

6. For regulated development adjacent to IWMC, but not impacting the IWMC, wetland hydrology calculations shall also be submitted.
7. For IWMC impacts, the following additional information prepared by a wetland specialist shall be submitted:
 - a. A mitigation plan;
 - b. Performance standards and a recorded maintenance plan for onsite mitigation of a IWMC impact; and
 - c. A receipt for payment into a Wetland Bank or the MCSC Wetland Restoration Fund.
8. For Category IV IWMC impacts, a narrative describing the benefits of the IWMC impacts to the aquatic environment shall also be submitted. The narrative shall be prepared by a wetland specialist.
9. For Category V temporary IWMC impacts, a restoration plan prepared by a wetland specialist shall be submitted.
10. A recorded maintenance plan and a recorded deed or plat restriction shall be submitted for the wetlands, waters and buffer areas within or adjacent to a regulated development disturbing 5 acres or more, a Mining Development, or any regulated development involving a subdivision of land.
11. For buffer averaging, a recorded deed or plat restriction shall be submitted for the wetlands, waters and buffer areas.

- (7) A narrative describing the monitoring and maintenance tasks necessary to ensure the long-term success of the mitigation.

6. Mitigation Options

The following requirements apply to all regulated development resulting in an IWMC impact requiring IWMC mitigation.

- a. IWMC mitigation shall be designed to duplicate or improve the hydrologic, biologic, botanic, and wildlife features of the IWMC.
- b. Onsite IWMC mitigation
 - (1) Onsite IWMC mitigation includes mitigation on a parcel adjacent to the development site, even if the adjacent parcel has a different owner.
 - (2) Onsite IWMC mitigation shall only be allowed for IWMC impacts in Categories IV and V, or if the mitigation area is 1.5 acres or larger and:
 - i. The IWMC mitigation area is located within a conservation easement managed by a conservation agency; or
 - ii. The applicant establishes performance standards approved by the Enforcement Officer, and provides a performance guarantee payable to the MCSC Wetland Restoration Fund in the event the performance standards are not met.
 - (3) Temporary IWMC impacts shall be restored in place. The disturbed area shall be:
 - i. Returned to its original contour and general soil profile;
 - ii. Restored to a comparable IWMC community type; and
 - iii. Exhibit an FQI no lower than that of the IWMC prior to disturbance.
 - (4) The Buffer Area Performance Standards of this Ordinance shall apply to IWMC mitigation areas, except mitigation for IWMC impacts in Categories IV and V.
 - (5) The area of wetland restoration shall not be less than the area of IWMC impact. The additional mitigation area may consist of wetland enhancement; however, only 0.25 acre of mitigation shall be credited for each acre of wetland enhancement.
 - (6) Wetland creation shall not be credited for mitigation of IWMC impacts.
- c. Wetland mitigation banking
 - (1) Wetland mitigation banking shall be required if the IWMC mitigation area is less than 1.5 acres.
 - (2) Mitigation credit may be obtained by payment into a Wetland Bank or the MCSC Wetland Restoration Fund. A receipt for payment into a Wetland Bank or the MCSC Wetland Restoration Fund shall be provided prior to issuance of a stormwater management permit.
 - (3) To provide credit for mitigation, a Wetland Bank must be certified by the USACE and comply with the *Interagency Coordination Agreement on*

Wetland Mitigation Banking within the Regulatory Boundaries of Chicago District, dated January, 1997, or current version.

- (4) Payment into the MCSC Wetland Restoration Fund shall not be allowed if the IWMC impact is in the same watershed as a Wetland Bank in existence at the time the MCSC Wetland Restoration Fund was established, provided the Wetland Bank has mitigation credits available. The following Wetland Banks were in existence at the time the MCSC Wetland Restoration Fund was established:
- i. Sybaquay Girl Scout Camp (Kishwaukee River Watershed);
 - ii. Kishwaukee Bottoms (Kishwaukee River Watershed);
 - iii. Marengo (Kishwaukee River Watershed); and
 - iv. Slough Creek (Nippersink Creek Watershed).

7. Mitigation Hierarchy

In addition to other applicable Wetland and Waters Performance Standards, the following requirements apply to all regulated development requiring IWMC mitigation.

- a. IWMC mitigation shall be provided as close to the IWMC impact site as possible, with respect to the following hierarchy:
 - (1) Onsite, provided the criteria for onsite mitigation are met;
 - (2) Wetland mitigation banking within the same sub-watershed;
 - (3) Wetland mitigation banking within an adjacent sub-watershed and within the same watershed;
 - (4) Wetland mitigation banking within the same watershed;
 - (5) Wetland mitigation banking within an adjacent watershed; or
 - (6) Wetland mitigation banking within McHenry County.
- b. Any funds paid into the MCSC Wetland Restoration Fund shall only be used to fund wetland restoration activities located fully within McHenry County.

8. Requirements for Underground Utilities

The following requirements apply to all regulated development involving the installation of underground utilities, except regulated development authorized by a General Permit.

- a. In the case of underground stream crossings, the top of the pipe or encasement shall be buried a minimum of 3 feet below the existing stream bed.
- b. In IWMC, any excavation shall be backfilled with soil excavated from the trench in the same stratification in which it was removed.
- c. A contingency plan for frac-out shall be required for any utility proposed to be installed by directional boring.