

June 15, 1998

MEMORANDUM FOR DISTRIBUTION

SUBJECT: STATEWIDE PERMIT NO. 8 - UNDERGROUND PIPELINE AND UTILITY CROSSINGS

Attached for your information is a copy of Illinois Department of Natural Resources, Office of Water Resources Statewide Permit No. 8 which has been issued to authorize the placement of pipeline and utility crossings beneath streams under the Department's jurisdiction. 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. 8 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 either 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. 8

AUTHORIZING THE CONSTRUCTION OF UNDERGROUND PIPELINE AND UTILITY  
CROSSINGS

**PURPOSE**

The purpose of this Statewide Permit is to authorize the construction of underground pipeline and utility crossings which have insignificant impact on those factors under the jurisdiction of the 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 all directionally bored pipeline and utility crossings placed beneath the beds of all Illinois rivers, lakes and streams under the Department's jurisdiction. This permit also applies to other pipeline and utility crossings placed beneath the beds of all Illinois 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, the public waters of the state, and the following:

1. The meandered lakes
2. Loon Lake (Lake County)
3. Cedar Lake (Lake County)
4. Ogden Slip
5. Mackinaw River
6. Kickapoo Creek in Peoria County
7. Big Creek in Hardin County
8. Lusk Creek in Pope County
9. Middle Fork of the Vermilion River in Vermilion County
10. Kishwaukee River in McHenry County
11. Clear Creek in Union and Alexander Counties
12. Embarras River in Jasper and Cumberland Counties

#### **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. Also, for utility crossings carrying materials which could cause water pollution, potentially impacted owners of public water supplies should be notified.

#### **SPECIAL CONDITIONS**

In order to be authorized by this permit, an underground pipeline or utility crossing must meet the following special conditions.

1. In all cases, the crossing shall be placed beneath the bed of the river, lake or stream and, unless the crossing is encased in concrete or entrenched in bedrock, a minimum of three (3) feet of cover shall be provided. The river, lake or stream bed shall be returned to its original condition.
2. 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 restored to their original contours and seeded or otherwise stabilized upon completion of construction.
3. A utility crossing carrying material which may cause water pollution as defined by the Environmental Protection Act, 415 ILCS 5 (1996 State Bar Edition), shall be provided with shut-off valves on each side of the body of water to be crossed.
4. If blasting is to be utilized in the construction of the crossing, the Permittee shall notify the Illinois Department of Natural Resources, Office of Resource Conservation at least ten (10) days prior to the blasting date to allow monitoring of any related fish kills.

#### **GENERAL CONDITIONS OF THE STATEWIDE PERMIT**

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. The permittee shall, at the permittee's own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project, from the floodway in which the work is done. If the permittee fails to remove such structures or materials, the Department may have removal made at the expense of the permittee. If the activity is on a public body of water and if future need for public navigation or public interests, by the state or federal government, necessitates changes in any part of the structure or structures, such changes shall be made by and at the expense of the permittee or permittee's successors as required by the Department of Natural Resources or other properly constituted agency, within sixty (60) days from receipt of written notice of the necessity from the Department or other agency, unless a longer period of time is specifically authorized.
6. In issuing this permit, the Department of Natural Resources does not approve the adequacy of the design or structural strength of any structure or improvement authorized by this permit.

7. 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 August 1, 1986 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