



DATE: November 4, 2024

MEMO TO: Paras Parekh, Chair
Planning Committee

FROM: Pati Vitt
Director of Natural Resources

RECOMMENDATION: Recommend approval of a Resolution approving an Intergovernmental Agreement with the Lake County Stormwater Management Commission (SMC) to undertake a Water Quality and Compensatory Storage Project at Rollins Savanna Forest Preserve, funded by SMC in the amount of \$908,739.00 utilizing American Rescue Plan Act Funds.

STRATEGIC DIRECTIONS SUPPORTED: Conservation; Organizational Sustainability

FINANCIAL DATA: Approving this Agreement will provide the opportunity for the Stormwater Management Commission (SMC) to construct a nature-based stormwater bioretention green infrastructure basin at the downstream end of Mill Creek within the confines of Rollins Savanna Forest Preserve for the purposes of decreasing sedimentation and increasing water quality in Third Lake and to provide compensatory storage for future road work along North Linden Avenue in Avon Township. SMC will fully fund the design, construction, and implementation of this project, and \$908,739.00 in American Rescue Plan Act (ARPA) funds has been allocated and approved for this purpose. As proposed, the District is not required to provide a matching contribution. The proposed compensatory storage will be designed and implemented in a manner that will provide infrastructure to expand the capacity of the Native Seed Nursery to produce emergent wetland plants, an overall benefit to the District.

BACKGROUND: In March of 2023, the Village of Third Lake approached the District, and subsequently SMC, to discuss the issue of sediment flowing into Third Lake via Mill Creek – also known as Third Lake Channel Slough and/or the Avon/Fremont Ditch – as it traverses District property north of Washington Street, just adjacent to Linden Lane. SMC and the District agreed that water quality could be improved by in-stream restoration efforts along Mill Creek. Further, SMC had identified a future need for compensatory storage in the same project area for planned roadway upgrades along North Linden Avenue.

With agreement from District staff, SMC retained the services of Hey & Associates to perform an engineering study to provide bank stabilization and in-stream features to reduce sedimentation, and to implement a “scrape” in a portion of the existing cattail monoculture on the east side of Linden Avenue to provide the necessary compensatory storage. District staff proposed that the concept of the scraped area be expanded from depressional water storage to an enhanced wetland plant production area as well as creation of hemi-marsh to support migratory bird populations. The project design includes these elements, as well as protective fencing for the wetland plant production area and a gravel access area, and the District will have the right to review and approve the final project plans prior to construction. On August 2, 2024, the F&A Special Committee on COVID-19 Pandemic Recovery and Investment of the Lake County Board approved ARPA funds in the amount of \$908,739.00 to implement this project.

REVIEW BY OTHERS: Director of Finance, Chief Operations Officer, Manager of Board Operations, and Corporate Counsel.

Proposed Mill Creek Project Area



Disclaimer: Property boundaries and other data provided is for general information only and not for commercial purposes. The District provides this data for the user's exclusive use only. Any re-use, transmission, duplication, or distribution without the permission of the District is prohibited. Map sources include: Lake County GIS Division | Basemap: 2024 Aerial



Map Created on 10/4/2024

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**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH
THE LAKE COUNTY STORMWATER MANAGEMENT COMMISSION FOR
A WATER QUALITY AND COMPENSATORY STORAGE PROJECT AT
ROLLINS SAVANNA FOREST PRESERVE**

WHEREAS, under Article 7, Section 10 of the Constitution of the State of Illinois, units of local government, such as the Lake County Stormwater Management Commission (the “SMC”) and the Lake County Forest Preserve District (the “District”) are authorized to contract or otherwise associate among themselves, to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law; and

WHEREAS, under the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, public agencies, such as the SMC and the District, may enter into intergovernmental agreements to exercise, combine, transfer, and enjoy jointly their powers, privileges, functions, or authority in any manner not prohibited by law; and

WHEREAS, the SMC and the District jointly desire to improve water quality, restore District lands, and provide compensatory stormwater storage; and

WHEREAS, it is in the best interests of the District to enter into an intergovernmental agreement with the SMC, in substantially the form attached hereto, (the "Intergovernmental Agreement") under which (i) the SMC will complete design, construction, and implementation of nature-based stormwater bioretention green infrastructure basins at the downstream end of Mill Creek within the Rollins Savanna Forest Preserve (the “Project”), and (ii) the Project will be fully funded by SMC utilizing American Rescue Plan Act (ARPA) funds that have been allocated and approved for such purposes; and

WHEREAS, the Project will be completed in cooperation with the District and in compliance with District restoration standards, will decrease sedimentation and improve water quality within Third Lake, and will increase the capacity of the District to propagate emergent wetland plants for use in its many wetland restoration projects; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois **THAT**:

Section 1. Recitals. The recitals set forth above are incorporated as a part of this Resolution by this reference.

Section 2. Approval of Intergovernmental Agreement. The Intergovernmental Agreement is hereby approved in substantially the form attached hereto.

Section 3: Execution of Agreement. The President and Secretary of the District are authorized to execute and attest to the Intergovernmental Agreement in substantially the form attached hereto.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this _____ day of _____, 2024

AYES:

NAYS:

APPROVED this _____ day of _____, 2024

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____