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DeKalb County Government
Sycamore, Illinois

STORMWATER MANAGEMENT PLANNING COMMITTEE MINUTES

(November 12, 2020)

The DeKalb County Stormwater Management Planning Committee (SMPC) conducted a virtual meeting on November 12, 2020 at 2:00 p.m. via Zoom. In attendance were Committee Members: Rich Gentile, Nathan Schwartz, Derek Hiland, Dean Johnson, Anita Zurbrugg, Paul Stoddard, and Pat Vary. Also in attendance was Committee Staff: Marcellus Anderson.

- 1. Roll Call** – Mr. Hiland noted that Committee members Mr. Bunge, Mr. Bushell, Mr. Gill, Mr. Horak, and Mr. Emerson were absent.
- 2. Approval of Agenda** - *Mr. Stoddard moved to approve the agenda, seconded by Mr. Schwartz, and the motion carried unanimously.*
- 3. Approval of Minutes** -

Mr. Hiland informed the Committee that because staff was unable to get copies of the minutes from the previous meeting distributed to the members, approval of those minutes would wait until the Committee's next meeting.

4. Update on IEPA 319 Grant Application

Mr. Johnson informed the Committee the Watershed Plan developed by the Upper South Branch Kishwaukee River Watershed Steering Committee had been submitted to the IEPA. He noted that they had thoroughly reviewed the plan, and returned it with some corrections and a few suggestions. He informed the Committee that the plan was then updated based on this feedback, and resubmitted to the IEPA. Mr. Johnson expressed his hope that the plan would be approved by the end of November. He noted that they expected to be done with the grant use to create the plan by the end of 2020. Mr. Johnson noted that once it was all done, Applied Ecological Services (AES) would then produce an executive summary, copies of which can then be distributed to stakeholders, noting that only a few copies of the Plan itself will be printed. He also noted that a website was being set up containing all of the information. Mr. Johnson noted that next step would then be to forward the Plan to the County Board and the various municipalities, park district, etc. within the watershed for review and approval of the plan. He finished his report by highlighting the potential usefulness of the Plan in applying for future monies.

Ms. Zurbrugg inquired whether it would be helpful to have matching funds when applying for implementation dollars. Mr. Johnson responded that a 60/40 match is typical, and talked about the EPA's Greene Infrastructure Grants, noting that those were 75/25 matches. Ms. Zurbrugg then inquired if he was aware of any entity having applied to the EPA for implementation dollars as yet. Mr. Johnson responded that he was not aware of any, noting that efforts were still be made to make people aware of the potential dollars that were available.

Mr. Hiland inquired whether the Drainage Districts, Townships, etc. had adopted the plans when the previous plan had been finished. Mr. Johnson responded that he knew that the Union Ditch Drainage District did approve of the Plan for the East Branch South Branch Kishwaukee River Plan. He also noted that the County, the Cities of Sycamore and DeKalb, and the Town of Cortland had all approved of the that Plan.

Ms. Zurbrugg inquired as to what kind of support was needed when seeking approval from stakeholder groups, expressing her willingness to help in the endeavor. Mr. Johnson responded that he was happy whatever help the members would be able to give towards getting approval of the Plan.

Mr. Johnson reported that an application for the next plan, tentatively called the Upper Middle Kishwaukee River Plan, had been submitted to the IEPA. He noted that this plan would cover a portion of the Kishwaukee River passing through the northern tier of the County (Genoa, Kingston, and Kirkland Townships). He noted however that while the EPA normally has \$3.5 – \$4.5 million dollars to disperse for these types of grants, this year they had received 47 applications for almost \$10.9 million dollars; thus, fewer projects likely to be approved by them. He noted that the consultant did express that it was a strong application with a good chance for approval. Mr. Johnson noted that if they grant is received, then they would start working on it in July or August of 2021. He added that Villages of Kirkland and Kingston and the City of Genoa have committed to providing matching funds towards the plan, and that the Community Foundation would also be contributing a sizable amount of money.

Ms. Vary inquired whether anyone had done anything with the previously completed plan. Mr. Johnson responded that the Sycamore Park District had did a streambank restoration project along the Kishwaukee River with the Community Foundation. He explained that when the Plan was developed, there were no immediate issues/problems that had to be addressed right away, and that these Plans are meant to be pro-active efforts. He noted that the biggest issue is convincing people to take action, and letting them know that there are monies available to help

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make it happen. Ms. Vary agreed that it is necessary to make sure people are aware that the plan is there and can help them get money to do things.

Mr. Johnson discussed the utility of the website that had been set up and the need to spread the word about it and need and benefits of watershed planning.

Mr. Gentile talked about the City of Genoa's experiences utilizing these resources, highlighting the impacts of the Covid-19 pandemic on the willingness of people and groups to initiate any activities at this time. He noted that he would expect to see that change once the pandemic was under control.

Mr. Johnson reported that the Little Rock Creek Watershed planning was underway, which covered north-northwest side of the City of Sandwich and extended a short distance into LaSalle County. He noted that it was about half way through its process, but that the Covid-19 pandemic was slowing them down.

5. Annual Review of DeKalb County Stormwater Ordinance

Mr. Hiland noted that he had asked that the members to review the Stormwater Ordinance and bring forward any ideas, questions, concerns, or comments for the Ordinance. He noted that he had been informed by Mr. Horak that he would be compiling a list of his thoughts about the ordinance, and would be forwarding it to the Committee next week.

Mr. Schwartz noted that Section 6, Item 3 of the Ordinance, which discusses the discharge of sump pumps, and asked the members to consider on adding downspouts and dry-out lands around septic areas to this item. Ms. Zurbrugg inquired whether it was covered anywhere else, and Mr. Schwartz responded that he had not found anything. Ms. Zurbrugg noted that if it was not covered elsewhere, then it should be covered here. Mr. Schwartz noted that the ordinance did not cover this issue very well, and that maybe it should be elaborated on. Mr. Hiland agreed that would be a good idea. Mr. Gentile noted that if nothing is in the ordinance, then it becomes an interpretation, which can be difficult to explain to property owners, and that it would be better to have the language in the ordinance.

Mr. Schwartz highlighted Section 7, paragraphs 10 and 11, which addresses how a Site Development Permit is issued, the fee to be paid, and the financial guarantee required. He asked the Committee to consider adding an additional fee, or escrow account, that could be drawn upon during the project for inspections. He then elaborated on why he felt this was needed. Mr. Hiland inquired how often such inspections are conducted for a typical small-scale project. Mr.

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Schwartz responded that at least one or two inspections, but the larger projects can require significantly more. He also expressed that the time required is at time substantial. Mr. Hiland suggested that one solution would be to revised the Site Development Permit language to note that one or two inspections are included, but that anything above and beyond that may require an escrow account be established. Mr. Schwartz also noted that maybe the permit fee itself should also be revisited. Mr. Johnson noted that when he was doing inspections on construction sites for the EPA, they would receive of about \$180, which would include two visits, plus, \$65 per hour for each additional visit. Mr. Gentile noted that in their permits that have a re-inspection fee cost, but explained that their biggest challenges are getting them to set up the escrow accounts and keeping them full. Ms. Zurbrugg noted that it would need to be clear up front whether a particular project is small-scale or large-scale. Mr. Stoddard noted that distinguishing between commercial versus residential as a starting point. Mr. Schwartz noted however that residential properties can be just as difficult as the larger commercial projects, though, he did agree that having differing fees for the two types of project may help. Mr. Schwartz noted that waivers were a possibility, and talked about how it could work.

Mr. Johnson noted Article 5 of the Kane County Stormwater Ordinance: Requirements for Stormwater Mitigation, Best Management Practices (BMPs), and Watershed Benefit Measures. He noted that it allowed for the swapping out of requirements to allow for the alternate BMPs as a solution, and elaborated on how this could work. Mr. Gentile cautioned that unless you have staff with the right expertise on a particular BMP, a community may need to hire consultants to adequately review the proposed measure. Ms. Zurbrugg suggested that this could be setup as another type of waiver that would allow for some discretion. Mr. Johnson noted that it was ultimately up to the administrator as to whether it would be allowed or not.

Ms. Zurbrugg inquired as how the Committee would take the proposed suggestions and incorporate them into the Stormwater Ordinance. Mr. Hiland explained that after the Committee meeting, he would be contacting the Committee members asking that any members recommending changes send him a “red-line” version of the Ordinance containing their proposed changes. He will then compile all of the recommendations and distribute them to the Committee for consideration at its next meeting.

Ms. Vary noted two concerns she had: firstly, that there was no index; and secondly, everything has a fairly good title, except for Section 6: Generally, which she would suggest be changed to “General Requirements”.

6. Next Meeting

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Mr. Hiland noted that the Committee's next scheduled meeting would be on February 11th, 2021, at 2pm.

7. **Adjournment** - Mr. Johnson moved to adjourn the meeting, seconded by Ms. Vary, and the motion carried unanimously.

Respectfully submitted,

Derek Hiland
Chairman, DeKalb County Stormwater Management Planning Committee

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