1500.0 Stream and Wetland Protection Items

1501.0 Applicability

Each application for a Site Development Permit shall be reviewed by the Village or one of its designees to determine if the proposed development activity will be within the Lowland Conservancy Overlay District Boundary as defined within Section 1505 of this ordinance. If any portion of the development activity is found to fall within the Lowland Conservancy Overlay District, the provisions of Section 1500 shall apply.

1502.0 Effect on Other Permits

The granting of a Site Development Permit under the provisions herein shall in no way affect the owner's responsibility to obtain the approval required by any other statute, ordinance, or regulation of any state agency or subdivision thereof, or to meet other Village of Homer Glen Ordinances and regulations. Where State and/or federal permits are required, a Site Development Permit will not be issued until they are obtained.

The Village of Homer Glen shall have jurisdiction for the regulation of wetlands under this ordinance. Issuance of a permit by the State of Illinois or the Army Corp of Engineers shall not relieve the person from obtaining a Site Development Permit under this ordinance.

1503.0 General Provisions: Areas Affected

Section 1500 of this ordinance applies to development in or near streams (including intermittent streams), lakes, ponds, and regulated wetlands within the Village of Homer Glen. Streams, lakes, and ponds include, but are not limited to, those which are shown on the United States Department of the Interior Geological Survey (USGS) 7.5 minute quadrangle maps and those additional streams, lakes, and ponds delineated on maps adopted as part of this ordinance. Those maps are hereby made a part of this ordinance, and two copies thereof shall remain on file in the office of the Village of Homer Glen for public inspection. Within the jurisdiction of Village of Homer Glen, those water bodies and watercourses that are named and are subject to the provisions of this ordinance are located within the Fraction Run, Fiddyment Creek, Spring Creek, Long Run Creek, Marley Creek and Big Run Creek watersheds.

Regulated Wetlands are those designated in the Village of Homer Glen/U.S. Fish and Wildlife Service/Illinois Department of Natural Resources wetland inventory (NRCS Map) Will/South Cook County Soil and Water Conservation District and those additional wetlands found in the field for which jurisdiction is claimed by the United States Army Corps of Engineers, Illinois Department of Natural Resources, United States Fish and Wildlife Service, or other governmental entity. The Special Flood Hazard Areas (SFHA) are those identified on the most recently adopted Flood Insurance Rate Maps (FIRM).

If new drainage courses, lakes, ponds or wetlands are created as part of a development, the requirements for setbacks and uses within setbacks, and the criteria for watercourse relocation and minor modification shall apply. The District shall be amended as appropriate to include these areas.

1504.0 The Lowland Conservancy Overlay District

The Lowland Overlay Conservancy District shall be considered as an overlay to the zoning districts created by the Village of Homer Glen zoning ordinance as amended. Its limits are defined as the area within the District Boundary defined in the following section. In addition to the requirements of this ordinance, applicants for a Site Development Permit within the District shall meet all requirements of the underlying zoning districts. In the event of a conflict between the overlay district requirements and the underlying zoning district requirements, the most restrictive requirements prevail.

1505.0 The Lowland Conservancy Overlay District Boundary

The procedures, standards, and requirements contained in this ordinance shall apply to all lots, or portions thereof, within regulated wetlands and streams, and all lots lying wholly or in part:

1. Within the Special Flood Hazard Area (SFHA) designated by the Federal Emergency Management Agency (FEMA); or
2. Within one hundred (100) feet of the ordinary high water mark (OHWM) of a perennial stream or intermittent stream, with a tributary area greater than one hundred fifty (150) acres, or the edge of a regulated wetland.

1506.0 Minimum Setback from Streams, Lakes, Ponds, and Wetlands

No improvements or development activity (except as provided below) may occur, on parcels proposed for development after the date of adoption of this ordinance, within the minimum setback which is defined as 75 feet from the ordinary high water mark of streams, lakes and ponds, or the edge of regulated wetlands, or within a designated depressional area. No improvements or development activity shall occur within the 75 foot setback on parcels created prior to the date of adoption of this ordinance without an approved Site Development Permit and evidence that it cannot be located outside the setback area. This setback may be reduced to a minimum of 1/2 of the setback width required, upon approval of the Village, provided the total setback area required is achieved adjacent to the area. In no case shall the setback be less than the boundary of the 100-year floodway as defined by FEMA. These setback requirements do not apply to a stream in a culvert unless the stream is taken out of the culvert as part of development activity. If a culvert functions as a low-flow culvert, where water is intended to periodically flow over it, the setback requirements apply.

The following activities may be permitted within the minimum setback areas only if, as a practical matter, they cannot be located outside the setback area. Such activities will only be approved based upon a report, prepared by a qualified professional, which demonstrates that they will not adversely affect water quality; destroy, damage or disrupt significant habitat area; adversely affect drainage and/or stormwater retention capabilities; adversely affect flood conveyance and storage; lead to unstable earth conditions, create erosion hazards, or be materially detrimental to any other property in the area of the subject property or to the Village of Homer Glen as whole, including the loss of open space or scenic vistas.

1. Minor improvements such as walkways, sidewalks, bike paths, benches, comfort stations, informational displays, directional signs, foot bridges, observation decks, and docks.
2. The maintenance, repair, replacement, and reconstruction of existing highways and bridges, electrical transmission and telecommunication lines, poles, and towers; and the establishment and development of public and private parks and recreation area, education areas, historic natural and scientific areas, game refuges, fish and wildlife improvement projects, game bird and animal, farms, wildlife preserves and public boat launching ramps.

Review of the proposed improvements or development activity within the minimum setback area will consider the following:

1. Only limited filling and excavating necessary for the development of public boat launching ramps, swimming beaches, or the development of park shelters or similar structures is allowed. The development and maintenance of roads, parking lots and other impervious surfaces necessary for permitted uses are allowed only on a very limited basis, and where no alternate location outside of the setback area is available;
2. Land surface modification within the minimum setback shall be permitted for the development of stormwater drainage swales between the developed area of the site (including a stormwater detention facility on the site) and a stream, lake or pond or wetland. Detention basins within the setback are generally discouraged; unless it can be shown that resultant modifications will not impair water quality, habitat, or flood storage functions;
3. No filling or excavating within wetlands is permitted except as a wetland restoration activity and/or to install piers for the limited development of walkways and observation decks. Walkways and observation decks should avoid high quality wetland areas, and should not adversely affect natural areas designated in the Illinois Natural Areas Inventory or the habitat of rare or endangered species;
4 Wetland area occupied by the development of decks and walkways must be mitigated by an equal area of wetland habitat improvement; and
5. Modification of degraded wetlands for purposes of stormwater management is permitted where the quality of the wetland is improved and total wetland acreage is preserved. Where such modification is permitted, wetlands shall be protected from the effects of increased stormwater runoff by measures such as detention or sedimentation basins, vegetated swales and buffer strips, groundwater infiltration systems and level spreaders, and sediment and erosion control measures on adjacent developments. The direct entry of storm sewers into wetlands shall be avoided. Environmental impact analysis of wetland modification may be required in accordance with Section 1515.0 of this ordinance.

An applicant must stabilize areas left exposed after land surface modification with vegetation native to northeastern Illinois. The planting of native vegetation is recommended as the preferred stabilization measure. In cases where native vegetation alone is not suitable, additional biotechnical erosion control measures such as live fascines, live pole drains, coir rolls with brush layering, pole planting, modified brush layers and brush shall be utilized unless flow velocity and shear conditions exceed the parameters for biotechnical techniques. In that instance, the preferred alternative is riprap using natural rock materials where practicable, installed on eroding bank areas in a manner that provides interstitial space for vegetative growth and habitat for

macroinvertebrates and other stream organisms. Lining of the stream channel bottom is not permitted.

The applicant shall minimize access to the applicant's proposed improvements or development activity within all or part of the Lowland Conservancy Overlay District where such access could adversely affect the stream, lake, pond, wetland, or related environmentally sensitive areas.

1507.0 Stream and/or Wetland Site Development Plan

In conjunction with the Development Site Plan Review a stream and/or wetland site development plan must be prepared for any proposed development within, or partly within, the Lowland Conservancy Overlay District and/or if the proposed development will result in Wetland impacts to Isolated Waters, High Quality Aquatic Resources and/or Regulated wetlands. This plan must include:

1. A cover letter signed by a Certified Wetland Specialist that provides a clear project purpose and need statement, a description of the proposed development activity, the area (in acres) of wetland impact and a statement on the category to be used as follows:

    A. Category-I: Wetland impacts less than or equal to 1 acre and does not impact high-quality aquatic resources;
    B. Category-II: Wetland impacts greater than 1 acre and less than 2 acres and does not impact high-quality aquatic resources;
    C. Category-III: Wetland impacts greater than or equal to 2 acres or impacts high-quality aquatic resources;
    D. Category-IV: Wetland impacts for the restoration, creation and enhancement of wetlands provided that there are net gains in aquatic resource function; and
    E. Category-V activities include shoreline and streambank erosion restoration.

2. Dimension and area of parcel, showing also the vicinity of the site in sufficient detail to enable easy location, in the field, of the site for which the Site Development Permit is sought, and including the boundary line, underlying zoning, a legend, a scale, and a north arrow. This requirement may be satisfied by the submission of a separate vicinity map;
3. Location of any existing and proposed structures;
4. Location of existing or proposed on-site sewage systems or private water supply systems;
5. Location of any perennial or intermittent stream, lake or pond, and its ordinary high water mark;
6. Location and landward limit of all wetlands;
7. Location of setback lines as defined in this ordinance;
8. Location of the 100-year floodway;
9. Location of existing or future access roads;
10. Specifications and dimensions of stream, wetland or other water areas proposed for alterations; and
11. Cross-sections and calculations indicating any changes in flood storage volumes; and such other information as reasonably requested by the Village of Homer Glen.
12. Evidence, prepared by a qualified professional that demonstrates that the proposed work will not endanger health and safety, including danger from the obstruction or diversion of flood flow. The applicant shall also show, by submitting appropriate calculations and

resource inventories, that the proposed work will not substantially reduce natural floodwater storage capacity, destroy valuable habitat for aquatic or other flora and fauna, adversely affect water quality or ground water resources, increase stormwater runoff velocity so that water levels on other lands are substantially raised or the danger from flooding increased, or adversely impact any other natural stream, floodplain, or wetland functions, and is otherwise consistent with the intent of this ordinance.

13. Prior to the issuance of any permits or land development approval, the applicant is required to provide a wetland delineation report to the Village if any of the following criteria apply:

    A. Wetlands or prior converted wetlands have been identified in the Natural Resource Information Report.
    B. The National Wetland Inventory Map indicates a wetland on, adjacent to, or directly downstream of the property.
    C. If there are floodplains, floodways, perennial streams, intermittent streams, depressional storage areas, or hydric soils present on the site, the Village may require a wetland delineation.

1508.0 Reserved

1509.0 Requirements for Wetland Delineation

1. The applicant shall identify the boundaries, extent, function, and quality of all wetland areas on the development site and prepare a Wetland Determination Report. The presence and extent of wetland areas shall be determined by, or under supervision of a Consultant using an on-site wetland procedure within three (3) years of the initial permit application date in accordance with the methodology contained in the 1987 U.S. Army Corps of Engineers wetland delineation manual or as otherwise noted below.
2. Wetland Determination Report

    The following are minimum requirements for the Wetland Determination Report:

    A. A plan showing the exact location of wetlands within the development boundaries. The wetland boundary shall be flagged in the field and surveyed;
    B. An aerial photograph delineating the wetland and the development boundary;
    C. A copy of the following maps (most recent) delineating the development boundary:

        i. U.S.G.S. quadrangle map;
        ii. Village of Homer Glen/NRCS Wetland Inventory map;
        iii. FEMA floodplain map;
        iv. Will/Cook Soil and Water survey; and
        v. Hydrologic Atlas.

    D. U. S. Army Corps of Engineers data sheets with representative color photographs provided for each data point;
    E. A written description of the wetland(s) that includes a Floristic Quality Assessment as determined by methodology contained in Swink, F. and G. Wilhelm's Plants of the Chicago Region (1994. 4th Edition, The Morton Arboretum, Lisle, Illinois). Floristic quality assessments shall generally be conducted during the growing season

(between May 15 and October 1). Non-growing season assessments may require additional sampling during the growing season to satisfy this requirement. Identification of all high-quality aquatic resources, found in Appendix A, or statement that none exist on site shall be provided.

F. The approximate location, extent, and relative quality of off-site wetlands on properties adjoining the development shall be identified by using the using 1987 Federal wetland delineation manual.

G. A report for the development site indicating the presence of cropland wetlands as defined by the National Food Security Act manual (most recent edition).

1510.0 Hydrologic Controls/Drainage Control Plan

A drainage control plan that describes the hydraulic characteristics of on-site and nearby watercourses as well as the proposed drainage plan, prepared by a registered professional engineer experienced in hydrology and hydraulics, shall be submitted with each application for land development within the Lowland Conservancy Overlay District. Unless otherwise noted, the following restrictions, requirements and standards shall apply to all development within the Lowland Conservancy Overlay District:

1. Natural open-channel drainage ways shall be preserved; and
2. Runoff from areas of concentrated impervious cover (e.g., roofs, driveways, streets, patios, etc.) shall be collected and transported to a drainage way (preferably a natural drainage way) with sufficient capacity to accept the discharge without undue erosion or detrimental impact. Vegetated drainage swales are preferred over conveyances constructed of concrete or other manufactured materials.

The drainage control plan shall identify appropriate measures, such as recharge basins, and detention/retention basins, which will limit the quantitative and qualitative effects of stormwater runoff to pre-development conditions.

1511.0 Site Grading and Excavation Plan

This section applies to the extent that grading and excavation and erosion control plans, which satisfy the following requirements, are not already required by a jurisdiction.

A site grading and excavation plan, prepared by a registered professional engineer, trained and experienced in civil engineering, shall be submitted with each application for land development within the Lowland Conservancy District and shall include the following:

1. Details of the existing terrain and drainage pattern with one-foot contours;
2. Proposed site contours at one-foot intervals;
3. Dimensions, elevation and contours of grading, excavation and fill;
4. A description of methods to be employed in disposing of soil and other material that is removed from allowable grading and excavation sites, including location of the disposal site if on the property;
5. A schedule showing when each stage of the project will be completed, including the total area of soil surface to be disturbed during each stage, and estimated starting and completion dates. The schedule shall be prepared so as to limit, to the shortest possible

period, the time soil's exposed and unprotected. In no case shall the existing natural vegetation be destroyed, removed, or disturbed more than fifteen (15) days prior to initiation of the improvements; and

6. A detailed description of the revegetation and stabilization methods to be employed, to be prepared in conjunction with the landscape plan per Section 1512.0. This description should include locations of erosion control measures such as sedimentation basins, straw bales, diversion swales, etc.

The grading and excavation plan must be consistent with all the provisions of this ordinance.

Unless otherwise provided in this ordinance, the following restrictions, requirements and standards shall apply to all development within the Lowland Conservancy District:

1. Every effort shall be made to develop the site in such a manner so as to minimize the alteration of the natural topography;
2. No grading, filling, cleaning, clearing, terracing or excavation of any kind shall be initiated until final engineering plans are approved;
3. The depositing of any excavation, grading, or clearing material within a stream, lake, pond or wetland area (i.e., within the Lowland Conservancy District) shall be prohibited.

In addition to locating all site improvements on the subject property to minimize adverse impacts on the stream, lake, pond, or wetland, the applicant shall install erosion control and temporary fencing, or other physical barrier during construction. Following completion of the project, where necessary permanent grading shall be constructed to prevent direct runoff and erosion from any modified land surface into a stream, lake, pond, or wetland. All parking and vehicle circulation areas should be located as far as possible from a stream, lake, pond, or wetland.

The Village of Homer Glen may limit development activity in or near a stream, lake, pond, or wetland to specific months, and to a maximum number of continuous days or hours, in order to minimize adverse impacts. Also, the Village of Homer Glen may require that equipment be operated from only one side of a stream, lake, or pond in order to minimize bank disruption. Other development techniques, conditions, and restrictions may be required in order to minimize adverse impacts on streams, lakes, ponds or wetlands, and on any related areas not subject to development activity.

1512.0 Native Vegetation Buffer Strip Required: Vegetation and Revegetation/Landscape Plan

To minimize erosion, stabilize the streambank, protect water quality, maintain water temperature at native levels, preserve fish and wildlife habitat, screen man-made structures, and preserve aesthetic values of the native watercourse and wetland areas, a native vegetation strip shall be maintained along the edge of streams, lake, natural ponds, wetlands or manmade wet detention/retention ponds.

The native vegetation strip shall extend landward a minimum of 75 feet from the ordinary high water mark of a perennial or intermittent stream, lake or natural pond, and the edge of a wetland. The buffer width for a stream, lake or natural pond, or a wetland may be reduced to a minimum of 1/2 of the buffer width required, upon approval of the Village, provided that the total buffer

area required is achieved adjacent to the area being buffered. The permitting and/or consultation process with any other agency such as the IDNR, USACE or U.S. Fish & Wildlife Service may override the ability to average buffer areas upon approval of the Village.

Within the native vegetation strip, trees and shrubs may be selectively pruned or removed for harvest of merchantable timber, to achieve a filtered view of the water body from the principal structure, prevent excess shading that kills groundcover species, and for reasonable private access to the stream, lake, pond, or wetland. Said pruning and removal activities shall ensure that a live root system stays intact to provide for streambank stabilization and erosion control.

A landscape plan, prepared by a professional landscape architect, shall be submitted with each Site Development Permit application for development activity within the Lowland Conservancy Overlay District and contain the following:

1. A plan describing the existing vegetative cover of the property and showing those areas where the vegetation will be removed as part of the proposed construction; and
2. A plan describing the proposed revegetation of disturbed areas specifying the materials to be used.

The vegetation must be planned in such a way that access for stream maintenance purposes shall not be prevented.

1513.0 Watercourse Relocation and Minor Modifications (including Channelization and Relocation)

Watercourse relocation or modification as a convenience for site design purposes is not permitted. However, these activities may be considered for permit in the following circumstances:

1. When off-site hydrologic conditions are causing erosion, flooding and related problems and the proposed project is designed to significantly reduce, or eliminate these problems; or
2. When on-site soil and geologic conditions are resulting in unstable conditions that pose hazards to life, health, and existing structures or property and the proposed project is designed to significantly reduce or eliminate these problems; or
3. The quality of previously modified or relocated streams can be upgraded or enhanced by the proposed project; or
4. Public utilities, including sanitary sewers, pipelines, and roadways require stream crossing or relocation where there are not practical alternatives; or
5. The project solely involves the relocation, modification, or repair of an existing culvert or existing man-made ditch.

Any such allowed relocation or modification shall be subject to the following conditions and requirements.

1514.0 Conditions and Restrictions for Permitting Watercourse Modification

Watercourse modification, when permitted, is subject to the following conditions and restrictions:

1. Water quality, habitat, and other natural functions must be significantly improved by the modification; no significant habitat area may be destroyed;
2. The amount of flow and velocity of a watercourse is not to be increased or decreased as the watercourse enters or leaves a subject property, unless this reflects an improvement over previous conditions in terms of reduced flooding, reduced erosion, or enhanced low-flow conditions;
3. Prior to diverting water into a new channel, a qualified professional engineer retained by the applicant and approved by the Village of Homer Glen shall inspect the watercourse modification, and issue a written report to the Village of Homer Glen that the modified watercourse complies with the requirements in Section 1515.0; and
4. Watercourse channel enlargement, or other modifications that would increase conveyance, shall not be permitted if the intended purpose is to accommodate development activities in the floodplain.

1515.0 Required Content of Watercourse Modification/Relocation Plan

Watercourse relocation may be permitted in accordance with a watercourse relocation plan which provides for:

1. The creation of a natural meander pattern, pools, riffles, and substrate;
2. The formation of gentle side slopes (at least three feet horizontally per one foot vertically), including installation of erosion control features;
3. The utilization of natural materials wherever possible;
4. The planting of vegetation normally associated with streams, including primarily native riparian vegetation that is deep-rooted and capable of holding banks and soil in place;
5. The creation of spawning and nesting areas wherever appropriate;
6. The re-establishment of the native fish population wherever appropriate;
7. The restoration of water flow characteristics compatible with native fauna habitat areas, wherever appropriate;
8. The filling and revegetation of the prior channel;
9. A proposed phasing plan, specifying time of year for all project phases;
10. Plans for sediment and erosion control; and
11. Establishment of a low-flow channel which reflects the conditions of a natural stream.

1516.0 Criteria for Permitting Armoring of Channels and Banks

Armoring in the form of bulkheads, riprap or other materials or devices is not permitted except in accordance with the following:

1. Significant erosion cannot be prevented in any other way and the use of revegetation and gradual bank slopes has not sufficiently stabilized the shoreline or bank;
2. The bulkhead or other device is not placed within a wetland, or between a wetland and a lake or pond;
3. The bulkhead, riprap or other device will minimize the transmittal of wave energy or currents to other properties; and
4. The change in the horizontal or vertical configuration of the land must be kept to a minimum.

Where permission to install bulkheads or other armoring devices is requested as part of the permit application, documentation and certification pertaining to the items above must be submitted.

1517.0 Criteria for Permitting the Use of Culverts

Culverts are not permitted in streams except in accordance with and subject to the following:

1. Where a culvert is necessary for creating access to a property (use of culverts as a convenience, in order to facilitate general site design, is not to be considered);
2. The culvert must allow passage of fish inhabiting the stream, and accommodate the 100-year flood event without increasing upstream flooding, except where a restricting culvert is desirable as part of an overall storm and floodwater management plan;
3. The culvert must be maintained free of debris and sediment to allow free passage of water, and if applicable, fish; and
4. The stream bottom should not be significantly widened for the placement of a culvert as this increases siltation; if multiple culverts must be installed, one culvert should be at the level of the bottom of the stream and the others at or above normal water elevation.

1518.0 Compensatory Mitigation

1. Mitigation shall not be considered a substitute for making all prudent attempts to avoid wetland impacts, regardless of Wetland Quality.

    A. Prior to the Village considering a proposal for wetland mitigation, the Applicant and/or their agent shall make all of the following findings and provide a narrative report to the Village of the following:

        i. That all feasible and prudent efforts have been made to avoid the loss of a regulated wetland;
        ii. That all practical means have been considered to minimize protected wetland impacts;
        iii. That it is practical to replace the protected wetland which will be unavoidably

eliminated; and

iv. That all alternatives for preserving protected wetlands and water courses have been evaluated and found to be impractical, inappropriate, or ineffective.

B. To ensure no net loss of wetlands in the Village of Homer Glen, mitigation shall be required in instances where there are losses of wetlands and where the Wetland Consultant, the Plan Commission or the Village Board, have made the findings required in Section 1518.0.1 not possible. The following hierarchy shall be followed. Allowance to the next lower step is permitted only when justified by a narrative report approved by the Homer Glen Village Board.

i. On-site wetland mitigation meeting the requirements of the project mitigation document.*

ii. In the Village of Homer Glen and in the same watershed as wetland impact: A Village of Homer Glen Approved Wetland Mitigation bank, or a U.S. Army Corps Approved Wetland Mitigation Bank; meeting the requirements of the project mitigation document.*

iii. In the same watershed as the impact and outside the Village of Homer Glen. A Village of Homer Glen Approved Wetland Mitigation bank, or a U.S. Army Corps Approved Wetland Mitigation Bank; meeting the requirements of the project mitigation document.*

iv. In the Village of Homer Glen and in a different watershed as wetland impact: A Village of Homer Glen Approved Wetland Mitigation bank, or a U.S. Army Corps Approved Wetland Mitigation Bank; meeting the requirements of the project mitigation document.*

v. Outside the Village of Homer Glen and within a different watershed (at double the required mitigation acreage): A Village of Homer Glen Approved Wetland Mitigation bank, or a U.S. Army Corps Approved Wetland Mitigation Bank; meeting the requirements of the project mitigation document. *

* 1518.0-2 Criteria for Approving Proposals for wetland Mitigation, 1518.0-3 Mitigation Size Requirements and 1518.0-4 Mitigation Requirements.

2. Criteria for Approving Wetland Mitigation Proposals

If the Wetland Consultant, Plan Commission or the Homer Glen Village Board, as applicable determines that it is practical to replace the protected wetlands which will be impacted, mitigation plans shall be approved only if all of the following criteria are met:

A. That the mitigation plan provides for the substantial replacement of the predominant functional values of the protected wetland to be lost;

B. That the mitigation plan provides for no net loss of protected wetlands and watercourses unless the Wetland Consultant, the Planning Commission or the Homer Glen Village Board, as applicable determines that the net loss will result in a minimum negative impact upon protected wetlands, watercourses, and attendant natural resources under all of the circumstances;

C. A project mitigation document (PMD) shall be submitted for all mitigation projects in conformance with the U. S. Army Corps of Engineers Chicago District's Mitigation Guidelines and Requirements latest version. The guidelines contain requirements for performance standards, monitoring, and completion standards that may be considered as a minimum. Unique site and/or development circumstances may require different, project specific approaches, which exceed these minimum standards;

D. A five-year wetland mitigation surety for 125% of mitigation cost shall be submitted prior to obtaining a permit. See Section 1518.0-2 mitigation requirements; and

E. Time Schedule of bond reduction for mitigating Wetlands. Listed below are the requirements for the annual inspection of compensatory wetlands and buffers as applicable to bond reduction. The applicant is required to have this annual inspection performed by a qualified professional. The bond reduction time line will begin upon completion of plant installation and that annual report will need to satisfy the values stated below. The report shall be submitted to the Village for acceptance or rejection within 30 days of submission. If the applicant fails to produce an approved report, or to take the required corrective action recommended in an approved report in the given timeline the Village retains the right to hire a qualified professional and/or contractor to perform the required work for which all costs incurred by the Village shall be paid by the developer:

i. One year after the wetland is planted it will need to meet and continue meeting all applicable performance standards established in the approved mitigation document. If these requirements are met or exceeded then the bond amount can be reduced 20 percent to 80 percent of the original amount. If these values are not met, a corrective action report must be completed within 15 working days. The recommendation from this report must be completed within the approved timeline of this report. Once these values are met year two will start.

ii. A second inspection will be required one year after the first values are met. At this time the wetland will need to meet and continue meeting all the approved performance standards established in the approved mitigation document. If these requirements are met or exceeded then the bond amount can be reduced an additional 20 percent to 60 percent of the original amount. If these values are not met, a corrective action must be completed within 15 working days. The recommendation from this report must be completed within the approved timeline of this report. Once these values are met year three will start.

iii. A third inspection will be required one year after the second values are met. At this time the wetland will need to meet or exceed a FQI value of 16 and a C-Value of 2.8 and will need to continue meeting all applicable performance standards. If these requirements are met or exceeded then the bond amount can be reduced 20 percent to 40 percent of the original amount. If these values are not met, corrective action must be completed within 30 working days (per IDOT Standard 108.04). Once these values are met year four will start.

iv. A fourth inspection will be required one year after the third values are met. At this time the wetland will need to meet or exceed a FQI value of 18 and a C-Value of 3.15 and will need to continue meeting all Army Corp of Engineers (Chicago District) performance standards. If these requirements are met or

exceeded then the bond amount can be reduced 20 percent to 20 percent of the original amount. If these values are not met, corrective action must be completed within 30 working days (per IDOT Standard 108.04). Once these values are met year four will start.

v. A final inspection will be required one year after the fourth values are met. At this time the wetland will need to meet or exceed a FQI value of 20, a C-Value of 3.5, will need to continue meeting all Army Corps of Engineers (Chicago District) performance standards and all other requirements identified by the Village to reduce the remainder of the bond. If these values are not met, corrective action must be completed within 30 working days (per IDOT Standard 108.04).

3. Wetland Mitigation Size Requirements

A. Mitigation is required within Village of Homer Glen for wetland impacts greater than or equal to (0.25) acres to regulated wetlands of the Village of Homer Glen.

B. Mitigation shall provide for the replacement of the wetland environment lost to development at the following proportional rates (i.e., creation acreage to wetland impact acreage):

i. A minimum of 1.5:1 for wetland impacts under Categories I, II and III that are not high quality aquatic resources, for approved and fully certified wetland mitigation bank credits;

ii. A minimum of 3:1 for wetland impacts that are high quality aquatic resources; and

iii. A minimum of 6:1 for wetland impacts that are forested wetlands as defined in Appendix A.

C. Creation of wetlands for the mitigation of development wetland impacts shall take place only within areas not currently comprised of wetlands or forested areas. Enhancement of farmed wetlands meeting the size criterion of this ordinance may be used for up to 80% of the mitigation requirement.

D. A wetland mitigation management and monitoring plan indicating the legally responsible parties for long-term operation and maintenance and dedicated funding sources.

E. The developer shall provide annual monitoring reports on the status of the constructed mitigation measures. The developer shall undertake all necessary remedial action to bring the area into compliance with the wetland mitigation plan.

F. Wetland impacts occurring prior to issuance of a permit shall presume the wetland disturbed was a high quality aquatic resource requiring mitigation at a minimum rate of 3:1, except 6:1 for wetland impacts that are forested wetlands as defined in Appendix A.

4. Mitigation Requirements

   A. Wetland mitigation and monitoring plans shall become conditions to the wetland use permit and shall be the responsibility of the applicant.
   B. Financial assurances that mitigation is accomplished as specified by the permit condition will be required by the Wetland Consultant, Planning Commission or Homer Glen Village Board, as applicable. See Section 1518.0-2-E for time schedule of bond reduction.
   C. Any mitigation activity shall be completed before initiation of other permitted activities, unless a phased concurrent schedule can be agreed upon between the Wetland Consultant, Planning Commission or Homer Glen Village Board, as applicable, and the applicant.
   D. Wetland mitigation plans that create less than two (2) acre of wetlands shall meet at least three of the conditions listed below.

      i. The site supports state or federal endangered or threatened plants, fish, or wildlife appearing on a list specified in Section 36505 of the Natural Resources and Environmental Protection Act (Act 451 of 1994 [previously Section 6 of the Endangered Species Act of 1974, Act No. 203 of the Public Acts of 1974].
      ii. The site represents what is identified as a locally rare or unique ecosystem.
      iii. The site supports plants or animals of an identified local importance.
      iv. The site provides groundwater recharge.
      v. The site provides flood and storm control by the hydrologic absorption and storage capacity of the wetland.
      vi. The site provides wildlife habitat by providing breeding, nesting, feeding grounds or cover for forms of wildlife, waterfowl, including migratory waterfowl, and rare, threatened, or endangered wildlife species.
      vii. The site provides protection of subsurface water resources and provision of valuable watersheds and recharging groundwater supplies.
      viii. The site provides pollution treatment by providing conditions for biological and chemical oxidation.
      ix. The site provides erosion control by serving as a sedimentation area and filtering basin, absorbing silt and organic matter.
      x. The site provides sources of nutrients in water food cycles and nursery grounds and sanctuaries for fish.

5. Detention in Isolated Waters of Homer Glen

   Detention shall only be allowed in farmed wetlands currently in farm production or when the existing vegetated wetland acreage is covered by a minimum 85% of one or more of the following species:

   A. reed canary grass *(Phalaris arundinacea)*
   B. purple loosestrife *(Lythrum salicaria)*
   C. common reed *(Phragmites australis)* or
   D. buckthorn *(Rhamnus* spp.)

1519.0 Impact Assessment

The Village of Homer Glen may ask an applicant to submit a report prepared by a qualified professional, and approved by the Village of Homer Glen, in order to assess the potential impact of proposed development on a lake, stream or wetland and associated environmentally sensitive areas, including loss of flood storage potential, loss of habitat, changes in species diversity and quantity, impacts on water quality, increases in human intrusion, and impacts on associated streams, lakes, ponds, wetlands or downstream areas.

1520.0 Stream Maintenance Easement

The applicant shall grant an access easement for stream maintenance purposes to the Village of Homer Glen over twenty-five feet parallel to the stream bank.