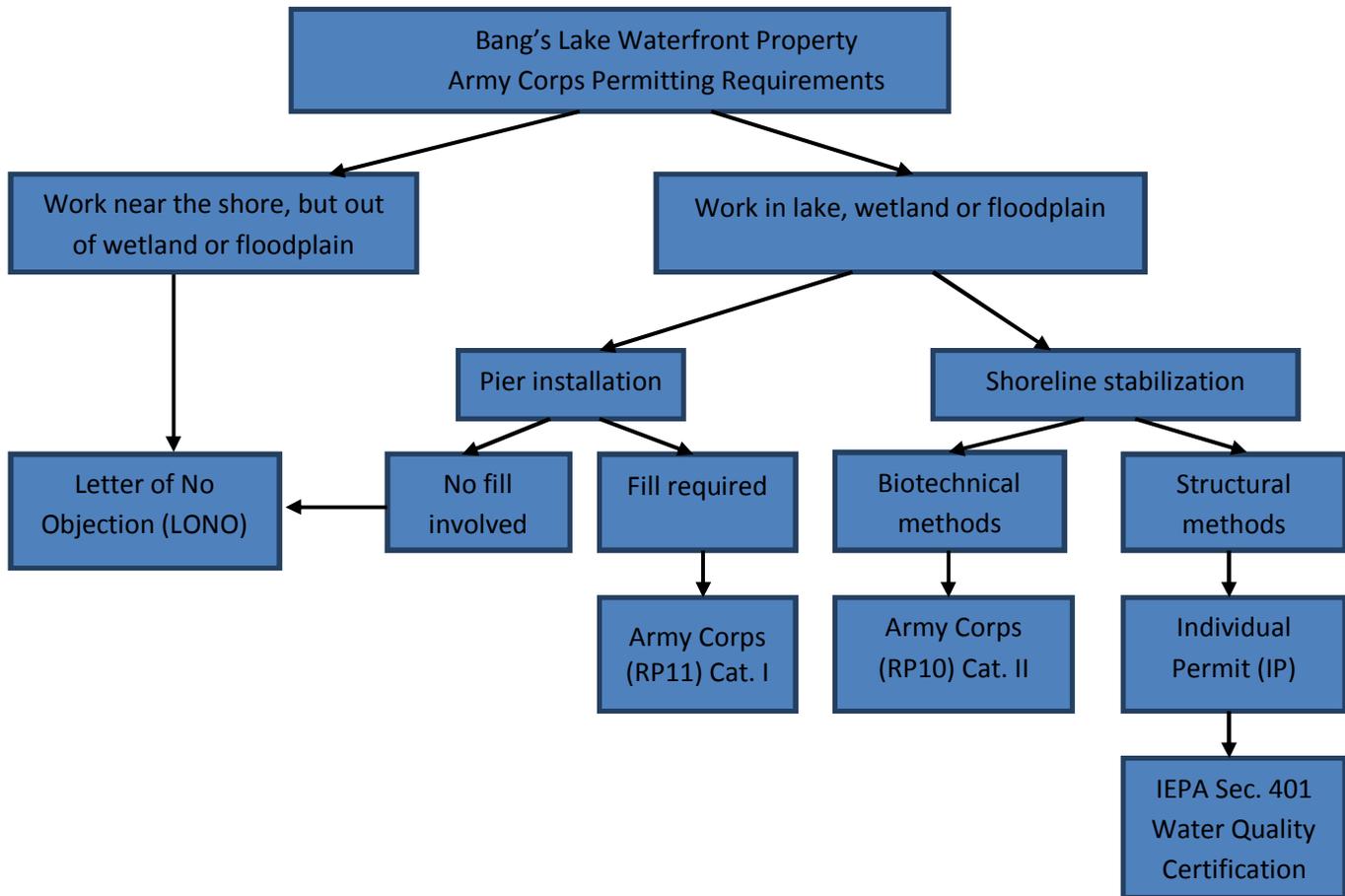
(These contacts may change at any time).

All permit applications require an initial review and response from the Army Corps within 60 days of the application.

There is no cost by the Army Corps to review a permit application however there will be costs involved in the preparation of the application materials since a consultant and/or engineer and a surveyor may be involved. A homeowner can also submit an application on their own by using the simple application checklist on the Corps website. See the Army Corps website at: <http://www.lrc.usace.army.mil/Missions/Regulatory.aspx>, and the checklist at: <http://www.lrc.usace.army.mil/Missions/Regulatory/Illinois/SimpleAppChecklist.aspx>. For a listing of the permit application requirements please see Required information for Army Corps Permit applications on the few last pages of this document.

Army Corps permits fall into two categories under the Regional Permit Program within the Chicago District of the Army Corps (Cook, DuPage, Kane, Lake, McHenry and Will Counties). Nationwide permits are another category of Army Corps permits that are not discussed in this report.

An overview summary of these categories is included in the following flowchart:



- Letter of no objection (LONO). The Army Corps is informed about a project and a letter of no objection is sought to confirm that there are jurisdictional areas on the property but no impacts are being proposed. A permit is not required.
 - The required permit application submittal materials are listed under ~~Required~~ Required Information for Army Corps Permit Applications - A) Letter of no objection.q
- Regional Permits (RP) Category I permits are required for minimal impacts and do not involve comments from other public agencies. Proposals for work on Bang Lake may be processed under Cat II.
 - Non-ADID or low quality lakes can receive a Category I permit if they utilize biotechnical shoreline stabilization methods that include native plants mixed with non-living or hard structural materials.
 - Low quality lakes can receive a Category I permit for structural bank stabilization practices if the total length does not exceed 500 linear feet.
 - The required permit application submittal materials are listed under section III Required Information for Army Corps Permit Applications - B) Regional Permits Categories I & II.
- Regional Permits (RP) Category II permits are for larger impacts or more sensitive areas. Proposals for work on Bang Lake may be processed under Cat II. These permit applications require detailed review by the Army Corps. Other state and federal agencies are notified of the permit application and may submit comments.

- Biotechnical shoreline stabilization practices for ADID lakes require a Category II permit, and require native plants along with structural methods (see section II Permit Requirements-Shoreline Stabilization, Category II for more information).
- The permit application packet materials are listed under section III Required Information for Army Corps Permit Applications . Regional Permits Categories I and II.
- Individual Permits (IP) are for larger impacts or high quality areas requesting structural shoreline stabilization methods. Structural methods include riprap, gabions, lunker boxes, steel sheet piling, or fabric-formed concrete. The Army Corps can request more detailed information than in a Category I or II permit application. A public notice is required and agency comments are encouraged. These permits take a minimum of 3 . 4 months and often much longer depending on the number of re-submittals.
 - The Corps has 60 days initially to review the permit application and write the public notice.
 - The public and other governmental agencies have 30 days to respond to the public notice.
 - The applicant has 30 days to respond to the comments. If additional information or research is needed then the applicant can ask for an extension.
 - Once the permit application is determined as complete then the Army Corps has 30 days to accept or deny the permit application.
 - An Illinois Environmental Protection Agency (IEPA) Section 401 Water Quality Certification may be required. An IEPA 401 permit is not required for Army Corps Nationwide 16 permits.
 - An IEPA WPC-PS-1 Construction/Operation permit may be required.
 - The Army Corps permit application packet materials and information regarding the IEPA permit is listed under section III Required Information for Army Corps Permit Applications . A) Regional Permits Categories I and II and B) Individual Permits.

According to the Army Corps website, Nationwide, fewer than three percent of all requests for permits are denied. Those few applicants who have been denied permits usually have refused to change the design, timing, or location of the proposed activity. When a permit is denied, an applicant may redesign the project and submit a new application. To avoid unnecessary delays pre-application conferences, particularly for applications for major activities, are recommended. The Corps will endeavor to give you helpful information, including factors which will be considered during the public interest review, and alternatives to consider that may prove to be useful in designing a project.+

I Permit Requirements – Pier Installation

Pier installation on Bangs Lake may or may not require a permit depending on the installation method.

- If there is no fill involved, such as pilings driven into the sediment, then a permit would not be required by the Army Corps, although a local permit will be required.
- If poured concrete footings are installed, then a permit would be needed under Regional Permit 11 (RP11) and may be processed as a Category I permit.

II Permit Requirements-Shoreline Stabilization

In **Bangs Lake** any shoreline stabilization permit will be processed either as a Category II or Individual Permit.

- Category II (RP10) permits are required for any stabilization using biotechnical methods. To be approved, some native vegetation component is required in the plan. This could be native plantings above riprap; vegetated geogrids; coconut logs; live, woody vegetative cuttings, fascines or stumps; brush layering; and soil lifts.
 - Examples of some of these practices can be found in the Lake County Stormwater (SMC) Streambank and Shoreline Protection Manual 2002, which can be found on the Army Corps website under Section 3e at <http://www.lrc.usace.army.mil/Missions/Regulatory/Illinois/TableofContents.aspx>.
- Individual Permits (IP) are required for all structural methods of shoreline stabilization. This includes riprap without native vegetation, seawalls and other methods that do not use live vegetation. Because **Bangs Lake** is a high quality lake, installation of structural measures are discouraged (RP10, 2d). See section III Required Information for Army Corps Permit applications C) Individual Permits.

III Required information for Army Corps Permit applications

A) Letter of no objection (LONO).

- A cover letter describing the site and the proposed activity.
- A completed LONO form, see Section 2g at <http://www.lrc.usace.army.mil/Missions/Regulatory/Illinois/TableofContents.aspx>.
- A location map.
- A plat of survey with the location of the activity.
- Grading plan and wetland delineation (if needed).

B) Regional Permits Categories I and II

The Joint Application Form for Illinois is at the link below. Download the pdf on the left side under permit application. <http://www.lrc.usace.army.mil/Missions/Regulatory/Illinois.aspx>

Mail the permit application with a detailed cover letter, maps and the information required below to:

Kathleen Chernich
Regulatory Branch; U.S. Army Corps of Engineers Chicago District
111 North Canal St., 6th Floor
Chicago, IL 60606-7206
312-846-5530

- On the permit application include latitude and longitude for the project in decimal degrees format (i.e. 41.88377, -87.63960). This information can be obtained from Google Earth. An address of the proposed work is acceptable as well.
- Include a cover letter providing a detailed description of the proposed development and aquatic impacts along with:
 - A discussion regarding the need to impact the aquatic resource and why impact cannot be avoided or minimized.
 - The specific Regional Permit number that will be used for the permit (RP10 for shoreline stabilization, RP11 for pier installation).
 - Mention if a grant is being used for the project and time constraints.
 - The area to be impacted in acres or linear footage for shoreline stabilization projects.
- A map or aerial photo showing the location of the project.
- Photographs of the site with a description of the photos.

- A wetland delineation if wetland or shoreline vegetation will be disturbed.
- A plat of survey of the property boundaries.
- Engineering drawings showing the proposed activity and wetland or lake boundaries. This plan should include grading contours, proposed and existing structures, utilities, construction access areas, wetlands, shorelines, buffer areas, best management practices, and deed restricted areas.
- A soil and sediment control (SESC) plan that identifies all erosion control measures to be installed during construction.
 - The plan shall be designed in accordance with the Illinois Urban Manual (<http://aiswcd.org/IUM/index.html>).
 - Review by SMC or the Village Enforcement Officer may be required.
- Endangered Species Consultation for both State and Federal species:
 - For State endangered species use the Illinois Department of Natural Resources (IDNR) EcoCat form (<http://dnr.illinois.gov/ecopublic/>).
 - For Federally Endangered species protected through the U.S. Fish and Wildlife Service (USFWS) Consultation (<http://www.fws.gov/midwest/Endangered/>). Click on Section 7 Technical Assistance (green box in lower part of the screen).
 - A no effect determination can be made if no species or habitats are listed.
 - Currently there is no Federal Threatened or Endangered Species located in **Bangs Lake**.
- Timeline and schedule for the proposed activity.
- A statement about the presence or absence of Historic Properties.

C) Individual Permits

In addition to the above requirements for Category I and II permit applications the following additional information is needed for individual permit applications:

- Public notice
- Alternatives analysis.
 - This involves a description describing why other less invasive methods cannot be used at this site.
- Mailing labels with adjoining property owners names and addresses must be included as part of your submittal. Labels must be prepared using all capital letters.
- Lists of authorizations required by other agencies including approvals received or denials already made.
- **Section 401 Water Quality Certification from the Illinois Environmental Protection Agency (IEPA) is required for an Individual Permit.**
 - The Joint Application permit form and application packet that was submitted to the Army Corps should be sent to the IEPA with the additional items listed below:
 - Illinois Environmental Protection Agency
 - Permit Section; Division of Water
 - 1021 N. Grand Ave. East
 - Springfield, IL 62704
 - 217-782-3362
 - Antidegradation assessment . See Title 35 of the Illinois Administrative Code, Subtitle C: Water Pollution, Chapter 1: Pollution Control Board, Part 302: Water Quality Standards, Section 302.105 Antidegradation for more information
<http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-Title35.asp>,

- Much of this information has been included in the Army Corps permit and needs to be reworked into the IEPA Antidegradation assessment.
 - Identification and characterization of the water body in terms of its physical, biological and chemical condition.
 - Describe the potential impacts of the shoreline stabilization.
 - Anticipated benefits of the shoreline stabilization.
 - Alternatives analysis.
 - Proof that a copy of the application has been provided to the Illinois Department of Natural Resources (IDNR). There is no fee for an IDNR review.
 - The timeline for an Antidegradation assessment is typically 60 . 90 days from the time a complete application has been received.
 - Any additional information that the IEPA may request.
- **IEPA permit fee for the 401 Water Quality Certification Permit is 1% of the total project cost, not to exceed \$10,000.** The IEPA will determine the cost before issuing the permit. Do not send with application packet.

IV Local Permits

A Watershed Development Ordinance (WDO) permit will also be required for pier installation or shoreline stabilization.

- The Village of Wauconda is a certified community through the County, so the permit application and fees will be processed through the Village.
- The WDO permit application can be downloaded in several different formats (fillable, docx, pdf, etc.) from the Lake County Stormwater Website at <http://www.lakecountyil.gov/Stormwater/FloodplainStormwaterRegulations/PermitsApprovals/Pages/WDOPermitApplication.aspx>. A permit review checklist and a soil erosion/sediment control checklist are also available on this site.

V Permit Expiration

Unless an expiration date is specifically listed in the permit, then the following applies:

- Army Corps and IEPA permits are good for 5 years from the date of issuance.
- County permits are good for 3 years from the date of issuance. Village permits may have different timelines.

VI Recommendations

- Have a pre-application meeting with all the agencies present to determine the site-specific requirements. Delays in the permitting process occur when one agency requests significant changes in the permit application requiring additional review by other agencies.
- Start early and submit a complete application packet to the Army Corps. Permit applications to the IEPA and IDNR are only needed for Individual Permits. If needed, the IEPA permit should be submitted at the same time as the Army Corps permit application.
 - The Army Corps will not issue a permit until the IEPA 401 Water Quality Certification permit has been received.
 - The Village will not issue a permit until the Army Corps permit has been received.