



FOX WATERWAY AGENCY BOARD POLICY

Approved: _____

DREDGING POLICY

Page 1 of 3

[This Policy amends the Criteria for Determining Sites for Restoration/Maintenance (dredging) previously adopted 12/95]

- I. PURPOSE: To establish strategic direction and guidance for evaluating and prioritizing areas within the Fox River and Chain O'Lakes which have impediments to navigation and require maintenance dredging.
- II. GOAL: Three prong: To assist the Agency staff in selecting and prioritizing dredging project sites. To assist the public, through their elected officials, in understanding the Agency's strategic direction and priorities. To assist the Board of Directors in establishing Agency directives and prioritization of dredging and other Agency Programs.
- III. General:
The Fox Waterway Agency, as a body politic, and in compliance with the rules and regulations governing public agency accountabilities, works in community with other local, state and federal agencies in the determination and prioritization of dredging. As such, the Fox Waterway Agency's expectations are that communities interested in dredging have contacted their respective public officials and have the support of those officials to fully cooperate in the project, expressed in writing as a formal request to the Fox Waterway Agency. This procedure allows all the elected officials to fully assess the needs and priorities of the many communities that share this waterway and represent their constituents effectively and fairly.
- IV. CHOOSING SITES:
 - A. All proposed dredging sites must be public waterways and publicly owned. State-owned equipment on loan to the Agency can only be used on public properties and not for private gain.
 - B. All sites must be physically feasible to dredge using the equipment readily available to the Agency. Mechanical or hydraulic removal of the materials will be made on a case-by-case basis.
 - C. The site to be dredged must be documented to have been open for navigation and for motorboat use, and does not include any new side channels.
 - D. Priority will always be given to the dredging of main channels and channel mouths.
 - E. If material must be removed by hydraulic dredge, the site must be within pumping distance of containment and dredge de-watering facility.
- V. COSTS and the COST SHARE:
 - A. Costs and any cost-share shall be considered in removal of dredge materials, regardless of method of removal. For example, hydraulic dredging shall be estimated similarly to mechanical dredging since there exists a delayed cost for removal of hydraulic soils at a later date.
 - B. The costs to dredge **main navigational channels and channel mouths** will be the sole financial responsibility of the Agency, using funds from sources,



FOX WATERWAY AGENCY POLICIES AND PROCEDURES

DREDGING POLICY

Page 2 of 3

- including, but not limited to public funds obtained through user fees, grants, loans and other state budget allowances.
- C. The costs to dredge **other channels** will be the shared responsibility of both the applicable governmental body and the Fox Waterway Agency based on agreement between the bodies and as discussed and approved in a public forum by the Board of Directors. Generally, costs for other channels shall be based on the costs of trucking the materials to a suitable disposal site and any associated costs.
 - D. The costs to dredge **businesses**, such as marinas, and restaurants, among others, will be mainly the responsibility of the business to bear. At a minimum, the business shall cover the costs of trucking materials to a suitable site, equipment, fuel and labor.
 - E. Cost Estimates of labor, materials and equipment shall be prepared prior to seeking Board of Directors approval in a public forum.

VI. APPLICATION

- A. A completed "Fox Waterway Agency Request for Dredging Application" (Application) must be submitted to the Agency for consideration.
- B. The Applicant is responsible for submitting the following information (as outlined in the Application)
 - 1. Applicant Information.
 - 2. Detailed project Information
 - 3. Subdivision plat.
 - 4. Request of proposed work.
 - 5. Location map.
 - 6. Petition Request Form signed by 51% of the property owners along the channel (all property owners along channel must be listed in order).
 - 7. Signed property access agreement form(s);
 - 8. Restoration plan for disturbed areas at access point(s);
 - 9. Detailed erosion control plan for upland disposal areas adjacent to Waters of the United States, as applicable;
 - 10. Additional information if a temporary stockpile of dredged materials is proposed;
 - 11. Approval from the U.S. Army Corps of Engineers for new upland disposal sites, as applicable;
 - 12. Copy of contract between owners, disposal site owner and trucking company submitted to FWA, as applicable;
 - 13. Cooperation in obtaining local approvals from J.U.L.I.E (Joint Utility Locating Information for Excavators): cable, electric, gas, phone, sewer and water;
 - 14. Written verification from the Road Commissioner(s) approving truck access route from project site to disposal area.



FOX WATERWAY AGENCY BOARD POLICY

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DREDGING POLICY

Page 3 of 3

VII. ONSITE CONCERNS

- A. All piers in the areas to be dredged may be required to be removed at the discretion of the Agency prior to dredging, possibly at the owners cost. Re-installation of piers is owner's responsibility;
- B. There can be no overhead or underground utility interference;
- C. An approved disposal site must be available;
- D. Truck access concerns:
 - 1. Loading point and trucking routes must be able to support truck weight;
 - 2. No overhead or underground utility interference at loading and trucking route;
 - 3. No septic tanks/fields at loading and trucking route location;
 - 4. Subdivision property owners and/or local government (other than the Agency) must pay for restoration of truck access loading location, as well as any damage to roads along hauling route, and for relocation and temporary disconnection and reconnection of temporary utilities.

Effective this date _____

Chairman of the Board of Directors

**PROPERTY ACCESS AGREEMENT
BETWEEN
THE FOX WATERWAY AGENCY AND**

Property Owner(s)

The undersigned party does hereby agree to allow the Fox Waterway Agency (hereinafter referred to as, "Agency"), its employees and agents, to use the undersigned's property commonly known as:

_____, Illinois for the purpose of obtaining vehicular and equipment access to a dredging site adjacent to the undersigned's property.

That attached or on back of this Agreement is a Plat/Survey/Map Drawing of the undersigned's property which shows that portion of the property to which this Agreement grants the Agency access for the purpose of hauling and transporting dredged materials from a dredged site. In addition, the location of any septic tank or field must be identified on the drawing along with any utilities.

The Agency agrees to save, indemnify and hold harmless the undersigned from any claims, actions, damages or costs which may occur from or arise as a result of the Agency's use of the property. However, the undersigned does acknowledge that the Agency shall not be liable for any damage that may occur from the hauling of dredged material to grass and vegetation on the property such as may be expected from such an activity.

This written Agreement constitutes the full and complete Agreement between the parties and any changes or amendments shall be made in writing and signed by the undersigned parties.

Signatures

Dated this _____ day of _____, 20_____.

By: _____

By: _____

Fox Waterway Agency

Property Owner(s)

THE FOLLOWING INFORMATION MUST BE INCLUDED WITH YOUR SUBMITTAL

(Please initial next to each item to verify that it has been included)

- _____ A. Subdivision plat showing the location and dimensions of all parcels adjacent to dredged area.
- _____ B. Completed Petition Request Form indicating the name, address, PIN number and phone number for **ALL** parcels along the channel (see attached). This petition must be signed by 51% of the property owners along the channel. All properties and PIN's must be listed sequentially for ease of verification.
- _____ C. Request of proposed work and signed Property Access Agreement Form (attached)
- _____ D. Location map
- _____ E. Restoration plan for all areas disturbed at the access point
- _____ F. Detailed erosion control plan for upland disposal areas adjacent to waters of the United States, including wetlands. This plan will specify the location of temporary sedimentation basins and describe treatment to minimize the impacts to waterways and/or wetland areas on adjacent property.
- _____ G. When projects associated with dredging or debris removal activities require the temporary stockpile of material within waters of the U.S., the following additional information shall be required:
 - 1. Schedule of work.
 - 2. Location of stockpiled material.
 - 3. Soil erosion and sediment control plan.
 - 4. Restoration plan.
- _____ H. If you are providing your own disposal site, please include an approval letter from the U.S. Army Corps of Engineers (contact Kate Bliss - 312-846-5542).
- _____ I. Copy of contract between owners, disposal site owner and trucking company submitted to FWA.
- _____ J. Written verification from the Road Commissioner(s) approving truck access route from jobsite to disposal area.

Fox Waterway Agency Request For Dredging Application

APPLICANT INFORMATION

Name: _____ Ph (home): _____
Address: _____ Ph (work): _____
_____ Cell: _____
Fax: _____

PROJECT INFORMATION

Request of proposed work: _____

Location of dredging site: _____

Channel name: _____ County/Township: _____

Waterway it is attached to: _____

Approximate depth of water in channel (average during boating season): _____

Width and length of area to be dredged: _____

Width in feet

Length in feet

Location of dredge material disposal site: _____

Proposed use of dredged material: _____

Description of area to be dredged, including shoreline character: _____

Estimated quantity of material to be removed: _____

Location and type of truck/equipment access: _____

Are septic tanks or septic fields present in the vicinity of the truck/equipment access site?: _____

FOX WATERWAY AGENCY PETITION FOR REQUEST FOR DREDGING

Please list the required information for ALL parcels along the channel in sequential order.
This petition must be signed by 51% of the property owners along the channel.
Non-participants must be listed on this form. Do not skip any parcels.

	Name and Signature	Address	Phone	Pin Number
1				
2				
3				
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FOX WATERWAY AGENCY PETITION FOR REQUEST FOR DREDGING

Please list the required information for ALL parcels along the channel in sequential order.
This petition must be signed by 51% of the property owners along the channel
Non-participants must be listed on this form. Do not skip any parcels.

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