

**Administrative
WDO Re-formatting**

Purpose: Under direction by the State's Attorney's Office, the WDO has been re-formatted. An improved referencing system is used and certain sections have been re-located and aligned making the entire document more user friendly, understandable, which can be quickly and logically referenced (for legal and general application). No substantive changes are included in the re-formatted WDO. A section cross-reference table is separately attached.

**Administrative
WDO Amendment #1
Page 82 – Article V.B.**

B. APPEALS

1. Any permit applicant aggrieved by the denial or conditions of a Watershed Development Permit, Earth Change Approval, Conditional Approval, or Variance by a Certified Community's Enforcement Officer may request review thereof by the Certified Community's board of elected officials or the appropriate body within 30 days of the disputed act or actions.
2. Any permit applicant aggrieved by **a permit decision**, the denial or conditions of a Watershed Development Permit, Earth Change Approval, Conditional Approval, or Variance by the SMC Chief Engineer may request review thereof by the SMC Director within 30 days of the disputed act or actions.
3. Any permit applicant aggrieved by **a permit decision**, the denial or conditions of a Watershed Development Permit, Earth Change Approval, Conditional Approval, or Variance by the SMC Director may appeal it to the SMC by written notice filed with the SMC Director within 30 days of the disputed act or actions.

Purpose: Clarify standard administrative process for SMC-reviewed permits and approvals.

**Administrative
WDO Amendment #2
Page 87 – Article VII.F.**

- (i) F. The SMC may enforce violations of this Ordinance in accordance with the Lake County Administrative Adjudication Ordinance.*

Purpose: Improve compliance efficiencies using the Administrative Adjudication process as an additional compliance tool. Staff have conferred with the Lake County State's Attorney's Office and determined that an Ordinance amendment is necessary in order for SMC to use the process.

Exhibit A

WDO Amendment #3

Page 99 - Appendix A: Definitions

Isolated Waters of Lake County: All waters such as lakes, ponds, streams (including intermittent streams), farmed wetlands, and wetlands that are not under U.S. Army Corps of Engineers jurisdiction. The limits of the Isolated Waters of Lake County extend to the ordinary high water mark or the delineated wetland boundary.

a. The following are excluded from Isolated Waters of Lake County, **as determined by the Enforcement Officer**:

- (1) Excavations and impoundments that have received a permit from the appropriate jurisdictional authority.
- (2) Excavations and impoundments permitted by right, prior to being a regulated activity, within 40% or more non-hydric soils. Areas designated as 'water' as depicted on the Soil Survey of Lake County, SCS, 1970 are determined as either hydric or non-hydric soils by connecting adjoining soil boundaries to create complete polygons of the depicted soil type.
- (3) Wetlands created incidental to construction grading on development sites. **that have received a Watershed Development Permit or meet the criteria of Article IV.A.2.a**
- (4) Roadside ditches.

b. The following shall not be considered as meeting the exclusion criteria in a. above:

- (1) All areas meeting the definition of high-quality aquatic resources.
- (2) Wetland mitigation areas created to meet the requirements of this Ordinance or Section 404 of the Clean Water Act.
- (3) Wetland areas created or restored using public funds.

Purpose: Per legal review, clarify determination is made by EO. For a.(3) record retention policies vary among units of government and documents are not always kept, available, or easily obtained. EO has discretion to make a determination that the wetland was "created" due to construction grading on a development site.

FEMA/NFIP Map Updates

WDO Amendment #4

Pages 108-116 – Appendix C: FEMA Flood Insurance Study Maps and Profiles

(SEE WDO APPENDIX C)

Purpose: Modify FEMA map effective dates and panel numbers.
