

Lake Michigan: Our Coast

ILLINOIS COASTAL MANAGEMENT PROGRAM

**ONSITE DISPOSAL SYSTEMS IN THE COASTAL
CLEAN WATERS PROGRAM**



What is Coastal Zone Management?

Protecting, restoring, and establishing a responsibility in preserving and developing the nation's coastal communities and resources, where they are under the highest pressure.

- Ensure that the nation's coast and oceans, including the Great Lakes and island territories, are healthy and thriving for this and future generation”
- The mission is “to ensure the conservation and responsible use of our nation's coastal and ocean resources”.



Certificate of Approval

The state of Illinois has developed a program to ensure
effective management, use and protection, and balanced development
of the land and water resources of its coastal zone,
submitted for approval pursuant to the
Coastal Zone Management Act of 1972 (P.L. 92-583, as amended)

It is with great honor that
the National Oceanic and Atmospheric Administration,
the National Ocean Service and the Office of Ocean and Coastal Resource Management
award this Certificate of Approval to the

Illinois Coastal Management Program

March 9, 2012

Illinois was officially approved as
a Coastal Management Program
on Jan 31, 2012

Purpose:

1. Support partnerships among governmental agencies and organizations;
2. Strengthen local stakeholder capacity;
3. Initiate and continue effective coastal management.



Illinois Coastal Area



Dune and Swale

Nearshore Habitat

Ravines

Riparian and Stream Habitats

Urban Habitats

Wetlands

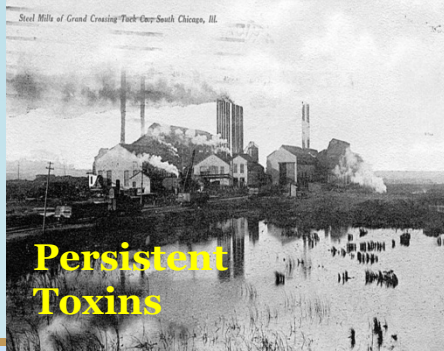
Illinois Coastal Management Priorities



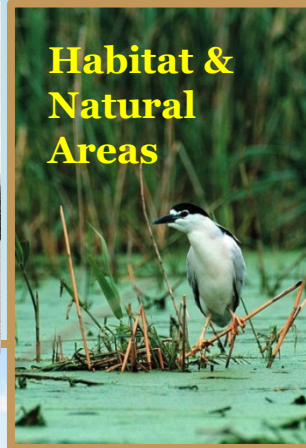
Area of Concern



Economic Development



Persistent Toxins



Habitat & Natural Areas



Invasive Species



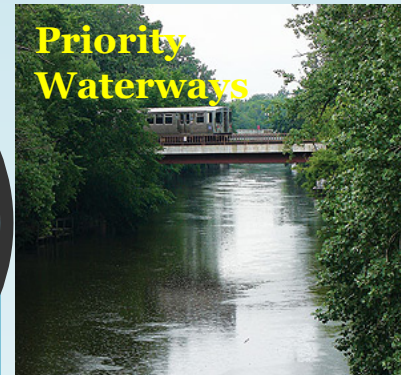
Climate Change



Sustainable Development



Nonpoint Source Pollution



Priority Waterways



Access & Recreation



Information and Indicators



Coastal Clean Waters Program

(Coastal Nonpoint Pollution Control Program)

- Close coordination with Illinois EPA
- Convened a small advisory panel of experts
- Exclusions: Agriculture, Forestry, etc.
- Surveyed key stakeholders for broader input on priorities
- Public Review and input.





Nonpoint Pollution Program

- Agriculture (Request for exclusion approved)
- Forestry (Request for exclusion approved)
- Urban Areas
 - Pollution Prevention (Updated with interim approval)
 - Roads, Highways and Bridges (Updated with interim approval)
 - Onsite Disposal Systems (Updated with interim approval)
- Marinas and Recreational Boating (Updated with interim approval)
- Wetlands, Riparian Areas, and Vegetated Treatment Systems (Approved)
- Monitoring (Updated with interim approval)
- Hydromodification (Updated with interim approval)
- Additional Management Actions (Updated with interim approval)





Requirements for Program

- Are there existing regulatory programs in place?
 - What are the state laws?
 - Are their local ordinances?
 - How are they enforced?
- What are the education, public outreach and technical and financial assistance programs?
- Are there voluntary programs in place to encourage better practices?
- If there are voluntary programs, is there backup authority to enforce if voluntary is not enough?



Onsite Disposal Systems

- Limited Number in Illinois Coastal area
- Mostly sewerered
- Concentrations in certain areas, but not clear where
- Authorities
 - State Law
 - Lake County

State Authorities

- Illinois Private Sewage Disposal Code (77 IAC 905).
 - State reviews and approves plans for private sewage disposal systems and alternative private sewage disposal systems before construction.
 - About 90 local health agencies in Illinois are reviewers either by authority of a local ordinance or as an "agent" of the Department.

Lake County Onsite Wastewater Treatment System Ordinance

- Requires proper design and installation of new systems for the treatment and disposal of wastewater,
- Establishes and provides for enforcement of minimum standards for the location, installation, alteration, operation, maintenance, management, monitoring
- Field inspection and water testing are initiated to determine if there is a failure and, if present, the extent of the failure.
- A permit from LCDPH is required to repair, replace, or decommission a system. Existing systems requiring maintenance upgrades are subject to approval by LCDPH.
- When a site plan is approved in accordance with these requirements, the owner of the OSDS shall be required to meet the maintenance and inspection of any new or existing component that is subject to the requirements of the relevant sections of the ordinance.

Lake County Public Nuisance Ordinance

- Public nuisance to maintain and/or operate an onsite wastewater disposal system in a condition that the Health Officer determines is detrimental or potentially detrimental to the health and/or safety of the inhabitants of Lake County, Illinois.
 - Cracked/damaged septic tank riser or cover
 - Exposed drop/distribution box
 - Failure to properly supply, operate or maintain the disinfecting component of a surface discharge onsite wastewater disposal system
 - Failure to provide required reports of inspection and/or management activities of an onsite wastewater disposal system or system component.

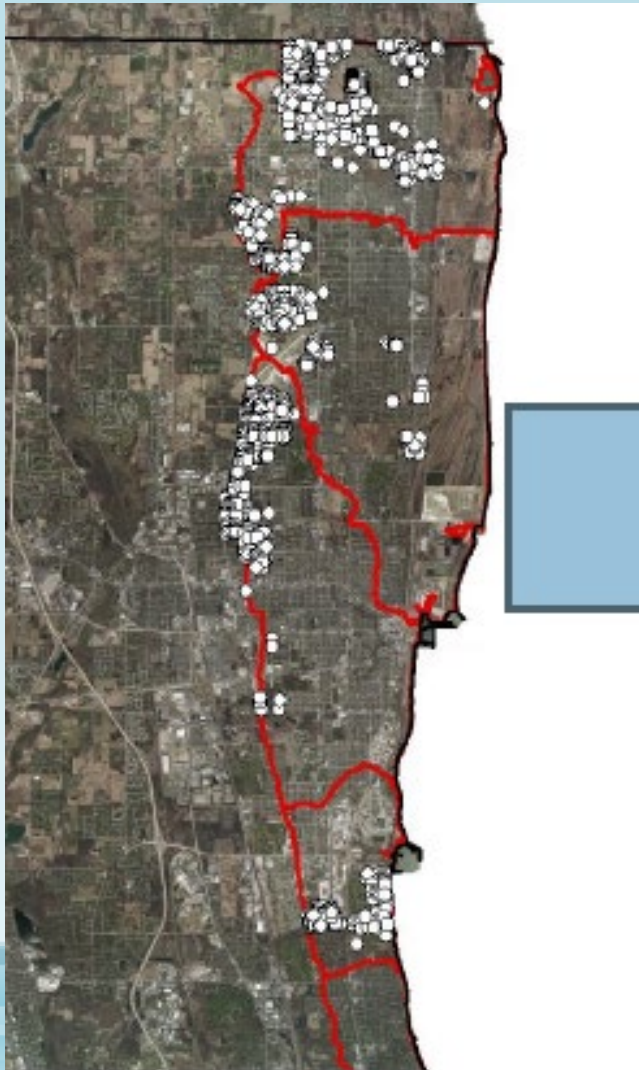
North Shore Water Reclamation District Sewer Ordinance

- Requires all buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and within 300 feet of a public sewer, to connect directly with the public sewer.
- If they are not and it is determined that they are in violation, the owner must comply within one year after the date of official notice.

How Many OSDS in Illinois Coastal Region?

- Know how many received permits since passage of 1997 Ordinance
- How to locate OSDS when some are not recorded?
 - Public outreach
 - Monitor for problems with systems
- Lake County Health Department received a small grant to identify parcels with probable OSDS:
 - Compare parcel layer with Sanitary Sewer customer list
 - Conduct a GIS assessment of parcels identified as having a possible septic system
 - Conduct field reconnaissance on parcels identified as having potential septic system
 - Review assessments and reconnaissance information and create maps of the information
 - Create an internal database or spreadsheet with information on parcels indicating whether there is a septic system on the site, is connected to the sewer, or neither

OSDS Locations



- 1276 systems with a permit
- 409 probable systems installed prior to permitting requirements
 - 85% pre-1980 homes
 - 62% pre-1962 homes
- Total 1685

OSDS Complaints, 2010-2018

Septic Complaints	
2010	2
2011	8
2012	8
2013	5
2014	9
2015	9
2016	6
2017	12
2018	4
Total	63
Average	7

Complaint Result	Total	%
Resolved without major alteration	49	77.8%
New system installed	10	15.9%
House demolished	1	1.6%
Connected to sewer	3	4.8%
Total	63	100.0%

OSDS Inspections

- OSDS inspections are not required by law in Illinois
- Often a push to enact inspection requirements at point of sale

Inspections – Mortgage Companies

- When do mortgage companies require OSDS inspections?
 - The independent appraiser, whose assessment is required by the lender, recommends or requires a full inspection or test based on seeing evidence of a failing OSDS system
 - The Purchase Agreement requires a full inspection
 - The Mortgage Product Guidelines (such as through FHA, USDA or VA) requires an inspection
 - Underwriter discretion if documentation in the mortgage file indicates there may be a need for an inspection.

Inspections – Real Estate Transfers

- According to Lake County real estate agents, OSDS inspection generally done at time of sale at recommendation of purchaser's agent or mortgage company
 - House a big investment
 - OSDS upgrade, replacement can be \$10,000 - \$15,000
 - Affects certainty over sale
 - Do not want to face extra cost after sale
 - Analyzed annual percentage of property transfers – Averages 5% per year

Tracking Inspections

To track inspections and new OSDS permits, ICMP will:

1. Survey a representative sample of Lake county real estate agents every five years to determine whether the voluntary OSDS inspections performed during the property transfer process continues as a general practice
2. Crosscheck the list of properties sold during the previous five years against the list of properties with OSDS in the coastal area to identify properties that went through the title transfer process
3. Identify properties for which a new (first-time or subsequent) OSDS permit was issued
4. Calculate the number and percentage of properties that with permits and those properties that have changed title to determine the inspection rate
5. Review the numbers and locations of OSDS complaints and violations and assess their outcomes

Given that about 5% of homes in this area are sold per year, it is estimated that approximately 75% of homes with OSDS will be sold during the next 15 years with associated well and septic inspections as part of the pre-sale review process.

Meeting the Federal Guidance

- Have sufficient authorities to regulate OSDS
- Inspection approach combined with enforcement records, ordinance effectiveness and tracking provides a good framework to indicate that Illinois meets Coastal Management Nonpoint Program guidelines
- Will track over the next 15 years with five year milestones to determine if the approach is truly effective

Will the Approach Identifying OSDS Work Elsewhere?

- Reasonable approach for a small area like the Illinois Coastal region with small number of OSDS and one wastewater treatment utility
- More difficult in Lake County Fox River watershed
 - Significantly more OSDS
 - Multiple wastewater utilities
 - More parcels than can be individually assessed on a data layer
- Alabama Coastal Program approach
 - Compare parcel layer to wastewater customer layer
 - Overlay the results with the electric utility customer layer by parcel
 - If a parcel has electrical hook-up, very likely has an OSDS system



Additional Program Information

Our website:

<http://www.dnr.illinois.gov/cmp/Pages/default.aspx>

Or contact:

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