

**STORMWATER MANAGEMENT PLANNING COMMITTEE  
MEETING MINUTES**

December 2, 2010

The DeKalb County Stormwater Management Planning Committee (SMPC) met on December 2, 2010 at 3:00 p.m. in the DeKalb County Administrative Building, Conference Room East, in Sycamore, Illinois. In attendance were Committee members Ken Andersen, Tom Thomas, Roger Steimel, Bill Lorence, Joel Maurer, Donna Prain, Pat Vary, and Paul Miller. Also in attendance was County Assistant Planner Rebecca Von Drasek.

1. **Roll Call** -- *Mr. Miller noted Joe Misurelli, Norm Beeh, Bill Nicklas and Mark Biernacki were absent.*
2. **Approval of Agenda** -- *Mr. Andersen moved to approve the agenda, seconded by Mr. Maurer, and the motion carried unanimously.*
3. **Approval of Minutes** -- *Ms. Vary moved to approve the minutes, seconded by Mr. Steimel, and the motion carried unanimously.*
4. **Exempt Municipalities – Review of Exempt Status**

Mr. Miller noted that the Stormwater Management Planning Committee discussed at its August 19, 2010 meeting the question of whether or not municipalities need to re-apply for exempt status from the Phase 2 of the Countywide Stormwater Management Ordinance. Phase 2 was adopted by the DeKalb County Board at its September, 2010 meeting. He explained that the State legislation that permits DeKalb County to have a Countywide Stormwater Management Ordinance (55 ILCS 5/5-1062.2) mandates that its regulations apply throughout the County, including areas within municipal boundaries and under municipal jurisdiction, unless a municipality has demonstrated that its stormwater management regulations are at least as restrictive as the County's. The County adopted the Countywide Ordinance in November of 2006, and by August of 2007, all 14 municipalities had applied for and been granted exempt status. A review by Mr. Miller revealed that the legislation is silent with respect to updates or amendments to an adopted stormwater management plan and ordinance. He had contacted two representatives of the Division of Water Resources of the Illinois Department of Natural Resources regarding whether the County is required to follow the same review and approval process for an update or amendment to the plan and ordinance, and whether or not the Division is required to sign-off on such updates and amendments, as was required prior to adoption of the original plan and ordinance. Both Mark MacCauley and Paul Osmond from the Division informed Mr. Miller that there was no requirement to follow the original review and approval process. Mr. Miller also noted the reduction in staff at the state level restricts the Division's ability to review any changes.

*Tom Thomas arrived at 3:05 pm*

Mr. Miller noted that there were five criteria, outlined in the staff memo dated October 21, 2010, that if changed through future amendments to the Ordinance or Plan may require municipalities to re-apply for exempt status by showing that their regulations are as stringent as the County's regulations. Mr. Miller concluded by noting that the revisions approved in September of 2010 did not revise any of the criteria originally used to determine municipal exemptions.

Ms. Vary asked that the municipalities be informed of the revisions. Mr. Miller noted that the revised Ordinance was available on the County's website, that the Regional Planning Commission members had received copies, and that the Stormwater Management Commission itself represents each of the municipalities in the County.

Mr. Miller offered to email the Plan and Ordinance to the municipalities to make them aware of the recent revisions.

Mr. Thomas stated that the municipalities should not be underestimated as to their enforcement of the Stormwater Ordinances, observing that cities enforce these standards thoroughly and that the municipal standards are very stringent. He also observed that runoff rates might need to be adjusted when considering some projects. Mr. Lorence agreed that most municipalities enforce stricter standards than the County and that the runoff rates sometimes need to be adjusted up or down when considering specific properties location and topography. He observed that the Countywide Ordinance requires projects that are within 1½ miles of a municipality to abide by the municipal stormwater management regulations.

## **5. Watershed – Approach to Stormwater Management**

Mr. Miller began the discussion by stated that at the August 19, 2010 meeting the Committee reiterated the need to consider ideas and possible regulations so as to take a watershed approach to stormwater management. Such an approach is one of the objectives in the recently-adopted Phase 2 of the Stormwater Management Plan. The update to the Stormwater Management Plan however does not include any regulations that overtly mandate or encourage a watershed-based assessment of stormwater management. Mr. Miller noted that the Committee had previously discussed one idea related to a watershed approach, that of a "fee-in-lieu" program. Under such a program, developments that require stormwater management facilities would be analyzed in consideration of the watershed in which the property is located. Mr. Miller added that there maybe other methods for enforcing a watershed approach. He asked the Committee to offer suggestions as to how a watershed approach could be enforced.

Mr. Lorence speculated that the process for creating a watershed approach would first require a definition of a watershed, then identification of all the minor and major watersheds, followed by a prioritization of flood management projects. Mr. Lorence noted the Committee could chose a watershed and then conduct a study which would dictate what features could reduce flooding problems within the given watershed. It could proceed from there to all of the other watersheds in the County.

Mr. Maurer observed that developers can be required to pay for these types of studies prior to a development. When regional facilities are proposed, development of properties within a watershed can then be restricted until the regional facilities are built.

Mr. Lorence noted that the regional facilities can be designed, planned, and then paid for as an area develops.

Mr. Maurer noted that the cost communities place on stormwater control features can vary significantly; for example, some communities include the cost to purchase land elsewhere in the

watershed for the regional facility. Mr. Maurer indicated that he had found a range from \$25,000 - \$158,000 an acre to develop larger facilities.

Mr. Thomas noted Sandwich requires developers to complete water and sanitary sewer installation in advance of a development. Mr. Lorence suggested that the same type of up-front costs be required to address stormwater as well.

Ms. Vary asked if requiring developer to address stormwater concerns initially could be used to incentivize the installation of alternative stormwater features.

Mr. Lorence emphasized that the County attempts to encourage recharge of groundwater, but he noted that percolation in some areas is better than in others.

Ms. Prain noted that the stormwater should be addressed where it hits the ground before reaching the floodplain.

Mr. Lorence observed that percolation rates were irrelevant when considering agricultural fields which are tilled to move the water to drainage ditches and creeks.

Mr. Thomas noted that the ditches in the agricultural areas need to be maintained.

Mr. Steimel noted that the various drainage districts within the County maintain the ditches and creeks in their jurisdictions to keep the water moving, but he observed the districts are only active in some areas.

Ms. Prain noted that flooding was caused by too much water. She suggested that an example watershed be chosen for review, such as the watershed near Maple Park, and then the Committee review where does the stormwater come from, where it drains to, and how flooding in the watershed can be addressed. The Committee briefly discussed the Maple Park watershed and interested stakeholders.

Ms. Vary asked why the Committee would need to reinvent the wheel to create a watershed approach. Mr. Lorence and Ms. Prain noted that both DuPage and Kane had formulated a watershed approach. Mr. Lorence pointed out that DuPage County had created a separate taxing body to fund the review and projects.

Mr. Lorence and Ms. Prain both noted that the policy should be to encourage the creation of an entity that can perform stormwater studies which would identify watersheds and then prioritize projects to address flooding within the specific watershed.

Mr. Miller opined that the Committee did not have the resources to undertake a watershed study itself. He inquired what the Committee could recommend to encourage the establishment of a program that would result in an entity that could undertake watershed studies in the future.

Mr. Lorence suggested that the Committee recommend to the County Board the funding of a study to identify countywide watersheds and projects that would provide watershed wide benefits.

Ms. Prain noted that the KREP group partnered with CMAP and received EPA funds to complete a water quality study which also included water quantity information which could be utilized for watershed information.

Mr. Miller noted that setting up a program for identifying watersheds and stormwater facilities could be suggested, but he emphasized that this Committee would not be the entity to oversee the watershed study or any proposed project. The Committee has insufficient staff and resources at this time.

Mr. Lorence agreed with Mr. Miller and suggested that the Committee advance the idea so that the County Board is aware of the possibility of funding a study in the future which could identify and offer mitigation projects.

Mr. Miller asked if Mr. Lorence and Ms. Prain would be able to design the program for identification and facility projects. In this way, at such time in the future that the County Board is able to fund a study, the Committee would have a methodology for creating the watershed list, regional facility projects, and those projects costs and proposed benefits.

Mr. Maurer noted that there were watershed study examples that could be used to outline the program methodology.

Mr. Miller offered to put together the endorsement by the Committee for a study to create a watershed approach program.

**6. Next Meeting:**

After a brief discussion the Committee decided to meet March 10, 2011 at 3pm in the Conference Room East.

**7. Adjournment** -- *Mr. Lorence motioned to adjourn, seconded by Ms. Vary, and the motion carried unanimously.*

Respectfully submitted,

Paul R. Miller, AICP  
Chairman, DeKalb County Stormwater Management Planning Committee

RGV:rgv