



# Lake County Illinois

## Legislation Text

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Joint resolution endorsing the recommendations and supporting implementation of water quality measures developed by the Technical Advisory Group in conjunction with the proposed expansion of the Mill Creek Water Reclamation Facility (WRF).

- As part of the effort to address environmental issues with respect to expansion of the Mill Creek WRF the County formed a Technical Advisory Group (TAG).
- The TAG consisted of representatives of the following organizations: Openlands, Sierra Club, Illinois Department of Natural Resources, Lake County Forest Preserve District, Lake County Stormwater Management Commission, Lake County Department of Transportation, Lake County Planning, Building and Development Department, Lake County Health Department, Lake County Department of Public Works, and the Village of Old Mill Creek.
- The TAG developed sixteen formal recommendations that would have stakeholders take a watershed-scale approach to manage the quality of all waters entering Mill Creek and to minimize or offset the potential environmental impacts of the proposed WRF expansion.
- An initial resolution was presented to PW&T Committee on February 4, 2009 and several questions and concerns were raised regarding recommendations that could not be implemented through efforts by the County alone.
- The TAG's formal recommendations have now been modified to address concerns raised by Committee and have been divided into two categories: (1) Those which are to be implemented by the Public Works Departments and (2) Those which can be implemented by other County Departments, the Village of Antioch, and the Village of Old Mill Creek.
- It is estimated that implementation of the Category 1 recommendations would add approximately \$400,000 to the cost of the Mill Creek WRF expansion.
- This resolution endorses the recommendations developed by the TAG and supports the implementation of these recommendations in conjunction with the expansion of the Mill Creek WRF.

WHEREAS, the Lake County Department of Public Works desires to expand the Mill Creek Water Reclamation Facility (WRF) and formed a Technical Advisory Group (TAG) to assist in the development of a plan to facilitate the expansion of the Mill Creek WRF; and

WHEREAS, the Technical Advisory Group consisted of representatives of the following organizations:

1. Openlands
2. Sierra Club
3. Illinois Department of Natural Resources (IDNR)
4. Lake County Forest Preserve District (LCFPD)
5. Lake County Stormwater Management Commission (LCSMC)
6. Lake County Department of Transportation (LCDOT)
7. Lake County Planning, Building and Development Department (LCPBD)
8. Lake County Health Department (LCHD)
9. Lake County Department of Public Works; (LCDPW) and

WHEREAS, the Technical Advisory Group developed fifteen formal recommendations that would have Lake County take a watershed-scale approach to manage the quality of all waters entering Mill Creek and to minimize or offset the potential environmental impacts of the proposed expansion of the Mill Creek WRF; and

WHEREAS, the Technical Advisory Group's deliberations and recommendations have been documented in the October 2008 Technical Advisory Group Report prepared by Baxter & Woodman, Inc. Consulting Engineers of Grayslake, Illinois, and its subconsultant, Kabbes Engineering Inc. of Barrington, Illinois; and

WHEREAS, it is estimated that implementation of the Technical Advisory Group's recommendations would add about \$400,000 to the cost of the Mill Creek WRF expansion, excluding the cost of any stormwater Best Management Practices, Conservation Design concepts, or stream restoration projects that the County might construct (the \$400,000 represents about a 5% increase to the cost of the Mill Creek WRF expansion project); and

WHEREAS, the Technical Advisory group's formal recommendations can be divided into two categories: (1) Those which are implemented by LCDPW, and (2) Those which can be implemented by other County Departments, the Village of Antioch, the Village of Old Mill Creek, and the Village of Wadsworth; and which are summarized as follows:

#### Category 1 - TAG Recommendations to be Implemented by LCDPW

1. Support the expansion of the Mill Creek WRF Capacity from 1.0 to 2.1 mgd.
2. Promote Effluent Reuse to new developments by making effluent available at the Mill Creek WRF for developers of adjacent land.
3. Accept a special condition in the Mill Creek WRF NPDES Discharge Permit that would require:
  - a. Construction and operation of a Biological Nutrient Removal (BNR) system to reduce the amount of Nitrogen in the effluent and
  - b. Monitoring of the Total Nitrogen concentration in the effluent.
4. Enhance the existing Outfall Swale to provide wetland treatment of effluent.
5. Update the Mill Creek Ecological Assessment every 5 years.
6. Continue to have LCDPW work with LCHD and SWALCO attempt to expand and educate the public regarding the pharmaceutical "take back" program in an effort to keep pharmaceuticals out of wastewater.
7. Continue to support LCDPW's efforts to encourage the Villages of Antioch, Old Mill Creek, and other Lake County Departments in implementing those TAG Recommendations under or within their jurisdiction.
8. Have LCDPW keep a record of the measures that the Villages, other County Departments, and the LCDPW take to protect water quality in the Mill Creek watershed as described in the recommendations within this resolution.

#### Category 2 - TAG Recommendations for Implementation by Others

9. Promote Effluent Reuse by requesting that the Villages of Wadsworth and Old Mill Creek encourage new developments to use treated effluent for irrigation of public areas and to extend a treated effluent "Gray Water" supply pipeline through their developments so that subsequent developments can take advantage of the effluent.

10. Implement Low Impact Development , e.g. Stormwater Best Management Practices (BMPs) and Conservation Design Concepts, by undertaking some specific projects in the Mill Creek Watershed to construct BMPs (as financial resources and grant funding allow) and by promoting the strengthening of ordinances regarding the use of Low Impact Development . This will be implemented with the assistance of LCSMC, through development of a Memorandum of Understanding with the Villages of Antioch, Old Mill Creek, and Wadsworth and LCPBD.
11. Recommend that stream restoration needs, noting specific stream reaches and project types, be identified through the LCSMC Watershed planning process in the LCDPW Mill Creek service area. Recommend that any future Watershed Plan in the service area includes action items to encourage implementation of the identified stream restoration needs either through grants and/or as part of the development approval process through ordinance or annexation requirements or P.U.D.
12. Investigate adoption of an ordinance that is supported by the LCHD, LCDOT, LCSMC and LCDPW and restricts the use of phosphorus-containing fertilizers in unincorporated areas of Lake County within the Mill Creek Watershed, similar to the ordinances that have already been passed by the following Lake County communities:
  - i. Village of Antioch
  - ii. Village of Lindenhurst
  - iii. Village of Long Grove
  - iv. Village of Round Lake Beach
  - v. Village of Third Lake
  - vi. Village of Vernon Hills
  - vii. Village of Round Lake Park
  - viii. Countryside Lake Association
  - ix. Loch Lomond Property Owners Association

This will be implemented through efforts by the Lake County Health Department as the lead agency, in coordination with the Villages of Old Mill Creek and Wadsworth.

13. Investigate the possible future use of Nutrient Farming when appropriate regulatory and design issues are resolved.
14. Request LCSMC to consider amendments to the Watershed Development Ordinance (WDO) to incorporate provisions of the CMAP Model Ordinances that are more restrictive than the WDO.
15. Request other Lake County Departments to provide the LCDPW information on the implementation of any of the TAG recommendations noted in this Resolution and request that the Villages of Antioch, Old Mill Creek, and Wadsworth do the same to enable LCDPW to annually document accomplishments.
16. Endorse these TAG Recommendations by passing this Resolution.

NOW, THEREFORE BE IT RESOLVED BY this County Board of Lake County, Illinois that it endorses and supports implementation of the Mill Creek WRF Technical Advisory Group's above summarized recommendations.

Dated at Waukegan, Illinois, on this day of 12<sup>th</sup> day of May, A.D., 2009