

Illinois DNR/OWR

Permitting Update

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Chief, Downstate Regulatory Programs

Illinois Department of Natural Resources

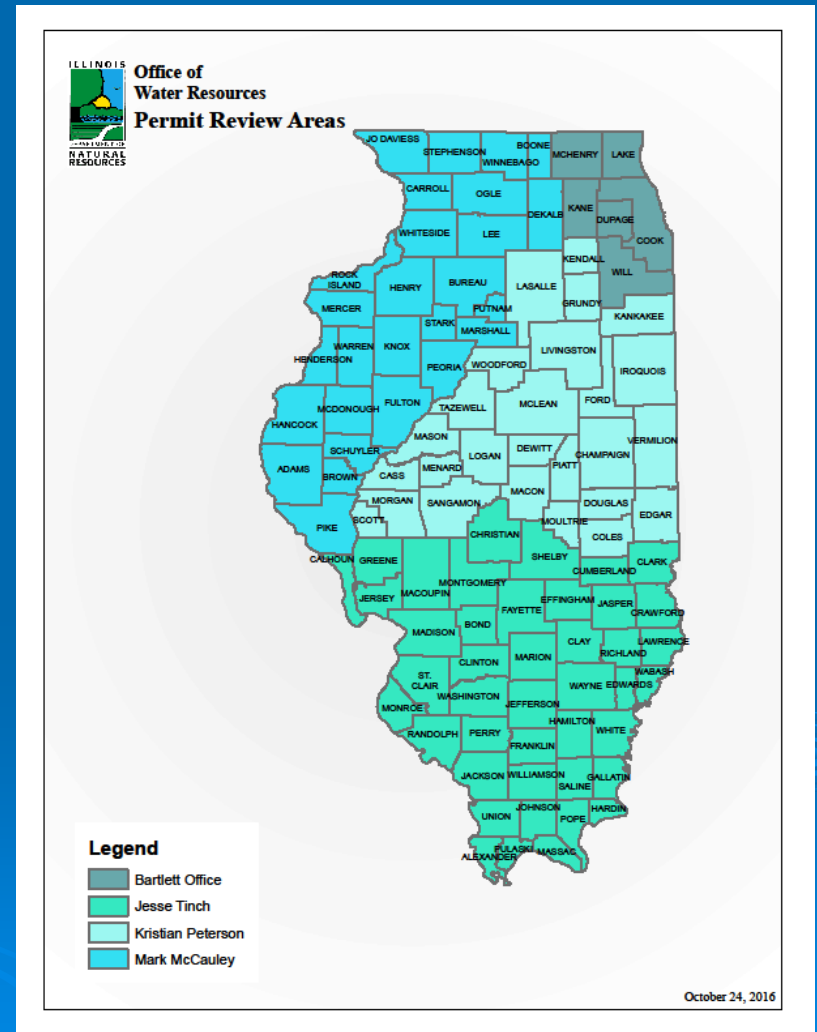
Office of Water Resources

Overview

- New Personnel in Water Resource Management
- Permit Programs for IDNR/OWR
- Part 3700 Rule Updates

New Personnel

- Springfield
 - Jesse Tinch
 - Started June 2016
 - Kristian Petersen
 - Started June 2016
 - Stephen Altman
 - Started September 2016
- Bartlett
 - Paige Kupfer
 - Started December 2016



IDNR/OWR Permit Programs

Adm. Rules

- **Construction in Floodways of Rivers, Lakes and Streams: Part 3700 Rules**
- Regulations for Dam Construction: Part 3702 Rules
- Regulations of Public Waters: Part 3704 Rules
- Floodway Construction in Northeastern Illinois: Part 3708 Rules
- Allocation of Water from Lake Michigan: Part 3730 Rules

Part 3700 Rules Updates

- Definitions
- Jurisdiction
- Application and Review Fee
- Department Standards
- Standards for Bridges and Culverts
- Standards for Levees and Floodwalls
- Statewide Permits
- General Permits
- Violations and Enforcement

Definitions

- New Definitions
 - Applicant/Permittee
 - Bridge/Culvert Modification
 - Levee/Floodwall Modification
 - Flood Damage
 - Undeveloped Floodplain Conditions
- Expanded Definition
 - **Worst Case Analyses**
 - Up to and including 1%-annual-chance event for all projects (including levees)
 - Floodway

Jurisdiction

- Expanded Explanation of Exempted Activities
 - Bridge Deck Widening
 - Culvert Extensions
 - Structural Removal
 - Maintenance Activities
- New Exemptions
 - Language from Statewide Permits 4, 5, 6, 7, 8, 11 and 13
 - Flood fighting
 - Individual Structures
 - Levees

Application and Review Fee

- Updated Website reference
- Eliminates Yearly CPI changes
- Caps Review Fee at \$5000
- Hydraulic Analyses Review
 - Fee increased to \$3500

JOINT APPLICATION FORM FOR ILLINOIS					
ITEMS 1 AND 2 FOR AGENCY USE			ITEM 3 FOR AGENCY USE		
1. Application Number			2. Fee Received		
3. AND 4. ADDITIONAL INFORMATION REQUIRED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION					
3a. Applicant's Name		3b. Co-Applicant/Property Owner Name (if needed or if different from applicant)		3c. Authorized Agent (an agent is not required)	
Company Name (if any)		Company Name (if any)		Company Name (if any)	
Address		Address		Address	
Street Address		Street Address		Street Address	
Applicant's Phone No., wireless code		Applicant's Phone No., wireless code		Applicant's Phone No., wireless code	
Business		Business		Business	
Residence		Residence		Residence	
Cell		Cell		Cell	
Fax		Fax		Fax	
4. STATEMENT OF AUTHORIZATION					
I hereby authorize _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.					
Applicant's Signature				Date	
5. ALLUUVIAL PROPERTY OWNERS (Upstream and Downstream of the water body and within visual reach of project)					
Name	Mailing Address	Phone No., wireless code			
a.					
b.					
c.					
d.					
6. PROJECT TITLE					
7. PROJECT LOCATION					
LATITUDE		LONGITUDE		UTM	
				Northing	
				Easting	
STREET, ROAD, OR OTHER DESCRIPTIVE LOCATION				LEGAL DESCRIPTION	QUARTER
SECTION				TOWNSHIP NO.	RANGE
<input type="checkbox"/> IN OR <input type="checkbox"/> NEAR CITY OR TOWN (check appropriate box) Municipality Name				WATER BODY	
				RIVER MILE (if applicable)	
COUNTY	STATE	ZIP CODE			
Revised 2010					
<input type="checkbox"/> Corps of Engineers		<input type="checkbox"/> IL Dept of Natural Resources		<input type="checkbox"/> IL Environmental Protection Agency	
<input type="checkbox"/> Applicant's Copy					

Department Standards

- Adds Language regarding General Permits
- Ensures Compliance
 - Illinois Endangered Species Act
 - Illinois Natural Areas Act
 - State Agency Historic Resources Act

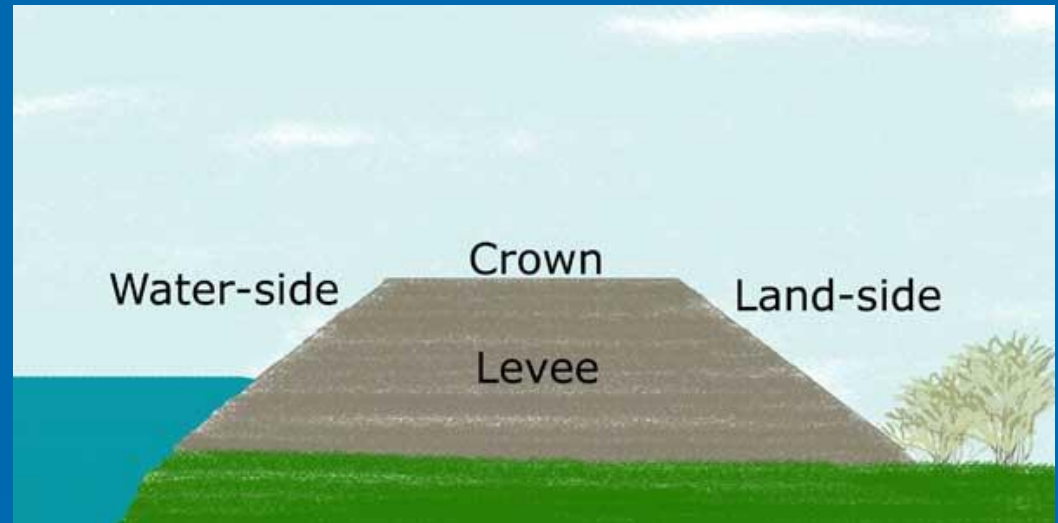
Bridges and Culverts

- Adds new sections
 - New Construction
 - Reconstruction
 - Modification
- Includes Language
 - General Permits



Standards for Levees and Floodwalls

- Adds new sections
 - New Construction
 - Reconstruction
 - Modification
- Includes Language
 - General Permits



Levees and Floodwalls

- Worst Case Analyses up to and including 1%-annual-chance event
- Consistent Statewide
- Promotes Uniform Standards with Border States
- Jurisdiction to the landside toe
 - Levee modifications require permit
- Addresses Levee Accreditation Issues

Statewide Permits

- All 3700 rules-related will be rescinded
- Exemptions under 3700.30
 - Statewide Permits 4,5,6,7,8,11,13
- Converted to General Permits
 - Statewide Permit 2
 - Statewide Permit 9
 - Statewide Permit 12
 - More to be added

ILLINOIS
NATURAL RESOURCES

Illinois Department of
Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

July 27, 2015

LIST-OF-ACTIVE-DOWNSTATE-ILLINOIS
STATEWIDE-PERMITs

NUMBER	TITLE	DATE ISSUED	LATEST REVISION DATE
SWP-2	Rural Bridges	1/6/1982	3/1/2009
SWP-3	Barge Fleeting Facilities	10/27/1981	6/15/1998
SWP-4	Aerial Utility Crossings	4/26/1982	6/15/1998
SWP-5	Minor Boat Docks	11/15/1982	6/15/1998
SWP-6	Minor Floodway Construction	9/15/1993	9/25/2002
SWP-7	Outfalls	8/1/1986	6/15/1998
SWP-8	Underground Pipeline & Utility Crossings	8/1/1996	6/15/1998
SWP-9	Minor Shoreline, Streambank and Channel Protection Activities	10/1/1986	10/2/1998
SWP-10	Accessory Structures and Additions to Existing Residential Buildings	7/25/1988	6/15/1998
SWP-11	Minor Maintenance Dredging Activities	12/1/1988	6/15/1998
SWP-12	Bridge and Culvert Replacements	7/30/1990	6/15/1998
SWP-13	Temporary Construction Activities	10/2/1998	10/2/1998
SWP-14	Special Uses of Public Waters	10/2/1998	10/2/1998

These statewide permits can be found on the Illinois Department of Natural Resources website at:
<http://www.dnr.illinois.gov/WaterResources/Pages/PermitsStatewideRegionalGeneral.aspx>

General Permits

- Fee = \$500
- Former SWP 2, 9 and 12
- Satisfies necessary consultation requirements
 - Illinois Endangered Species Act
 - Illinois Natural Areas Act
 - State Agency Historic Resources Act
- Unknowns
 - Increase in workload??
 - Non-Compliance??



Violations and Enforcement

- Notice of Violation
- Enforcement Hearing
- Decision and Orders
- Civil Penalties
 - Up to \$5000
 - Increase for Loss of Life situations??



Next Steps

- Draft 3700 Rules on DNR Website soon
 - Draft Rules
 - Summary of Changes
 - Updated Guidelines
- JCAR
- Adoption
 - Mid 2017??



Questions?