



**KENDALL COUNTY
STORMWATER MANAGEMENT OVERSIGHT COMMITTEE
PUBLIC HEARING**

111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

October 12, 2023 – 4:00 p.m.

CALL TO ORDER

ROLL CALL: Zach Bachman, Brian DeBolt, Elizabeth Flowers, Scott Gengler (Vice-Chair), Matt Kellogg (Chair), Jason Peterson, Brooke Shanley, Dan Koukol, Ruben Rodriguez, and Seth Wormley

APPROVAL OF AGENDA (VV)

APPROVAL OF MINUTES (VV) October 13, 2022, Public Hearing/Meeting (Pages 2-3)

PUBLIC COMMENT

OPEN OF STORMWATER MANAGEMENT OVERSIGHT COMMITTEE PUBLIC HEARING

ITEMS OF BUSINESS FOR PUBLIC HEARING

1. Comments on Stormwater Management Related Regulations and Enforcement (Page 4-12)
2. Proposed Changes to the Kendall County Stormwater Management Ordinance

CLOSE OF STORMWATER MANAGEMENT OVERSIGHT COMMITTEE PUBLIC HEARING

OTHER BUSINESS

ADJOURNMENT (VV)

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

**KENDALL COUNTY
STORMWATER OVERSIGHT COMMITTEE
PUBLIC HEARING
*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*
Meeting Minutes of October 13, 2022 – Unofficial Until Approved
4:00 p.m.**

CALL TO ORDER

Chairman Gryder led attendees in the Pledge of Allegiance.

Chairman Gryder called the Stormwater Oversight Committee Public Hearing to order at 4:06 p.m.

ROLL CALL

Committee Members Present: Amy Cesich (Arrived at 4:08 p.m.), Brian DeBolt, Scott Gengler, Judy Gilmour, Scott Gryder, Matt Kellogg, and Robyn Vickers

Committee Members Absent: Elizabeth Flowers, Dan Koukol, and Ruben Rodriguez

Also present: Matt Asselmeier, Scott Koeppel, and Leslie Johnson

APPROVAL OF AGENDA

Member DeBolt made a motion, seconded by Member Gengler, to approve the agenda as presented. With a voice vote of six (6) ayes, the motion carried.

APPROVAL OF MINUTES

Member Gilmour made a motion, seconded by Member Gengler, to approve the minutes of the October 19, 2021, public hearing and meeting. With a voice vote of six (6) ayes, the motion carried.

PUBLIC COMMENT

None

OPEN OF STORMWATER MANAGEMENT OVERSIGHT COMMITTEE PUBLIC HEARING

Chairman Gryder opened the Stormwater Management Oversight Committee Public Hearing at 4:07 p.m.

Comments on Stormwater Management Related Regulations and Enforcement

Mr. Asselmeier read a memo regarding stormwater related activities since the October 2021 hearing/meeting. He noted the deposits made into two (2) fee-in-lieu accounts for projects on Galena Road and Ashley Road. He explained that the State had prepared a new model floodplain ordinance and WBK Engineering was reviewing the document in order to prepare

proposed changes to the Kendall County Stormwater Management Ordinance. He noted the violation at 2511 Wildy Road and the silt fence situation on ten (10) lots in Whitetail Ridge.

Member Cesich arrived at this time (4:08 p.m.).

The results of the annual survey to the townships was also presented.

Member DeBolt asked about enforcement procedures. Mr. Asselmeier explained the procedure the Department uses in cases of violations including the steps from initial inspection and warning notice to court. Mr. Asselmeier also said that the Corps of Engineers and State of Illinois are notified if the issue is within their respective areas of jurisdiction.

Member Kellogg requested clarification on the applicability of floodplain regulations. Mr. Asselmeier said the regulations apply to the one hundred (100) year floodplain.

Proposed Changes to the Kendall County Stormwater Management Ordinance

Mr. Asselmeier said the only proposed changes were in reference to the State model floodplain ordinance; a specific proposal will be presented after WBK Engineering completes their review of the new State model regulation.

No other proposed changes were presented by the Committee or members of the public.

CLOSE OF ANNUAL STORMWATER MANAGEMENT OVERSIGHT COMMITTEE PUBLIC HEARING

Chairman Gryder closed the Stormwater Management Oversight Committee Public Hearing at 4:11 p.m.

OTHER BUSINESS

None

ADJOURNMENT

Member DeBolt made a motion, seconded by Member Gengler, to adjourn the meeting. With a voice vote of seven (7) ayes, the motion carried. The Stormwater Management Oversight Committee adjourned at 4:11 p.m.

Respectfully submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

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MEMORANDUM

To: Kendall County Stormwater Management Oversight Committee

From: Matthew H. Asselmeier, AICP, CFM Director

Date: October 3, 2023

Re: 2022-2023 Items to Report

Since the October 2022 Stormwater Management Oversight Committee Hearing, the following stormwater related items have occurred:

1. Zero (0) Stormwater Management Ordinance Variances were granted.
2. The balance of the Fox River Watershed Stormwater Mitigation Fee-In-Lieu Account remained at Three Hundred Eighty-Nine Thousand Eight Hundred Dollars (\$389,800). Some of these funds will be used by The Kendall County Forest Preserve District for a dam removal project.
3. The balance of the Upper Illinois Watershed Stormwater Mitigation Fee-In-Lieu Account remained at Two Thousand Six Hundred Dollars (\$2,600).
4. The County received twelve (12) applications for stormwater management permits. The County issued nine (9) stormwater management permits. The County closed eleven (11) stormwater permits. As of the date of this memo, there are forty-one (41) stormwater project escrow accounts.
5. Maps of repetitive loss properties and the locations of properties with stormwater permits have been added to the Department's internal GIS layers.
6. WBK Engineering completed the Annual NPDES Report and the NPDES Report was submitted to the State.
7. The State published a new model floodplain ordinance in 2022. WBK Engineering and Staff met with representatives of the State to discuss our questions and concerns regarding several aspects of the new model ordinance. The County was not required to update its ordinances at this time, but WBK Engineering was working on a list of proposed changes to cleanup and update some language.
8. The Department issued ten (10) warning notices for improper erosion control (lack of vegetation or silt fence) in Whitetail Ridge in the fall of 2022. All of the properties came into compliance.
9. 2511 Wildy Road has been in court most of 2023 for violations to the Stormwater Management Ordinance. The property owners placed fill placed in the floodplain and worked in the channel of the Aux Sable Creek, and installed a fence in the floodplain without a permit. The court has granted continuances while the property owner works with the State and Corps to obtain applicable permits. The next court is October 17, 2023.
10. The owner of 5505 Route 71 installed a deck in the floodplain without a permit. They are working with the Corps of Engineers to obtain applicable permits.

11. Four (4) bridges foot bridges were installed on properties in the 16000 block of Griswold Springs Road without permits. The property owners were working with an engineer to obtain property permits and plan to submit formal applications before November 17, 2023.
12. The County sent the NPDES survey to the townships at the end of June. 2023 was the fifth time the County sent the survey. Four (4) townships responded compared to four (4) townships in 2022, 2021, and 2020, and five (5) townships in 2019. Kendall Township responded for the first time. Little Rock Township responded for the first time since 2019. Lisbon Township and Oswego Township responded every year. The topic of how to properly store and dispose common household products remained the most popular topics for increased learning. The Townships generally do not use the stormwater information on the County's website. Over the years, respondents have not utilized volunteer information on the County's website and that remained true in 2023. Respondents were least interested in river clean-ups and most interested in electronics recycling; this has been historically the case. There were no illicit discharges in any of the responding townships. Respondents would like the County to perform more visual inspections and perform more grab samples downstream when illicit discharges occur. The Townships have historically responded the same way to this question. Townships historically felt that the County does an adequate job of inspecting soil erosion and sediment control at construction sites and this remained true with in the 2023 survey. 2023 was the second year with the question regarding good housekeeping. Only Kendall Township felt that they had a clear understanding of good housekeeping in 2023. Historically, the question regarding adequate resources for training on stormwater pollution prevention practices have been mixed. This was again true in 2023. 2023 was the first year where the majority of responding townships felt the County was taking the necessary steps to reduce flooding. This was the first time that Lisbon Township responded yes to this question; Oswego Township continued to respond no to this question.

The survey composite and comparison of the 2019, 2020, 2021, and 2022 survey responses are attached.

If you have any questions, please let me know.

MHA

NPDES Annual Evaluation Survey Questions
Kendall County

Public Education and Outreach

1. What topics are you interested in learning more about that the County could provide information on for the public? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
 - A. How to properly store and dispose of common household products such as fuel, oil, paint, etc. 1-Kendall and Little Rock 2-Lisbon
 - B. How to incorporate green infrastructure such as rain gardens, rain barrels, or permeable pavement onto my property to improve rainwater runoff. 2-Kendall Lisbon, and Little Rock
 - C. How to compost to reduce the amount of waste my household generates. 1-Oswego 2-Lisbon 3- Kendall and Little Rock
2. Do you utilize the stormwater information listed on the County's website at <https://www.kendallcountyil.gov/departments/planning-building-zoning/npdes?>
 - A. Yes (1) Kendall
 - B. No (3) Lisbon, Little Rock, and Oswego
3. Do you find the stormwater information listed on the County's website helpful?
 - A. Yes (1) Kendall
 - B. No
 - C. Do not utilize information on County Website (3) Lisbon, Little Rock, and Oswego

Public Participation/Involvement

1. Do you think the County offers enough volunteer opportunities for members of the community?
 - A. Yes (1) Kendall
 - B. No
 - C. Not familiar with County volunteer opportunities (3) Lisbon, Little Rock, and Oswego
2. Do you utilize the volunteer opportunities information listed on the County's website at <https://www.kendallcountyil.gov/departments/administration-services/volunteer-opportunities?>
 - A. Yes (1) Kendall
 - B. No (3) Lisbon, Little Rock, and Oswego
3. Do you find the volunteer opportunities information listed on the County's website helpful?
 - A. Yes (1) Kendall
 - B. No (1) Little Rock

- C. Not familiar with County volunteer opportunities (2) Lisbon and Oswego
4. What volunteer opportunities would you be interested in in participating in in the future? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
- A. River clean-up 3-Kendall and Lisbon
 - B. Electronic recycling 1-Kendall, Lisbon, and Oswego
 - C. Household waste (fuel, oil, paint, etc.) recycling 1-Oswego 2-Kendall and Lisbon
No Response (1)-Little Rock

Illicit Discharge Detection & Elimination

1. If an illicit discharge is identified by a Township staff member or reported to the Township office, do you work with the County to get it removed?
 - A. Yes (1) Little Rock
 - B. No
 - C. Have not identified illicit discharge. (3) Kendall, Lisbon, and Oswego

2. Do you feel the County is doing a sufficient job in identifying, tracking, and removing illicit discharges and non-stormwater discharges that are significant polluters within the County?
 - A. Yes
 - B. No (1) Oswego
 - C. There have not been illicit discharges identified within my Township. (3) Kendall, Lisbon, and Little Rock

3. What can the County do to better identify and track illicit discharges?
 - A. Perform more visual inspections at outfalls throughout the County.
 - B. Once an illicit discharge is identified perform more grab samples downstream of the location. (1) Kendall
 - C. Both of the above. (2) Lisbon and Little Rock
 - D. None of the above.
 - E. Other:
(1) Not Sure-Oswego

Construction and Post-Construction Runoff Control

1. Do you feel that the County does an adequate job inspecting soil erosion and sediment control on construction sites within your township?
 - A. Yes (3) Kendall, Lisbon, and Little Rock
 - B. No
 - C. There have not been construction projects within my Township during the past year. (1) Oswego

2. What can the County do to better monitor soil erosion and sediment control issues on construction sites? N/A-Lisbon and Little Rock

Existing permitting process seems to be well administered. Spot checks during other inspection process-Kendall

Pollution Prevention/Good Housekeeping

1. Do you have a clear understanding of “Good Housekeeping” under the NPDES regulation?
 - A. Yes (1) Kendall
 - B. No (3) Lisbon, Little Rock, and Oswego
 2. Do you feel you have adequate resources for training of your staff members to keep them informed on stormwater pollution prevention practices?
 - A. Yes (2) Kendall and Little Rock
 - B. No (2) Lisbon and OswegoIf No, what resources would you like to have available? N/A-Lisbon
-
-

3. Do you feel the County is taking necessary measures to mitigate flooding throughout the County?
 - A. Yes (3) Kendall, Lisbon, and Little Rock
 - B. No (1) Oswego

General comments or questions regarding Stormwater Management and/or NPDES requirements:

Feel information on the site is somewhat dated and updating with more dynamic links could be beneficial (perhaps as part of Hazard Mitigation Exercise) would be good. Increase visibility as information would be helpful as well. -Kendall

Name of Person Completing Survey (Optional): _____

Responding Townships:
Lisbon (Lisbon Township Board)
Kendall (Steve Grebner)
Little Rock (Jo Ann Gryder and Dick Wade)
Oswego

	2019 Notes	2020 Notes	2021 Notes	2022 Notes	2023 Notes
Dispose Products					
Most Interested	7 4 From OS, LR, SE, LS, Fox	2 NAS and BG	2 NAS and OS	2 LS and SE	2 Ken and LR
Middle Interested		1 BL		2 OS and BR	1 LS
Least Interested			1 LS		
Incorporate Green Infrastructure					
Most Interested		1 OS		2 OS and BR	
Middle Interested	5 2 From OS, SE, LS, Fox	1 BL	1 LS		3 Ken, LS, and LR
Least Interested	1 LR	2 NAS and BG	2 NAS and OS	1 LS	
Compost					
Most Interested			2 LS and SE		1 OS
Middle Interested		3 NAS BL and BG	2 NAS and OS	1 LS	1 LS
Least Interested	6 2 From OS, LR, SE, LS, Fox			2 OS and BR	2 Ken and LR
Utilize SW Info					
Yes	1 OS	1 OS	1 SE	2 OS and SE	1 Ken
No	7 3 From OS, LR, SE, LS, Fox	3 NAS, BL, and BG	3 NAS, LS, and OS	2 LS and BR	3 LS, LR, and OS
No Response					
SW Info Helpful					
Yes	2 OS and SE	1 OS	1 SE	2 OS and SE	1 Ken
No	4 2 From OS, LS, Fox	2 BL and BG			
Do Not Utilize	N/A	N/A	3 NAS, LS, and OS	2 LS and BR	3 LS, LR, and OS
No Response	3 OS, LR, SE	1 NAS			
Enough Volunteer Opportunities					
Yes	2 OS and SE	2 OS and BG	1 SE		1 Ken
No	5 2 From OS, LR, LS, Fox	1 NAS		1 LS	
Not Familiar	N/A	N/A	3 NAS, LS, and OS	3 OS, SE, and BR	3 LS, LR, and OS
No Response	1 OS	1 BL			
Utilize Volunteer Opportunities					
Yes	1 SE	1 BL			1 Ken
No	7 4 From OS, LR, LS, Fox	2 OS and BG	4 NAS, LS, OS, and SE	4 OS, LS, SE, and BR	3 LS, LR, and OS
No Response		1 NAS			
Volunteer Opportunities Helpful					
Yes	2 OS and SE	1 OS	1 SE		1 Ken
No	3 OS, LS, Fox	2 BL and BG			1 LR
Not Familiar	N/A	N/A	3 NAS, LS, and OS	4 OS, LS, SE, and BR	2 LS and OS
No Response	3 2 From OS and LR	1 NAS			
River Clean-up	Least Popular Except in OS		Least Popular	Least Popular	Least Popular
Electronic Recycling	Most Popular		Most Popular-NAS and OS	Most Popular-LS and OS	Most Popular-Ken, LS, and OS
Household Waste Recycling	Second Most Popular		Most Popular-LS and SE	Most Popular-SE and OS	Most Popular-OS
Work With County on Illicit Discharge					
Yes	2 2 From OS	1 OS		2 SE and BR	1 LR
No	0	0			
No Illicit Discharge	5 2 From OS, LR, SW, LS, and F	3 NAS BL and BG	4 NAS, LS, OS, and SE	2 OS and LS	3 Ken, LS, and OS

Sufficient Job					
Yes	1 OS	0	1 SE	1 LS	
No	0	0			1 OS
No Illicit Discharge	7 3 From OS, LR, SE, LS, Fox	4 OS, NAS, BL, and BG	3 NAS, LS, and OS	3 OS, SE, and BR	3 Ken, LS, and LR
What Can County Do Better					
More Visual Inspections	0	1 BL			
More Grab Samples	1 SE	0			1 Ken
Both of Above	5 3 From OS, LR, and LS	2 NAS OS	3 LS, OS, and SE	4 OS, LS, SE and BR	2 LS and LR
None of Above	0	1 BG	1 NAS		
Other	Educate Public and Public Of	0			Not Sure OS
Soil and Erosion Inspections					
Yes	3 3 From OS	2 OS and BG	4 NAS, LS, OS, and SE	3 OS, LS, and SE	3 Ken, LS, and LR
No	2 LS and Fox	0			
No Construction Projects	2 LR and SE	2 NAS and BL		1 BR	1 OS
What Can County Do Better					
	Work Closer with Township (OS)	No Responses	Silt Fencing and Possit Enforce Rules (LS)	Existing Permitting Process Seems to be well Administered. Spot Checks during other Inspection Processes (Ken)	
	Enforce Maintenance of Silt Fences (Fox)		Culverts After Floodin Adequate Response (SE)		
	Keep Sediment out of Road Ditches (LS)				
Understanding Good Housing Keeping					
Yes				1 BR	1 Ken
No				3 OS, LS, and SE	3 LS, LR, and OS
Adequate Training					
Yes	3 2 From OS and SE	2 NAS and BG		2 SE and BR	2 Ken and LR
No	3 1 From OS, LR, and Fox	1 OS	3 LS, OS, and SE	2 OS and LS	2 LS and LR
No Response	1 OS	1 BL	1 NAS		
Unaware of Training/No Training	1 LS and Fox				
Necessary Steps to Reduce Flooding					
Yes	1 SE	1 BG		1 BR	3 Ken, LS, and LR
No	6 3 From OS, LR, LS and Fox	3 NAS, OS, and BL	4 NAS, LS, OS, and SE	3 OS, LS, and SE	1 OS
No Response	1 OS				
Key					
OS-Oswego					
LR-Little Rock					
SE-Seward					
LS-Lisbon					
Fox					
NAS-Na-Au-Say					
BL-Blank					
BG-Big Grove					
BR-Bristol					
Ken-Kendall					



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LASALLE STREET, SUITE 1500
CHICAGO IL 60604

September 5, 2023

Planning Branch
Planning, Programs & Project Delivery Division

Dear Recipient:

The U.S Army Corps of Engineers, Chicago District (USACE) is releasing for public comment the draft Project Implementation Report and Environmental Assessment (PIR/EA) for the Fox River Connectivity & Habitat Study in Kane and McHenry Counties, Illinois as required under the National Environmental Policy Act (NEPA) of 1969, as amended. The Illinois Department of Natural Resources and the Fox River Study Group are partnering with USACE to assess the feasibility of restoring riverine connectivity and habitat for fishes, mussels, and wildlife along a stretch of the Fox River from Algonquin to Montgomery, Illinois. This study is being conducted under Section 519 of the Water Resources Development Act of 2000, as amended.

The draft PIR/EA considered three alternative plans to restore riverine connectivity and habitat, including a No Action Alternative. The Tentatively Selected Plan (TSP) includes full removal of Fox River dams in the following communities: Carpentersville, Elgin, South Elgin, St. Charles, Geneva, Batavia, North Aurora, Aurora, and Montgomery. The TSP would involve demolition, removal, and disposal of the existing dam structures.

Meetings will be held to provide a summary of the study findings and to hear public comments. Meetings will be from 5:30 PM to 7:30 PM local time as follows:

- Monday, September 18 at the ~~St. Charles Public Work Facility, 1495 S 7th Avenue, St. Charles, IL 60174~~ Kane County Branch Court, 530 S. Randall Road, St. Charles, IL 60174
- Tuesday, September 19 at the Heritage Ballroom at the Centre of Elgin, 100 Symphony Way, Elgin, IL 60120
- Wednesday, September 20 at Waubensee Community College, 18 S River Street, Aurora, Illinois 60506

The draft PIR/EA is available online on our website at the following link:
<https://www.lrc.usace.army.mil/Missions/Civil-Works-Projects/Public-Review-Documents/>.

USACE is accepting comments through Monday, November 6, 2023. Comments and/or questions can be sent to Mr. Ryan Johnson, Biologist, at Fox-River-Study@usace.army.mil.

Sincerely,

BUCARO.DAVID
.F.1245178677

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David F. Bucaro, P.E., PMP, WRCP
Chief, Planning Branch
Chicago District

Enclosure: Distribution List

USACE Fox River Connectivity & Habitat Study Section 519, Illinois River Basin Restoration

DRAFT Project Implementation Report and Integrated

Environment Assessment

Dated September 2023

Public Comment:

Management of sediment transport during and after dam removal is a significant aspect of dam removal projects. The proposed removal of nine dams and dam impoundments could result in unprecedented impacts to downstream reaches of the river and communities. Some of these dam impoundments are known to have former heavy industry operating upstream with discharges to the river. Although the report identifies dam impoundment sediment has been tested for pollutants it is not clear that the study addresses the cumulative impacts of sediment and pollutant transport from multiple dam removals. Specifically, the Yorkville dam impoundment could end up as the recipient of sediment and pollutants from upstream dam removals. It seems appropriate for the report to address impacts to the Yorkville dam from this perspective. Furthermore, we believe an adaptive management approach to dam removal sediment transport and downstream pollutant testing is appropriate with each dam removal project to ensure impacts are monitored and appropriate environmental protections are in place.