

McHenry County Stormwater Management Ordinance

Dredging & Maintenance Regulations

Exempted Development

- “Other Maintenance Activities”
 - Existing Roads, Trails, Driveways and Parking Lots
 - Outside Flood Hazard Area - Repair or replacement, same footprint, no increase in impervious area
 - Within Flood Prone Area - Repair or replacement, same footprint, no increase in impervious area
 - Within Flood Fringe - Repair or replacement, same footprint, no increase in impervious area, <2 inch increase in surface elevation
 - Culverts, Storm Sewers and Drain Tiles (repair or in-kind replacement, outside floodway, <12.6 sq ft cross-sectional area)
 - Drainage Ditches (dredging & vegetation removal, outside floodway, spoils removed or spread thinly in farm field outside flood hazard area)
 - Pond Dredging (outside designated floodway)
 - Obstruction Removal from Channel, Culvert or Storm Sewer (restore to original design or permitted condition)
 - Maintenance of Existing Stormwater Management Facility (restore to original design or permitted condition)
- Gardening and Landscaping (no filling, grading or berm construction)
- Tillage and Agricultural Practices (no filling, grading or levee construction)
- NRCS Conservation Plan (outside flood hazard area, WOTUS or IWMC)
- Demolition (disturbance < 1 acre, use of SE/SC, no increase in ground elevation)

Regulated Development

General Permit #1 (Article III, Section A)

<20,000 sf of hydrologic disturbance; may be within flood hazard area; <= 0.1 ac IWMC impact; LONO or permit for WOTUS impact; each GP has different Terms & Conditions

- Storm Sewer Outfalls, Drain Tile Outfalls and Outlet Channels
- Seawalls
- Shoreline and Streambank Protection
- Minor Modification of Culverts, Storm Sewers and Drain Tiles
- Material Storage
- Dredging
- Wetland Restoration and Enhancement

County’s Mapping Website: www.mchenrycountygis.org/planning/

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Definitions

channel: Any river, stream, creek, brook, branch, flow path, slough, ditch, gully, ravine, swale, wash, or drainageway with a discernible bed and banks, in or into which surface or groundwater flows, either perennially or intermittently.

channel modification: Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping or other armoring, widening, deepening, straightening, relocating, lining and significant removal of bottom or woody vegetation of the channel. Channel modification does not include dredging or the clearing of invasive, dead or dying vegetation, debris, or trash from the channel.

dredging: The maintenance or restoration of a water body by removing accumulated silt, sediment, and other debris from its bed.

flood prone area: Any area inundated by the base flood and located outside the limits of the floodplain that:

- A. Has a tributary area greater than 100 acres;
- B. Is a depressional storage area; or
- C. Is mapped as a Flood of Record area on the USGS-Hydrologic Investigation Atlas Flood of Record Maps.

pond: A body of water of less than 2 acres which retains a normal water level year round.

other maintenance activity: Rehabilitative maintenance that is not maintenance of existing buildings or maintenance of existing roads and trails, including but not limited to:

- G. Maintenance of drainage ditches (i.e., dredging and the removal of obstructive, invasive, dead, or dying vegetation), outside the designated floodway, provided that spoil materials: are removed from the flood hazard area and are spread thinly and incorporated into existing cultivated areas; or are hauled away from the development site; and provided that appropriate soil erosion and sediment control practices are utilized. Maintenance of drainage ditches does not include ditch straightening, ditch widening, flood hazard area fill, soil stockpiles or the construction of any new channel or water body;
- H. Dredging of ponds, outside the designated floodway, provided that spoil materials: are removed from the flood hazard area and are spread thinly and incorporated into existing cultivated areas; or are hauled away from the development site; and provided that appropriate soil erosion and sediment control practices are utilized. Dredging of ponds does not include the construction of any new pond or water body;
- I. Removal of any obstruction from a channel, culvert, or storm sewer to restore its original design or permitted condition. Removal of obstruction does not include channel straightening, channel widening, flood hazard area fill, soil stockpiles, or the construction of any new channel or water body; and
- J. Maintenance to restore an existing stormwater management facility to its original design or permitted condition (the Enforcement Officer may also allow minor modifications to an existing stormwater management facility to reduce the need for future maintenance).