

## **ARTICLE 14: ADMINISTRATION**

### ***ARTICLE SUMMARY***

The purpose of this article is to provide guidance on the administration and enforcement of the WMO. Additional guidance is provided for the **Authorized Municipality** Program, in which **municipalities** are granted the authority to administer certain aspects of the WMO within their corporate boundaries. This article outlines the following procedures and requirements:

- The role of the **District** in administration and enforcement
- The role of an **Authorized Municipality** in administration and enforcement
- Permit review timelines
- Activities not allowed under the **Authorized Municipality** Program
- Records to be maintained by an **Authorized Municipality**
- Procedure for becoming an **Authorized Municipality**
- **District** oversight of **Authorized Municipalities**

The **District** has the authority and responsibility for administering the regulations contained in the WMO. Although **Authorized Municipalities** have the ability to issue certain **Watershed Management Permits** within their corporate boundaries, the **District** will oversee all **municipalities** within its jurisdiction to ensure compliance with the WMO.

**NOTE: All bold words are defined in Appendix A of the WMO and the TGM.**

## **§1401 ROLE OF THE DISTRICT**

As indicated in §1401 of the WMO, the role of the **District** in the administration of the WMO includes the following:

A. Supervising the execution of the WMO

The WMO is administered through review and issuance of **Watershed Management Permits**. Once issued, the **Watershed Management Permit** is the governing document to ensure the project meets the regulatory requirements of the WMO in perpetuity.

B. Reviewing and issuing **Watershed Management Permits**

**Professional Engineers** review the application, submittal, and plan set to ensure compliance with the WMO, and provide comments to **applicants** until the design meets the regulatory requirements of the WMO. The **Watershed Management Permit** is not issued until all requirements are met.

C. Developing and maintaining the **TGM**, which will serve as a companion reference to the WMO

This **TGM** is reviewed and edited by **District Professional Engineers** to provide guidance on meeting the requirements of the WMO. As new information is available, it is added to the **TGM** and notification is sent to the WMO Updates contact list.

D. Notifying **Cook County** governmental agencies, **municipalities**, **Authorized Municipalities**, **FEMA**, **OWR**, **Corps**, and **IEPA** of any amendments to the WMO

Anytime the WMO is amended, a mass mailing is sent to the above listed contacts, as well as all townships, sanitary districts, and utility companies within the **District's** service area. Additional notification is made to the WMO Updates contact list.

E. Providing inspections to ensure proper compliance with the WMO

Regular inspections and follow-up of Special Conditions are conducted during the construction phase to ensure the **project** is built to the standards approved under the **Watershed Management Permit**.

F. Investigating complaints of violations of the WMO

Any interested party can submit a violation complaint to the **District**. **District** staff will review the complaint and investigate whether a violation has occurred. Investigations may include several **District** Departments, depending on the nature of the complaint.

G. Enforcing the WMO

Enforcement of the WMO includes ensuring **projects** meet the requirements of the WMO prior to a **Watershed Management Permit** being issued. Review Engineers provide comments and guidance for modifying **project** designs until standards are met. Enforcement also includes ensuring the **project** is constructed per the approved design issued under the **Watershed Management Permit**. Violation proceedings, as outlined in Article 12 of the WMO, may occur for non-compliance issues.

#### H. Hearing **variance** petitions

Only the **District** can hear **variance** petitions. **Authorized Municipalities** shall not grant **variances** for any project that falls under the WMO regulation. The procedure for variances is in Article 11 of the WMO.

#### I. Hearing appeals

Appeals to conditions of a **Watershed Management Permit** shall be heard by the **District**. The procedure for appeals is in Article 13 of the WMO.

#### J. Advising, consulting with, and cooperating with other governmental entities to promote the purposes of the WMO

**District** staff advise **applicants** if a **Watershed Management Permit** is required via Permit Determination letters, consult with the local **municipality** in pre-application meetings, and offer trainings when design regulation changes. The **District** also routinely consults with the WMO Technical Advisory Committee to obtain input and various perspectives when modifying the WMO or this **TGM**.

#### K. Supervising **Authorized Municipalities**

While **Authorized Municipalities** issue WMO Permits, Earthwork Permits, and SFHA Permits, the program is supervised by the **District**. No permit may be issued without **District** approval for **qualified sewer**, a new or reconstructed **outfall**, District impacts, or **detention facilities** constructed prior to the effective date of the WMO. In addition, each **Authorized Municipality** is required to submit an Annual Summary Report, and the **District** may conduct an audit at any time.

### ***PERMIT REVIEW TIMELINE***

While reviewing a **Watershed Management Permit** application, the WMO requires the **District** respond within:

- 1) Fifteen (15) working days of an initial submittal for **projects** not involving **flood protection areas**
- 2) Thirty (30) working days of an initial submittal for **projects** involving **flood protection areas**
- 3) Ten (10) working days of a resubmittal

Working days do not include weekends or **District** holidays.

### ***PERMIT CANCELLATION***

The **District** reserves the right to cancel **Watershed Management Permit** applications in such a case as:

- 1) The **applicant** gives notice that the **project** has been cancelled.

A notice will be sent informing the **applicant** that the permit is cancelled.

- 2) A resubmittal has not been received by the **District** within ninety (90) days of the **District's** issuance of its review comments. Such permit applications will be considered non-responsive and will be subject to cancellation upon notice by the **District**.

Prior to cancellation, a notice will be sent informing the **applicant** that a response has not been received and, if not corrected within a designated timeframe, the permit will be considered cancelled. A final notice will be sent informing the **applicant** that the permit is cancelled.

**Watershed Management Permit** applications that are cancelled by the **District** shall have permit fees refunded as described in §301.4 of the WMO. Information on which fees are refundable is found in Article 3 of this **TGM**.

## **§1402 ROLE OF AN AUTHORIZED MUNICIPALITY**

Article 14 of the WMO allows local **municipalities** to become authorized to administer certain aspects of the WMO. Such **municipalities** are referred to as **Authorized Municipalities**.

### ***RESPONSIBILITY AND AUTHORITY***

An **Authorized Municipality** has the authority to issue a **Watershed Management Permit** for the following:

- **Development** within a **Flood Protection Area**
- **Development** with an **indirect wetland impact**
- **Development** of residential **buildings** within 100-feet of the **regulatory floodplain**
- **Development** greater than 0.5 acre

There are certain activities for which an **Authorized Municipality** does not have authority to issue a **Watershed Management Permit**. The **Watershed Management Permit** must have **District** approval prior to issuance for the following:

- Any **qualified sewer** construction
- Direct connections to **District** sewers, reservoirs, facilities, interceptors, or **TARP structures**
- New or reconstructed **outfalls** to a **waterway** or Lake Michigan, within **Cook County**
- Reconfiguration of existing **major** or **minor stormwater systems** that alters the service area of a **District** permitted **detention facility**
- Modifications to the **control structure** or storage volume of a **District** permitted **detention facility**;

Additionally, **Authorized Municipalities** may not issue permits for projects tributary to a **combined sewer area** or for their own projects.

When a new application is submitted, the **Authorized Municipality** should complete a *WMO Authorized Municipality Permit Form* and send it to the **District** to obtain an MWRD **Watershed Management Permit** number for the project. The MWRD **Watershed Management Permit** number should be included on all documentation associated with each **Watershed Management Permit** application.

In addition to issuing **Watershed Management Permits**, the **Authorized Municipality** will also be responsible for:

- Provide inspections to ensure proper compliance with the WMO

Inspections should be conducted throughout the construction phase of the **project**. **Authorized Municipalities** must also ensure inspection of **volume control practices** occurs annually. Additional information on inspections can be found in Article 9 of the WMO and this **TGM**.

- Investigating complaints of violations

Violation complaints shall be investigated promptly. The **District** should be notified of any violation complaints, and can assist if needed.

- Advising, consulting with, and cooperating with other governmental entities to promote the purposes of the WMO

**Authorized Municipalities** shall also advise applicants if a **Watershed Management Permit** is required via Permit Determination letters, conduct pre-application meetings as needed, and be aware of regulation changes. Some **Authorized Municipalities** are members of the WMO Technical Advisory Committee, which provides opportunity to consult and obtain input and various perspectives on the WMO or this **TGM**.

- Follow its own policies regarding permit cancellation and fee refunds

The **District** cancellation policy and template letters are available for **Authorized Municipalities** to use as a guide. However, the **District** does not dictate the specifics of the policies set by an **Authorized Municipality**, as long as the provisions of the WMO are being met. **Authorized Municipalities** set their own fee structure, so the **District** refund policy is not applicable for permit review activities conducted by the **Authorized Municipality**.

### ***REQUIREMENTS FOR BECOMING AN AUTHORIZED MUNICIPALITY***

For a **municipality** to qualify as an **Authorized Municipality**, it must meet the following requirements:

- A. Have legal authority to adopt the WMO by reference and perform all requirements of an **Authorized Municipality** as specified in the WMO

The **municipality's** Trustees or Council shall grant authority to enter into an Intergovernmental Agreement with the **District** to administer the WMO on the **District's** behalf. Requirements for becoming an **Authorized Municipality** are found in §1403 of the WMO and this **TGM**.

- B. Adopt the WMO, including all amendments, by reference

The WMO must be adopted by the **municipality** and incorporated into the municipal code to ensure it is being administered. **Authorized Municipalities** are notified anytime the WMO is amended, and shall adopt the amended version to maintain compliance with the IGA and **Authorized Municipality** Program. An **Authorized Municipality** may elect to adopt the WMO with language that includes all future amendments. If this is done, a separate resolution/ordinance will not be required to incorporate the amendment by reference.

C. Participate in the Regular Program of the **NFIP**

From **FEMA's** general rules: The Regular Program is the final phase of a **municipality's** participation in the **NFIP**. In this phase, a Flood Insurance Rate Map is in effect and full limits of coverage are available.

D. Have the ability to review and issue **Watershed Management Permits** for **development** in separate sewer areas listed in §201.1 of the WMO and within its corporate boundaries in conformance with the WMO

Most **municipalities** have their own permitting and approval process, into which the requirements of the WMO can be incorporated. **Authorized Municipalities** shall demonstrate that they have adequate staff, funding, and desire to review and issue **Watershed Management Permits**. Additional information is found in the following section, *§1403 Procedure for Authorization*.

E. Employ or retain by contract, adequate staff, which includes an **Enforcement Officer**, **Professional Engineer(s)**, and **Wetland Specialist(s)**

Additional information regarding these staffing positions is found in the following section, *§1403 Procedure for Authorization*.

F. Conduct timely reviews of **Watershed Management Permit** applications and respond within the same timeline as required for the **District**. As stated above in the *Permit Review Timeline* sub-section, responses shall be within:

- 1) Fifteen (15) working days of an initial submittal for **developments** not involving **flood protection areas**
- 2) Thirty (30) working days of an initial submittal for **developments** involving **flood protection areas**
- 3) Ten (10) working days of a resubmittal

Working days do not include weekends or holidays.

G. Maintain all of the following records:

- 1) **Watershed Management Permits**
- 2) **Record Drawings**
- 3) **Structure** improvement data

- 4) Elevation certificates for the **BFE** and **lowest floor**, published by **FEMA**
  - 5) **Base flood** data and **base flood** maps
  - 6) **LOMC, LOMR**
  - 7) **Wetland** mitigation bank credits
- H. Transmit all above listed records to the **District** upon request
- Watershed Management Permits** and **Record Drawings** should be sent to the **District** immediately upon issuance/approval. The remaining documents will generally only be asked for during an audit, but could be requested at any time.
- I. Issue **Watershed Management Permits** for **development** activities listed in §201.1 of the WMO within its corporate boundaries in conformance with the WMO
- Projects that conform to the WMO shall be issued permits, as long as the necessary documentation and requirements are met.
- J. Inspect the construction of all **projects** which require a **Watershed Management Permit** from the **Authorized Municipality**
- Authorized Municipalities** are responsible for ensuring the project is constructed per the approved **Watershed Management Permit**, and inspections shall occur as verification. More information on inspections is found in Article 9 of the WMO and this **TGM**.
- K. Ensure inspection of all constructed **volume control practices** occurs on an annual basis
- Authorized Municipalities** are responsible for ensuring all **volume control practices** in their corporate limits are inspected annually. Inspections can be verified by municipal staff, contracted staff, or affidavit from the property **owner** certifying that the **volume control practice** is being inspected and maintained, as required per the **Watershed Management Permit**.
- L. Notify the **District** promptly for any violation within the **Authorized Municipality**
- The District shall be notified of any violation to the WMO, and will assist the **Authorized Municipality** in violation proceedings.
- M. Issue local stop work orders for all violations, when appropriate
- Should a violation occur wherein continuation of the work will cause harm or is in conflict with the WMO, a stop work order shall be issued. Work may continue based on the outcome of violation proceedings.
- N. Establish **Watershed Management Permit** fees for **Watershed Management Permits** reviewed and issued by the **Authorized Municipality**



Since the **Authorized Municipality** reviews and issues the **Watershed Management Permit**, the **District** fees listed in Appendix F of the WMO are not applicable. When **District** review is required, only the fees listed in Section IV of Appendix F of the WMO apply. The **Authorized Municipality** shall set its own fee structure.

In addition to the record keeping requirements noted above, the **Enforcement Officer** of an **Authorized Municipality** must complete the Annual Permit Summary Report. The purpose of this report is to provide an inventory of all **projects** permitted within the **Authorized Municipality**, the status of the **projects** (pre-construction, during construction, and post-construction), as well as the permitting components of the **project**.

The annual report must be completed for each calendar year by the following March 31, and should include a cumulative list of all **projects** subject to the requirements of the WMO. The report shall also include the annual inspection date of constructed **volume control practices**, per §1402.2.K. The Annual Permit Summary Report is available on-line through the **District's** website, [www.mwrd.org/wmo](http://www.mwrd.org/wmo).

### ***PROHIBITED ACTIVITIES***

The following activities, as listed in §1402.3 of the WMO, shall not be performed by an **Authorized Municipality**:

A. Issue **Watershed Management Permits** inconsistent with the provisions of the WMO

**Watershed Management Permits** shall not be issued unless the provisions of the WMO are met. **Authorized Municipalities** are acting as agents of the **District**, and, per the Intergovernmental Agreement, must ensure that **Watershed Management Permits** are issued only when all regulation has been met. This action is consistent with a purpose of providing uniform **stormwater** management throughout **Cook County**.

B. Issue **Watershed Management Permits** for **development** activities listed in §201.2 of the WMO without first receiving approval from the **District**

Activities listed in §201.2 include **qualified sewer**, **District** impacts, and new or reconstructed **outfalls**. The **District** has sole review authority for these activities. The **Authorized Municipality** may still issue the **Watershed Management Permit**; however, **District** approval must be obtained prior to issuance if these activities are part of the **project**.

C. Issue **Watershed Management Permits** for **projects** within the **combined sewer areas** or **separate sewer areas** that are tributary to **combined sewers**

The **District** retains sole authority for **projects** located in or tributary to the **combined sewer area**. The jurisdiction of an **Authorized Municipality** with **combined sewer area** extends only to the separate sewer area that is tributary to a **waterway**.

- D. Issue **Watershed Management Permits** for **projects** in which a conflict of interest exists between the **Professional Engineer** employed by the **municipality** and the **Professional Engineer** that designed the project

Just as an **Authorized Municipality** is not able to issue **Watershed Management Permits** for their own **projects**, this conflict of interest extends to the **Professional Engineers** who design **projects**. Many **Authorized Municipalities** contract a **Professional Engineer** to conduct the **Watershed Management Permit** review. This **Professional Engineer** must not have a conflict of interest with the **Professional Engineer** who designed the **project** and is applying for the **Watershed Management Permit**.

- E. Issue **variances**

Only the **Board of Commissioners** may grant a **variance** to the WMO. **Authorized Municipalities** shall assist the **District** with any **variance** requests, but may not issue any **Watershed Management Permit** that is inconsistent with the WMO, especially when a **variance** would be required to do so.

- F. Hear appeals

Only the **Board of Commissioners** or their designated Hearing Officer may hear appeals. **Authorized Municipalities** shall assist the **District** with appeal requests, but may not grant appeals to any condition of a **Watershed Management Permit**.

## **§1403 PROCEDURE FOR AUTHORIZATION**

A **municipality** may become authorized at any point in time. To become an **Authorized Municipality**, the **municipality** must complete the following three steps:

- 1) Submit a Letter of Intent (with supporting documentation) to the **District** to become an **Authorized Municipality**. Provide contact information for the **Enforcement Officer, Professional Engineer, and Wetland Specialist** for the **municipality**
- 2) Adopt the WMO by reference
- 3) Enter into intergovernmental agreement with the **District**

### ***LETTER OF INTENT***

**Municipalities** interested in authorization must first submit a Letter of Intent to the **District**. A sample letter of intent is provided as Figure 14.1 and is also available on-line through the **District's** website, [www.mwr.org/wmo](http://www.mwr.org/wmo). The letter of intent must be submitted to the **Director of Engineering** at the following address:

Director of Engineering  
Metropolitan Water Reclamation District of Greater Chicago  
100 E. Erie Street  
Chicago, IL 60611

As shown in Figure 14.1, supporting documentation is required in addition to the Letter of Intent. This supporting documentation includes:

- A statement of intent to adopt the WMO by reference
- A legal opinion indicating the **Authorized Municipality** has legal authority to perform all obligations required by the WMO including:
  - The regulation of **erosion** and **sediment** control, **stormwater** management, **floodplains, isolated wetlands, and riparian environments**
  - The ability to conduct inspections
  - The issuance of **Watershed Management Permits**
  - The enforcement of the WMO
  - The ability to enter into an intergovernmental agreement with the **District**

For a legal opinion, the **municipality** should contact their municipal attorney

- A verified statement of financial capability to perform and adequately fund the obligations of the **Authorized Municipality**. This should be a letter from the community's chief financial officer (CFO) or budget officer that includes relevant excerpts from the municipal budget to show that it has the financial resources to hire/retain an **Enforcement Officer, Professional Engineer, and Wetland Specialist**
- Designation of an **Enforcement Officer**
- An implementation plan, which should include the estimated permit load, proposed staffing, the addressee of permit submittals, and estimated review turnaround time
- Proposed staffing

### ***INTERGOVERNMENTAL AGREEMENT***

An executed intergovernmental agreement (IGA) between the **municipality** and the **District** will effectuate the **municipality's** status as an **Authorized Municipality**. The **District** will create the initial IGA and forward it to the **municipality** for review and execution. A sample IGA is available on-line through the **District's** website, [www.mwrd.org/wmo](http://www.mwrd.org/wmo). As noted in the *Requirements for Becoming an Authorized Municipality* section and §1402.2.B of the WMO, the **municipality** shall adopt the WMO by reference. Adoption of the WMO by reference is a non-negotiable condition of obtaining an IGA.

The IGA between the **District** and the **Authorized Municipality** shall remain effective unless terminated. The **Authorized Municipality** may terminate the IGA at any time, as long as a 60 day written notice is provided to the **District**. The **Authorized Municipality** should refer to their IGA for specifics regarding termination rights and obligations.

### ***CONTACT INFORMATION***

As described in the letter of intent, the **municipality** must provide information on the proposed staff that will be responsible for enforcing the WMO. The **municipality** must provide contact information for the **Enforcement Officer, Professional Engineer, and Wetland Specialist** that will handle the review responsibilities on behalf of the **municipality**. A template contact information sheet is shown as Figure 14.2 and is available on the **District's** website, [www.mwrd.org/wmo](http://www.mwrd.org/wmo).

Month XX, Year

Mr./Ms. \_\_\_\_\_  
 Director of Engineering  
 Metropolitan Water Reclamation District of Greater Chicago  
 100 E. Erie Street  
 Chicago, Illinois 60611

Dear Mr./Ms. \_\_\_\_\_:

Subject: Intent to become an authorized municipality to administer the Watershed Management Ordinance

The Town/City/Village of \_\_\_\_\_ (“municipality”) intends to become authorized to adopt and administer the Watershed Management Ordinance (“WMO”) to the extent allowed by Article 14 of that ordinance.

The municipality designates Mr./Ms. \_\_\_\_\_ as the municipality’s enforcement officer. All correspondence should be directed to Mr./Ms. \_\_\_\_\_’s attention at the following address:

Street Address  
 City, State ZIP

Please find the following documents enclosed in support of this letter of intent.

1. Legal Opinion indicating the municipality has legal authority to perform all obligations required by the WMO, including:
  - a. Regulating erosion and sediment control, stormwater management, floodplains, isolated wetlands, and riparian environments;
  - b. Conducting inspections on private property;
  - c. Issuing watershed management permits;
  - d. Administering the WMO; and
  - e. Entering into an intergovernmental agreement with the District.
2. A verified statement of financial capacity to perform and adequately fund the municipality’s obligations related to the administration of the WMO as set forth in Article 14 of that ordinance.
3. An implementation plan, with an estimate of permit load and available review staff.
4. Schedule of Permit Fees.
5. An exhibit delineating the corporate limits of the municipality for the purposes of administering the WMO. Note that areas within the limits of the Combined Sewer Area Limits cannot be locally administered.
6. Contact information sheet.

Please contact the municipality’s enforcement officer at (XXX) XXX-XXXX if you require further information.

Very truly yours,

Municipal Executive

**Figure 14.1. Template Letter of Intent to Become an Authorized Municipality**

**Contact Information Sheet**

The Town/City/Village of \_\_\_\_\_ intends to become authorized to administer the Cook County Watershed Management Ordinance. Below is contact information for the Town's/City's/Villages's Enforcement Officer, Professional Engineer, and Wetland Specialist.

**Enforcement Officer**

NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 ORGANIZATION: \_\_\_\_\_  
 STREET ADDRESS: \_\_\_\_\_  
 CITY, STATE, ZIP: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

**Professional Engineer**

NAME: \_\_\_\_\_, P.E.  
 TITLE: \_\_\_\_\_  
 ORGANIZATION: \_\_\_\_\_  
 STREET ADDRESS: \_\_\_\_\_  
 CITY, STATE, ZIP: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

**Wetland Specialist**

NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 ORGANIZATION: \_\_\_\_\_  
 STREET ADDRESS: \_\_\_\_\_  
 CITY, STATE, ZIP: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

**Figure 14.2. Contact Information Form**

### ***ENFORCEMENT OFFICER***

In **Authorized Municipalities**, the **Enforcement Officer** is responsible for the administration and enforcement of the WMO. The primary responsibility of the **Enforcement Officer** is to review **Watershed Management Permit** applications and issue **Watershed Management Permits** for proposed **projects**. Specific duties of the **Enforcement Officer** include the following:

- For each **Watershed Management Permit** application, determine whether the proposed **development** is located within the **regulatory floodplain** or **floodway**
- Determine and solicit **District** review, as applicable
- Review all plans, calculations, and analyses submitted as part of a **Watershed Management Permit** application
- Verify that all required local, state, and federal permits have been obtained prior to issuance of a **Watershed Management Permit**
- Issue the **Watershed Management Permit** (applicable **District** approval must be received prior to issuance)
- Review all proposed **Letters of Map Change (LOMC)** requests on behalf of the **municipality** and submit reports as required by the **National Flood Insurance Program (NFIP)**
- Periodically inspect the **project** before, during, and post-construction to ensure it is in compliance with the regulations of the WMO
- Verify that the **project** has been constructed and maintained according to the permitted plans
- Issue stop-work orders for non-compliant **projects** and investigate/remedy complaints of violations
- Maintain records of all **Watershed Management Permit** applications, issued permits, hydrologic and hydraulic analyses, inspection records, violations and other enforcement actions, **LOMC** information, **record drawings**, etc.

### ***PROFESSIONAL ENGINEER***

A **Professional Engineer** is an individual licensed by the State of Illinois to practice engineering and is responsible for the review of any plans, calculations, or analyses submitted by a **Professional Engineer** designing a **project** pursuant to the requirements of the WMO. As contained in the intergovernmental agreement between the **District** and an **Authorized Municipality**, the **Professional Engineer** should avoid possible conflicts of interest to perform

work or provide services related to, or arising out of, the **Authorized Municipality's** administration of the WMO.

### ***WETLAND SPECIALIST***

A **Wetland Specialist** is a person who is skilled in the art and science of delineating, identifying, and accessing **wetlands**. The **Wetland Specialist** is responsible for the review of all delineation reports, impacts, mitigation plans, and other documentation related to **wetlands**, buffers, and **riparian environments**. To qualify as a **Wetland Specialist**, a person must meet the at least one of the requirements of A, B, C, or D below:

- A. Certified as an Environmental Scientist in DuPage County or a Certified **Wetland Specialist** (CWS) in Lake County;
- B. Professional **Wetland** Scientist certification by the Society of **Wetland** Scientists (SWS);
- C. Minimum of a bachelor's degree in a biologic science or earth science and at least one of the following:
  - 1) Three (3) years cumulative (full-time) **wetlands** experience in the Upper Midwest Region on **wetland**-related projects; or
  - 2) Completion of at least 100 **wetland** delineation projects in the Upper Midwest Region;
- D. Six (6) years cumulative (full-time) **wetlands** experience in the Upper Midwest Region on **wetland**-related projects without a degree type noted above.



## **§1404 DISTRICT OVERSIGHT OF AUTHORIZED MUNICIPALITIES**

Although **Authorized Municipalities** are delegated the authority to issue certain types of **Watershed Management Permits** within their corporate boundaries, the **District** retains the authority to oversee the enforcement of the WMO in all communities within its jurisdiction. The **District** has the authority to inspect any **project** within an **Authorized Municipality** and may, at any time, audit an **Authorized Municipality**. As specified in §1404.2 of the WMO, during an audit, the **District** may:

- Inspect and copy pertinent records kept by an **Authorized Municipality**
- Inspect **Watershed Management Permits** issued by an **Authorized Municipality**
- Meet with staff of an **authorized municipality**
- Conduct field inspections of **projects** permitted by an **Authorized Municipality**
- Request and copy financial records of the **Authorized Municipality**
- Verify that an **Authorized Municipality** complies with all requirements listed in §1402.2 of the WMO
- Verify that an **authorized municipality** does not violate any prohibited activity provision listed in §1402.3 of the WMO

Following an inspection or audit in an **Authorized Municipality**, the **Director of Engineering** shall promptly notify an **Authorized Municipality** of any of the following deficiencies:

- Failure to comply with any requirements listed in §1402.2 of the WMO
- Violation of any prohibited activities listed in §1402.3 of the WMO
- Breach of the intergovernmental agreement

An **authorized municipality** shall remedy any deficiency within thirty (30) calendar days of notice of the deficiency. In cases where a deficiency cannot be remedied within thirty days, the **Director of Engineering** may grant an extension.

The **Director of Engineering** may either suspend or terminate a **municipality's** status as an **Authorized Municipality** if the **municipality** fails to remedy a violation in accordance with §1404.4 of the WMO. If a **municipality's** status as an **Authorized Municipality** is either suspended or terminated, the **municipality** may petition the **Director of Engineering** for reauthorization after all deficiencies are remedied.

***RESOURCES FOR AUTHORIZED MUNICIPALITIES***

The **District** has developed *A Guide for Authorized Municipalities* and numerous other resources that provide additional guidance for administering WMO permits. These resources include:

- WMO Authorized Municipality Permit Form
- WMO Minimum Permit Submittal Checklist
- Sample Information Sheet
- Erosion Control Inspection Form
- Wetland Inspection Form
- Post-Construction Inspection Form
- Request for Inspection (RFI) form
- Annual Permit Summary Report

These resources are available under the *Resources for Authorized Municipalities* link on the **District's** website, [www.mwrd.org/wmo](http://www.mwrd.org/wmo).

**TGM ARTICLE 14 REVISION TABLE**

<b>No.</b>	<b>Revision Description</b>	<b>Date</b>
0	Original TGM	5/1/2014
1	Update Authorized Municipality procedure and annual reporting	8/1/2015
2	Revision table, rewrite	6/28/2019