Illinois DNR/OWR
Permitting Update

Stephen Altman, P.E., CFM
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
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
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?