

June 15, 1998

MEMORANDUM FOR DISTRIBUTION

SUBJECT: STATEWIDE PERMIT NO. 11 - MINOR  
MAINTENANCE DREDGING ACTIVITIES

Attached for your information is a copy of Illinois Department of Natural Resources, Office of Water Resources Statewide Permit No. 11 which has been issued to authorize minor maintenance dredging activities on all rivers, lakes and streams under the Department's jurisdiction except those in Lake, McHenry, Cook, DuPage, Kane and Will Counties for which regulatory floodways have been designated pursuant to 17 Illinois Administrative Code 3708. This permit has been issued pursuant to the Rivers, Lakes and Streams Act, 615 ILCS 5 (1996 State Bar Edition).

This Act requires the Department to regulate construction within public bodies of water and within the floodways of streams draining ten (10) square miles or more in rural areas and one (1) square mile or more in urban areas. Among the purposes of the regulatory program are the protection of public interests in public bodies of water, the preservation of the flood carrying capacity of streams and the prevention of significant increases in potential flood damage. The issuance of Statewide Permit No. 11 represents, in part, the Department's ongoing effort to accomplish these purposes while reducing regulatory costs and burden on the public.

For additional information regarding this permit, or any other aspect of the Office of Water Resources' regulatory program, please feel free to contact the Downstate Regulatory Programs Section in Springfield (217/782-3863) or the Northeastern Illinois Regulatory Programs Section in Schaumburg (847/705-4341).

Attachment

ILLINOIS DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF WATER RESOURCES  
524 SOUTH SECOND STREET  
SPRINGFIELD, ILLINOIS 62701-1787

STATEWIDE PERMIT NO. 11

AUTHORIZING MINOR MAINTENANCE  
DREDGING ACTIVITIES

**PURPOSE**

The purpose of this Statewide Permit is to authorize minor maintenance dredging activities which have insignificant impact on those factors under the jurisdiction of the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR). It is no longer necessary to submit applications to, or obtain individual permits from, IDNR/OWR for activities meeting the terms and conditions of this permit. If a project would not meet all of the terms and conditions of this permit, a formal permit application must be submitted.

**APPLICABILITY**

This permit applies to minor maintenance dredging activities (see special conditions) on all Illinois streams under the Department's jurisdiction except those in Lake, McHenry, Cook, DuPage, Kane and Will Counties for which regulatory floodways have been designated pursuant to 17 Illinois Administrative Code 3708. The permit also applies to maintenance dredging activities of active harbors, marinas, and docking and water intake facilities on all Illinois rivers and lakes under the Department's jurisdiction except those in Lake, McHenry, Cook, DuPage, Kane and Will Counties for which regulatory floodways have been designated pursuant to 17 Illinois Administrative Code 3708. The permit does **not** authorize any other type of instream work such as paving or enclosing a channel. Nor does the permit apply to any project which would conflict with any federal, state, or local project or improvement or with any other rule of the Department.

**COORDINATION WITH OTHER AGENCIES**

This permit does not supersede nor relieve any permittee's responsibility to obtain other federal, state or local permits. The local (county or municipal) regulatory official and the U. S. Army Corps of Engineers' regulatory functions office should be contacted to obtain any required permits. In addition, if any historical or archeological materials are revealed by any activity performed under this permit, the activity shall be suspended and the permittee shall notify the staff archeologist, Historic Preservation Agency, One Old State Capitol Plaza, Springfield, Illinois 62701.

### **SPECIAL CONDITIONS**

In order to be authorized by this permit, a project must meet the following special conditions:

1. In the case of minor maintenance dredging of a stream channel:
  - a. The affected length of the stream shall not, either singularly or cumulatively, exceed one thousand (1000) feet;
  - b. The project shall not include the construction of any new channel; all work must be confined to the existing channel or to reestablishing flows in the natural stream channel; and
  - c. The cross-sectional area of the dredged channel shall conform to that of the natural channel upstream and downstream of the site.
2. Dredged or spoil material shall not be disposed of in a wetland and shall be either:
  - a. Removed from the floodway;
  - b. Used to stabilize an existing bank provided no materials would be placed higher than the existing top of bank and provided the cross-sectional area of the natural channel would not be reduced by more than ten percent (10%) nor the volume of material placed exceed two (2) cubic yards per lineal foot of streambank;
  - c. Used to fill in an existing washed out or scoured floodplain area such that the average natural floodplain elevation is not increased;
  - d. Used to stabilize an existing levee provided the height of the levee would not be increased nor its alignment changed;
  - e. Placed in a disposal site previously approved by the Department in accordance with the conditions of the approval; or

- f. Used for beach nourishment, provided the material meets all applicable water quality standards.
3. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including the stream banks, shall be seeded or otherwise stabilized upon completion of construction.

**GENERAL CONDITIONS**

- 1. This permit is granted in accordance with the Rivers, Lakes and Streams Act, 615 ILCS 5 (1996 State Bar Edition).
- 2. This permit does not convey title to any permittee or recognize title of any permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the project or any part thereof will be located, or otherwise grant to any permittee any right or interest in or to the property, whether the property is owned or possessed by the State of Illinois or by any private or public party or parties.
- 3. This permit does not release any permittee from liability for damage to persons or property resulting from any activity covered by this permit and does not authorize any injury to private property or invasion of private rights.
- 4. This permit does not relieve any permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if any permittee is required by law to obtain approval from any federal or other state agency to do the work, authorization granted by this permit is not effective until the federal and state approvals are obtained.
- 5. If the activity authorized by this permit is located in or along a meandered lake, the permittee and the permittee's successors shall make no claim whatsoever to any interest in any accretions caused by the activity.

6. This Statewide Permit shall remain in effect until such time as it is modified, suspended, or revoked by the Department of Natural Resources.

This Statewide Permit was issued on December 1, 1988 and last modified or corrected June 15, 1998.

APPROVED:

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Brent Manning, Director  
Department of Natural Resources

EXAMINED AND RECOMMENDED:

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Martin J. Stralow, Manager  
Division of Water Resource Management

APPROVAL RECOMMENDED:

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Donald R. Vonnahme, Director  
Office of Water Resources