

CITY OF BATAVIA

JEFFERY D. SCHIELKE
Mayor

April 16, 2009

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

**Subject: National Pollutant Discharge Elimination System, Phase II
Permit No. ILR400288
City of Batavia 2008-2009 Annual Inspection Report**

Dear Sir or Madam:

Attached is the Phase II NPDES Annual MS4 Facility Inspection Report for the City of Batavia that covers the period from March 2008 to March 2009. In addition, Item D, Proposed Permit Activities, is not being submitted this year since the proposed activities for 2008-2009 are addressed within the new City of Batavia Notice of Intent that was submitted on February 29, 2008.

Please call me at (630) 454-2757 or e-mail me at arattray@cityofbatavia.net if you have any questions about this matter.

Sincerely,

Andrea M. Rattray, P.E.
Civil Engineer

S:\Eng Shared\Batavia Stormwater-Floodplain Management\NPDES Phase II\2008-2009 Annual Report\IEPA 2008-2009 Annual Report Transmittal.doc

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
ANNUAL FACILITY INSPECTION REPORT
NPDES PERMIT FOR STORM WATER DISCHARGES
FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)**

Website address: <http://www.epa.state.il.us/water/permits/storm-water/forms/annual-facility-inspection-ms4.pdf>

Complete each section of this report.

REPORTING PERIOD FROM: MARCH, 2008	TO: MARCH 2009	ILR40 0288
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MS4 OPERATOR INFORMATION: (As it appears on the current permit)

NAME: CITY OF BATAVIA		TELEPHONE NUMBER: 630-454-2757	
MAILING ADDRESS: 100 NORTH ISLAND AVENUE			
CITY: BATAVIA	STATE: IL	ZIP: 60510	COUNTY: KANE
CONTACT PERSON: (Person responsible for Annual Report) ANDREA M . RATTRAY, P.E., CITY OF BATAVIA ENGINEERING DEPT.			

NAME(S) OF GOVERNMENTAL ENTITY(IES) IN WHICH MS4 IS LOCATED: (As it appears on the current permit)

KANE COUNTY	DUPAGE COUNTY

THE FOLLOWING ITEMS MUST BE ADDRESSED.

A. CHANGES TO BEST MANAGEMENT PRACTICES (check appropriate BMP change(s) and attach information regarding change(s) to BMP and measurable goals.)

1. Public Education and Outreach	<input type="checkbox"/>	4. Construction Site Runoff Control	<input type="checkbox"/>
2. Public Participation/Involvement	<input type="checkbox"/>	5. Post-Construction Runoff Control	<input type="checkbox"/>
3. Illicit Discharge Detection & Elimination	<input type="checkbox"/>	6. Pollution Prevention/Good Housekeeping	<input type="checkbox"/>

B.
Attach the status of compliance with permit conditions, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and your identified measurable goals for each of the minimum control measures.

C.
Attach results of information collected and analyzed, including monitoring data, if any during the reporting period.

D.
Attach a summary of the storm water activities you plan to undertake during the next reporting cycle (including an implementation schedule.)

E.
Attach notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable).

F.
Attach a list of construction projects that your entity has paid for during the reporting period.

SIGNATURE:	DATE:
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Please submit inspection reports to:

**Illinois Environmental Protection Agency, DWPC
Compliance Assurance Section
1021 North Grand Avenue East, POB 19276
Springfield, Illinois 62794-9276**

Information required by this form must be provided to comply with 415 ILCS 5/39 (1996). Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

Item B: - Status of Compliance With Permit Conditions 2008-2009

PERMIT CONDITION: BMP No.A4: Public Education and Outreach: Community Event

The City of Batavia will continue to assist with hosting the Environ-Expo events as they occur. Environ Expo is a free citywide event held at the Batavia City Hall to showcase ideas about conserving energy, water, and resources with the intention of making the community a cleaner, safer, more sustainable place to live.

Measurable Goal(s), including frequencies: City to host/assist with one event per year.

Milestones: **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. With budgets being tightened this event has been put on hold. We have shifted our focus to Classroom Education Material, BMP No. A5 for the remainder of this permit.

PERMIT CONDITION: BMP No.A5: Public Education and Outreach: Classroom Education Material

The City of Batavia proposes to develop lesson plans for children/students of multiple age groups to educate them about the stormwater in and around their community. This includes stories at the library for toddler aged children, interactive worksheets and/or videos for elementary/middle school students and pseudo stormwater projects for the high school students. The engineers will have direct contact with the school for creating and implementing these projects.

Measurable Goal(s), including frequencies: City to assist in one education project as a minimum per year per age group.

Milestones: **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. **Toddler Age Group:** Nothing was planned for this permit year, but in the future we will be working in conjunction with the Batavia Public Library where a member of the City of Batavia's Engineering or Public Works staff will read a storm water story to the children.
2. **Elementary School Age Group:** Nothing was planned for this permit year, but in the future we anticipate working with local Scout/Troops and individual school classes on storm stenciling projects for all storm structures that are directly discharged into the Fox River and its tributaries.
3. **High School Age Group:** The City of Batavia has started to get this program off the ground in the last few months by working intricately with the Batavia High School science department. We have worked on an activity for the integrated science class to evaluate their newly redesigned campus, which now includes detention facilities, to determine the best location for a rain garden. In this activity they will not only evaluate the location, but design the basin as well with help from the City's Engineering Department and local planting groups. At the culmination of this project they will be presenting their ideas to the Engineering Department and may eventually be used on the Batavia High School Campus. The letter provided to the students is below:

CITY OF BATAVIA

100 North Island Avenue, Batavia, Illinois 60510
Phone: (630) 454-2000 Fax: (630) 454-2775

JEFFERY D. SCHIELKE
Mayor

M. HANNAH VOLK
City Clerk



WILLIAM R. McGRATH
City Administrator

RANDALL R. RECKLAUS
Assistant City Administrator

JOHN S. NOBLE
City Attorney

March 19, 2009

Freshman Integrated Science Students
Batavia High School
1200 W. Wilson Street
Batavia, Illinois 60510

Re: Storm Water Improvements

Dear BHS Freshman Integrated Science Students:

I am a civil engineer in the Engineering Department for the City of Batavia. We are trying to find areas to improve the overall storm water management system in the City. The City of Batavia would like to lessen the impacts of storm water discharges on our local water bodies (i.e. Fox River, Mahoney Creek, Mill Creek, Braeburn Marsh) while also reducing storm water pollution. In order to do so we would like to utilize as many Best Management Practices (BMPs) that would be suitable for each designated location.

The reason I am writing you is to seek your input in reviewing and evaluating the Batavia High School campus for locations where such BMPs would be practicable. BMPs can include, but are not limited to structures such as bioswales, rain gardens, naturalized storm water basins, permeable interlocking pavement, infiltration trenches and green roofs.

I have included some supplemental information that I thought would help you evaluate the site. I have attached information from the Soil Survey of Kane County including soil properties, qualities, composition, and characteristics, such as permeability, for the 4 types of soils that are located on the Batavia High School Campus. The soil types are #69A – Millard, #146 – Elliott, #223B – Varna and #223C2 Varna. Further excavation of the site may be necessary to effectively manage storm water, but budgetary limitations are a concern.

I have also included site plans that illustrate the overall layout of the proposed improvements relating to site grading. Two larger scale plans have been included for easier reading, while a 40 scale drawing of the detention facility adjacent to Main Street has been added for analyzing what BMPs could work in this area. An additional concern in this area of campus is safety. Please consider ways that we can create a natural area on DHS campus that can be utilized by classes, while maintaining the safety of the students.

S:\Eng Shared\NPDES Education\Batavia IIS info\IIS Storm Water Project Letter-Final.docx

PERMIT CONDITION: BMP No.A6: Public Education and Outreach: Other Public Education

The City of Batavia proposes to develop a database of all property owners that abut and include local streams. Best Management Practice information will be mailed and otherwise made available to these property owners to help them in preserving and maintaining the riparian areas along the streams. The City will offer assistance and educational programs toward this end also. The City's plan to acquire GIS capabilities will improve future implementation of this program.

Measurable Goal(s), including frequencies: Complete one property owner database each year with one educational mailing made and/or program held for that group of property owners that same year.

- Milestones:** **Year 1:** Complete database for property owners along the Mahoney Creek Tributary.
Year 2: Complete database for property owners along Batavia Creek.
Year 3: Complete database for property owners along Mahoney Creek.
Year 4: Complete database for property owners along McKee Road Tributary of Mill Creek.
Year 5: Complete database for property owners along the Mill Creek.

COMPLIANCE ACTIVITIES:

1. A list of all those residents along Mahoney Creek Tributary was created using our information already created in our GIS database and we will continue to create lists of these residents the same way in future mailings. A letter was mailed to all residents along Mahoney Creek Tributary December 16, 2008. The letter is included below:

CITY OF BATAVIA

100 North Island Avenue, Batavia, Illinois 60510
 Phone: (630) 454-2000 Fax: (630) 454-2775

JEFFERY D. SCHIELKE
 Mayor

M. HANNAH VOLK
 City Clerk



WILLIAM R. McGRATH
 City Administrator

RANDALL R. RECKLAUS
 Assistant City Administrator

JOHN S. NOBLE
 City Attorney

December 16, 2009

Re: MAHONEY CREEK TRIBUTARY

Dear Homeowner:

You are getting this letter because you live directly adjacent to the Mahoney Creek Tributary. As you may be aware Mahoney Creek and Tributary are the only Creeks in the City that its watershed is entirely within City Limits. An article about Mahoney Creek and its tributary was previously distributed in the Fall 2005 issue of Currents, which can be located at <http://www.cityofbatavia.net/content/articlefiles/670-Fall2005.pdf>

As a resident along the Mahoney Creek Tributary, The City of Batavia would like to pass on information regarding watersheds and how you can help keep your portion of the creek clean. Enclosed with this letter is a map of the Mahoney Creek Watershed. The watershed map shows all the areas that eventually drain to Mahoney Creek and its Tributary. The Welcome to your Watershed brochure enclosed describes more about Watersheds and how they work. In addition the brochure shares friendly practices each resident could implement in their own household to improve the natural state of the stream. The last page of the brochure has a list of references for some more information on specific ways to improve the watershed.

As the spring season approaches please keep these ideas in mind to help promote a healthy watershed. The City of Batavia is planning to hold a spring clean-up day (to remove some debris that was washed onto the shore after the winter, cut down brush, etc.) for either the Fox River or one of its tributaries. Please watch your Neighbors publications for more information.

Sincerely,

Andrea M. Raltray, P.E.
 Civil Engineer

Cc: Noel A. Bisquin, City Engineer
 File - Stormwater - NPDES II

In addition, a copy of the Watershed map for Mahoney Creek Tributary, Welcome to your Watershed Information, Fox River Watershed information, Top Ten Things Streamside and Shoreline Property Owners Can Do To Protect Kane County Waters, were also included in the mailing. These pieces of information were given to the residents to educate them on the natural area near their home, how to preserve it and show them how many residents are included in their watershed.

2. A letter was mailed to all residents along Batavia Creek January 5, 2009. The letter is included below:

CITY OF BATAVIA

100 North Island Avenue, Batavia, Illinois 60510
Phone: (630) 454-2000 Fax: (630) 454-2775

JEFFERY D. SCHELKE
Mayor

M. HANNAH VOLK
City Clerk



WILLIAM R. McGRATH
City Administrator

RANDALL R. RECKLAUS
Assistant City Administrator

JOHN S. NOBLE
City Attorney

January 5, 2009

Re: BATAVIA CREEK

Dear Homeowner:

You are getting this letter because you live directly adjacent to Batavia Creek. As you may be aware Batavia Creek was just recognized by the US Board of Geographic Names as a Creek in 2007. In the future the city will be working with the US Army Corps of Engineers to incorporate this creek into the Flood Insurance Rate Map (FIRM). An article about Batavia Creek was previously distributed in the Fall 2006 issue of Currents, which can be located at <http://www.cityofbatavia.net/content/articlefiles/1613-CURRENTS%20Fall%202006.pdf>

As a resident along Batavia Creek, the City of Batavia would like to pass on information regarding watersheds and how you can help keep your portion of the creek clean. Enclosed with this letter is a map of the Batavia Creek Watershed. The watershed map shows all the areas that eventually drain to Batavia Creek. The Welcome to your Watershed brochure enclosed describes more about Watersheds and how they work. In addition the brochure shares friendly practices each resident could implement in their own household to improve the natural state of the stream. The last page of the brochure has a list of references for some more information on specific ways to improve the watershed.

As the spring season approaches please keep these ideas in mind to help promote a healthy watershed. The City of Batavia is planning to hold a spring clean-up day (to remove debris that was washed onto the shore after the winter, cut down brush, etc.) for either the Fox River or one of its tributaries. Please watch your Neighbors publications for more information.

Sincerely,

A handwritten signature in black ink that reads "Andrea M. Ratray". The signature is written in a cursive style.

Andrea M. Ratray, P.E.
Civil Engineer

Cc: Noel A. Basquin, City Engineer
File - Stormwater - NPDES II

In addition, a copy of the Watershed map for Batavia Creek, Welcome to your Watershed Information, Fox River Watershed information, Top Ten Things Streamside and Shoreline Property Owners Can Do To Protect Kane County Waters were also included in the mailing. These pieces of information were given to the residents to educate them on the natural area near their home, how to preserve it and show them how many residents are included in their watershed.

The supplemental information included in this mailing are below:

1. Know Where You Live
Sure you know what road you live on – what town or township, and even what zip code. But do you know what watershed you live in? Do you know who lives upstream and downstream of you? Check out the enclosed map then go online to www.co.kane.il.us/kcstorm/watersheds to find out more about your 'watershed address'.

2. Shore up that Shoreline
Over time, you can lose valuable property through shoreline erosion. Stabilize your shoreline by using native vegetation and bioengineering techniques. A buffer of native vegetation along a streambank holds the soil in place with deep roots and acts as a filter, reducing the speed of water across your yard, and allowing sediments to settle out before they clog our streams and rivers. Permits are required for grading, installation of stabilization materials and structures like piers and docks.

3. Let Nature Be (But Keep it Flowing)
Fallen trees or snags provide excellent habitat and serve other useful purposes. Obstructions should be removed if they begin to cause flooding.

4. Don't Dump Debris
A natural, healthy shoreline includes plants, trees, and shrubs that shed leaves and other vegetative debris along the water's edge. But too much of a good thing is not good for the water. Grass clippings, leaf piles, and excess soil piles all pose a threat to healthy water. Keep those landscape debris pollutants out of the waterways by using mulch piles away from the water's edge or bagging for landscape waste pickup.

5. Take Care of Your Septic
Septic system leakage and discharge pollutes our streams and lakes with nutrients. Septic tanks should be inspected and cleaned out every 2-3 years. For more information, see www.kanehealth.com/PDFs/Environmental/SepticSystem.pdf

6. Keep the Objectionables Out
Bring household hazardous wastes to approved collection sites. Hazardous wastes (gasoline, solvents, oil paints, fertilizers, pesticides, expired medications etc.), if dumped in your backyard, down the drain, or down the gutter, will end up in our streams and rivers.

7. Show You're Skilled – Get Permits to Build
There are four (4) agencies that oversee construction activities on Kane County creeks and shorelines:

- ❖ Kane County Building Department or Municipal Building Permit Office
- ❖ U.S. Army Corps of Engineers
- ❖ Illinois Department of Natural Resources - Office of Water Resources
- ❖ Illinois Environmental Protection Agency

 A permit is required prior to most construction near water bodies. Failure to obtain permits prior to construction could be cause for fines and penalties.

8. Go Easy on the Green
Green, lush grass looks great on a ballfield, but the fertilizers and pesticides used to create that 'green carpet' effect can wreak havoc if they migrate into a stream or river. Try native plant gardens instead, or use grass species which don't require chemicals.

9. Join Forces
Interested in knowing more about your 'watershed neighborhood'? Find others in your area who are also trying to preserve and protect the local waters - watershed groups are active and the more people involved, the better! See Kane County's watershed information website: www.co.kane.il.us/kcstorm/watersheds

10. Enjoy Your View!
By following these guidelines, you can reap all the benefits of living with a waterfront property – birds singing, clear, clean water, and the pride of knowing you are doing a world of good for your downstream watershed neighbors!

Agency Contacts for Permits
U.S. Army Corps of Engineers, Chicago District
Regulatory Branch
111 North Canal St. Suite 600
Chicago, IL 60606-7206
312-846-5530 Ext 4026
www.usace.army.mil

IL Department of Natural Resources
2050 W. Stearns Road
Bartlett, Illinois 60103
847-608-3100 www.dnr.state.il.us/owr

Kane-DuPage Soil & Water Conservation District
2315 Dean Street, Suite 100
St. Charles, Illinois 60175
630.584.7961 Ext. 3 www.kanedupageswd.org

Kane County Development Department
719 Batavia Avenue
Geneva, IL 60134
630-208-3480 www.co.kane.il.us/development

Kane County Department of Environmental & Building Management
719 Batavia Avenue, Building A • Geneva, IL 60134
630.208.5118 • www.co.kane.il.us/kcstorm

Kane County River Basins and Subwatersheds

PERMIT CONDITION: BMP No.B6: Public Participation/Involvement: Program Coordination

The City of Batavia will continue to work with the Batavia Park District, local environmental groups, and individual citizens groups to organize and participate in clean ups and ecological restoration projects for the reaches of the Fox River and tributary streams that are within the City's jurisdiction.

Measurable Goal(s), including frequencies: Host at least two clean-up/restoration events each year.

- Milestones:**
- Year 1:** Continue with at least two stream clean-up/restoration events.
 - Year 2:** Continue with at least two stream clean-up/restoration events.
 - Year 3:** Continue with at least two stream clean-up/restoration events.
 - Year 4:** Continue with at least two stream clean-up/restoration events.
 - Year 5:** Continue with at least two stream clean-up/restoration events.

COMPLIANCE ACTIVITIES:

1. **May 31, 2008 Fox River Trail Clean up:** City staff worked with BHR and other local volunteers to co-host a spring clean-up workday that focused on the Fox River shoreline and adjacent trails south of downtown Batavia. The City of Batavia provided the dumpster for debris removal and the equipment to transport the collected debris to the dumpster. City staff also participated in the clean-up work.

The screenshot shows the City of Batavia website with a navigation menu at the top: Home, Community, Residents, Businesses, Projects, Government, Departments, Contact Us. Below the navigation is a search bar and a calendar event titled "Fox River Cleanup". The event details are as follows:

Fox River Cleanup
From: 5/31/2008 9:00:00 AM To: 5/31/2008 12:00:00 PM
Category: Calendar - Important Dates

Fox River Rescue Cleanup

On Saturday, May 31, 2008, volunteer groups [Friends of the Fox River](#) and [Batavians for a Healthy River](#) will be co-sponsoring their next Fox Rescue river cleanup from 9:00 AM until 12:00 Noon. The cleanup effort will take place both in the river and along the river banks around Downtown Batavia. Those interested in volunteering to help should meet at the Clark Island parking lot at 8:45 AM. Waders and canoes for working in the river are needed, therefore, those willing to bring those items are encouraged to do so

The City will be assisting with this clean-up effort with supplying debris removal and disposal equipment. Staff volunteers will also be participating in the event. For further information, check the organization websites provided above or call Steve Scheffel in the Engineering Department. at (630) 454-2750

At the bottom of the screenshot, there is another navigation menu: Home, Calendar, Contact the City by E-Mail, Employment Opportunities, Site Map.

There have been many cooperative efforts between the City of Batavia and Batavians For A Healthy River over the past five years that have helped get the local citizenry involved in water resource stewardship activities.

PERMIT CONDITION: BMP No.C1: Illicit Discharge Detection and Elimination: Storm Sewer Map Preparation

The City of Batavia will complete accurate, up-to-date geographic information system mapping of the City's stormwater management system, including storm sewers, detention facilities, and outfalls to natural streams, rivers and wetlands.

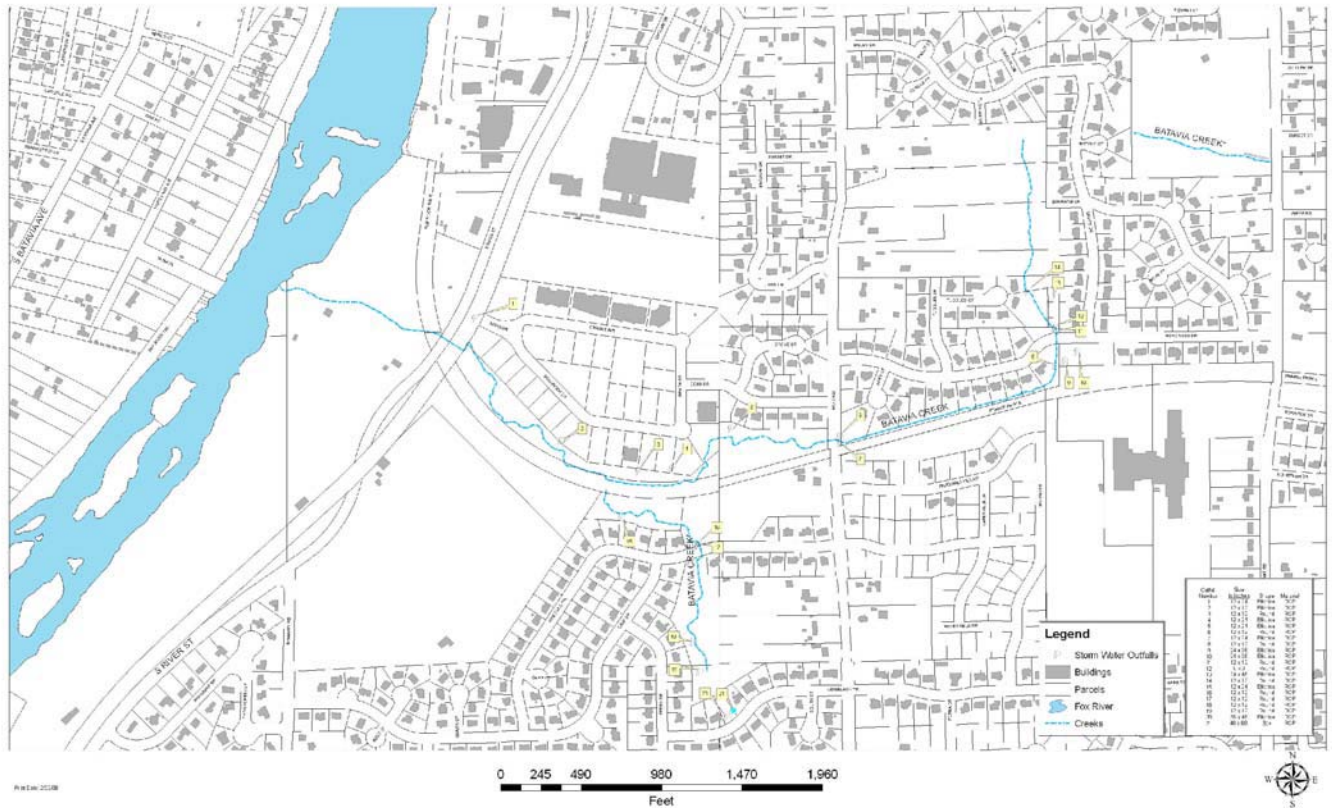
Measurable Goal(s), including frequencies: Complete one study per year in accordance with funding availability. Start implementing study recommendations in the first fiscal year after the study is completed.

- Milestones:**
- Year 1:** Complete GPS data collection of the City's existing storm sewer network (including outfalls) and integrate the database with the City's geographic information system.
 - Year 2:** Add/upgrade storm sewer GPS information as new developments are added and modifications are made to the existing stormwater infrastructure.
 - Year 3:** Same as above.
 - Year 4:** Same as above.
 - Year 5:** Same as above.

COMPLIANCE ACTIVITIES:

1. **Citywide Stormwater Management System Mapping** : The City has been keeping an ongoing database of all projects once completion has occurred utilizing as-built construction plans. This has helped with the collection of information for the entire system. The map has the locations of all the outfalls in the city including structures discharging into the Fox River. Below is a sample of the map put together for the Batavia Creek Storm Sewer Outfalls:

Batavia Creek Storm Sewer Outfalls



PERMIT CONDITION: BMP No.D2: Construction Site Runoff Control: Erosion and Sediment Control BMP's

Temporary and permanent erosion and sediment control BMP's will continue to be required for all development and redevelopment projects in accordance with the Kane County Stormwater Management Ordinance.

Measurable Goal(s), including frequencies: BMP's will be implemented as development projects occur.

- Milestones:**
- Year 1:** As stated above.
 - Year 2:** As stated above.
 - Year 3:** As stated above.
 - Year 4:** As stated above.
 - Year 5:** As stated above.

COMPLIANCE ACTIVITIES:

1. **Erosion and Sediment Control BMPs:** As stated in the objective of this section, all projects completed in Batavia where earth disturbance occurs, following the Kane County Stormwater Management Ordinance, have temporary and permanent erosion and sediment control Best Management Practices in place. This has been monitored by both the City of Batavia's Engineering Staff along with Kane-DuPage Soil and Water Conservation District, who is on retainer to monitor the site conditions during construction.

PERMIT CONDITION: BMP No.D4: Construction Site Runoff Control: Site Plan Review Procedures

The City of Batavia will continue its agreement with the Kane-DuPage Soil and Water Conservation District (KDSWCD) to review engineering plans submitted for new development or redevelopment projects for conformance with current soil erosion and sediment control (SESC) standards.

Measurable Goal(s), including frequencies: KDSWCD reviews will take place as building permit application submittals are made to the city.

- Milestones:** **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. All new development and redevelopment projects have to illustrate compliance with the latest soil erosion and sediment control standards by submitting engineering plans to KDSWCD and provide the City of Batavia with an approval letter. A sample approval letter is below:

Kane – DuPage Soil & Water
Conservation District



January 20, 2009

Brian Bennett
Rempe-Sharpe & Associates
324 West State Street
Geneva, IL 60134


KDSWCD File: 08e106
Approved Plan Set Dated: 01/16/2009

Dear Brian:

I received your revised soil erosion and sedimentation control plan submittal for the Alcan Packaging Fire Lane project located in Batavia, Illinois. Thank you for incorporating our comments into the plan, it will improve the quality of protection for the natural resources, both on and off site. This letter and a set of stamped plans located at the construction office on site, will serve to certify that the erosion and sediment control plans meet Technical Standards.

We will visit the site several times during the course of construction to assess compliance with the specifications and will be glad to address specific issues that may arise during the course of construction.

Sincerely,



Stasi Brown, CPESC
Resource Analyst
Kane-DuPage Soil and Water Conservation District

ECC: Noel Basquin, City of Batavia

2315 Dean Street, Suite 100 St. Charles, Illinois 60175 (630) 584-7961x3 Fax: (630) 584-9534
www.kanedupageswcd.org

All programs and services of the Kane-DuPage SWCD are offered on a nondiscriminatory basis, without regard to race, color, national origin, religion, sex, marital status, or handicap.

PERMIT CONDITION: BMP No.D6: Construction Site Runoff Control: Site Inspection/Enforcement Procedures

The City of Batavia will continue its agreement with the Kane-DuPage Soil and Water Conservation District (KDSWCD) to conduct periodic construction site inspections for proper SESC installation and effectiveness. City engineering staff also will continue to perform both scheduled and ad-hoc construction site inspections to ensure that SESC measures are in place and working.

Measurable Goal(s), including frequencies: Both KDSWCD and City of Batavia staff inspections and routine reviews will take place as building permits are issued.

- Milestones:**
- Year 1:** As stated above.
 - Year 2:** As stated above.
 - Year 3:** As stated above.
 - Year 4:** As stated above.
 - Year 5:** As stated above.

COMPLIANCE ACTIVITIES:

1. The City of Batavia routinely inspects all projects under construction. In addition, the City gets calls notifying the department when sites are delinquent in complying with SESC measures. When there are delinquencies the City notifies the property owner(s) immediately via written notification, as shown below and they have 48 hours to fix the problem otherwise they will start incurring violation fees.



CITY OF BATAVIA
Engineering Department
 100 North Island Avenue
 Batavia, Illinois 60510
 Phone: (630) 454-2000
 Fax: (630) 454-2775

STOP WORK TWO DAY NOTICE FAX

To:	Fax#:
From:	Date:

This notice is to inform you that the following location has failed a random site inspection for erosion control:

Address: (insert address here)
 Lot#: (insert lot# here)
 Development Name: (insert developer name here)
 Developer: (insert developer here)
 Builder: (insert builder here)

Please resolve this deficiency or a STOP WORK ORDER will be issued on (insert day, month date, year)

Under Chapter 11 of the City of Batavia Subdivision Control Ordinance, failure to comply will result in a Notice to Appear and a fine of up to \$750.00 per day will be imposed.

Signature:
 Inspected By: (insert name here)
 Inspection Date: (insert date here)

PERMIT CONDITION: BMP No.E4: Post-Construction Runoff Control: Pre-Construction Review of BMP Designs

The City of Batavia will continue to complete in-house reviews of development and re-development engineering plans for conformance with current BMP design standards. Currently, the City has three licensed professional Civil Engineers on staff.

Measurable Goal(s), including frequencies: In-house final engineering plan reviews will take place as building permit application submittals are made to the City.

Milestones: **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. The City of Batavia's Engineering Department reviews each plan set for conformance with the current BMP standards and will recommend additional measures where seen fit.

PERMIT CONDITION: BMP No.E5: Post-Construction Runoff Control: Site Inspections During Construction

The City of Batavia will continue to complete in-house site work inspections of development and re-development projects. Currently, the City has one full-time Engineering Inspector on staff.

Measurable Goal(s), including frequencies: City of Batavia scheduled staff inspections and routine reviews will take place as building permits are issued.

Milestones: **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. The City of Batavia's full-time Engineering Inspector is scheduled to hold inspections when the utilities are installed, after the curb, sidewalk and approach are installed, and after final grading while making sure that soil erosion control measures are in place during all inspections.

PERMIT CONDITION: BMP No.E6: Post-Construction Runoff Control: Post-Construction Inspections

The City of Batavia will continue to monitor the constructed stormwater management systems of both private and public projects. A one-year maintenance letter of credit is required for all public and private projects to ensure that the performance of the constructed project meets the original design intent and applicable City codes. City of Batavia Public Works, Engineering, and Code Compliance staff are all involved in the post-construction monitoring process.

Measurable Goal(s), including frequencies: City of Batavia Engineering and Public Works staff participate in a final walk-through inspection and punch-list preparation for each private and public construction project. These inspections occur as projects are completed and requests for final acceptance are made. Staff then makes a recommendation for acceptance to the City Council, which is the City's final approving authority. The Code Compliance Department is involved in post-construction matters to the extent that questions / comments / complaints about City code applicability arise.

- Milestones:** **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. City of Batavia staff has performed post-construction final walk-through inspections as projects are completed. These inspections are to verify that the site has been constructed to the standards and design as approved in the Final Engineering Plans.

PERMIT CONDITION: **BMP No.F5: Pollution Prevention/Good Housekeeping: Flood Management/ Assess Guidelines**

The City of Batavia will continue to complete updated hydrologic and hydraulic studies for all perennial and intermittent streams within the municipal boundaries using current data and modeling methodology. In addition to accurately quantifying floodplains and flood risks, these studies will help identify and quantify riparian areas that are eligible for protection as special management areas under the Kane County Stormwater Management Ordinance.

Measurable Goal(s), including frequencies: Complete one study per year in accordance with funding availability. Start implementing study recommendations in the first fiscal year after the study is completed.

- Milestones:** **Year 1:** As stated above.
Year 2: As stated above.
Year 3: As stated above.
Year 4: As stated above.
Year 5: As stated above.

COMPLIANCE ACTIVITIES:

1. **Fox River LOMR:** The City has identified several redevelopment areas along the Fox River. The current map shows an area of Zone ‘A’ (no base flood elevation) in one redevelopment area and as the South Batavia Dam was removed, the City believes the BFE north of the removed dam to be lower. The City is remodeling the Fox River from the North Batavia Dam to the removed South Batavia Dam and should be completed in 2009.
2. **Braeburn Marsh Study:** After the City of Batavia was inundated with the greater intensity than a 25-year storm in September 2008 where 6.2” of rain fell over 53 hours there were numerous complaints regarding the drainage in and around resident’s property. In response to these calls the City sent out a survey for all residents to complete to help better evaluate the situation at hand. While these responses were being returned to the City, it had been determined to study the area tributary and directly adjacent to the Braeburn Marsh. This fiscal year has allowed us the time to set up meetings with the other municipalities involved to discuss ways to resolve this flooding issue as well as select a consultant to complete the study. The initial work is underway to set up the models for analyzing the isolated system. The entire study should be completed by the end of 2009.

PERMIT CONDITION: **BMP No.F6: Pollution Prevention/Good Housekeeping: Other Municipal Operations Controls**

The City of Batavia proposes to retrofit existing storm sewer and stormwater detention facilities with BMP’s as the need for significant repair of these facilities and/or replacements of facility components arise. BMP’s will be implemented outside of the need for such maintenance, as funding will allow. The City will complete a study that will develop a comprehensive retrofitting plan and identify locations and priorities to maximize the water quality benefits as early in the program as possible.

Measurable Goal(s), including frequencies: Measurement will be in numbers of BMP retrofitted storm sewer structures and detention facilities.

- Milestones:**
- Year 1:** Identify several City owned detention facilities that are good candidates for retrofit projects. Solicit proposals from qualified consultants and/or contractors to develop retrofitting plans for each selected facility.
 - Year 2:** Budget engineering and construction funding for one detention retrofit project. Complete necessary coordination with adjoining property owners.
 - Year 3:** Continue above process with another detention facility.
 - Year 4:** Continue above process with another detention facility.
 - Year 5:** Continue above process with another detention facility.

COMPLIANCE ACTIVITIES:

1. **Retrofit locations:** The City has identified six locations throughout the City where retrofitted basins would benefit the system. The basins are as follows:
 - a. The first basin is located at the East Side Fire Station on East Wilson Street. This basin was converted when the fire station was originally remodeled two years ago, but was not executed very well and will be revised. This project is being completed by an Eagle Scout and he will be working with local wetland scientists.
 - b. The second location is the detention pond at the northeast corner of Edwards and Raddant Road.
 - c. The third location is the detention pond on the south side of Wind Energy Pass just east of Raddant Road.
 - d. The fourth location is the pond located at the south end of the Public Works facility.
 - e. The fifth location is a small portion of the pond between Bradford and North Avenue.
 - f. The last location is the detention pond at the northeast corner of Deerpath and Main Street.The last five have not been solicited for consultants at this time due to budget restraints. The City of Batavia is looking at doing some of these retrofit projects in house when funds are available.

Item E: - Permit Obligations Provided by Other Government Entity

NPDES Phase II – 2008-2009 Kane County Activities

Kane County Department of Environmental and Building Management

General:

1. The following activities were conducted county-wide by Kane County and are intended to satisfy NPDES Phase II permit requirements for these two control measures for local governments within Kane County. This information is excerpted from the Kane County Department of Environmental and Building Management 2008 NOI to the NPDES Phase II Report provided with their cover letter dated February 28, 2008.

CM 1: Public Education and Outreach:

1. Brochure Development and Distribution:

Two brochures were developed, “Kane County’s Guide to Living on a Waterway” and “Becoming a Clean Water Champion”, with members of the Friends of the Fox River, the Fox River Ecosystem Partnership, and the Kane-DuPage Soil & Water Conservation District. These brochures are readily available at the City of Batavia’s City hall as well as on Kane County’s Stormwater Management website: <http://www.co.kane.il.us/kcstorm/education/public/brochures.asp>

2. Speaker’s Bureau:

Kane County staff made presentations to local groups on an as-needed basis. County staff held a seminar on November 19, 2008 relating to the upcoming changes in the NPDES Phase II Permit and Challenges Facing MS4S in this Tough Economic Climate with the assistance of presentations from Kane-DuPage Soil & Water Conservation District, ENCAP, Inc. and Lennar Communities of Chicago.

3. Newspaper and Newsletter Articles:

The County continues to publish newspaper and newsletter articles. Their MS4 Corner contained two newsletter articles that were submitted to municipalities and others through the Kane County Stormwater committee annual report and in a separate mailing to MS4 contacts in summer 2008.

4. Other Public Service Announcement Activities:

a. School Education: The County has, in the past, contracted with the Kane-DuPage Soil & Water Conservation District (KDSWCD) to conduct related K-12 educational activities in Kane County schools. During 2008, the county has developed a website containing resources for stormwater education. The programs are specific to Kane County stormwater, water quality and general water and watershed educational topics. The website is located at: <http://www.co.kane.il.us/kcstorm/education/index.asp>

b. Public Education: The County published the annual edition of “Kane County Recycles” which includes information on household hazardous waste and used motor oil recycling programs. 140,000 copies were distributed in local newspapers and to county, municipal and township offices. The information contained in the Kane County Recycles publication can be found online at <http://www.co.kane.il.us/Environment/recycle/index.htm>.

c. The Kane County Stormwater Management Committee Annual Report was prepared and distributed to approximately 500 individuals and organizations in and around Kane County.

d. Kane County’s Stormwater and Environmental Management Department maintains a website that includes information about, flooding and water conservation information for Kane County residents. The Kane County Environmental Management Department website address is www.co.kane.il.us/kcstorm/index.asp.

5. Tributary Signage:
In 2003, Kane County developed standard tributary identification signs featuring the winning artwork from a student poster contest. A total of 130 signs were placed at stream crossings since the beginning of the program. Kane County will still provide the design of the sign to municipalities that are still interested in participating in identifying the streams.

CM 2: Public Involvement and Participation:

1. Stream Monitoring Program:
The Friends of the Fox River continued to operate its stream-monitoring network, although not under contract with Kane County. A total of 112 locations are now being monitored throughout Kane County. In 2006 Kane County assisted the Friends of the Fox River in assembling a website to display and disseminate data from the monitoring. The website link is http://www.friendsofthefoxriver.org/frwmn-sites/frwmn_main.htm
In addition Kane County has come up with a website for Fox River Watershed Real-Time USGS Gages sites and it links you to the USGS website. The website link is http://www.co.kane.il.us/kcstorm/FoxRiverGages/frg_main.htm
2. Storm Drain Stenciling Program:
Kane County along with Kane-DuPage Soil & Water District continues to make storm drain stenciling supplies available to local interested groups.
3. Other Public Participation/Involvement Activities:
 - a. Public Meetings: Kane County conducted four bi-monthly public meetings of the Kane County Stormwater Management Committee to discuss stormwater management and water quality issues.
 - b. Used Motor Oil and Household Hazardous Waste Programs: The County conducted two drop-off events for used motor oil, on June 21st and August 23rd where motor oil was collected for recycling.
 - c. The County continued operation of its comprehensive Household Hazardous collection program. The program includes a permanent drop-off facility, a one-day collection event on May 17th, and a door-to-door collection service.