



**Monday, May 10, 2021
5:30 PM
Civic Center Theater**

CITY COUNCIL STUDY SESSION AGENDA

Pursuant to Phase 4 of Governor Pritzker's Executive Order, a maximum of 50 people will be allowed in the Civic Center Theater unless said number is otherwise directed by Order of the Governor. If the number is altered as a result of an Order of the Governor, the City of Decatur will follow and enforce that number. An in-person meeting of all members of the City Council of the City of Decatur as well as in-person meetings of all members of other Boards and Commissions of the City of Decatur is not practical or prudent because of the COVID-19 pandemic.

I. Call to Order

1. Roll Call
2. Pledge of Allegiance

II. Study Session: Study Sessions are less formal meetings of the City Council called to discuss broad policy themes and obtain input from the governing body about proposals and initiatives that are still being developed. No formal votes are taken at Study Sessions, and no informal directions expressed at Study Sessions bind the City Council, or its individual members, to vote in a certain manner at a future City Council meeting. Members of the public should limit their remarks to three (3) minutes after Council discussion.

Lake Decatur Watershed Management

III. Appearance of Citizens

Policy relative to Appearance of Citizens:

A 30-minute time period is provided for citizens to appear and express their views before the City Council. Each citizen speaking will be limited to one appearance of up to 3 minutes. No immediate response will be given by City Council or City staff members. Citizens are to give their documents (if any) to the Police Officer for distribution to the Council. When the Mayor determines that all persons wishing to speak in accordance with this policy have done so, members of the City Council and key staff may make comments.

IV. Adjournment

City Clerk

DATE: 5/6/2021

MEMO:

TO: Mayor Julie Moore Wolfe
City Council Members

FROM: City Manager Scot Wrighton

SUBJECT: Lake Decatur Watershed Management

ATTACHMENTS:

Description	Type
Memo	Cover Memo
Timeline of Lake Decatur & Ordinance from 1958	Backup Material
Lake Decatur Watershed Management Plan & Initiative	Backup Material
Lake Decatur Shoreline Policy Recommendations	Backup Material
map	Backup Material

May 6, 2021

TO: Mayor Julie Moore Wolfe & Members of the Decatur City Council

FROM: Scot Wrighton, City Manager 

RE: May 10 Study Session on Lake Decatur Watershed Management

Over the last three years, the Mayor and City Council have authorized the compilation of three critical long-term planning documents related to Lake Decatur and the city's water system: 1) an analysis of additional water sources the city could develop to more effectively respond to drought conditions and augment water supply for other future demand reasons; 2) an analysis of the city's water treatment and distribution system to determine what major capital projects will need to be programmed through the year 2050 to maintain high quality water to all customers; and 3) an analysis of the Lake Decatur watershed to enable city implementation of erosion-control measures to slow the rate of silt entering the lake in sufficient quantities to eliminate or substantially delay any new dredging projects in the 21st Century. Matters related to management of the lake, erosion control, regulation of land uses adjoining Lake Decatur, shoreline improvements, and partnerships with farmers will be discussed at the May 10 study session. Future water supply options, and water treatment and water distribution system issues are scheduled for the June 14 study session. Together, these two study sessions give the Mayor and City Council the unique opportunity to plan for the security, safety and sustainability of Lake Decatur and the Decatur water system for the next 30 years.

The watershed recommendations, erosion control strategies and analysis are all ongoing, but for the May 10 study session, Northwater Consulting's work product is in two parts, and both are included in this packet: a) Lake Decatur Watershed Management Plan & Initiative, final version dated April 10, 2021; and b) Lake Decatur Shoreline Policy Recommendations, final version dated April 2021. Other relevant attachments include: c) a copy of Decatur Ordinance 3123 adopted in 1958 establishing protection zones on and around Lake Decatur; d) a map illustrating the 1958 lake protection zones; and e) a small map illustrating the land boundary and lake edge ownership challenges the city faces in every basin.

The strategy of the Watershed Management Plan is to commence and continue siltation and nitrate monitoring for many years to come in order to quantifiably ascertain the specific interventions that are the most effective. The City Council has already authorized a monitoring contract. Next, the Watershed Management Plan recommends working first in two subbasins near Lake Decatur (Lake Decatur Bluffs and Sand Creek Subwatersheds) to reduce siltation and nitrate inflow before moving to other subwatersheds. Activities in other subwatersheds will occur later, and will be based on what is learned in the first two subwatershed interventions.

Although strategies will vary based on the unique conditions and runoff characteristics in each subwatershed, the plan envisions using a mixture of the following interventions to reduce siltation:

1. Land acquisition
2. Use of conservation easements and transferable conservation-for-development rights
3. Activities to increase the use of cover crops and plantings that reduce tillage
4. Implementation of nutrient management plans, and other measures to change farm fertilizer practices
5. Creation or enlargement of buffers between agricultural fields and drainage ways, and the use of filter strips
6. Use of wetlands
7. Shoreline protection ordinances
8. Installation of low-flow sediment barriers
9. Encouraging grade control and terracing, along with grassed waterways and other field borders

Northwater's second report deals specifically with strategy #7 (above) and recommends additional regulation that goes beyond the restrictions included in the city's 1958 ordinance. The specific shoreline protection ordinance amendments recommended by the consultant's 2021 report are attached. Where possible, it is recommended that the city obtain or retain buffers along the edges of the lake not controlled by the city—so that we can perform or require shoreline protection as necessary, and that this be achieved through land acquisition, or acquisition of more robust drainage and shoreline protection easements. Under the best of circumstances, it will not be possible to obtain or create such buffers everywhere.

The full-pool elevation of Lake Decatur is 614.15 feet above sea level (This corresponds to 615 in the language of the 1958 ordinance and Chapter 66 of the City Code. More recently the city has adjusted its elevations to more precise baselines of the USGS). However, the city's property boundary often does not follow the full-pool lake edge (i.e., the high water mark). Instead, the city's property boundary is based on metes and bounds descriptions contained in title records dating back to the finalization of tract acquisition by the Decatur Water Company and bulk land transfers in 1934. At that time the lake itself, and several adjacent parcels above the full-pool level, was transferred to the city, and many other parcels above 614.15 were transferred to the Decatur Park District. Of course, the shoreline has changed over the last 99 years. Although the City and the Park District are the principal public landowners of tracts adjacent to the lake edge, there are hundreds of other public and private owners who own property down to the lake's edge—and in some cases past the lake's edge. The complex lake boundary situation will impact the city's efforts to implement erosion control measures that cannot be regulated through land use controls such as the 1958 ordinance and other ordinance revisions recommended by the consultant.

Staff from Northwater Consulting that authored both reports will be at the study session to discuss the best ways of implementing the plans going forward.

At the same time, the city is considering taking other actions regarding lake use. The City and the Park District have jointly developed a Request for Proposals (RFP) to be used to recruit a private marina operator who can offer more marina services than are currently available on the section of the shoreline between the Devon Amphitheatre and Lost Bridge Road. If successful, a new marina operator could be in place as early as 2022. Any contract with a private marina operator will require approval from both the city and the park district governing bodies, but the Decatur Park District has agreed to take the lead in negotiations with potential partners. Despite the pandemic, lake utilization has increased, in large measure because of the city's successful dredging project. Additionally, the City Council has discussed in previous budget sessions that at some point the city should update its rules for private boat docks installed on shoreline areas outside the Devon Amphitheatre-to-Lost Bridge Road section of Basin #2. Although the council will deal with these issues at a later date, both an expanded marina and new rules and regulations for private docks should take account of future erosion control and shoreline protection decisions approved by the City Council.

Following staff and consultant presentations, and council discussion of the study session materials, it is recommended that the City Council:

1. Determine whether they want to alter the consultant's recommendations on how to proceed with watershed management, and siltation control.
2. Determine whether they want to alter the consultant's recommendations on ordinance revisions to reduce shoreline erosion and lake edge collapse.
3. Determine whether to authorize staff to pursue new strategies to acquire buffer strips and drainage/shoreline protection easements on shoreline sections that are not owned by the city (or some other public entity).

Based on feedback from the City Council, staff will also evaluate the impact on upcoming budgets and report this information back to the council in time for its inclusion in the 2022 municipal budget.

Timeline of Lake Decatur

March 21, 1922: Original dam built on the Sangamon River. Lake Decatur is created.

1934: Original transfer of 120 tracts. See Miscellaneous Deeds Book No. 716, Document No. 262949.

Dam height: 610 ft. above sea level

1954: Lake Decatur Dam height raised 5 feet.

1958: Ordinance 3123 approved by City Council. This ordinance establishes "Zone A" which is defined as "all land lying within or below the high water mark" (defined as 615 feet above sea level).

An Ordinance Authorizing and Establishing Regulations for the Improvement, Care, Sanitary Control, Protection from Pollution, and other injury of the Impounding Reservoir constructed for Water Supply Purposes of the City of Decatur, Illinois, and the adjacent zone of land which said City has acquired or may acquire or control, and prevent any pollution or injury to any stream or area of water for the said impounding reservoir, within the drainage area thereof, and to set up rules and regulations for the operation of boating and other water sports thereon and to provide penalties for the violation thereof.

BE IT HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:

Definitions

45-1: Terms used in this chapter have the following meanings:

"Watercourse" shall mean any stream or channel or natural or artificial spring of any kind in which water flows continuously or intermittently over any part of the drainage area into any part of the reservoir directly or indirectly.

"Drainage Area" shall refer to that area of land or water that drains to the Sangamon River above the Decatur public water supply dam over which the City of Decatur has jurisdiction.

"Reservoir" shall mean the artificial reservoir formed by the dam constructed near the County Bridge South of the City of Decatur, Illinois, or by other structures required at a later date within the limits of the present drainage area, which reservoir or reservoirs are to be used as a source of the public water supply for the said City of Decatur, which reservoir is hereby named and designated as Lake Decatur. The upstream limits of such reservoir, which is located within the Sangamon River Valley, is the West side of the highway running North and South across what is known as the Iron Bridge, hereinafter described.

"High Water Mark" shall mean the contour known as 615 feet above sea level, referring to United States Government elevations as obtained from bench mark established in the said City of Decatur, Illinois.

"Intake" shall mean the place where the water supply for the City of Decatur is taken into the conduit or pipe from the reservoir.

"Iron Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 24, Whitmore Township, and Section 24, Oakley Township, Macon County, Illinois, situated North of the Village of Oakley, Macon County, Illinois, and is commonly known as the Iron Bridge.

"Spangler Bridge" shall mean that bridge which spans the original channel of the Sangamon River on Route 10 of the State Hard Road and in Section 8, Decatur Township, Macon County, Illinois, and commonly known as the Spangler or William Street Bridge.

"Staley Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 18, Decatur Township, and Section 19, Long Creek Township, Macon County, Illinois, near Nelson Park, and commonly known as Staley Bridge, formerly Cowford Bridge.

"Lost Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 24, Decatur Township, Macon County, Illinois, and commonly known as Lost Bridge.

"County Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 22, Macon County, Illinois, and is commonly known as the County Bridge.

"Rea's Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 33, Township 17 North, Range 3 East of the Third Principal Meridian, in Whitmore Township, Macon County, Illinois, and is commonly known as the Rea's Bridge.

"Shore Line" means the extended point where the plane of the surface of the waters of the reservoir touches the land.

45-2: Zone "A" shall consist of all land lying within or below the high water mark, in the reservoir site, whether flooded or not. This zone includes tributary watercourses upstream to the aforesaid high water mark.

Zone "B" shall consist of that portion of the drainage area within 100 feet of the high water mark around the reservoir and within the same distance of said high water mark of any of its tributaries extending upstream (following the channel of the stream) and a distance of one-half mile from the high water mark upstream of said tributaries, and shall include at certain places all land extending from the 100 feet limit to the top of the bluffs and to the end of ravines where slopes are steep, provided, however, said City shall first notify in writing the owners and tenants of said bluffs and ravines upon the same being located.

Zone "C" shall consist of territory within 100 feet of Zone "B" as specified.

Zone "D" shall constitute the territory within 500 feet of Zone "C" as specified.

Zone "E" shall constitute the remainder of the drainage area.

Buildings

45-3: No buildings or any structure, tent, camp car or trailer whether for habitation or otherwise, shall be built or maintained within the limits of Zones A, B, or C unless upon permit in writing by the City. No permit will be granted except upon proof of ability to comply with the provisions of Section 4 of this Chapter.

Human
Excrement

45-4: No human wastes or excreta shall be deposited or stored in any manner whatever in Zone A. Such wastes in Zones B and C shall be deposited or stored in one of the ways here following, viz:

(a) In a water tight receptacle equipped with a power driven pump or ejector for emptying the same through water tight pipes or conduits only into a public sewer or a sewage treatment plant or septic tank located in Zone D, or at a point outside the restricted zone;

(b) An approved chemical toilet;

(c) An Imhoff-sprinkling filter unit or other method of final treatment, provided that no septic tank shall be placed closer than 200 feet to the high water mark nor any Imhoff-sprinkling filter unit or other method of final treatment closer than 165 feet to said high water mark. Any method chosen shall be maintained in good working order by the owners, and be at all times subject to the inspection of the City and its officers.

Any cesspool, privy, urinal, water closet or other place for depositing or storage of human excreta now situated in Zone D must be made sanitary, and comply with the plans and specifications of said City or of the Board of Health of the State of Illinois, or of equal sanitary construction.

No cesspool, privy, urinal, water closet or other place for depositing or storing human excreta shall hereafter be constructed within Zone D until a permit in writing has been obtained from the City.

No sewer or drain conveying sewerage or other putrescible waste shall be constructed in Zones A, B, C or D until a permit in writing has been obtained from the City. All such installations must be approved by the (Lake Superintendent) both before and after installation.

*Director of the Water Department or his
authorized agent*

45-5: House slops, sink wastes, laundry or like wastes of any other kind shall not be discharged at any point in Zone A or in Zones B or C below the Staley Bridge, in Zones B and C above the Staley Bridge. In Zone D such slops and wastes other than that including human excrement may be disposed of beneath the ground surface or in such manner that it shall not cause or threaten pollution of the reservoir or any tributary watercourses.

Water Use -
Zone A

45-6: No persons, firm or corporation shall permit the territory known as Zone A or water situated therein, to be used, kept or maintained so as to cause pollution of the water in the reservoir.

Manufacturing
& Trade Wastes

45-7: No filth, decaying or putrescible matter, unsanitary waste products or polluted liquid from any factory, slaughter house, creamery, dairy or milk handling plant, mill, cannery, garage, or establishment of any kind, shall be discharged in such manner as to drain directly into the reservoir or its tributaries within the drainage area threatening or causing pollution or nuisance.

Internment

45-8: No interment shall be made in any cemetery or other place of burial within Zones A, B, C, or D or in Zone E within 1,500 feet of Zone A below the Spangler Bridge.

Garbage, Refuse,
Manure or Dead
Animals

45-9: No garbage, manure, or other unsanitary putrescible refuse of any kind shall be thrown into the reservoir or onto or into the ground at any point in Zones A and B or in Zone C, except animal manure and commercial fertilizer for agricultural and horticultural purposes.

No animal manure or commercial fertilizer for agricultural purposes shall be spread on the ground within Zones C and D in such quantities as to cause or threaten objectionable pollution of the reservoir or any tributary watercourses.

No dead animal or fish of any kind, or any part thereof, shall be thrown into the reservoir or tributary watercourses or on the ground or buried in Zones A, B or C or on the ground, or buried in Zone D, which will result in or threaten pollution of the reservoir or tributary watercourses.

Barns, Stables,
Etc.

45-10: No stable, pigsty, hog yard, barn yard, chicken yard, hitching or standing place for animals, or any other place where dung and urine accumulate, shall be constructed or maintained within Zones A or B, or in Zone C below Spangler Bridge, except on the written approval of the City.

No stables, pigsty, hog yard, barn yard, chicken yard, hitching or standing place for animals or any other place where dung and urine accumulate, shall be constructed or maintained in Zone C above Spangler Bridge or in Zone D so located and maintained as to threaten objectionable pollution of the reservoir or any tributary watercourses.

No Washing
or Burning

45-11: No animals of any kind or clothing or other articles shall be washed in the reservoir or tributaries thereof. The burning of trash, garbage, or offensive material is prohibited on any portion of Lake Decatur and adjacent areas owned by the City of Decatur.

Boating Pro-
hibited

45-12: Boating of any kind or character is hereby prohibited in Lake Decatur in that area lying West of a line 300 feet upstream from the East side of a public highway known as U. S. Route 51.

Bathing
Beach

3364

12,1
45-13: An area adjacent to the bath house is hereby set aside as a bathing beach. Such area designated as a bathing beach shall in season be marked with floating markers. Boating of any kind or character is hereby prohibited in such area.

Protected
Area

45-14: No boats shall be moored in an area adjacent to the Municipal Pier at the boat house, except by written permit from the (Lake Superintendent.) *Director of the Water Department or his authorized*

Harbors

3513

45-15: Two harbors are hereby created. One shall be for the use of all boats and craft which shall be designated as the boat harbor. The other shall be for the exclusive use of yachts and sail boats and shall be known as the yacht harbor. The boat harbor shall be in an area West of the boat house and north of the breakwater and on the West side of Lake Decatur. The yacht harbor shall be the area adjacent to the West shore line and adjacent to and North of the Lost Bridge Road embankment. Both harbors shall be marked with floating markers.

All boats and craft to be subject to the following regulations:

- (a) No boat, craft or float shall be left in either harbor adrift, sunk or insecurely fastened.
- (b) All floats shall be removed from the lake on or before November 15th of each year.
- (c) No boats or craft shall remain secured or tied up to the Municipal Pier overnight.
- (d) No person or persons shall take, use or board any boat or craft lying in the harbors without permission of the owner or persons in charge.
- (e) All boats or craft secured or tied at the lake shore shall be securely locked.
- (f) No mooring or float shall be placed in either harbor until inspected and passed by an authorized agent of the City.
- (g) All boats or craft entering or leaving the harbors shall proceed at a speed so as not to damage the boats or craft in said harbors or to endanger persons on or about the piers.

(h) A fee of fifty cents (50¢) shall be charged for use of the hoist at the boat house.

(i) All boats or craft passing under bridges shall pass under the right hand arch.

Licenses

19 45-16: No boat or craft of any kind may be propelled, kept or used in the Lake until the owner thereof shall have registered such boat or craft and secured a written license and registration number from the City based upon a written application setting forth the length and draft of such boat or craft, its means of locomotion, and if propelled by motor or engine, the horsepower, the maximum number of passengers said boat or craft can safely carry, its contemplated use, and such other and further information as the City may from time to time require. Such license, when granted, shall be in writing and may be further evidenced by a license plate to be furnished by the City to the licensee, and such plate shall be uniformly placed in such conspicuous position on the boat or craft as may be designated by the City, and such license shall be exhibited on request to any agent of the City. In addition, to the license plate, a registration number shall, by the City, be given to each boat or craft so licensed. The registration number in figures at least three (3) inches high must appear on each side of the bow. Such license, unless issued for a special event, shall expire on the next ensuing December Thirty-First and may be annually renewed by filing a like application before said boat or craft may be lawfully propelled, kept or used in said Lake. In order to provide a fund to be used to defray the expenses of inspection and supervision of boats and crafts, and the Lake, to enforce the provisions hereof and for the improvement of navigation and the safety and pleasure of boating, said application for renewal must be accompanied by the payment of annual license fee at the office of the City Clerk, viz:

Three Dollars (\$3.00)	-----	for each rowboat and canoe.
Seven and 50/100 Dollars (\$7.50)	-----	for each sailboat.
Seven and 50/100 Dollars (\$7.50)	-----	for each boat with outboard motor with horsepower of 0 to 14, inclusive.
Ten Dollars (\$10.00)	-----	for each boat or craft of 15 horsepower or above.
Twelve and 50/100 Dollars (\$12.50)	-----	for each boat or craft with inboard motor with horsepower up to 175.
Fifteen Dollars (\$15.00)	-----	for each boat or craft with inboard motor with horsepower in excess of 175.
Twenty Dollars (\$20.00)	-----	for dealer's licenses, which shall entitle the dealer to four (4) dealer license plates.

Horsepower Classification will be O.B.C. rating.

In addition, all boats operated for rent or hire:

Fifty Cents (\$.50) for each foot in length, and

Fifty Cents (\$.50) for each rated passenger capacity.

For the fractional part of any calendar year the license fee shall be the same as hereinbefore specified.

The City may issue a special written permit for the use of any boat or craft for a period of ten (10) days for a fee of Two Dollars (\$2.00). For invitational regattas or invitational racing events temporary permits for a period of not to exceed three (3) days for visiting boats may be issued without fees.

Upon the sale of any boat or craft, the license issued therefor shall cease to apply but such license and the license number may be transferred to any other qualified boat or craft then owned by the vender upon the written application and the payment of a transfer fee of One Dollar (\$1.00). The boat or craft so sold shall be immediately removed from the Lake or registered by the purchaser as in case of an original registration.

Steering and
Sailing Rules

45-17: The following steering and sailing rules shall govern the use and operation of boats on the Lake:

Rule I. When two sailing boats are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(a) A boat which is running free shall keep out of the way of a boat which is close-hauled.

(b) A boat which is close-hauled on the port (left) tack shall keep out of the way of a boat which is close hauled on the starboard (right) tack.

(c) When both are running free, with the wind on different sides, the boat which has the wind on the port (left) side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the boat which is to windward shall keep out of the way of the boat or craft which is to leeward.

(e) Irrespective of the application of any above rule, when a serious collision is imminent, all yachts involved shall do their utmost to avoid it.

Rule 2. When two motor or engine driven boats are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard (right) so that each shall pass on the port side of the other.

Rule 3.. When two motor or engine driven boats are crossing so as to involve risk of collision, the boat which has the other on her starboard side shall keep out of the way of the other.

Rule 4: When a motor or engine driven boat and a sailing boat are proceeding in such directions as to involve risk of collision, the motor or engine driven boat shall keep out of the way of the sailing boat.

Rule 5. The meeting or crossing of two boats propelled by oars or muscular power shall be governed in like manner as to motor boats in Rule 2 and Rule 3.

Rule 6: When a sailing boat or motor or engine driven boat meets, crosses the course of or overtakes a boat propelled by oars, or muscular power, the sailing or motor or engine driven boat shall keep out of the way of the other.

Rule 7: Where, by any of the rules herein prescribed, one of two boats shall keep out of the way, the other shall keep her course and speed.

Rule 8: Every motor or engine driven boat which is directed by these rules to keep out of the way of another boat, shall on approaching her, if necessary, slacken her speed or stop or reverse.

Rule 9: Notwithstanding anything contained in these rules every boat or craft overtaking any other shall keep out of the way of the overtaken boat or craft.

Rule 10: In obeying and construing these rules, due regard shall be had to all danger of navigation and collision and to any special circumstance which may render a departure from the above rules necessary to avoid immediate danger.

Rule 11: Nothing in these rules shall exonerate any boat or craft, or the owner or operator thereof, of the consequences of any neglect to keep a proper lookout, or of a neglect of any precaution which may be required by the exercise of due care and caution or by the special circumstances of the case.

Rule 12: No boat or craft shall collide with, run against, strike, injure, deface, or damage any buoy, stake, sign, piling or other structure installed by the City or with the City's consent, or be anchored or moored so as to obstruct the view of any buoy or navigation sign or signal.

Rule 13: No motor or engine driven boat shall proceed at full speed when passing sailing or other craft at a distance of one hundred feet (100 ft.) or closer. No boat or craft shall pass another, while passing under any bridge.

Rule 14: No boat or craft shall travel at a speed in excess of five (5) miles per hour, while within 200 feet of either shore line, dock, or pier, or while passing under any bridge.

Rule 15: Racing of motor driven boats is hereby prohibited except for special events and in no event without a permit of the Superintendent of the Lake Division of the City.

Rule 16: The operation of a boat or craft at a speed greater than is safe and prudent under the circumstances is prohibited. All boats or crafts must operate at a safe distance from other boats and crafts. Racing or circling around other boats or crafts is prohibited.

Rule 17: All cabin boats must be inspected by the Superintendent of the Lake Division before a license is issued.

Rule 18: No bottles, cans or other refuse shall be dumped into the Lake or adjacent shores from any boat or craft.

Rule 19: No person in an intoxicated condition shall operate or be a passenger in any boat or craft.

Rule 20: No internal combustion engine or motor shall be operated on any boat or craft between the hours of 12 midnight and sunrise, except fishing boats operated at a speed of less than 5 miles per hour.

Rule 21: No internal combustion engines which have horsepower greater than is necessary to operate the boats or crafts to which it is attached at reasonable speeds and under reasonable conditions, shall be operated. Internal combustion engines with excessive horsepower are forbidden.

Lighting
Equipment

19
45-18: No boat or craft of any kind or character shall be used, propelled, or operated between sunset and sunrise, unless said boat or craft plainly displays an adequate light which can be clearly observed from any quarter by an approaching boat.

Sail boats shall be equipped with one or more red lights and shall be of such brilliancy that they may be easily seen by an approaching boat or craft for a distance of at least 800 feet, said lights to be visible from all quarters at all times.

Row boats and canoes not equipped with outboard motors shall carry a white light mounted on a suitable standard not less than twelve inches in height, said light to be of such a brilliancy that it may be easily seen by an approaching boat or craft for a distance of 800 feet, said light to be visible from all quarters at all times.

No boat or craft that may be operated or propelled by means of any motor or engine which may be temporarily or permanently attached thereto, may be operated between the hours of one hour after sunset and one hour before sunrise unless it plainly displays a bright white light in the aft (rear) part of the boat or craft visible from all quarters and twin lights or a combined lantern in the fore (forward) part of the same showing a green light to the starboard (right) and a red light to the port (left) side of the boat or craft, each such colored light to be so shielded, as to be not visible from across the beam of the boat.

No boat or craft of any kind or character shall be anchored between sunset and sunrise, except in the harbors, more than seventy-five feet from the shore of the Lake unless it displays an adequate light clearly visible from any quarter by an approaching boat.

Renting and
Passengers

20
45-19: The business of renting boats for hire or carrying passengers for hire on the Lake is prohibited except as may be authorized by special concession granted by the City, but all provisions of this Chapter shall apply to all boats and craft permitted by special concessions; and all concession boats or craft shall be inspected from time to time during their period of operation on the Lake. Any such boats or craft failing to have adequate life preservers in place as when licensed, or otherwise failing to pass inspection, shall be made to comply with the provisions hereof before further operation. No individual operator or employee or anyone operating any boat carrying passengers for hire shall be permitted to operate such boat unless he is physically fit for such duty, has adequate knowledge of the boat mechanism, is familiar with the ordinances, rules and regulations for the operation of boats on the lake and with the commonly approved safety regulations and measures to be used in case of accident or emergency, including instructions of passengers in the use of safety equipment and their conduct in case of emergency. Each such operator or employee shall at all times be subject to an examination and approval by the City as to such qualifications; and any determination by the City as to such qualifications shall be conclusive.

Fire
Extinguishers

91
45-20: No boat or craft that may be operated or propelled by means of any motor or engine shall be used, kept or maintained on the Lake unless it is equipped with an adequate fire extinguisher approved by the Underwriters Laboratories.

- Life Preservers, Oats. ³⁵¹³ 45-21: No boat or craft of any kind or character, shall be operated on the Lake unless it carries for each occupant an adequate individual life preserver, in good condition especially designed for that purpose and conforming to federal specifications for like equipment. And no boat or craft shall carry more people than its rated passenger capacity as given in its license. Each boat or craft must carry an oar or paddle at all times. ²²
- Cut Outs Prohibited ²³ 45-22: No person shall use on any boat or craft on the waters of the said Lake a muffler, cut-out or any device whatsoever that operates to discharge exhaust gases of any motor or engine without such gases passing through an efficient muffler, except in cases of scheduled outboard racing events which may only be held by special permission of the City (Council.) *Mayor.*
- Clutching Devices ²⁴ 45-23: No motor or engine driven boat or craft which has the motor or engine permanently attached shall be operated on any of the waters of the Lake, without being equipped with a suitable clutching device capable of releasing the power of the motor from the driving gear or propeller shaft of the boat or craft.
- Exhaust Gases ²⁵ 45-24: No person shall operate or cause to be operated any boat or craft equipped with a motor or internal combustion engine, regardless of whether such motor be temporarily or permanently attached to said boat or craft, on any of the waters of the Lake, unless such motor or engine is equipped with an efficient muffler, in good working order and constant operation so as to prevent excessive noise and annoying smoke. No outboard motor or internal combustion engine shall be deemed equipped with an efficient muffler unless the exhaust gases are discharged under water or are so muffled as to be not noisier or more annoying than an internal combustion engine of like power equipped with underwater exhaust. No inboard motor or internal combustion engine shall be deemed equipped with an efficient muffler unless the exhaust gases are condensed and silenced by the continuous circulation of water through the exhaust pipe, of an internal combustion engine of like power, or are so muffled as to be not noisier or more annoying than when so condensed and silenced by water circulating through the exhaust pipe of an internal combustion engine of like power.
- Toilet Facilities ³⁵¹³ 45-25: No boat or craft used or operated on the Lake shall be equipped with toilet facilities except closed chemical toilets which must be approved by the (Lake Superintendent.) *Director of the Water Department his auth agent.* ²⁶
- Miscellaneous Regulations (a) Persons using or operating any boat or craft on the waters of the Lake shall do so in a manner as not to create any unsanitary condition in or about said waters by the discharge in any material amount of oil or other polluting liquid tending to make said waters unwholesome or unfit for water supply purposes or injurious to the aquatic life thereof.

(b) No boat or craft shall be used or operated, nor any horn or sound device sounded so as to create a nuisance or disturb the peace, and quiet of any neighborhood.

(c) The City shall at all times have the power and authority to prohibit, restrict or otherwise limit or regulate the keeping, maintenance, or operation of any or all boats and craft on the waters of the Lake should it become necessary to do so in the interest of the public health or safety, or for the protection or improvement of the Lake or other causes.

(d) Any boat or craft found abandoned or adrift in the Lake or any boat or craft without a current license plate secured thereon shall be taken up by the City and disposed of as other lost or stolen property under the ordinances of the City. Nothing herein shall be construed as exonerating the owner or operator of any boat or craft from personal liability to the City, or any other person, for any damage or injury caused by such boat or craft.

For expense of removal, a fee of Two Dollars (\$2.00) must be paid before any owner may reclaim any boat or craft.

(e) Nothing herein shall be construed as permitting any boat or craft to be operated at a speed greater than is safe and prudent under the circumstances, and operator thereof shall observe all signs and other regulations placed by the City on or near the Lake.

(f) The City and its authorized agents shall have the right and power to order a boat or craft removed from the Lake which by reason of its physical condition it is no longer safe for use. If the owner does not remove such boat or craft, the City shall have the right to remove such boat or craft from the Lake. The owner thereof must pay a fee of Two Dollars (\$2.00) before reclaiming any such boat or craft.

Skiing

3513 45-26: (a) No water skiing or surf board riding shall be permitted between sunset and one hour before sunrise.

29 (b) All water skiers or surf board riders must wear approved life jackets or belts and high visibility head gear.

(c) No water skiing or surf board riding is permitted within 200 feet of the shore line, docks or piers, or in the areas marked for the bathing beach and boat harbors except in areas designated as areas of egress and ingress. All areas for ingress and egress shall be those designated by the Lake Superintendent and none other.

(d) Water Skiing and surf boat riding is prohibited under all bridges.

Out (e) Either a wide angle rear view mirror must be provided on the boat or at least two people must be occupying the boat pulling a water skier or surf board rider.

Bathing and Swimming	28	45-27: Bathing and swimming are hereby prohibited on Lake Decatur except at the Municipal Bathing Beach as designated in <i>herein</i> Section 45-13 <i>hereof</i> or from such docks and piers as are permitted by the City <i>Director of the Water Department or his authorized agent</i> by special permits in writing. No swimming is permitted beyond the 200 foot limit from the shore except after permission first obtained from the (Lake Superintendent) <i>(Lake Superintendent)</i> and after satisfactory arrangements for protection of the swimmer have been made.
		Swimming out of boats is hereby prohibited.
		Diving from bridges, bridge piers, or bridge approaches is forbidden.
		Skin diving is prohibited.
Rules and Regulations for Swimmers	29	45-28: No person or persons having any communicable or infectious disease or skin infection shall bathe or swim in Lake Decatur. All persons using said waters for bathing and swimming purposes shall use the same so as not to create any unsanitary conditions in or about said waters and so as not to pollute said waters or make them unwholesome or unfit for use.
Hunting Area	30	45-29: Hunting on Lake Decatur is hereby prohibited except the hunting of water fowl in season in that portion of Lake Decatur upstream from Rea's Bridge.
Blinds	31	45-30: No person shall establish or use any blind or pit for the hunting of migratory water fowl on Lake Decatur except above Rea's Bridge, which blind or pit shall not be set up within 150 yards of any other blind or pit, except where such blinds or pits are located along the shore lines where shooting is possible only out of the front of such blinds or pits, in which case such blinds or pits may be set up within 75 yards of each other.
Variation	32	45-31: A variation of not over 15 yards in any one direction may be allowed upon written approval of the (Superintendent of the Lake Division of the Department of Public Property) <i>Director of the Water Department or his authorized agent</i> .
Permit Required	33	45-32: No such blind or pit shall be established on Lake Decatur or property of the City adjacent to such Lake until a written permit therefor has been first obtained from (such Superintendent of the Lake Division) <i>(such Superintendent of the Lake Division)</i> .
Definition	34	45-33: A blind or pit shall mean any cover either natural vegetation or any structure used for concealment by anyone in the act of hunting migratory water fowl.
Firearms	35	45-34: Firearms and shooting on or over Lake Decatur is forbidden except the hunting of water fowl in season as permitted (in Section 45-29 above.) <i>herein</i> .

- Landing Aircraft Prohibited 34 45-35: The landing of aircraft is hereby prohibited in the reservoir of Lake Decatur between what is known as the Iron Bridge which spans the original channel of the Sangamon River along the East side of Section 24, Township 17 North, Range 3 East of the Third Principal Meridian, in Macon County, Illinois, and the City Dam South of and adjacent to the City of Decatur.
- Picnic and Camping 37 45-36: Any person or persons using the drainage area of Lake Decatur for picnic, camping or other recreational purposes shall keep the premises neat and clean, pick up and remove in a satisfactory manner all paper, garbage, rubbish and debris and before leaving the premises put out any fire made by such person or persons. Picnics and camping are prohibited below the high water level.
- Fishing 38 45-37: (a) Fishing from boats is hereby prohibited in Lake Decatur in that area lying West of a line 300 feet upstream from the East side of a public highway known as U. S. Route 51. Fishing from any part of the dam is prohibited.
- (b) ^{OMIT} (State license required; obedience to state law.) No person over the age of twenty-one years, or other person required to be licensed by the laws of the State, now or hereafter shall take, catch or attempt to take or catch any species of fish, frogs, or turtles without a state fishing license in full force and effect, issued to such person and in his possession. All persons shall strictly adhere to the Fish Code of the State and the amendments thereto.
- (c) ^{OMIT} (Hook and line to be used; use of seine, etc. is prohibited.) No person shall take, catch, or attempt to take or catch, any fish in the reservoir by any method whatsoever except that of a hook attached to a single line. The use of any seine of any character, or any dip, hook, fyke, gill, pound or basket net or of any trap for the taking or catching of aquatic life is hereby prohibited. The use of snares, spears, gigs, firearms, or artificial light for the taking or catching of aquatic life is hereby prohibited.
- (d) All persons using said waters for fishing purposes shall use the same so as not to create any unsanitary conditions in or about said waters or so as not to pollute the said waters and make them unwholesome or unfit for use.
- (e) Exemption of city and state. Nothing herein enumerated in subsections (a) to (d) inclusive, of this section shall apply to or be construed to prevent or penalize anything done or caused to be done by the City or by agents of the Department of Conservation of the State in protecting or caring for the reservoir or the aquatic life therein.
- Authority of City 39 45-38: The City shall at all times have and retain full power and authority to prohibit bathing, swimming, boating, skiing, hunting and fishing in said Lake Decatur and its tributaries thereto for the purpose of preventing, suppressing or arresting any epidemic or any communicable or infectious disease or for the purpose of safety to persons or property.

- Suspension and Revocation ^{H0} 45-39: For violation of any of the rules or regulations hereof in whole or in part the license of such violator may be cancelled or suspended for a period of not less than two (2) days. Under no condition may the holder of a license which has been suspended or revoked operate any other licensed boat during such period of revocation or suspension.
- Relicensing ^{H1} 45-40: Under no condition may the holder of a license sell or dispose of boat or craft during the time of suspension in order that it may again be licensed by another individual.
- Skating and Ice Boating ^{H2} 45-41: No persons shall skate or use any ice boat or ice craft upon the ice of Lake Decatur in that area lying West of a line 300 feet upstream from the East side of a public highway known as U. S. Route 51. No persons shall skate or use any ice boat or ice craft upon any part of Lake Decatur except upon such portions as may be designated by the City for such purposes, and only at such times as the (Superintendent of the Lake Division) shall permit.
Director of the City Department or his authorized agent
- Ice Cutter ^{H3} 45-42: No ice cutting shall be permitted in or upon the waters Prohibited or ice of the reservoir.
- Piers or Docks ³⁵³ 45-43: Piers or docks may be constructed upon Lake Decatur under the following conditions only:
³⁵⁸
- (a) A written permit must first be obtained from the City Council.
 - (b) No pier or dock may be constructed immediately in front of another owner's private property.
 - (c) The location must be approved by the Lake Superintendent.
 - (d) The type of construction, size, length, and materials used must be approved by the Lake Superintendent.
 - (e) The pier or dock must at all times be kept in good state of repair.
 - (f) Temporary piers or docks must be removed from the Lake on or before November 15 of each year and not replaced before March 15 of each year unless such pier or dock is approved as a permanent pier or dock by the Lake Superintendent.
 - (g) The owner of any pier or dock must permit no swimming from the pier or dock of children under the age of 16 years unless an adult who is an expert swimmer is present. No person shall swim from any pier or dock without the owner's consent. There shall be no swimming from such pier or dock beyond 200 feet from the shore.
 - (h) The City reserves the right to order any and all piers or docks removed at any time.

(i) The Lake Superintendent may order any pier or dock removed for violation of any of the terms or regulations hereof.

(j) If the pier or dock is not removed on the date herein set forth or when requested by the Lake Superintendent, the same may be removed by the City and the expense thereof charged to the applicant.

(k) Application for a permit for such pier or dock must be made to the Lake Superintendent upon forms provided by him. A fee of Three Dollars (\$3.00) must be paid with the application for each pier or dock outside a protected area. For piers or docks within a protected area, a fee of One Dollar (\$1.00) will be charged for each slip or mooring in such protected area.

(l) The applicant in such application must agree to hold the City harmless and agree to indemnify it for any and all liability for damages to person or property for which it may be legally held liable by reason of the maintenance or operation of such pier or dock on the Lake.

Penalty 3364 43.1 + 3.1
45-44: Any person violating any of the provisions hereof shall be subject to a penalty of not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for each and every offense.

45-45: Ordinance No. 2732, adopted by the Council on the 12th day of March, 1956, and entitled "An Ordinance Setting Up Rules and Regulations for the Operation of Boating and other Sports on Lake Decatur", Chapter 30 of the Municipal Code of Decatur entitled "Fishing", Chapter 30-1 of the Municipal Code of Decatur entitled "Hunting", being Ordinance No. 2353, adopted November 2, 1953, and Chapter 45 of the Municipal Code of Decatur entitled "Water Supply - Sanitary Control", are each hereby repealed, effective as of the effective date of this Ordinance.

45-46: That this Ordinance be incorporated into and become a part of the Municipal Code of Decatur as Chapter 45 entitled "Regulations for the Care, Sanitary Control, Protection of, and Sports on Lake Decatur."

PRESENTED this 28th day of April, 1958.
PASSED this 5th day of May, 1958.
APPROVED this 5th day of May, 1958.
RECORDED this 5th day of May, 1958.

ATTEST:

Eugene Flues
City Clerk

George H. H. H. H.
Mayor

PUBLISHED this ___ day of May, 1958.

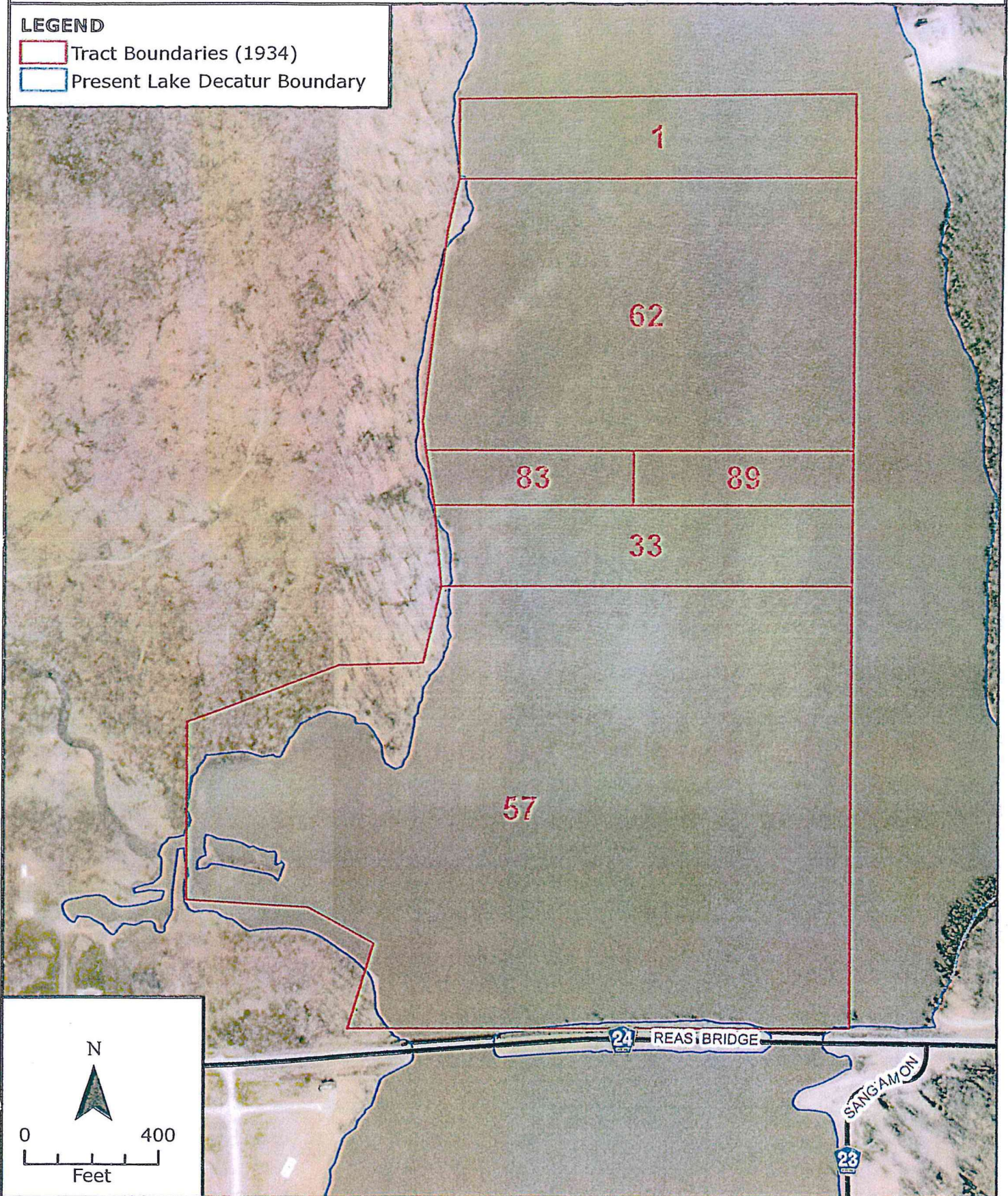
Eugene Flues
City Clerk

EXAMPLE OF TRACTS FROM
MISCELLANEOUS DEEDS
BOOK NO 716 (1934)



LEGEND

-  Tract Boundaries (1934)
-  Present Lake Decatur Boundary



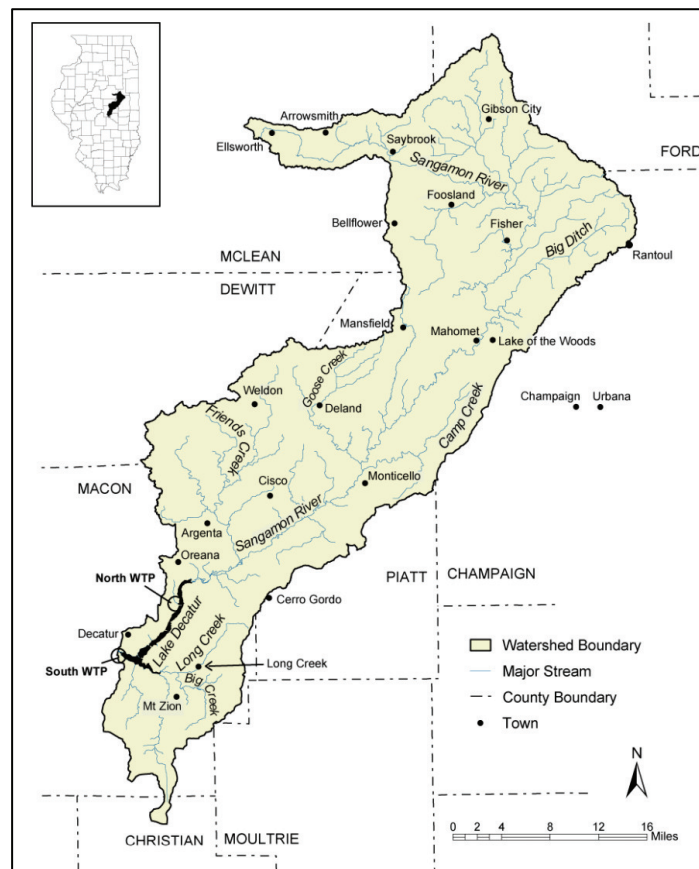
Lake Decatur Watershed Management Plan & Initiative

Long-Term Strategy

April 30, 2021

Prepared for: City of Decatur, Illinois

Prepared by: Northwater Consulting



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Cover page: Lake Decatur watershed boundary (source: ISWS)

Executive Summary

This Long-Term Strategy (LTS) guides planning and management for the Lake Decatur watershed with the objective to reduce sediment and nutrients entering the lake. On an annual basis, approximately \$1M of sediment (based on dredging costs) enters the lake. According to the Illinois State Water Survey (ISWS), 15% of the watershed area nearest the lake contributes approximately 50% of the sediment. The ISWS estimates that over 13M lbs/year of nitrate loading occurs in the watershed, causing a periodic exceedance in drinking water standards, requiring approximately \$200,000 in annual treatment cost. Figure 1 illustrates the estimated proportion of sediment and nitrate sources to Lake Decatur.

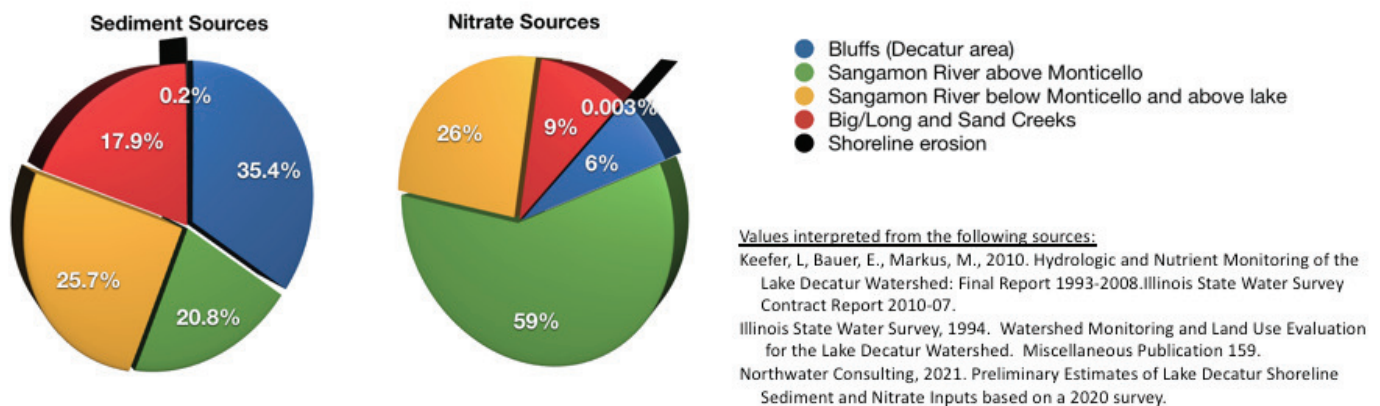


Figure 1 – Sources of Sediment and Nitrate in the Lake Decatur Watershed

This LTS details an approach to: (i) establish a consistent structure and messaging, (ii) build strong partnerships, and (iii) enable a constant flow of financial resources to achieve water quality objectives. The strategy is based upon four foundations of watershed planning:

1. Leadership and coordination.
2. Leveraging of opportunities.
3. Subwatershed plan sequencing.
4. Impactful launch and continuity.

Successful execution of this LTS will lead to reductions in sediment and nutrient loading to the lake; perhaps increasing the life of the existing dredging investment by 25 to 50 years and reducing or eliminating nitrate treatment costs.

A minimum investment of **\$20M** will achieve significant results over the next six years, a majority of this funding can be secured from grant programs. Assuming grant awards, a minimum City investment of **\$4M** will be required over the six years, most of which is already committed. Without grant subsidies, a minimum City investment of **\$20M** would be necessary, along with extended timelines and increased staffing commitments. City-led commitment and investment to secure grants is important.

This LTS assumes that consultants will continue to perform key tasks. Nonetheless, the City must assume two primary responsibilities for successful execution of the LTS. The two key responsibilities are:

1. Serve as the executive and strategic watershed program leader in a figurehead and directional-level role for the watershed program.
2. Existing City staff positions may need to be reprioritized to align with the LTS and watershed program as it evolves.
 - a. This is particularly relevant to management of the City's lake assets and adjoining properties. Several initiatives and projects are proposed to leverage City properties will require involvement of City management, even if the projects are led by consultants. Filling these roles is possible with reprioritization of existing staff, however, the City may need to eventually consider strategic hire(s).

1 Introduction

This Long-Term Strategy (LTS) guides planning and management for the Lake Decatur with the objective to reduce sediment and nutrients entering the lake.

The recent dredging program removed approximately 10,700,000 cubic-yards of sediment at a cost of \$92M. On an annual basis, over \$1M of sediment (based on dredging costs) enters the lake. According to the Illinois State Water Survey (ISWS), 15% of the watershed area nearest the lake contributes approximately 50% of the sediment. The ISWS estimates over 13M lbs/year of nitrate loading to the watershed, approximately 60% from upstream of Monticello. Nitrate loading to the lake per unit area is higher in proximity to the lake and decreases as drainage area increases. Nitrate loading causes the lake to periodically exceed drinking water standards, requiring approximately \$200,000 in annual treatment costs.

This LTS represents a guiding vision for the lake and watershed and is focused on two goals:

1. Achieve measurable reductions in sediment loading from a baseline to maximize the life of dredging investments.
2. Achieve measurable reductions in nitrate loading and reduce exceedances of the 10 mg/L drinking water standard.

Based on results from watershed surveys, stakeholder outreach, and capacity evaluations performed from April through October 2020, the LTS details an approach to: (i) establish a consistent structure and messaging, (ii) build strong partnerships, and (iii) enable a constant flow of financial resources to achieve water quality objectives.

The strategy is based upon four foundations of watershed planning:

1. Leadership and coordination.
2. Leveraging of opportunities.
3. Subwatershed plan sequencing.
4. Impactful launch and continuity.

Section 2 summarizes results from interviewing and engaging watershed stakeholders. Section 3 includes the inter-workings of the strategy. Sections 4 and 5 outline the United States Department of Agriculture Regional Conservation Partnership Program (USDA-RCPP) and Illinois EPA (Environmental Protection Agency) Clean Water Act Section 319 grants that will enable an impactful launch. Section 6 includes a chronogram and budget. Section 7 outlines immediate action items.

1.1 Foundations of the Long-Term Strategy

Substantial opportunities exist to leverage partner resources that will result in measurable improvements to lake water quality and protect and extend the recent \$92M dredging project.

1. **Leadership & Coordination:** Centralized leadership and coordination is critical to drive the program.
 - a. The City of Decatur is the logical entity to assume an active leadership role and serve as a central coordinator for long-term watershed planning and management.
 - b. Take advantage of partner and stakeholder strengths and enable them. Primary partners, other governmental jurisdictions and consultants (e.g., SWCDs and watershed consultant(s)) can provide the City with capacity and expertise to achieve long-term results.

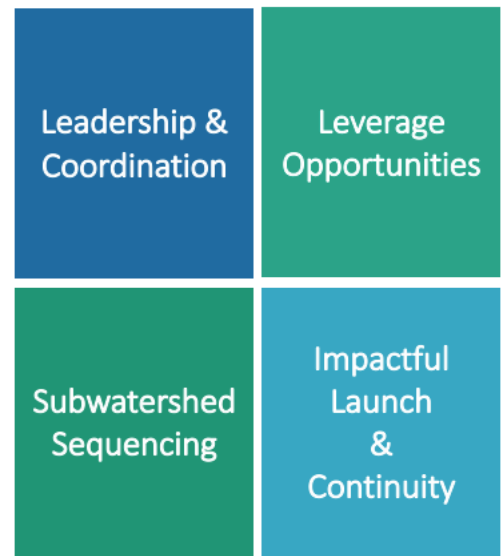


Figure 2 , Four Strategy Foundations

2. **Leverage Opportunities:** Establish a foundation to bridge and leverage the many organizations and diverse activities that are currently underway.
 - a. For example, nearly \$10M of spending is planned for the watershed over the next five years from a range of stakeholders. This \$10M can be prioritized and leveraged to receive matching funds (e.g., federal funding through the USDA-RCPP).
 - b. Numerous stakeholders have complementary missions and objectives, and most operate independently. Harnessing and aligning efforts will yield substantial benefits and reduce redundancies.
3. **Subwatershed Sequencing:** Sequencing plans at a subwatershed scale rather than deploying a single plan for the entire 592,665-acre watershed is important. As subwatershed plans are completed, they can be synthesized into a cohesive plan encompassing the entire Lake Decatur watershed.
 - a. Criteria for sequencing include: proximity to the lake, nutrient and sediment yields, and opportunity for greatest lake impacts.
 - b. Subwatershed scale plans are necessary to secure implementation funding, especially through the Illinois EPA.
 - c. A synthesized and cohesive plan will continue to grow as subwatershed plans are completed. These plans hold the site-level detail and specifics needed to guide cost-effective implementation.
4. **Impactful Launch and Continuity:** Success requires early engagement, success stories, sustained actions, frequent communication, and consistent resources. The watershed program is not grant-dependent, however, securing outside funding will result in greater positive impacts in a shorter period, and reduce the financial commitment of the City. External funding will accelerate actions. For example, an award of a USDA-RCPP grant and Illinois EPA Section 319 grant in 2021/2022 would supplement resources and enable both an impactful launch and continuity with past investments.

1.2 Prospectus

Cost considerations, benefits, and outcomes are outlined based on successful execution of the LTS.

1. City cost considerations and financial benefits

- a. **\$4M City expenditures.** This includes planned expenditures related to watershed activities (six years allocated to Macon County SWCD and watershed consultant) and not inclusive of City staff expenditure. Some City expenditures may be offset by revenue generated from development of special programs (i.e. sediment dewatering basin and existing crop ground). Illinois EPA 319 grants will also help offset watershed consultant costs.
- b. **\$18M financial investments in the watershed.** This reflects state and federal grants that will be pursued.

2. Outcomes

- a. **Reduction in sediment loading to the lake.** This will extend the life of recent dredging efforts and help to maintain capacity during drought periods. At current rates, capacity gained from dredging could be lost in as little as 50 years. Over \$1M per year of sediment currently enters the lake based on recent dredging costs. Future sediment removal will be more expensive and less feasible due to a changing regulatory environment.
- b. **Decrease in use or elimination of nitrate treatment facility operation.** Reducing operational hours of the facility could save the City \$2.5M over 10 years.
- c. **Enhanced partnerships and external investment.** Partnerships are drivers behind the LTS. Partner engagement will lead to financial and technical assistance opportunities and efficiencies in the delivery of conservation throughout the watershed.
- d. **Community resiliency and support.** Lake and watershed efforts include meaningful public engagement. Transparency and regular communication of results are critical elements of the strategy and will enhance community support.

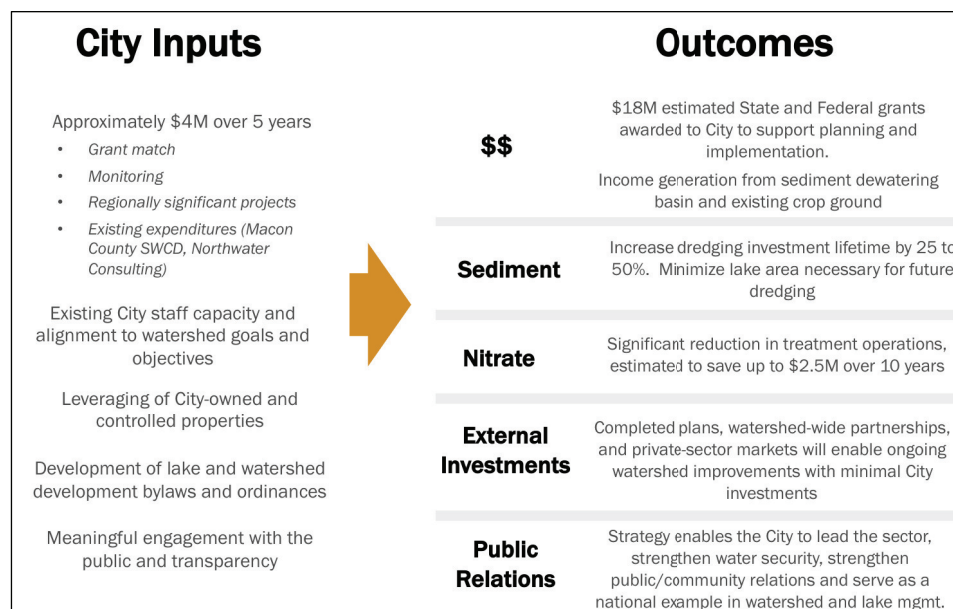


Figure 3 – Preliminary Summary of Five-Year Strategy Inputs and Outcomes

2 Stakeholder Engagement & Capacity

From April through October 2020, over sixty organizations were interviewed and introduced to the City of Decatur’s watershed initiative. Interest and associated stakeholder capacity were assessed to evaluate current activities, workloads and understand financial and staffing resources necessary to scale up efforts throughout the watershed.

A motivated network of partners is available to fill important roles in watershed management. An RCPP application is as an early-stage mechanism to build partnerships, establish common objectives, and secure and implement a federal grant program. It will provide resources and enable strong and sustained partnerships over the next five years and beyond. The initial RCPP application submitted in 2020 was not awarded. The application will be adjusted and resubmitted in the summer of 2021. In the meantime, partners are active, and work proposed in the 2020 application is underway even without federal funding.

Table 1 lists all stakeholders/partners engaged from April through October of 2020. A summary of roles and responsibilities of those supporting an RCPP are included in Section 4.

Table 1 – Inventory of Stakeholders and Partners Engaged

Category	Organization	Category	Organization
Landowners	Private landowners/Farmers (multiple)	Industry / Private Sector	Archer-Daniels-Midland (ADM)
National Government	United States Department of Agriculture		United Prairie LLC
	Natural Resources Conservation Service (NRCS)		Door4 Brewing and Decatur Brew Works
	US Army Corps of Engineers		Riggs Brewing
	United States Geologic Survey (USGS)		Topflight Grain Cooperative
Local Government	Champaign County SWCD		Anvil & Forge Brewing and Distilling
	DeWitt County SWCD		Landlocked Hops
	McLean County SWCD		DIGS Associates
	Piatt County SWCD		Rovey Seed Company
	Ford County SWCD		Anuvia Plant Inspired Products
	Macon County SWCD		Tate & Lyle
	Shelby County SWCD		Land O' Lakes (Truettterra)
	Macon County Conservation District		ManPlan Inc.
	Macon County		Jimmy John's
	City of Decatur		Caterpillar
	City of Monticello		Crop-Tech Consulting
	Decatur Park District		Nutrien
	Decatur Sanitary District		Clarkson Grain Company
Foundation	Land Conservation Foundation		Growmark
	Howard Buffet Foundation		Martin Ecosystems
Media	WAND TV		Regenerative Agriculture Consulting
	Now Decatur (radio)		Growmark FS
Educational	University of Illinois		Covercress Inc.
	Allerton Park		Understanding Ag
	Lewis & Clark Community College		Farm Raise
	The Nature Conservancy		

Category	Organization	Category	Organization
Non-Governmental Organization	Iowa Agricultural Water Alliance		Diggs Associates
	Ecosystem Services Market Consortium (ESMC)		EcoMetrics
	Illinois Lake Management Association		First Illinois Ag Group
	Illinois Nutrient Research & Education Council	Property Management	Hancock Agricultural Investment Group
	Illinois Sustainable Ag Partnership	Trade Organization	Illinois Corn Growers Association
	American Farmland Trust (AFT)		Illinois Farm Bureau
	Agricultural Watershed Institute		Macon County Farm Bureau
	Macon County Women in Ag		Shelby County Farm Bureau
	Sand County Foundation		Ford/Iroquois Farm Bureau
State Government	Illinois Department of Natural Resources		McLean County Farm Bureau
	Illinois State Water Survey		DeWitt County Farm Bureau
	Illinois Environmental Protection Agency		Piatt County Farm Bureau
			Champaign County Farm Bureau
			Illinois Fertilizer & Chemical Association (IFCA)
			Illinois Land Improvement Contractors Association (LICA)

There is significant interest and willingness to engage and participate in planning and management across all sectors throughout the watershed. There are dozens of complementary missions, programs, projects, and activities. The opportunities to align and leverage investments are significant. The value that actionable watershed plans will have in guiding and prioritizing spending will result in more informed and prioritized investments.

“The legs, wheels and momentum are all in place, there just needs to be a driver and some choreography.”

The primary capacity gap is related to leadership and coordination that is necessary to scale up. The role of the private sector and the agricultural industry is also central to achieving success over the long-term. Currently, there is a capacity gap in terms of leadership that can creatively align and bridge businesses/industry. While the level of support and interest is strong, stakeholder engagement must be strategic and impactful. This requires a level of leadership, vision and coordination not currently in place at the scale necessary to advance the LTS.

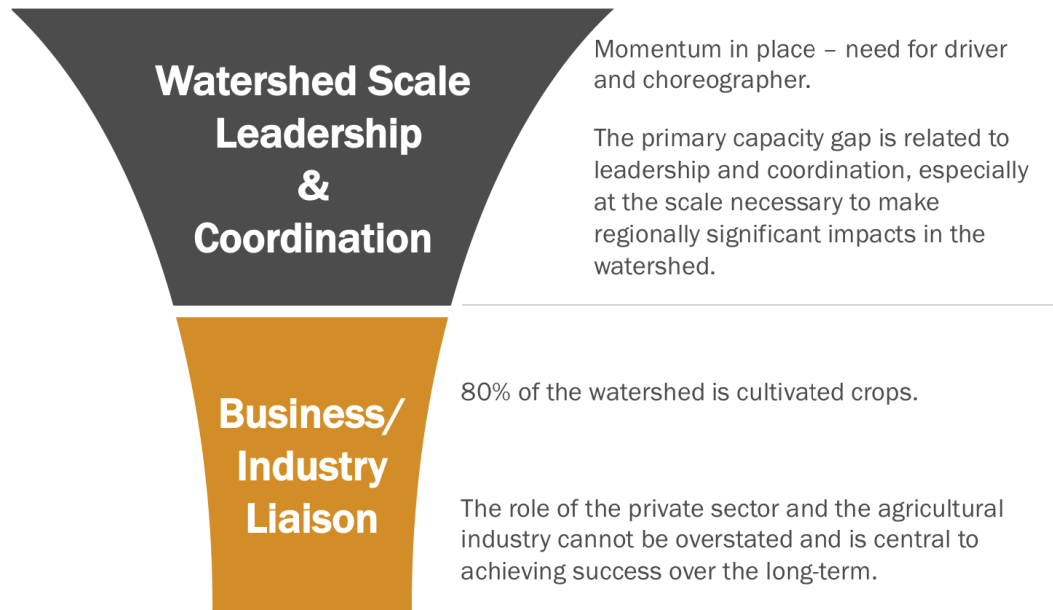


Figure 4 - Primary Capacity Gaps to Achieve Regionally Significant Results

Table 2 outlines the high-level responsibilities necessary to execute the LTS. The first two items are critical responsibilities best suited for the City: (i) serving as the executive watershed program leader, and (ii) adapting asset management to the watershed program as it evolves. Limited capacity currently exists to absorb these responsibilities as they grow, without reprioritizing and/or hiring experienced and qualified staff.

Additional responsibilities outlined in Table 2 relate to the direct management and execution of watershed program activities. Currently, these are shared by watershed consultants and the Macon County SWCD via City contracts. The City can certainly consider filling some of these roles and responsibilities internally with reprioritization of staff and/or strategic hires.

Table 2 - City Responsibilities for Execution of LTS

City Responsibilities	Description	Key Roles	Notes
1 – Executive Leadership	Serve as figurehead and executive level role for the watershed program.	- Grantee for applications and grants - Liaison with City council, Public Works and other City departments - Administer and oversee contracts related to watershed program and projects (e.g., Northwater & SWCD) - Participate in select meetings with stakeholders	Reprioritizing existing and/or securing additional staff. Currently, Keith Alexander and Matt Newell serve in this role. The effort will increase as the program advances.
2 – Asset & Lake Management	Existing City roles reprioritized to align with the LTS and watershed program as it evolves. Likely to require more staff time than what is now invested.	- Regular lake and property management activities - Reinstitute regular lake water quality monitoring – Volunteer Lake Monitoring Program (VLMP) - Lake sediment dewatering basin management	Possible with reprioritizing existing staff and/or securing additional staff.

City Responsibilities	Description	Key Roles	Notes
		- Innovative management and use of City-owned lands to benefit the watershed - DeWitt well field site activities - Involvement in floating treatment wetlands and emerging trading programs	
3 – Active Watershed Program Management	Watershed consultant or new City role(s) to be actively engaged and responsible for coordination, management and watershed outputs and outcomes.	- Oversight and coordination with City staff, SWCDs and partners to implement planning and implementation mandates - Coordinate with City staff on watershed and lake initiatives, such as monitoring - Seek, apply for and administer/manage grants - Build, develop and maintain partnerships with diverse stakeholders - Coordinate and manage initiatives such as development of the Sediment Dewatering Basin, monitoring, residential landowner engagement, and regionally significant projects, etc.	This role is currently served by the watershed consultant.
4 – Production-Level Activities	Watershed consultants, SWCD partners, and/or new City role(s) to perform planning and implementation activities.	Production-level activities such as compiling watershed plans, assessments, identifying project locations, performing GIS analysis, technical components of grant applications/reports, and monitoring	This role is currently served by the watershed consultant and Macon County SWCD.

Strategic alignment between the City, SWCDs and watershed consultants can fill responsibilities and achieve significant watershed management goals. This would minimize staffing and management burden and enable engagement, as needed, with qualified experts best positioned to deliver success and results.

The City should continue to: (i) work with specialists to execute the watershed management program and LTS, (ii) provide direction to other key partners, such as the Macon County SWCD, and (iii) maintain alignment to goals outlined in Section 1.

3 Long-Term Planning & Implementation Strategy

3.1 Phased Approach

A phased approach was recommended for watershed planning and management and is consistent with the four LTS foundations. Phase I included developing a five-year strategy, performing a capacity audit, establishment of a monitoring plan, and clearly defining subsequent phases. Figure 5 outlines Phases II through IV encompassing a five-year program. Notable is that after five years, a very well-oiled machine and partnership system will be in place to maintain a consistent stream of funding and impacts.



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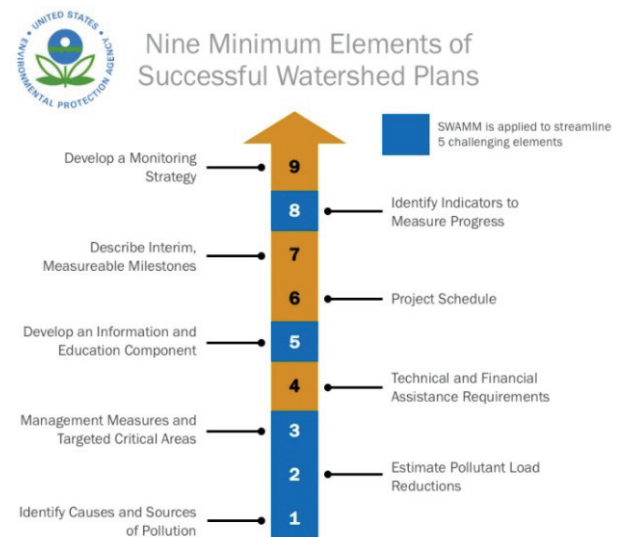
Figure 5 - Phases of Northwater Activities Supporting the Lake Decatur Watershed Program

3.2 Subwatershed Plan Sequencing

One of the four foundations of the LTS is to sequence Illinois EPA nine minimum element subwatershed plans so they can be more specific and guide implementation. As plans are completed, those areas will become eligible for state and federal funding. Grant writing and administration will become an ongoing and annual responsibility over the life of the program.

This sequencing strategy aligns with Illinois EPA priorities, which prioritize smaller geographic areas where planning can be more detailed and lead to action.

The Lake Decatur Bluffs was selected as a priority planning subwatershed. Selection criteria includes: (i) its proximity to



the lake and ISWS literature indicating high sediment delivery and, (ii) public property ownership which enables more shovel-ready project opportunities.

Although the subwatershed plans will be independent, the objective is to synthesize them into a consistent management framework as they become completed, and implementation occurs. An online management portal is recommended to enable cohesion across the larger watershed area (Section 3.5). Table 3 presents all the subwatersheds and the recommended sequencing chronology. Four of the nine subwatersheds will have a plan completed after the first Illinois EPA 319 grant. The remaining will be addressed in subsequent applications based on relative contributions of sediment and nitrogen yield to the lake.

Table 3 - Lake Decatur Subwatersheds Recommended for Plan Sequencing

Subwatersheds	HUC 12s	Initiation Year	Strategy / Notes
Bluffs	Lake Decatur Bluffs	2020	To be completed under Phase II of Northwater Contract
Sand Creek	Sand Creek	2021	Included in IEPA 319 Application #1 (submitted)
Wildcat/Willow	Wildcat Creek	2021	Included in IEPA 319 Application #1 (submitted)
	Willow Branch		
Friends Creek	Friends Creek	2021	Has current plan that needs updating. Updating plan is included in IEPA 319 Application #1 (submitted)
	Shiloh Chapel Friends Creek		
	Friends Creek Ditch		
	Kickapoo Creek		
Middle Upper Sangamon 1	Goose Creek	2022 - 2023	To be included in a future IEPA 319 application(s)
	Madden Creek		
	Camp Creek		
	Spring Lake		
	South Fork Camp Creek		
	Lake of the Woods		
Big Ditch	Big Ditch	2024-2025	Current plan expires in 2024; IEPA 319 grant to help fund plan update.
Big / Long Creek	Big & Long Creek	2024-2025	Current plan expires in 2024; IEPA 319 grant to help fund plan update.
Middle Upper Sangamon 2	Long Tree Creek	2025	To be included in future IEPA 319 application(s)
	Owl Creek	2025	
	Wildcat Slough	2025	
	Hillsbury Slough	2025	
Finley Creek	Finley Creek	2025	To be included in future IEPA 319 application(s)
Upper Sangamon	Dickerson Slough	2026	To be included in future IEPA 319 application(s)
	Corn Valley Creek	2026	
	West Branch Drummer Creek	2026	
	Town of Arrowsmith Sangamon River	2026	

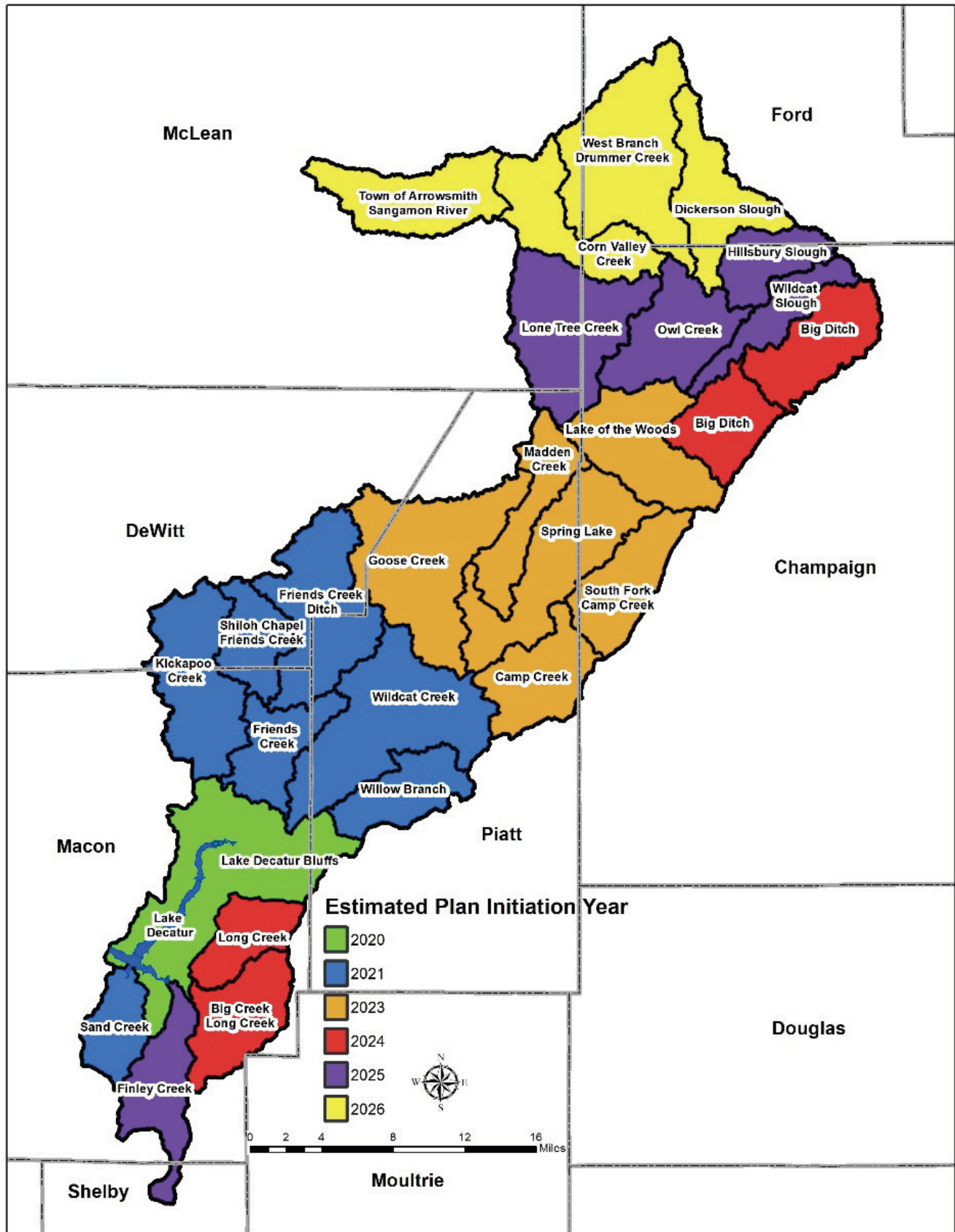


Figure 6 - Preliminary Sequencing Strategy for Subwatershed Planning

3.3 Prioritization of Public Properties

Leveraging opportunities is one of the four LTS foundations, and prioritizing activities on public properties is considered low-hanging fruit. Engaging on public properties also supports another LTS foundation - “Impactful Launch and Continuity.” As the City sets an example on its own property, landowners throughout the watershed will take notice and be much more likely to participate.

Decatur owns ground throughout the watershed including:

1. DeWitt County well field – 106 acres of tillable farmland and 14 acres of non-tillable ground.
2. Macon County tillable acres outside dewatering basin – approximately 30 acres.
3. Oakley sediment dewatering facility – approximately 500 acres (390 interior acres).
4. Various properties adjacent to or near Lake Decatur.

Development, modifications and alterations in the watershed and along the shoreline of Lake Decatur and its contributing waterways impacts water quality, infrastructure, and the efficacy to manage and maintain the system as a drinking water supply and recreational resource in a cost-effective manner.

This LTS recommends that the City take reasonable programmatic actions to update current ordinances and develop new ordinances, bylaws, easements and other restrictions that protect (i) the lake and water resources as they pertain to City-owned properties managed, sold or leased, and (ii) private properties subject to alterations, rezoning, improvements, and permits that require approval.

There are many examples and precedents from other growing municipalities that can be reviewed to support advancing this effort. Some areas that can be considered:

1. Shoreline and stream protection areas, buffers and lake bank stabilization.
2. Perennial, intermittent and ephemeral stream protection within a specified distance of the lake.
3. Highly erodible lands.

Management of properties should optimize return on investment while minimizing impacts. A “triple bottom line” can be adopted to incorporate sediment and nutrient loading into the decision-making framework.

Unique opportunities such can also be evaluated by property managers such as: (i) strategic land acquisitions, and (ii) transfers and conservation easements.

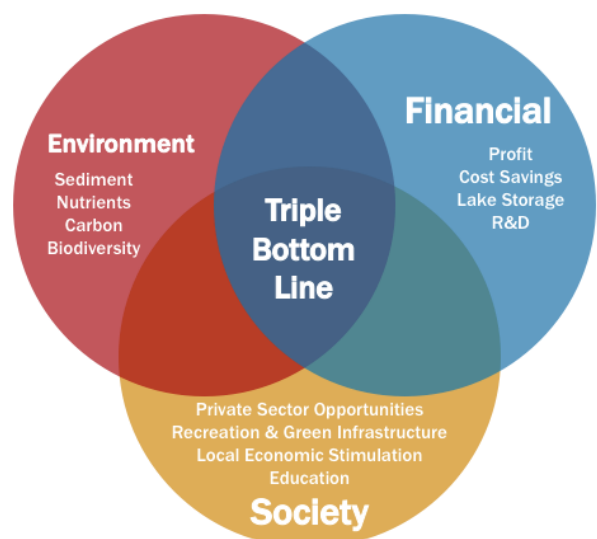


Figure 7 – Triple Bottom Line Approach for Public Property Management

3.4 Regionally Significant Projects

Regionally significant projects fall under two LTS foundations: (i) Leverage Opportunities and (ii) Impactful Launch and Continuity.

3.4.1 Development of Lake Sediment Dewatering Basin

The ~390-acre dewatering basin offers a unique opportunity to generate revenue, enhance community interest, and support the local economy through innovative and profitable farming practices. City expenditures related to the dewatering basin can be leveraged for grants and technical assistance. Some ideas to explore include:

1. Initiate land prep actions to prepare adequately dry areas for agricultural production. Several partners have expressed willingness to provide financial assistance and technical advice.
2. Consider growing organic crops capable of achieving a substantial premium.
3. Explore and consider participation in new and emerging carbon and water quality trading programs.
4. Explore specialty crops to supply local business and promote “locally grown.” These investments will yield financial benefits and a premium over traditional crops, and will engage local businesses and the community.
5. Use net profits to recoup costs associated with preparing and developing the basin. Direct profits can fund watershed projects and expenses, such as Macon County SWCD LTS activities and the City’s cost-share program.



Figure 8 - The Sediment Dewatering Basin in Oakley Township (facing West)

3.4.2 Public Land

The City owns a substantial amount of land within the watershed which presents unique opportunities. For example, tillable agricultural ground can be developed to leverage RCPP funds and maximize a return on investment. The following management and conservation measures are recommended for all tillable acres owned by the City outside of the dewatering basin.

1. Phase in cover crops, reduce tillage and apply initial costs as RCPP match. Demonstrating this commitment to conservation will fall in line with the triple bottom line approach, continue producing crop yields, and reduce nutrient and sediment loading to the lake. The demonstration sites will also garner local landowner support and engagement.
2. Develop nutrient management plans, conduct soil tests and field trials, and transition from fall to spring nitrogen application. More precise nutrient application will reduce input costs, optimize yields, and reduce nitrate loss. This will be a quick and immediate success story and result in substantial nitrogen reductions.

3.4.3 DeWitt Well Field

Practical modifications to the existing well site will yield long-term water quality benefits and generate opportunities for outside investment and positive stakeholder engagement. Recommendations are as follows:

1. Existing swale and basins - direct surface and tile flow to allow for denitrification. The current infrastructure can act as a “treatment wetland” with some retrofitting. During the rainy season, when the swale and basins are not used, they can treat tile flow and surface runoff with some retrofitting.
2. Riparian buffer zones – Install saturated buffers or other practices to treat adjacent surface and tile flow. Partners have expressed interest in providing technical assistance and potential funding.
3. Utilize the site for local education and outreach events, research field trials, and promote as an example of emerging conservation technologies.



Figure 9 - Existing swale (left) and one of the wells (right)

3.4.4 Carbon & Water Quality Trading Pilot

Participation in a carbon and water quality trading pilot program has the potential to provide long-term, market-driven benefits to the City and watershed, especially with the scale of industry in the region. The opportunity exists to generate recurring revenue from operation of City-owned property, as well as future benefits on private land. Sequestering carbon and actions that lead to measurable water quality benefits can be translated into marketable “credits” offered to buyers and, therefore, a return on investment from actions taken as part of the watershed effort. [A positive article on this subject was published in the Herald Review on October 14, 2020.]

1. Engage with trading partner(s) and execute a pilot feasibility program, perhaps to first focus on City-owned property and the sediment dewatering facility.
2. Engage with large corporations, such as Nutrien, ADM, Tate & Lyle, and Caterpillar.
3. Evaluate if the trading market can be developed watershed-wide to incentivize nutrient and sediment reductions in addition to carbon.

3.4.5 Floating Treatment Wetlands

Through preliminary analysis and informal consultations with staff at the Army Corps of Engineers (ACOE), it was determined that a permanent in-lake structure or sediment dam is not likely feasible due to limitations on sizing and the potential upstream hydraulic and flooding impacts. The LTS recommends that the City explore the feasibility of constructing a large system of anchored, floating treatment wetlands (FTWs) at the upper end of Lake Decatur. Based on current information, the best location appears to be immediately downstream of the recently dredged sedimentation trap.

1. FTWs do not raise water elevations or impact upstream areas and regulatory agencies indicate that they would likely achieve swift approval.
2. Recent studies indicate that properly designed FTWs can reduce peak nitrate concentrations by up to 40%.
3. FTWs enable larger proportions of entrained sediment to drop out prior to reaching the main body of the lake. Long-term sediment and nutrient reductions could be significant, as the river delta upstream develops and expands to naturally treat incoming pollutants.
4. The FTWs provide a unique habitat feature that will enhance fisheries and recreational value. A system can be designed to allow boat bypass.
5. Under Phase I, numerous groups have expressed interest in the concept and have pledged to assist with securing funding. FTWs enable a wide range of opportunities and will attract investment and resources for maintenance and management.



Figure 10 - Floating Treatment Wetland Examples (www.martinecosystems.com)

3.5 Watershed Assessment & Management Portal (SWAMM)

A core foundation to the LTS is leadership and coordination, and the use of a web-based platform can serve as an efficient way to align watershed stakeholders and manage activities. Sequenced subwatershed plans can be integrated together in an online system to reduce the complexity of documents and programs across the larger watershed. A centralized system with map data, analysis tools and project tracking will make planning, coordination and implementation more streamlined and effective.

Administration and management responsibilities for the portal would need to be established based on coordination between the City, consultants and stakeholders. The City and watershed program manager would be best suited as the portal “owner,” responsible for its administration and management. Updates and maintenance are included as part of the annual subscription service (software maintenance). The portal system is hosted on secure and backed-up web servers.

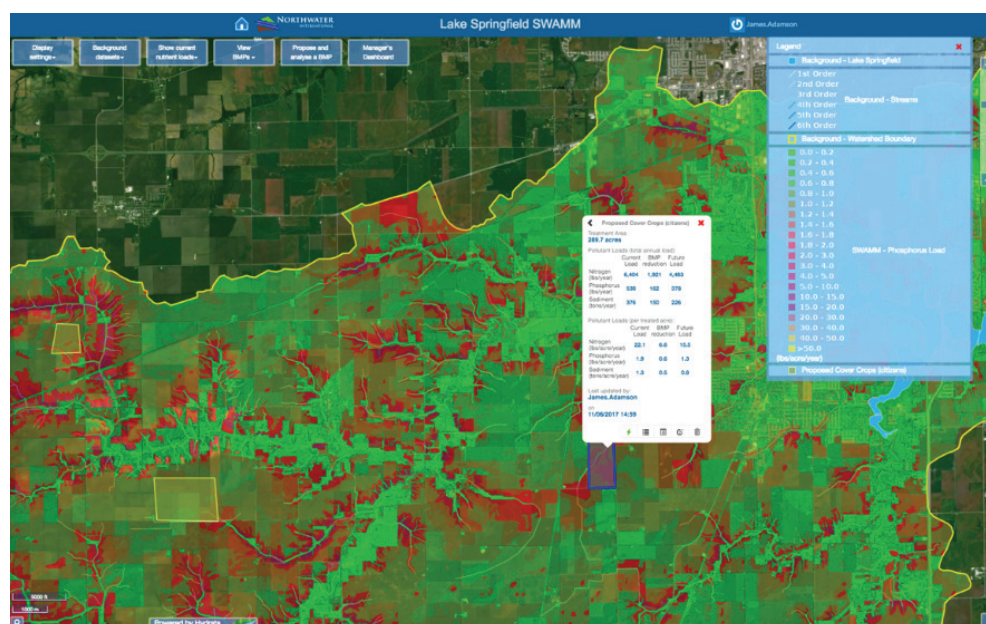


Figure 11 - Screenshot of SWAMM Online Portal

3.6 Grants & Funding

Leveraging City and partner commitments will create a consistent and impactful flow of funding for watershed planning and implementation through various grantors. Applications for two grant programs were submitted in 2020 and are further described individually in Sections 5 and 6. These two initial grants allow transition from planning to implementation rapidly and deliver strong momentum.

1. Regional Conservation Partnership Program (RCPP). \$10M was requested in the initial application for activities through 2026. As it was not awarded, a revised application will be submitted in the summer of 2021 based on feedback from the USDA.
2. Illinois EPA Section 319 Program. Grant applications will be submitted annually to support watershed planning, and strategic BMPs such as lakeshore and ravine stabilization, and regionally significant projects.
3. The Illinois Green Infrastructure Grant program (IGIG) will be explored for urban BMPs and other green infrastructure-related stormwater management projects.
4. Additional state and federal sources and loan programs will be explored for City properties and regionally significant projects.
5. Coordination with educational institutions to secure grants for research that provides additional value and advances the goal of improving water quality.
6. Continued exploration of private/corporate foundation funding in partnership with other organizations to expand initiatives in the lake and watershed. Key priorities identified so far include: Economic Development Corporation of Decatur-Macon County, Ducks Unlimited (RCPP partner), Pheasants Forever (RCPP partner), The Nature Conservancy, Howard Buffet Foundation, McKnight Foundation, the Mosaic Foundation, the Fertilizer Institute, and the Walton Family Foundation.

Section 6.2 outlines an estimated annual budget for activities that will address sediment and nutrient loading to the lake. Grant applications occur annually and are competitive, and not all applications are awarded. Persistence and a clear strategy will ultimately lead to funding opportunities. Continuity in seeking grants and leveraging partnerships will lessen the financial requirements that need to be made by the City.

3.7 Roles & Responsibilities

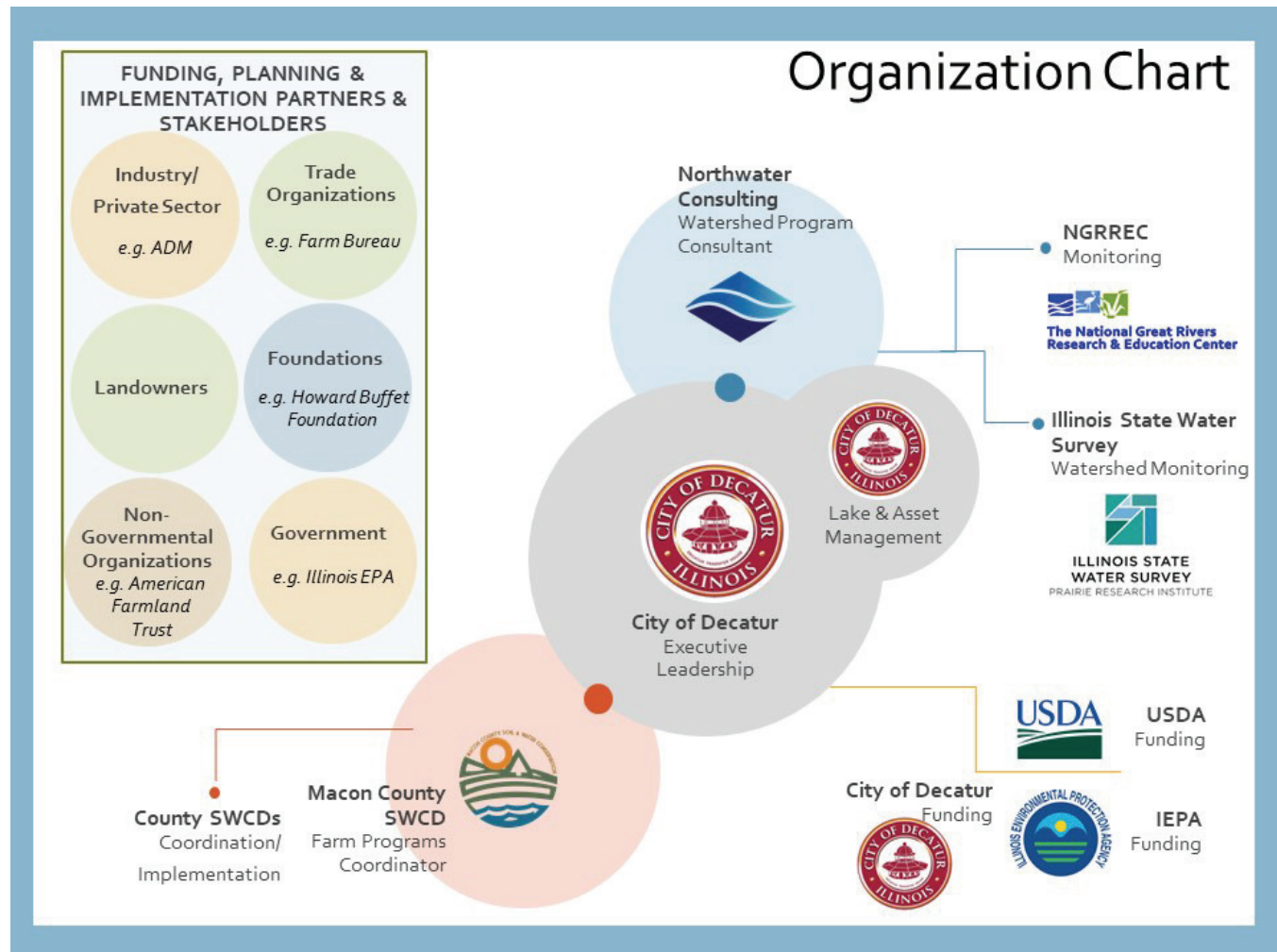


Figure 12 – Planning-level Organizational Chart for Long-Term Strategy

3.7.1 City of Decatur

1. Watershed Scale Executive Leadership

Based on Section 2, a key and necessary responsibility is to adopt the formal “executive leadership” role. This role has been very well served so far, however, the effort necessary will increase significantly as the program advances. The City may need to reprioritize existing staff or consider making a strategic hire(s) for support. Some key roles include:

- Grantee for grant applications and grants.
- Liaison with City Council, Public Works, and other departments.
- Administer, coordinate and oversee contracts related to the watershed program and projects (e.g., contractors, consultants and SWCDs).
- Participate in PR activities, relationship development and meetings with stakeholders.

2. City Staff

Section 2 outlined another City responsibility to restructure and reprioritize existing lake and property management activities to align with watershed program as it evolves. Existing staff resources are best applied to optimizing current operations and activities that enhance improvements to the lake and watershed. The following activities could be prioritized by City staff and guided by approved subwatershed plans:

- Monitoring support (lab analysis of water samples).
- Coordination between SWCDs and consultants/engineers – ongoing.
- Public communications and updates – ongoing.
- Lake shoreline stabilization – 2021 and beyond.
- Floating treatment wetlands as described in Section 3.4.5 and other City-owned construction projects – 2022 and beyond.
- Advancement of ordinances and bylaws as described in Section 3.3 – 2020-2021.
- Engagement with landowners in priority areas (ravines, lake shore, highly erodible lands, etc.) – ongoing.
- Public property management and beneficial use of dewatering basin as described in Sections 3.4.1 and 3.4.2 – 2021 and beyond.
- Oversight of newly acquired MS4 responsibilities – ongoing.
- With assistance, administer future lake and watershed-related grants – 2021 and beyond.
- Continue to support and enhance relationship with the Macon County SWCD/other SWCDs – 2021 and beyond.

Immediate priorities of City staff:

- Bluffs subwatershed plan and related City tasks such as public engagement (underway).
- Oversee new agreement with Macon County SWCD/other SWCDs.
- Resubmit RCPP application and continued engagement with partners alongside the watershed consultant.
- Support monitoring efforts (underway). This includes restarting the Volunteer Lake Monitoring Program and conducting regular sampling.

3.7.2 Soil & Water Conservation Districts

SWCDs in the watershed can serve critical roles and allow the program to connect with landowners and growers, and maintain a more ‘local’ presence decentralized from the City.

Financial support is provided to the Macon County SWCD. There is an opportunity for it to serve a critical role in the LTS and watershed program which is further described below. The LTS and watershed program is an excellent opportunity to review the present arrangement with the Macon County SWCD and optimize it so that it best aligns with the vision for the watershed program. It is important to play to the strengths of the SWCD staff and leverage and those abilities. It is also critical to structure arrangements with lower risks and impacts related to staff

turnover. The City must provide clear direction, expectations and outputs/outcomes for the investments made available to the SWCD(s).

The current level of City financial support can produce more value and meaningful results with some changes and shifting of responsibilities now that there is a strategy and watershed program underway. The City and watershed consultant should develop contract parameters based on a series of clearly defined deliverables, performance measures and tasks. Considerations to strengthen SWCD engagement will generate compound benefits.

1. Make the cost-share program available to all watershed counties. Recommended parameters include:
 - a. Incentive program for maintenance of existing conservation practices, such as cleaning out of terrace systems or re-shaping/seeding grass waterways.
 - b. Filter strip incentive program with lower 5-year annual rental payments. Program allows participating landowners utilize strips for temporary activities related to farming.
 - c. Prioritize locations by expected load reductions and aligned with up-to-date and approved subwatershed plans.
2. Targeted and one-on-one landowner outreach to support a future RCPP and other project priorities outlined in subwatershed plans.
3. Encourage coordination with other partners to deliver education and outreach in the larger watershed and participate in initiatives led by other entities.
4. Coordinate with and provide staff support for other county SWCDs; subcontract services as needed.
5. Oversee and manage administrative elements of a future RCPP, including partner coordination and reporting.
6. Partner with other entities to explore additional grant opportunities for watershed improvements.
7. Contribute to subwatershed plan development. For example, but not limited to:
 - a. Inventory and map all existing BMPs and create a database; other mapping tasks as assigned.
 - b. Conduct field surveys and inventories to support/identify project locations and target implementation activities.

The City should consider the following parameters for engagement with the Macon County SWCD moving forward:

1. Align the new SWCD contract and tasks with a future RCPP and subwatershed planning. Consider assigning near-term tasks to support the Bluffs subwatershed plan.
 - a. Define and establish clear and related performance measures, deliverables and tasks that directly support the LTS and watershed management program.
2. Maintain current staffing budget to execute a reasonable workload associated with administering the cost-share program, grant management/tasks, subwatershed planning and support, education and outreach events, and one-on-one landowner engagement.
 - a. Establish task deadlines.
 - b. Establish regular reporting of hours by assigned task.
 - c. Provide contractual opportunities for task and deliverable-based services beyond current staff allocation. This may include technical service provider needs paid for with federal funds.

Other SWCDs

The City should consider arrangements with other county SWCDs; this is best done after optimizing the program with Macon County.

3.8 Watershed Consultants

Experienced watershed specialists are well positioned to serve the City and provide long-term program management and technical capacity. Consultants can provide guidance, help to direct resources, and oversee the execution of grants, projects and the long-term program. Ultimately, the City will need a firm to execute the following.

1. Develop subwatershed plans in accordance with the sequencing described in Section 3.2.
2. Provide direction with respect to external contracts, including defining tasks, establishment of performance measures and overall guidance.
3. Coordinate and administer grants and implementation projects on behalf of the City and coordinate with partners.
4. Seek out additional opportunities and resources that will generate funding. Assist with grant applications.
5. Provide technical and engineering support for regionally significant projects and initiatives.
6. Provide guidance to staff on lake, watershed and urban area management.
7. Oversee lake and watershed monitoring.

4 Lake Decatur Regional Conservation Partnership Program

4.1 Summary

Strategically, the RCPP is a major launch point and pillar for the management program and LTS. An application for the five-year program initiated in March 2020 and was submitted on November 30, 2020. The application was not awarded and will be adjusted and resubmitted in the summer of 2021. Several partners from the 2020 application are following through on their commitments even without the grant award. This section summarizes the application and how the RCPP will be structured if it is awarded.

The RCPP program:

1. Enables the development and strengthening of partnerships that will extend beyond the life of the grant.
2. Addresses the key sources of sediment and nitrate loading to Lake Decatur.
3. Prioritizes funding for projects that address agricultural parcels and generate the greatest return on investment or “bang-for-the-buck.”

All other activities outlined in the LTS are complementary and provide leverage to help secure the federal funding. The RCPP requires that applicants raise a minimum of one dollar for each dollar requested. This can be in the form of cash expenditures and/or staffing resources. Activities and expenditures related to RCPP objectives can be considered as match.

The Lake Decatur RCPP goals are: (i) to improve water quality by reducing sediment and nutrient loading to waterways, and (ii) protect/enhance habitat. If awarded, funds will be allocated to landowners and growers through cost-share agreements for a suite of practices listed in Table 4.

4.2 Anticipated RCPP Activities & Scope

The RCPP will focus on six categories of effective practices that will reduce nitrogen and sediment loading, improve soil health, intensify in-field management and the application of structural practices, and improve the timing and placement of fertilizer. The overall goal is to achieve measurable improvements in water quality, while generating meaningful grower partnerships and economic benefits. Each practice will be targeted to those areas where the highest annual loadings of sediment and nutrients are occurring.

Table 4 - RCPP Implementation Projects

RCPP Practices	Description
Cover Crops	Cover crops are a key soil health practice and can protect the soil during the months following harvest through early spring when soil is most vulnerable to erosion. Our focus will be on planting cover crops before beans to minimize losses through tile drainage. We will deploy a team of area farmers to “coach” others on the phasing in of cover crops and offer extended 5-year contracts (with diminishing rates in later years) to demonstrate the soil health benefits and get participants “dialed in” so we can maintain those cover crops beyond the RCPP. We DO NOT intend cover crop adoption to be a one-off where growers revert to traditional practices when the cost-share is gone.
Reduced Tillage Practices	Conservation tillage, reduced tillage, no tillage, and strip tillage are select reduced tillage practices that will be targeted to those fields that generate the greatest per-acre sediment and phosphorus loads and those locations where conventional tillage is being performed on highly erodible lands.
Nutrient Management	Nutrient Management Plans will be promoted and targeted to those areas with the greatest need. A team of Technical Service Providers and Ag retailers will work directly with growers to reduce or eliminate the fall application of nitrogen, using soil testing and precision application and timing to get nutrients to the plants when it is needed and not before. The team will help growers realize the Return on Investment (ROI) from doing so.
Filter Strips	Filter strips will be offered as five-year contracts at lower cost-share rates by allowing landowners to return these areas to production, if needed. Initial outreach indicates that more wide-spread adoption will occur if this type of incentive is offered.
Constructed Wetlands	This structural practice will be offered where planning has identified load reductions can be maximized. In addition, we will work with watershed partners that own and maintain permanently protected areas to develop wetlands that drain adjacent crop ground.
Drainage Water Management & Saturated Buffers	These edge-of-field practices will be targeted to priority locations where treatment of tile nitrogen can be maximized. We will look to offer automated DWM systems and propose practical changes to existing design standards such as revisiting the LiDAR exclusion. Our team will offer hands-on training to ensure the timing of water management is consistent with periods of high nutrient loading and to increase adoption.
Targeted Structural Practices	Strategic and very targeted structural practices will be offered including grassed waterways, terraces/water and sediment control basins, field borders, and grade control structures.

Local partners (i.e., County Farm Bureaus and Ag retailers) will conduct outreach to targeted areas, relying heavily on private sector resources to provide the needed capacity. All work will be guided by subwatershed plans and a robust water quality monitoring program. As part of the LTS, these plans will identify individual sites and critical areas for the implementation of priority practices. Addressing areas that produce the highest nutrient and sediment loading will achieve the greatest return on investment.

4.3 RCPP Partner Summary

Government - units of government will play key roles in leveraging the execution of the RCPP, as well as complementary watershed initiatives and regionally significant projects previously discussed.

Agricultural & Trade Organizations - groups such as state and county Farm Bureaus, are critical to the RCPP. These organizations will be responsible for outreach, coordination and technical assistance.

Private Sector – Engineers and consultants, soil health and crop specialists, farm managers, ag retailers, technology companies, and corporations make up a large portion of the RCPP team. The intent is to have the private sector take the lead as it is uniquely positioned to leverage substantial financial and technical resources and manage on-the-ground conservation in a timely fashion.

Non-Governmental Organizations (NGO) - NGOs operate in the watershed and work with the farming community and others to promote and forward conservation and innovation. Several key partnerships have been formed to leverage those staff resources and directly benefit the RCPP.

Institutional - institutions, such as the University of Illinois and other research-based entities, will provide valuable in-kind services to help in measuring outcomes. Several entities have agreed to allocate existing research programs and resources to the watershed and partner with the City and Northwater to execute an expansive water quality monitoring program. These resources will leverage RCPP dollars and provide value.

4.4 RCPP Budget

Based on federal funding limits and anticipated partner contributions from the 2020 application, a total project value of up to \$25.7M is expected and outlined below:

1. \$10M in federal RCPP funding
 - a. \$7.0M for direct payments to landowners/growers for conservation practices. The USDA can award less than requested.
 - b. \$3.0M for technical assistance, outreach, enhancement activities, survey, design, and engineering. These funds will be provided to the City to administer and allocate to other groups and individuals assisting in executing the RCPP.
2. \$15.7M in partner contributions
 - a. \$4M City of Decatur, primarily leveraging of existing expenditures.
 - b. \$11.7M in partner contributions, including cash and in-kind services.

5 Illinois EPA Section 319 Grant #1

5.1 Summary

The first Illinois EPA Section 319 grant application was submitted in August 2020. The grant application includes funding requests for project implementation and subwatershed planning. This grant award will allow the City to immediately start addressing sediment and nutrient loading at high-priority locations near the lake. It will also help fund the costs of planning.

5.2 Grant Activities

The first grant application includes the following activities:

1. Construct a series of treatment wetlands in the Big/Long Creek and Friends Creek subwatersheds. The sites are on permanently protected Macon County Conservation District property. Expected annual load reductions to Lake Decatur: 588 lbs nitrogen, 122 lbs phosphorus, and 243 tons sediment.
2. Update old, outdated, or existing subwatershed plans focusing on areas downstream of Monticello where the ISWS has indicated sediment yields are highest. In partnership with the Macon, DeWitt, and Piatt SWCDs, improve the Friends Creek plan to include site-specific projects. Subwatershed plans for Sand Creek, Wildcat Creek and Willow Branch also will be completed.
3. Stabilize a severely eroding forested gully in the Bluffs subwatershed, adjacent to Lake Decatur. This site contributes excessive sediment and nutrient loads and is expected to achieve annual reductions of 239 lbs nitrogen, 106 lbs phosphorus, and 172 tons sediment.

5.3 Budget

The Illinois EPA Section 319 program requires a minimum 40% match contribution. Total cost of the current (submitted) application is \$250,000.

1. \$150,000 of federal funds.
2. \$100,000 of combined City, Macon County Conservation District, and private landowner funds.
 - a. City of Decatur - \$72,880. These funds have been proposed by Northwater in Phase III and will leverage an additional \$109,320 of grant funds to complete a series of subwatershed plans.
 - b. Macon County Conservation District will provide \$15,120 of contractual match to construct treatment wetlands. This contribution will leverage \$22,680.
 - c. A private landowner adjacent to the lake will provide \$12,000 of time and materials to stabilize an eroding stream channel. This contribution will leverage \$18,000.

6 Long-Term Strategy Timeline & Budget Simulation

The LTS requires significant financial resources to achieve desired outcomes for Lake Decatur and its watershed. Sections 4 and 5 outline two primary grant programs targeted to leverage City investments and secure a significant portion of the financial resources to implement. Grant resources are considered very important to accelerate action and reduce financial and administrative burden.

Regardless of the source(s) of funding, the strategy presented remains largely the same. Without the support of grants, similar results can be achieved but would require more significant financial and staff investment from the City (e.g., \$20M versus \$4M). The timeline of the LTS would also be affected because grant periods and associated terms and conditions influence partner involvement and how the LTS is executed. Outreach investments have created partnerships that will remain and can be leveraged to some degree even without grant programs.

In the absence of grants, greater investments will be necessary to maintain impactful partnerships and develop projects. The City would need to create and administer producer incentive programs and micro-manage hundreds, or perhaps thousands of projects and transactions. The LTS timeline and budget is presented considering grant support, and outlines what things may look like with the reduction of such support.

6.1 Timeline

6.1.1 Grant Supported

Figure 13 outlines a timeline for the LTS based on significant grant support. The timeline spans from 2020 through 2026 and is primarily driven by the five-year period of an RCPP which would could start in late 2021 if awarded. Illinois EPA 319 grants will be applied for annually as sequenced plans are completed and approved. The first application was submitted in August 2020.

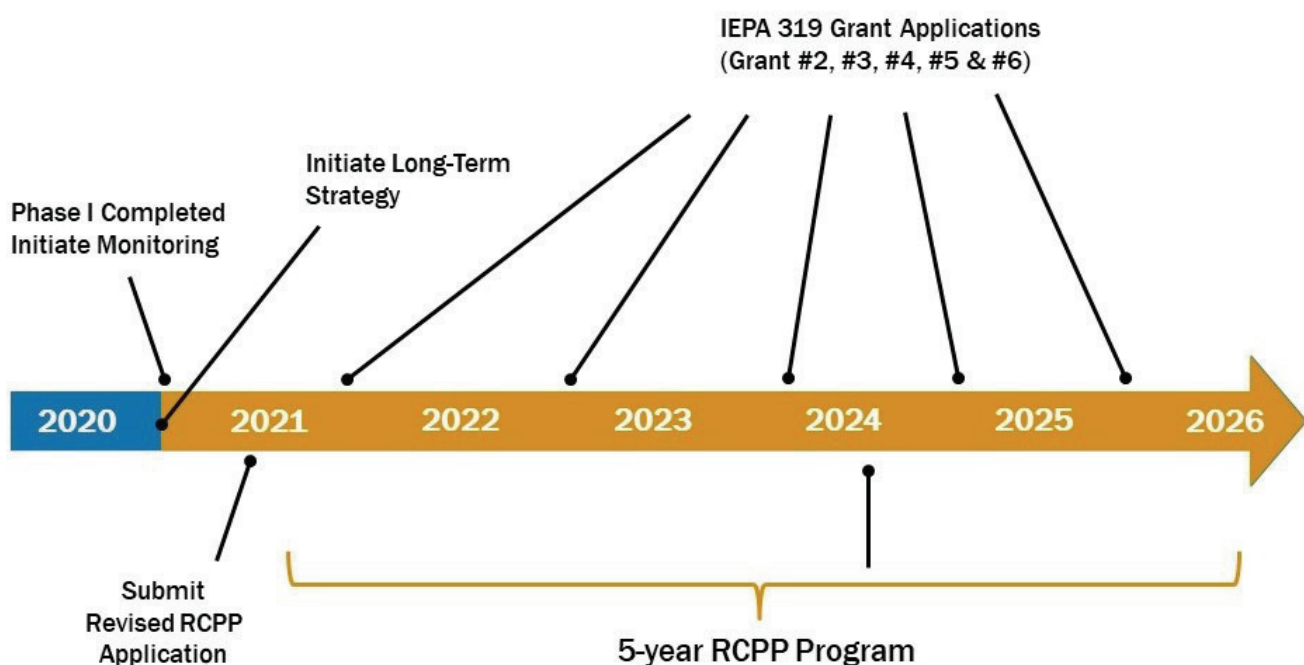


Figure 13 – Long-Term Strategy Timeline with Grant Support

6.1.2 Reduced Grant Support or No External Support

In the absence of grant or financial support, the timeline could at least double to achieve goals and objectives. The duration would depend on whether any grants are received, and the level of annual funding the City is willing to commit. Even if Decatur is committed to the same annual influx of financial resources as grants, watershed partnerships would likely be less impactful.

6.2 Budget Simulation

6.2.1 Grant Supported

Table 5 outlines a financial simulation of the long-term strategy for planning purposes. Over a six-year period, over \$10M of direct (not including match) funding will have been generated resulting from City investments. Large-scale projects, infrastructure and substantial watershed and water quality benefits will be realized, while minimizing costs to the City. The net financial return on investment of the LTS is conservatively estimated to be greater than \$6.5M, or 185%.

The City expenditures over six years are estimated at \$4M, much of this already allocated. These expenditures are leveraged to bring in an additional \$11.7M into the watershed over six years.

Table 5 – Planning Level Financial Simulation of Long-Term Watershed Program

	2021	2022	2023	2024	2025	2026	Total
Program Expenditures							
Program Consultant	\$299,463	\$225,000	\$155,000	\$155,000	\$155,000	\$115,000	\$1,104,463
Grant Management	\$50,000	\$100,000	\$100,000	\$100,000	\$100,000	\$50,000	\$500,000
SWCD Watershed Cost Share	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$300,000
SWCD Staffing	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$720,000
ISWS Monitoring	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$180,000
Other (i.e. SWAMM)	\$25,000	\$70,000	\$4,000	\$4,000	\$40,000	\$6,000	\$149,000
Project Expenditures							
Dewitt Well Site	\$9,000	\$30,000	\$3,200	\$3,200	\$3,200	\$3,200	\$51,800
Dewatering Basin	\$150,000	\$60,500	\$80,500	\$10,000	\$10,000	\$10,000	\$321,000
Floating Wetlands			-See Breakout Budget Simulation-				
Lake Bathymetry	\$150,000	-	\$30,000	-	\$30,000	-	\$210,000
Net Projected Expenditures	\$883,463	\$685,500	\$572,700	\$472,200	\$538,200	\$384,200	\$3,536,263
Watershed Income							
IEPA 319 Income	\$50,000	\$100,000	\$150,000	\$200,000	\$150,000	\$100,000	\$750,000
RCCP Grant Income	\$500,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$500,000	\$9,000,000
Other Income / Grants*	\$25,000	\$42,000	\$52,000	\$73,000	\$73,000	\$80,000	\$345,000
Net Watershed Income	\$575,000	\$2,142,000	\$2,202,000	\$2,273,000	\$2,223,000	\$680,000	\$10,095,000
Net Financial Gain / (Loss)	(\$308,463)	\$1,456,500	\$1,629,300	\$1,800,800	\$1,684,800	\$295,800	\$6,558,737
Financial ROI on City Expenditures	-35%	212%	284%	381%	313%	77%	185%

Table 6 outlines a possible budget simulation for the floating treatment wetlands project. The feasibility study will support further advancement of this project. Approximately \$4.8M is estimated for feasibility, engineering and construction. Based on preliminary due-diligence of funding sources, it is estimated that \$3M - \$4M of grant funding could be secured if it does advance. The sediment and nutrient benefits and ROI will be determined during the feasibility process.

Table 6 - Planning Level Financial Simulation of Floating Treatment Wetlands Project

	2021	2022	2023	2024	2025	2026	Total
Floating Treatment Wetlands							
Feasibility Studies & Grant Applications	\$4,500	\$55,000	-	-	-	-	\$59,500
Engineering & Permitting	-	-	\$74,000	\$22,000	\$22,000	-	\$118,000
Construction	-	-	-	\$2,250,000	\$2,250,000	-	\$4,500,000
Monitoring / Maintenance	\$150,000	-	\$30,000	-	\$4,500	\$12,500	\$197,000
Net Projected Expenditures	\$154,500	\$55,000	\$104,000	\$2,272,000	\$2,276,500	\$12,500	\$4,874,500
Income							
Grants	\$25,000	\$42,000	\$52,000	\$1,750,000	\$1,750,000	\$80,000	\$3,699,000
Net Income	\$25,000	\$42,000	\$52,000	\$1,750,000	\$1,750,000	\$80,000	\$3,699,000

6.2.2 Reduced Grant Support or No External Support

With the absence or reduction of grant funding and other supporting resources, the LTS can still be implemented. Under such a scenario, the City will need to invest substantially more financial resources and rely more heavily on the private sector, existing staff and partnerships to achieve the same level of results. As noted in Tables 5 and 6, approximately \$20M would be needed to execute the proposed LTS without the support of any grant funds.

7 Immediate Next Steps

The immediate next steps are included and incorporated into Northwater's Phase II contract and scope of services.

Table 7 - Immediate Next Steps for Long-Term Strategy

Phase 2 Activities	Description
Task 2.1. Nine Element ¹ Watershed Plan and 319 Application – Bluffs Watershed <i>¹Nine minimum elements for planning are defined by the EPA that make the plan eligible for grant funds</i>	Complete subwatershed plan. Apply for section 319 implementation grant for Bluffs subwatershed.
Task 2.2. City Property Assessment and Planning	Continued support in assessment, planning and management of the dewatering basin. Assessment of City-controlled properties and development of a plan to capitalize on opportunities to improve water quality. Support the City in developing guidelines and by-laws for lakeshore property transactions.
Task 2.3. United States Department of Agriculture (USDA) Regional Conservation Partnership Program (RCPP) application resubmittal	Adjust the 2020 application based on USDA comments and resubmit grant application – summer, 2021.
Task 2.4. Advancement of Special Projects and Initiatives	Phase I identified special projects and initiatives that warrant special attention and advancement due to the potentially significant water quality benefits and RCPP leveraging opportunities.
Task 2.5. Monitoring Program	Coordinate with the Illinois State Water Survey (ISWS) regarding monitoring at three stations (Sangamon at Cisco Bridge, Long Creek, Friends Creek). Design and install automatic monitoring station at Cisco Bridge in partnership with NGRRC - to be completed after RCPP award notice. Perform storm-event sampling at three stations and baseline monitoring of potential BMP sites. Manage database. Lake sediment monitoring plan, with first bathymetry survey to occur in the Fall of 2021.

8 Appendices, Addendums & Amendments

This section is a placeholder and intended for cataloging advancements, developments and modifications with regards to the LTS as the watershed program advances and evolves.

Lake Decatur

Shoreline Policy Recommendations



April 2021

Prepared for: City of Decatur, Illinois
Prepared by: Northwater Consulting

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Appendix 1: City Code Chapter 66: Regulation of Lake Decatur with line numbering

Appendix 2: Existing City of Decatur ordinances and sections most relevant to Lake Decatur

Cover page: Lake Decatur shoreline photos (April 2020)

1 Introduction

The purpose of this memorandum is to recommend criteria and procedures to better regulate **shoreline** activities within Lake Decatur. This document focuses on the ‘shoreline.’ Watershed planning efforts will support future recommendations related to other zones surrounding the lake such as the shoreland and watershed zone.

The problem: Shoreline is eroding at varying rates around the lake and is a local source of sediment and nutrients. The cumulative impacts of this erosion and unfiltered stormwater runoff from adjacent lands affect lake storage capacity and water quality. The City has limited means to effectively regulate shoreline activities and manage areas that impact the lake resources.

Solution: Strengthen use guidelines. Focused shoreline related policy and ordinance amendments will improve lake management, water quality and aesthetic value.

Recommendations can be considered as guidelines that regulate lakeshore usage and activity to:

- Reduce sediment and nutrients from entering the lake.
- Protect water supply capacity.
- Protect and enhance the scenic, environmental, public safety and recreational value of the lake.

Appendix 1 includes City Code Chapter 66: Regulation of Lake Decatur. Line numbers are provided for reference as some recommendations specifically refer to parts of the code. Appendix 2 includes a synthesis table of segments of City Code Chapters 38, 48, and 66 considered relevant to Lake Decatur shoreline.

2 Background and Existing Ordinances

Lake Decatur was constructed in 1920-1923 and serves as a water supply for the City of Decatur, Village of Mt. Zion and major industry. The reservoir is approximately 3,090 acres with a watershed of 592,665 acres, of which 80% is in agricultural production. The City installed an ion exchange treatment plant to remove nitrate during periods when raw lake water exceeds the drinking water standard of 10 mg/L. The City also recently completed a \$92M lake dredging program to increase storage in the lake as over one-third of its storage capacity was lost due to sedimentation.

The City is engaged in a long-term watershed planning effort to address water quality and reduce sedimentation. Improving and managing shoreline is a high priority as sediment and nutrient sources in proximity to the lake are significant and need to be addressed. According to the Illinois State Water

Survey (ISWS), 15% of the watershed area nearest the lake contributes approximately 50% of the sediment to the lake.

Current City zoning ordinance establish a ‘Lakefront Overlay District’ to provide standards that encourage recreation and allow for the continued preservation and use of parks and the lake while supporting special needs that facilitate them. It is designed to preserve the existing character of the surrounding neighborhoods. It does not directly address activities that protect shoreline.

Three additional ordinances are considered relevant and enable some passive protection of the lake. These include: (i) Chapter 38 – Stormwater Ordinance, (ii) Chapter 48 – Nuisances, and (iii) Chapter 66 – Regulation of Lake Decatur. Appendix 2 includes ordinance sections considered relevant.

City Code Chapter 66 addresses management of the lake itself from an operational and safety perspective. The chapter introduces “lake zones” to regulate lake usage and activities, and also defines “shoreline zones” primarily with respect to dock establishing dock fees.

More focus and alignment are necessary with abutting property owners with expanded privileges and those that wish to establish or expand such privileges.

3 Shoreline Classification and Definition

3.1 Shoreline zones and lake zones

Three shoreline zones are defined in Chapter 66, Section 1. The shoreline zones are **strictly** for dock fees and management purposes and are not further discussed or addressed in this memo. They should not be confused with lake zones as defined in Chapter 66, Section 2. Lake zones are basis from which codes and ordinances apply.

Currently there are five lake zones. Zone A is all of the lake and shoreline to the high-water mark. Zones B through E incrementally expand in extent from a 100 ft. buffer to the entire lake drainage.

3.2 Recommendation

It is recommended to split lake Zone A into Zone A1 and Zone A2 in Chapter 66, Section 2 (lines 62-64). The northern and southern portions of the lake are unique from one another, this enables the differentiation of codes and management approaches for each respective zone. Rea’s bridge is the recommended location and landmark to differentiate Zone A1 and Zone A2 (Figure 1).

Currently, Lake Zone A consists of the entire lake up to the high-water mark, including tributary watercourses upstream to the aforesaid high water mark. The following can be added after line 64 where Zone A is first broadly described.

“Two subsets of Zone A are defined. Zone A1 comprises of the lake area and shoreline for all areas south of Rea’s Bridge. Zone A2 comprises of the lake and shoreline for all areas north of Rea’s Bridge.”

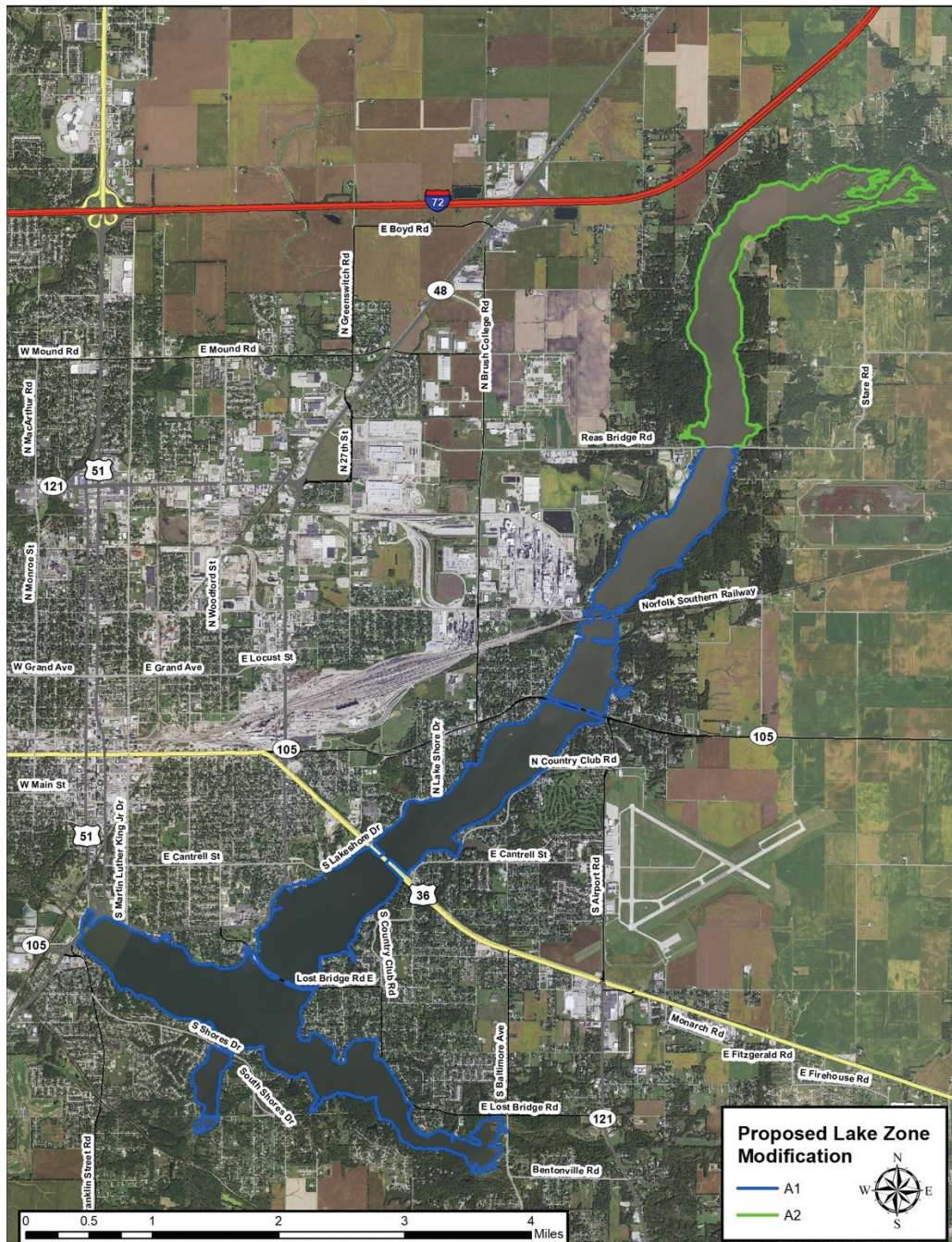


Figure 1 - Proposed lake zones A1 and A2

4 Use of Shoreline

4.1 Abutting Property Owners

It is recommended to define abutting property owners in Chapter 66, Section 1: Definitions:

“Abutting property owners are defined as owners of property of which any length of property boundary directly abuts Decatur’s shoreline property of Zone A1 and A2”

Abutting property owners possess unique privilege and access. Permission is not currently required from the City for abutting landowners and others authorized by these landowners to passively access and maintain such access to the shoreline.

It is recommended the definition be expanded to specify that passive shoreline uses are allowed and do not require written approval or a permit. Any shoreline use that falls outside of this definition should require written approval or a permit.

“City approved access to the shoreline property of Zone A1 and A2 is restricted to passive recreational use only, any other use shall require a permit. Acceptable disturbances are limited to maintaining a footpath or walkway to view and access the lake.”

4.2 Non-abutting Property Owners

Currently, the City accepts use permit applications (docks and piers) from property owners that do not abut shoreline property. Such owners within 500-feet of the shoreline are eligible if they have a walk-through easement with an abutting property owner.

It is recommended the City reconsider limiting shoreline use permits to abutting property owners only. This current leniency may result in four or more docks/piers per property abutting the shoreline. Regulations elsewhere do not recognize such walk-through easements and only abutting landowners themselves can apply for shoreline use permits.

- i. An ordinance modification can be applied for the newly defined Lake Zones A1 and A2, or perhaps only for Lake Zone A1 (north of Rea’s bridge) to better preserve its existing natural character.
- ii. Alternatively, Chapter 66, Section 47(b) can be modified to limit such “easement docks” from the current maximum of three to a lesser number. Such a modification can be applied lake wide or vary between Lake Zone A1 and A2.

5 Expanded Privilege Permits

5.1 Definition

It is recommended that the City add a definition for “expanded privilege” for activities that do not fall under “passive recreational use”. Any such expanded privilege should require written approval or a permit from the City and should apply to docks and piers, stairs/steps, vegetation removal, shoreline stabilization, and temporary use.

“Abutting property owners to Lake Zone A1 and A2 may apply for expanded privilege permits. Property owners are fully responsible for securing approval from the City prior to any shoreline modifications that include but not limited to: docks/piers, vegetation removal, shoreline stabilization, motorized vehicle/equipment access.”

5.2 Expanded Privilege Conditions

Chapter 66, Section 47(w) states that the terms of annual dock and pier permits include the City’s authority to limit access, use, and allow other organizations to temporarily use the dock and pier for the purpose of public events. This is a good example of reciprocal expanded privilege under the existing rules (dock/pier permits).

It is recommended the City strengthen permit reciprocity to improve ability to effectively manage the water supply and recreational value of the lake. These can be added to Chapter 66, Section 47 (Piers and Docks) and should be considered as expanded privileges.

The following permit conditions are examples for consideration under expanded privilege and to amend Chapter 66, Section 47(w):

- I. Vegetated shoreline buffers*
 - a. Lake Zone A1. A minimum 25-ft lateral shoreline buffer shall be maintained from the high-water mark. Vegetation removal shall be limited to the creation and maintenance of a viewshed and access corridor, which shall not exceed 30% of the shoreline frontage of the lot.*
 - b. Lake Zone A2. A minimum 100-ft (or 200-ft) lateral shoreline buffer shall be maintained from the high-water elevation. Vegetation removal shall be limited to the creation and maintenance of a viewshed and access corridor, which shall not exceed 15% of the shoreline frontage of the lot.*
 - c. Restricted or excluded activities in the buffer may include paved surfaces, primary structures, grading, pesticide application, mowing, motorized vehicles, or any activity that*

- disturbs the soil or causes pollution including the construction of pipes or channels that convey stormwater across the buffer.*
2. *City is authorized to gain improved access to the lakeshore above the high-water elevation strictly for lake management and shoreline stabilization purposes.*
 - a. *Access from the lake.*
 - b. *Access thorough abutting property from nearby public road or right of way.*
 3. *City is authorized to access and stabilize shoreline and lakeshore areas up to four (4) vertical feet above the high-water mark, the lateral distance being dependent on existing topography.*
 - a. *This may apply if extending stabilization practices above the high-water elevation is necessary to reduce sediment and nutrient delivery.*

6 Docks and Piers

6.1 Summary

Chapter 66, Section 47 of the Lake Decatur Ordinance includes 23 individual codes encompassing permitting, placement, construction, usage restrictions, maintenance, and operation. For the most part, the codes are thorough and enable the City to make permitting decisions on a case by case basis.

6.2 Recommendations

The following should be considered with regards to docks and piers:

1. As previously mentioned, consider limiting the number of docks per shoreline abutting property. Currently, up to three “easement docks” can be permitted for one property due to the City’s recognition of walk through easements and acceptance of applications from non-abutting property owners.
 - a. Ordinance codes can be can be differently for Lake Zone A1 and A2.
2. There are not any limits on dock size or lengths, although the City does have a mechanism in the permitting process to address this. Consider adding ordinance language in Chapter 66, Section 47 as follows:
 - a. *Dock or pier length shall not exceed 35 linear feet as measured from the high-water mark unless a variance is approved by the City.*
 - b. *In narrow bays or channels less than 100 linear feet across, no dock or pier shall extend greater than one-fourth of the distance across the bay or channel.*

- c. Dock anchoring and dock access must be constructed and maintained as to not cause erosion or compromise shoreline stability. Lake Maintenance Supervisor or designee may require remedial actions for permit renewals.*
- d. Dock and pier structures must be maintained as originally permitted. The structures shall not be a safety hazard, in disrepair or unsightly. Lake Maintenance Supervisor or designee may require remedial actions for permit renewals.*
- e. Abutting landowners are authorized to construct and maintain safe access to properly permitted dock/piers that transect shoreline property. For steps or stair systems, design drawings for rebuilding or installing new infrastructure must be submitted and approved by the City prior to construction.*

7 Shoreline Management

7.1 Summary

The City does not currently have any policy guidelines or specifications as it relates to shoreline stabilization and vegetation management. There are limited mechanisms in place to intervene, access, prioritize, and mitigate/remediate problem areas. The City should consider establishing guidelines and priorities related to shoreline management, specifically related to stabilization and vegetation removal. Currently, broken concrete is offered to landowners which is placed on the banks absent of any specifications. Although vegetation is limited at or below the high-water mark, it does serve an important function for mitigating shoreline erosion, filtering runoff, and supporting riparian habitat.

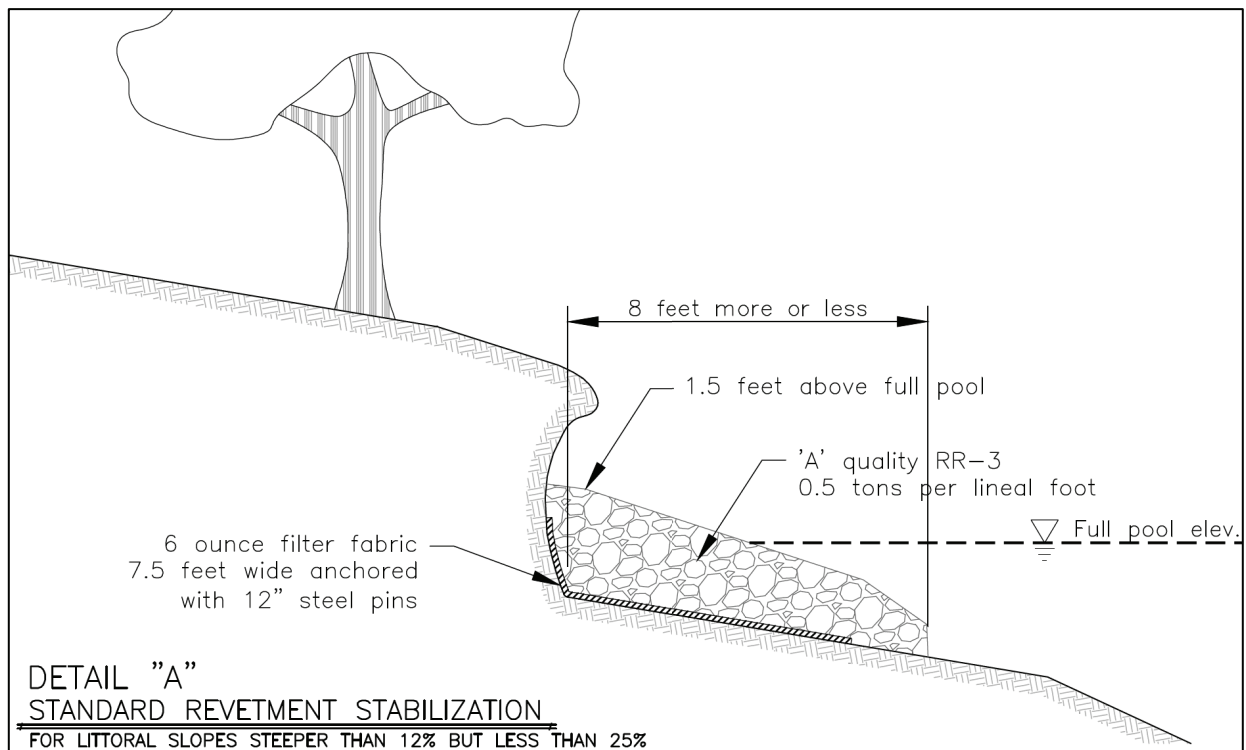
It is recommended to add a new section to Chapter 66 after section 49. The new proposed section 50 would be entitled “Shoreline Management” which addresses stabilization and vegetation removal. These standards and specifications assure that shoreline activities are effective, follow best practices, and are not detrimental to the water quality or scenic and recreational value of the lake.

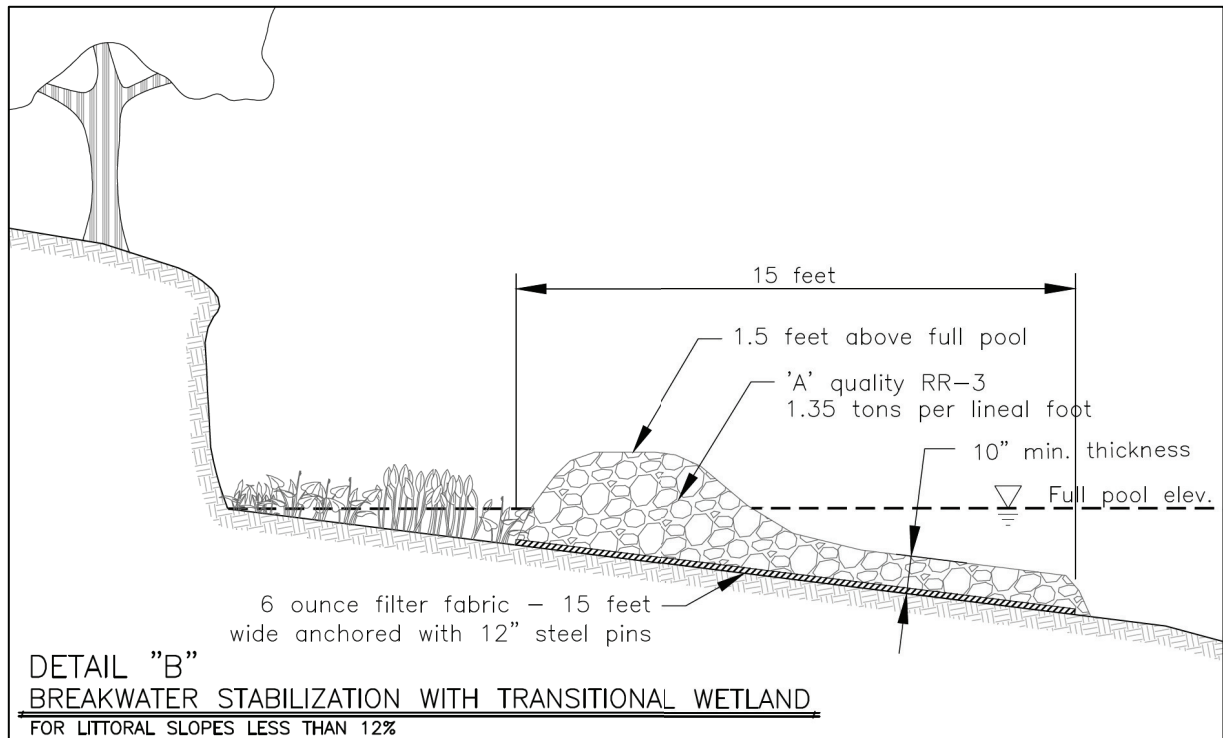
7.2 Shoreline Stabilization Recommendations

Ordinance language to be considered related to shoreline stabilization for the new proposed Chapter 66, section 50 is outlined below:

- 1. Shoreline stabilization by property owners abutting the shoreline is encouraged to help control erosion.*

2. Consistent with City Code Chapter 48, shoreline erosion problems shall be considered as a “nuisance” and require remedial action.
3. Shoreline stabilization is permitted with written authorization from the City. Acceptable shoreline stabilization practices include: (i) native vegetation, (ii) dry stack walls, (iii) riprap revetment, and (iv) riprap breakwater stabilization.
 - a. For dry stack boulder walls, riprap must be placed along the base with a minimum depth of one foot and a slope of 2 to 1. A minimum three-foot riprap base is required at the interface between the boulder wall and lakebed.
 - b. For lake bed/littoral slopes greater than 12% but less than 25%, revetment stabilization is recommended (Detail A, Refer to public works standard #). For lake bed / littoral slopes less than 12%, breakwater stabilization is recommended (Detail B, Refer to public works standard #).





4. *Retaining walls and other engineered structures may be considered only if approved methods have failed or determined not feasible based on assessment by a state licensed engineer or geologist.*
5. *Riprap must be A quality IDOT RR3 (4 – 10"), and/or IDOT RR4 (4 – 14"). Broken concrete, clean construction and demolition debris and other alternatives are not permitted. The use of concrete or grout as an erosion control measure or as a component of an erosion control measure is not permitted without prior approval.*
6. *Installation of shoreline stabilization methods requires a use permit from the City. All shoreline stabilization requires permitting through the US Army Corps of Engineers permit, and in some situations, a 401 Water Quality Certification issued by the Illinois Environmental Protection Agency. The property owner is responsible for all necessary permits unless a project is initiated by and funded by the City.*
7. *Minimal clearing is authorized to create corridors for equipment access. Such corridors should be incorporated into pier/dock access corridors where practical. Native vegetation removed to accommodate construction access shall be replaced with native vegetation of a similar type to what was removed.*

7.3 Vegetation Recommendations

Ordinance language to be considered for the new proposed Chapter 66, section 50 is outlined below:

- 1. Property owners abutting the shoreline are encouraged to maintain vegetation along the shoreline at and within a buffer of 25 feet from the high-water mark*
- 2. A use permit is required to remove existing vegetation rooted within the shoreline.*
- 3. Clearing, thinning, spraying, or removal of any plants and trees shall not be undertaken without a shoreline use permit.*
- 4. Permitted clearing, thinning and pruning shall be accomplished with handheld tools. Mechanical clearing is not authorized along the shoreline without approval from the City.*
- 5. Standing trees that are dead or diseased may be removed by abutting property owners with City permission. Dead trees posing a threat of falling on people or structures are permitted to be removed without.*
- 6. Dead trees that do not pose a hazard can provide habitat for wildlife. Abutting property owners are encouraged to leave such trees standing whenever possible.*
- 7. Trees that fall across the shoreline and/or into the lake and do not block boat navigation, or restrict access and safety related to piers or docks, should be left in place to benefit lake wildlife and fisheries.*

8 Public Adjacent Property

8.1 Summary

For publicly owned land parcels that abut the shoreline of Lake Decatur, it is recommended that permanent easements or deed restrictions be considered prior to lease or sale of any such properties. This is important so the City can maintain access to the shoreline area and manage the lake and water quality.

8.2 Recommendations

The new proposed shoreline management recommendations and special conditions presented in 7.0 and 5.2 of this memorandum are relevant to maintain access for management and limit detrimental lake impacts resulting from City lease or sale of abutting lands. Such conditions may require legal review and be established as deed restrictions, so they can be transferred with property ownership and leases.

APPENDIX 1

CHAPTER 66 REGULATION OF LAKE DECATUR (Adopted Ordinance 2012-12, April 2, 2012)

"Oakley Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 24, Whitmore Township, and Section 24, Oakley Township, Macon County, Illinois, situated North of the Village of Oakley, Macon County, Illinois, and is commonly known as the Oakley Bridge.

"William Street Bridge" shall mean that bridge which spans the original channel of the Sangamon River on U.S. Route 105 and in Section 8, Decatur Township, Macon County, Illinois, and is commonly known as the William Street Bridge.

"U.S. Route 36 Bridge" shall mean that bridge which spans the original channel of the Sangamon River on U.S. Route 36 and in Section 18, Decatur Township, and Section 19, Long Creek Township, Macon County, Illinois, near Nelson Park, and commonly known as Route 36 Bridge.

"Lost Bridge" shall mean that bridge which spans the original channel of the Sangamon River in Section 24, Decatur Township, Macon County, Illinois, and commonly known as Lost Bridge.

"U.S. Route 51 Bridge" shall mean the bridge which spans the original channel of the Sangamon River on U.S. Route 51 and in Section 22, Decatur Township, Macon County, Illinois, and is commonly known as Route 51 Bridge.

"Rea's Bridge" shall mean the bridge which spans the original channel of the Sangamon River on County Highway 24 and in Section 33, Township 17 North, Range 3 East of the Third Principal Meridian, in Whitmore Township, Macon County, Illinois, and is commonly known as Rea's Bridge.

"Shore Line" means the extended point where the plane of the surface of the waters of the reservoir touches the land.

"Front Footage" means that amount of shore line space along which a dock or pier is constructed.

"Shore Line Zone 1" is that shore line lying to the north and west of the eastern edge of the breakwater located south of the Lake Office and that area lying to the south and west of the property formerly used as the Beach House.

"Shore Line Zone 2" is that shore line located to the west and south of Route 36 and north and west of Lost Bridge Road not included in Shore Line Zone 1.

"Shore Line Zone 3" is all other shore line not included in Shore Line Zone 1 or Shore Line Zone 2.

"Terms" as defined by the current Boat Registration and Safety Act, Article I, 625 ILCS 45/1-2, shall also apply to this Chapter.

(Amended, Ordinance 2017-05, February 6, 2017)

2. **ZONES DEFINED.** Zone "A" shall consist of all land lying within the high water mark or below the high water mark, in the reservoir site, whether flooded or not. This zone includes tributary watercourses upstream to the aforesaid high water mark.

Zone "B" shall consist of that portion of the drainage area within 100 feet of the high water mark around the reservoir and within the same distance of said high water mark of any of its tributaries extending upstream (following the channel of the stream) and a distance of one-half mile from the high water mark upstream of said tributaries, and shall include at certain places all land extended from the 100 foot limit to the top of the bluffs and to the end of ravines where slopes are steep.

Zone "C" shall consist of territory within 100 feet of Zone "B" as specified.

Zone "D" shall constitute the territory within 500 feet of Zone "C" as specified.

Zone "E" shall constitute the remainder of the drainage area.

3. BUILDINGS PROHIBITED. No buildings or any structure, tent, camp car or trailer, whether for habitation or otherwise, shall be built or maintained within the limits of Zones A, B or C unless upon permit in writing by the City. No permit will be granted except upon proof of ability to comply with the provisions of Section 4 of this Chapter.

4. DEPOSIT OF WASTE.

A. No human wastes or excreta shall be deposited or stored in any manner whatever in Zone A. Such wastes in Zones B and C shall be deposited or stored in one of the ways here following, to-wit:

(1) In a water tight receptacle equipped with a power driven pump or ejector for emptying the same through water tight pipes or conduits only into a public sewer or a sewage treatment plant or septic tank located in Zone D, or at a point outside the restricted zone;

(2) An approved chemical toilet;

(3) An Imhoff-sprinkling filter unit or other method of final treatment, provided that no septic tank shall be placed closer than 200 feet to the high water mark nor any Imhoff-sprinkling filter unit or other method of final treatment closer than 165 feet to said high water mark.

B. Any method chosen for deposit of waste, as provided herein, shall be maintained in good working order by the owners, and be at all times subject to the inspection of the City and its officers.

C. Any cesspool, privy, urinal, water closet or other place of depositing or storage of human excreta now situated in Zone D must be made sanitary, and comply with the plans and

specifications of said City of the Board of Health of the County of Macon or of the State of Illinois, or of equal sanitary construction.

D. No cesspool, privy, urinal, water closet or other place for depositing or storing human excreta shall hereafter be constructed within Zone D until a permit in writing has been obtained from the City.

E. No sewer or drain conveying sewage or other putrescible wastes shall be constructed in Zones A, B, C or D until a permit in writing has been obtained from the City. All such installations must be approved by the Public Works Director or designee both before and after installation. (Amended, Ordinance No. 2017-08, February 6, 2017)

5. **DISCHARGE OF WASTE.** House slops, sink wastes, laundry or like wastes of any other kind shall not be discharged at any point in Zones A, B or C. In Zone D such slops and wastes other than that including human excrement may be disposed of beneath the ground surface or in such manner that it shall not cause or threaten pollution of the reservoir or any tributary watercourses.

6. **POLLUTION IN ZONE A.** No person, firm or corporation shall permit the territory known as Zone A, or water situated therein, to be used, kept or maintained so as to cause pollution of the water in the reservoir.

7. **COMMERCIAL OR INDUSTRIAL WASTE.** No filth, decaying or putrescible matter, unsanitary waste products or polluted liquid from any factory, slaughter house, creamery, dairy or milk handling plant, mill, cannery, garage, or similar establishment of any kind, shall be discharged in such manner as to drain directly into the reservoir or its tributaries within the drainage area so as to threaten or cause pollution or nuisance.

119 8. **INTERNMENTS.** No internment shall be made in any cemetery or other place of
120 burial within Zones A, B, C or D or in Zone E within 1,500 feet of Zone A below the William
121 Street Bridge.

122 9. **GARBAGE AND ANIMAL MANURE.**
123

124 A. No garbage, manure or other unsanitary putrescible refuse of any kind shall be thrown
125 into the reservoir or onto or into the ground at any point in Zones A and B, or in Zone C, except
126 animal manure and commercial fertilizers for agricultural and horticultural purposes.

127 B. No animal manure or commercial fertilizer for agricultural purposes shall be spread on
128 the ground within Zones C and D in such quantities as to cause or threaten pollution of the reservoir
129 or any tributary watercourses.

130 C. No dead animal or fish of any kind, or any part thereof, shall be thrown into the
131 reservoir or tributary watercourses or on the ground or buried in Zones A, B or C, or buried in
132 Zone D, which will result in or threaten pollution of the reservoir or tributary watercourses.

133 10. **ANIMAL YARDS.**
134

135 A. No stable, pigsty, hog yard, barn yard, chicken yard, hitching or standing place for
136 animals, or any other place where dung and urine accumulate, shall be constructed or maintained
137 within Zones A or B, or in Zone C below Oakley Bridge, except on the written approval of the
138 City.

139 B. No stables, pigsty, hog yard, barn yard, chicken yard, hitching or standing place for
140 animals or any other place where dung and urine accumulate, shall be located, constructed or
141 maintained in Zone C or Zone D so as to threaten pollution of the reservoir or any tributary
142 watercourses.

143 11. **WASHING; BURNING.** No animals of any kind or clothing or other articles shall
144 be washed in the reservoir or tributaries thereof. The burning of trash, garbage or offensive material
145 is prohibited on any portion of Lake Decatur and adjacent areas owned by the City of Decatur.

146 12. **DEPOSIT OF DEBRIS.** No person, firm, or corporation shall deposit, or cause or
147 permit to be deposited, any debris or other materials such as, but not limited to, construction
148 materials, concrete, trees, brush, weeds, soil or paint into Lake Decatur or any adjacent areas
149 owned by the City of Decatur or so as to cover, disturb, or destroy any City maintained property
150 on or near the Lake.

151 13. **BOATING PROHIBITED - LAKE.** Boating of any kind or character is hereby
152 prohibited in Lake Decatur in that area lying west of a line 300 feet upstream from the east side
153 of the public highway known as U. S. Route 51.

154 14. **BOATING PROHIBITED - RIVER.** Boating of any kind or character is hereby
155 prohibited on the Sangamon River between the Lake Decatur Reservoir Dam and 300 feet
156 downstream of the Dam in the City of Decatur.

157 (Amended, Ordinance 2017-05, February 6, 2017)
158

159 15. **MOORING.** No boats shall be moored in an area adjacent to the Municipal Pier at
160 the Lake Office, except by written permit from the Lake Maintenance Supervisor or designee.

161 (Amended, Ordinance 2017-05, February 6, 2017)
162

163 16. **BOAT HARBOR.** The northern and western lake shore between U.S. Route 36 and
164 Lost Bridge Road and the water adjacent thereto is designated the boat harbor.

165 17. **BOATING REGULATIONS.** All boats and craft in Lake Decatur shall be subject to
166 the following regulations:

167 (a) No boat, craft or float shall be left in the Lake adrift, sunk or insecurely fastened.

168
169 (b) No person or persons shall take, use or board any boat, craft or dock in the Lake
170 without permission of the owner or persons in charge.

171 (c) The hoist at the boat house shall not be used except under the supervision of city
172 personnel.

173 (d) All boats or craft passing under bridges shall pass under the right hand arch or as
174 directed by official signs or buoys authorized by the Lake Maintenance Supervisor or designee.

175 (e) No boats, craft or docks shall be constructed on Lake Decatur, or on City-owned
176 property adjacent thereto, unless permission is granted by the Lake Maintenance Supervisor or
177 designee.

178 (f) All boats, craft, or docks must be removed from Lake Decatur and City-owned
179 property on or before November 15 of each year, unless written permission is granted by the Lake
180 Maintenance Supervisor or designee.

181 (g) When two boats are approaching each other "head on" or nearly so (so as to involve
182 risk of collision), each boat must bear to the right and pass the other boat on its left side.

183 (h) When boats approach each other obliquely or at right angles, the boat approaching on
184 the right side has the right of way.

185 (i) One boat may overtake another on either side but must grant right of way to the
186 overtaken boat.

187 (j) When a motorboat is approaching a boat propelled solely by sails or oars, the
188 motorboat must yield the right of way to the sailboat or rowboat, except, when a large craft is
189 navigating in a confined channel, the large craft has the right of way over a boat propelled solely
190 by oars or sails.

191
192
193 (k) No boat or craft shall collide with, run against, strike, injure, deface, or damage any
194 buoy, stake, sign, piling or other structure installed by the City or with the City's consent, or be
195 anchored or moored so as to obstruct any bridge opening or approach or to obstruct the view of
196 any buoy or navigation sign or signal.

197 (l) No boat or craft shall pass another while passing under any bridge.

198
199 (m) No boat or craft shall travel at a speed in excess of "no wake" speed while within 200
200 feet of either shore line, dock, or pier, or while passing under any bridge; for purposes of this
201 section "wake" is defined as a movement of water created by a boat underway great enough to
202 disturb a boat at rest.

203 (n) Racing of any boats is hereby prohibited except for special events and in no event
204 without a permit from the Lake Maintenance Supervisor or designee.

205 (o) Watercraft operation:

206
207 (1) Careless operation. No person shall operate any water craft in a careless or
208 heedless manner so as to endanger any person or property or at a rate of speed greater than will
209 permit him in the exercise of reasonable care to bring the water craft to a stop within the assured
210 clear distance ahead.

211 (2) Reckless operation. No person shall operate any water craft, specialty prop-
212 craft, personal water craft or manipulate any water skis, aquaplane, or similar device in such a
213 manner as to willfully or wantonly endanger the life, limb or property of any person, to weave
214 through congested traffic, to jump the wake of another vessel unreasonably or unnecessarily close
215 to the other vessel or when visibility around the other vessel is obstructed, to wait until the last
216 possible moment to swerve to avoid collision, or operate any water craft so as to approach or

pass another water craft in such a manner or at such a rate of speed as to create a hazardous wake or wash.

(p) All cabin boats must be inspected by the Lake Maintenance Supervisor or designee before a license is issued.

(q) No bottles, cans or other refuse shall be dumped into the Lake or onto adjacent shores from any boat or craft.

(r) Operating a watercraft under the influence:

(1) A person shall not operate or be in actual physical control of any watercraft on Lake Decatur while:

(a) The alcohol concentration in such person's blood or breath is a concentration at which driving a motor vehicle is prohibited under subdivision (1) of subsection (a) of Section 11-501 of the Illinois Vehicle Code;

(b) Under the influence of alcohol;

(c) Under the influence of any other drug or combination of drugs to a degree which renders such person incapable of safely operating any watercraft;

(d) Under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of safely operating any watercraft;

(e) Under the combined influence of alcohol and any other drug or drugs to a degree which renders such person incapable of safely operating a watercraft; or

(f) There is any amount of a drug, substance, or compound in the person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis

Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(2) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, any intoxicating compound or compounds, or any combination of them, shall not constitute a defense against any charge of violating this Section.

(s) All boats shall be subject to a no wake speed limit between the hours of 10:00 P.M. and sunrise, provided that this section shall not apply to official patrol or rescue craft.

(t) No motorboat shall be equipped with any motor or other propulsion machinery beyond its safe power capacity and safe carrying capacity, taking into consideration the type and construction of such motorboat and other existing operating conditions.

(u) It is unlawful to operate a motorboat without a mouth, hand or power operated whistle, horn or other appliance, capable of producing a blast of two seconds or more duration and audible for at least one-half mile.

(v) Carburetors on all engines of motorboats other than those propelled by a detachable outboard motor shall be fitted with or protected by a U.S. Coast Guard approved device for arresting backfire.

(w) Except for open boats, all motorboats which use fuel having a flashpoint of 110 degrees Fahrenheit or less shall have at least two ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosives or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least midway to the bilge or at least below the level of the carburetor air intake. The cowls shall be located and

264 trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from
265 being recirculated.

266 (x) Every motorboat equipped with storage batteries shall be provided with suitable
267 supports and secured against shifting with the motion of the boat. Such storage batteries shall be
268 equipped with non-conductive shielding means to prevent accidental shorting of battery terminals.

269 (y) Lanyard cut-off switch. No person may operate any motor boat, including personal
270 water craft or specialty prop-craft, which is equipped with a lanyard type engine cut-off switch
271 unless such lanyard is properly attached to his or her person, clothes or worn PFD, as appropriate
272 for the specific vessel.

273 (z) No person shall operate a personal water craft or a specialty prop craft between the
274 hours of sunset and sunrise.

275 18. **LIGHTS REQUIRED.**

276 A. It is unlawful to operate any vessel less than 26 feet in length from sunset to sunrise
277 unless the following lights are carried and displayed when underway:

279 (1) A bright, white light aft to show all around the horizon, visible for a distance
280 of 2 miles. The word "visible" as used herein means visible on a dark night with clear atmosphere;

281 (2) A combination light in the forepart of the boat lower than the white light aft,
282 showing green to starboard and red to port, so fixed as to throw a light from dead ahead to 2 points
283 abaft the beam on their respective sides and visible for a distance of not less than one mile;

284 (3) Lights under International Rules may be shown as an alternative to the above
285 requirements.
286
287

288 B. Watercraft propelled by muscular power when underway shall carry on board from
289 sunset to sunrise, but not fixed to any part of the boat, a lantern or flashlight capable of showing
290 a white light visible all around the horizon at a distance of two miles or more, and shall display
291 such lantern in sufficient time to avoid collision with another water craft.

292 C. Every vessel 26 feet or more in length shall carry and display when underway such
293 additional or alternate lights as shall be required by the U. S. Coast Guard for water craft of
294 equivalent length and type.

295 D. Sailboats equipped with motors and being propelled partly or solely by such motors
296 shall carry and display the same lights required for motorboats of the same class. Sailboats of less
297 than 26 feet in length, equipped with motors but being propelled entirely by sail between sunset
298 and sunrise, shall have lighted the combination running light, but not the white light aft. Sailboats
299 26 feet or more in length, equipped with motors but being propelled entirely by sail between sunset
300 and sunrise, shall have lighted the colored side lights suitably screened, but not the white lights
301 prescribed for motorboats.

302 E. Dinghies, tenders and other water craft, whose principal function is as an auxiliary to
303 other larger water craft, when so operating need carry only a flashlight visible to other craft in the
304 area.

305 F. Vessels at anchor between the hours of sunset and sunrise shall display such anchor
306 lights as shall be required by the U. S. Coast Guard for water craft of equivalent length and type.

307 **19. BOAT LICENSURE AND REGISTRATION.**

308
309 A. No boat or craft of any kind shall be kept or used on or in Lake Decatur, by the current
310 owner, at any time unless the same is registered and currently licensed by the City of Decatur, as
311 provided herein, or alternatively, there is a current permit issued by the City of Decatur therefore,
312 also as provided herein.

313 B. Applications for registration, license or permit shall be made upon forms to be
314 furnished by the City containing such information as may be required by those Departments
315 concerned with the operation of the Lake or the policing thereof as may be reasonably required by
316 them to administer the provisions of law or code or ordinance applicable thereto.

317 C. Applications for initial registration shall be accompanied by a then current license.

318
319 * D. Applications for license shall be accompanied by a fee as follows for each boat or
320 craft:

		Effective:	March 1, 2014	March 1, 2015	March 1, 2016
321					
322	Row boats, canoes, kayaks and other				
323	craft propelled by muscle power				
324			\$22.00	\$23.00	\$24.00
325	Sail boats				
			\$37.00	\$39.00	\$41.00
326	Motor boats				
	1-50	horsepower	\$44.00	\$46.00	\$48.50
	51-100	horsepower	\$53.50	\$56.00	\$59.00
	101-150	horsepower	\$62.00	\$65.00	\$68.50
	151-200	horsepower	\$71.50	\$75.00	\$79.00
	over				
	200	horsepower	\$80.00	\$84.00	\$88.00

327
328 The horsepower of an engine is that determined by the manufacturer thereof. In case a boat or craft
329 is so constructed or rigged to be propelled by more than one type or size of propulsion, the fee to
330 be paid shall be the higher fee specified herein for the several sizes or types of propulsion. Boat or
331 craft owned or operated by government agencies, and boat or craft participating in an

event preapproved by the City Manager or designee, are exempt from licensing fees. (Amended, Ordinance 2017-05, February 6, 2017) (Amended Ordinance 2014-05, March 3, 2014)

E. Licenses and permits shall be evidenced by such tags, tickets, plates, decals, stickers or other such devices as may be determined by the departments concerned therewith, may be furnished by the City and shall be so affixed to and continuously displayed on the subject boat or craft for the time the same is currently in effect as may be directed by the Lake Maintenance Supervisor or designee.

F. A boat or craft may be kept or used on or in the Lake without a license or registration for a period of twenty-four (24) hours, if a temporary permit is issued therefore and is displayed thereon, which said permits may be issued upon payment accompanying the application of Ten Dollars (\$10.00) for each boat or craft for each respective twenty-four (24) hour period.

G. A boat or craft may be kept or used on or in the Lake without registration if the same is owned by a boat dealer licensed by the state and is used for business purposes and said dealer obtains a City license upon application accompanied by a fee of:

	Effective:	March 1, 2014	March 1, 2015	March 1, 2016
Boat dealer license		\$285.50	\$300.00	\$315.00

for not to exceed four units. (Amended Ordinance 2014-05, March 3, 2014)

H. Boat registration numbers shall remain with the boat upon transfer of title thereto. No part of a license fee shall be refundable, or shall fees be prorated, or licenses be transferred between boats.

I. Licenses shall be issued for the period of one year commencing March 1, and expire on the last day of February next after issuance.

20. **BOAT RENTALS.** The business of renting boats for hire or carrying passengers for hire on the Lake is prohibited except as may be authorized by permit issued by the Lake

Maintenance Supervisor or designee and only to those persons licensed by the State of Illinois pursuant to Illinois Revised Statutes 1985, Chapter 95 1/2, Section 317.1. All provisions of this Chapter shall apply to such boats and craft; and all such boats or craft may be inspected by the City from time to time during their period of operation on the Lake. Any such boats or craft failing to have adequate life preservers in place as when licensed, or otherwise failing to pass inspection, shall be made to comply with the provisions hereof before further operation. No individual operator or employee or anyone operating any boat carrying passengers for hire shall be permitted to operate such boat unless he is physically fit for such duty, has adequate knowledge of the boat mechanism, is familiar with the ordinances, rules and regulations for the operation of boats on the Lake and with the commonly approved safety regulations and measures to be used in case of accident or emergency, including instructions of passengers in the use of safety equipment and their conduct in case of emergency. Each such operator or employee shall at all times be subject to an examination and approval by the City as to such qualifications; and any determination by the City as to such qualifications shall be conclusive. The provisions of this section shall apply to the owner or operator of such boat or boats or to the person, firm or corporation in whose name a permit was obtained. It shall be unlawful for an agent or employee of a permittee to allow the operation of such boat for hire in violation of this Chapter or any applicable state law. Such permit shall apply to all boats or craft rented by any person, firm or corporation and may be revoked upon evidence that the permit holder has been convicted of any violation of this Chapter or applicable State law.

21. **FIRE EXTINGUISHERS.** It is unlawful to operate a motorboat equipped with an internal combustion engine on the Lake without at least one U. S. Coast Guard approved fire

extinguisher, so placed as to be readily accessible and in such condition as to be ready for immediate and effective use.

22. PERSONAL FLOTATION DEVICES.

A. It is unlawful to operate any water craft on Lake Decatur unless at least one Coast Guard approved Personal Flotation Device (hereinafter "PFD") of the following types, or their equivalent, is on board for each person: Type I, Type II or Type III.

B. No person may operate on Lake Decatur a water craft 16 feet or more in length, except a canoe or kayak, unless at least one Type IV Coast Guard approved PFD or its equivalent is on board in addition to the PFD's required in subparagraph (a) of this Section.

C. No person may operate a water craft on Lake Decatur unless each device required by this section is:

- (1) Readily accessible;
- (2) In serviceable condition;
- (3) Of the appropriate size for the person for whom it is intended; and,
- (4) Legibly marked with the U. S. Coast Guard approval number.

D. Approved PFD's are defined as follows:

(1) Type I - A Type I personal flotation device is an approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position and to have more than 20 pounds of buoyancy.

(2) Type II - A Type II personal flotation device is an approved device designed to turn an unconscious person in the water from a face downward position to a vertical or slightly backward position and to have at least 15 1/2 pounds of buoyancy.

410 (3) Type III - A Type III personal flotation device is an approved device to keep
411
412 a conscious person in a vertical or slightly backward position and to have a least 15 1/2 pounds
413 of buoyancy.

414 (4) Type IV - A Type IV personal flotation device is an approved device
415
416 designed to be thrown to a person in the water and not worn. It is designed to have at least 16
417 1/2 pounds of buoyancy.

418 (5) Type V - A Type V personal flotation device is an approved device for
419
420 restricted use and is acceptable only when used in the activity for which it is approved.
421

422 E. No person may operate a personal water craft or specialty prop-craft unless each person
423 aboard is wearing a Type I, Type II, Type III or Type V personal flotation device approved by the
424 United States Coast Guard. No person may operate a water craft unless a Type I, Type II, Type
425 III or Type V personal flotation device is being properly worn by each person under the age of 13
426 on board the water craft at all times in which the water craft is underway; however, this requirement
427 shall not apply to persons who are below decks in totally enclosed cabin spaces.

428 F. A U. S. Coast Guard approved Type V personal floatation device may be carried in lieu
429 of the Type I, II, III or IV personal flotation device required in this Section, if the Type V personal
430 flotation device is approved for the activity in which it is being used.

431 23. **MUFFLERS REQUIRED.**

432

433 A. All motorboats shall be equipped and maintained with an effective muffler or
434 underwater exhaust system. For the purpose of this Section, an effective muffler or underwater
435 exhaust system is one which does not produce sound levels that create excessive or unusual

noise, or sound levels that are in excess of 90 decibels when subjected to a stationary sound level test as prescribed by the Society of Automotive Engineers in its procedure J2005.

B. No person may operate a motorboat so as to exceed a noise level of 75 decibels measured as specified by the society of Automotive Engineers in its procedure J1970.

C. This Section does not apply to: (1) A motorboat tuning up for or participating in official trials for a sanctioned race or regatta conducted under a permit by the Lake Maintenance Supervisor or designee; or (2) a motorboat being operated by a boat or marina engine manufacturer for the purpose of testing or development, as authorized by the Lake Maintenance Supervisor or designee.

D. Any person violating subsections A or B of this Section: (1) shall be required to install an effective muffler system on the motorboat in violation; and (2) shall be required to pass the sound level test prescribed by the Society of Automotive Engineers in its procedure J2005 before putting the motorboat back into use.

E. Any person who operates any motorboat upon Lake Decatur shall be deemed to have given consent to the test or tests prescribed in this Section to determine if the motorboat is in compliance with the provisions of this Section.

24. **BREACH OF THE PEACE.** It shall be unlawful for any person on or in the Lake, whether boating, swimming or otherwise, to do any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace, or to cause or permit in any manner loud and raucous sounds to be audible as such to any other craft, premises, or residence on or near the Lake.

457 **25. TOILETS ON BOATS.** No boat or craft used or operated on the Lake shall be
458 equipped with toilet facilities except closed chemical toilets which must be approved by the Lake
459 Maintenance Supervisor or designee.

460 **26. OPERATION OF BOATS; ABANDONED BOATS.**

461 A. Persons using or operating any boat or craft on the waters of the Lake shall do so in
462 such manner as not to create any unsanitary condition in or about said waters by the discharge in
463 any material amount of oil or other polluting liquid tending to make said waters unwholesome or
464 unfit for water supply purposes or injurious to the aquatic life thereof.

465 B. No boat or craft shall be used or operated, nor any horn or sound device sounded so as
466 to create a nuisance or disturb the peace and quiet of any neighborhood.

467 C. The City shall at all times have the power and authority to prohibit, restrict or
468 otherwise limit or regulate the keeping, maintenance, or operation of any or all boats or craft on
469 the waters of the Lake should it become necessary to do so in the interest of the public health or
470 safety, or for the protection or improvement of the Lake or other causes.

471 D. Any boat or craft found abandoned or adrift in the Lake or any boat or craft without a
472 current license plate secured thereon shall be taken up by the City and disposed of as other lost or
473 stolen property under the ordinances of the City. Nothing herein shall be construed as exonerating
474 the owner or operator of any boat or craft from personal liability to the City, or any other person,
475 for any damage or injury caused by such boat or craft.

476 The City shall have the right to require an owner to pay a fee of Fifty Dollars \$50.00 or the
477 actual cost of removal as determined by the Lake Maintenance Supervisor or designee before
478 reclaiming any boat or craft.

480 E. Nothing herein shall be construed as permitting any boat or craft to be operated at a
481 speed greater than is safe and prudent under the circumstances, and the operator thereof shall
482 observe all signs and other regulations placed by the City on or near the Lake.

483 F. The City and its authorized agents shall have the right and power to order a boat or craft
484 removed from the Lake which by reason of its physical condition is no longer safe for use. If the
485 owner does not remove such boat or craft, the City shall have the right to remove such boat or craft
486 from the Lake. The owner thereof must pay a fee of Fifty Dollars (\$50.00) before reclaiming any
487 such boat or craft, or a sum equal to the cost of labor, material and equipment used to the City
488 connected with such action, whichever is higher and with a charge of Ten Dollars (\$10.00) for
489 each day or part thereof during which the same is in the custody of the City, which said custody
490 shall be at the risk of the owner thereof.

491 G. No person under 10 years of age may operate a motorboat. Persons at least 10 years of
492 age and less than 12 years of age may operate a motorboat only if they are accompanied on the
493 motorboat and under the direct control of a parent or guardian. Persons at least 12 years of age
494 and less than 18 years of age may operate a motorboat only if they are accompanied on the
495 motorboat and under the direct control of a parent or guardian or a person at least 18 years of age
496 designated by a parent or guardian, or such motorboat operator is in possession of a Boating Safety
497 Certificate issued by the Department of Natural Resources, Division of Law Enforcement,
498 authorizing the holder to operate motorboats. Other Boating Safety Certificates, approved by the
499 Illinois Department of Natural Resources, are deemed acceptable for the provisions of this Section.

500 (Amended, Ordinance 2017-05, February 6, 2017)

H. All boats and craft may be ordered off the Lake at the direction of the Lake Maintenance Supervisor or designee due to actual or impending inclement weather conditions.

I. Any boat or craft located, constructed, operated or maintained in violation of the provisions of this chapter, or the rules or regulations promulgated thereunder, shall be removed from the Lake upon notice from the Lake Maintenance Supervisor or designee. If a boat or craft is not removed on the date herein set forth or when requested by the Lake Maintenance Supervisor or designee, the same may be removed by the City and expense thereof charged to the boat or craft owner.

27. **WATER SKIING.**

A. No person may operate a vessel having in tow, or otherwise be assisting, a person on water-skis, aquaplane or similar device from the period of one-half hour after sunset to one-half hour before sunrise.

(Amended, Ordinance 2017-05, February 6, 2017)

B. All water skiers, personal water craft and specialty prop-craft operators, sail or surf board riders, or any person being towed or otherwise assisted by a boat or craft of any kind must wear a U.S. Coast Guard approved Type I, Type II, Type III or Type V PFD.

C. No water skiing, surf board riding, or any type of towing or dragging of a person behind a boat or craft is permitted within 200 feet of the shore line, docks or piers, or under any bridge, or in a no-wake area as herein defined, or in any other areas designated by the Lake Maintenance Supervisor or designee.

D. When towing a person on waterskis, aquaplane or similar device, the towing vessel must have a capacity of at least three persons and must be occupied by at least two competent people. All persons being towed are considered part of the watercraft's carrying capacity. The

operator of any watercraft that is towing a person or persons shall display on the watercraft a bright or brilliant orange flag measuring not less than 12 inches per side. The flag shall be displayed at the highest point of the area surrounding the boat's helm as to be visible from all directions, continuously, while the person or persons being towed depart the boat in preparation for towing and until reentry into the boat when the activity has ceased. Display of the flag for purposes other than the activity described in this Section is prohibited. The operator of such boat must be at least fifteen (15) years of age and the observer must be at least ten (10) years of age.

(Amended, Ordinance 2017-05, February 6, 2017)

E. No person or persons shall sit on the side of any motor or engine driven boat or craft or on any portion of such boat or craft that was not designed for that purpose by the manufacturer while said boat or craft is underway. No person or persons shall ride on any boat or craft in such a manner that any part of the body protrudes over the front, sides or rear of the boat or craft.

28. **SWIMMING.** Swimming out of boats is allowed only in no wake areas, within 25 feet of boats. Swimming out of boats is prohibited in areas adjacent to Shore Line Zones 1 and 2, all boat ramps, bridges and navigational channels. Diving "head first" is prohibited in all lake locations. Swimming from bridges, bridge piers, or bridge approaches is prohibited. Skin diving or scuba diving is prohibited except that permission may be granted by the Lake Maintenance Supervisor or designee to a certified diver. The owner of any property adjacent to the lake shall permit no swimming from the adjacent property of children under the age of 16 years unless an adult who is an expert swimmer is present. No person shall swim from any adjacent property without owner's consent. There shall be no swimming from such adjacent property beyond 50 feet from shore. Swimming, skin diving or scuba diving, under all provisions of this Section, is prohibited from one-half hour after sunset to one-half hour before sunrise.

550 **29. INFECTIOUS DISEASES.**

551
552 A. No person or persons having any communicable or infectious disease or skin infection
553 shall bathe or swim in Lake Decatur.

554 B. All persons using Lake Decatur for bathing and swimming purposes shall use the same
555 so as not to create unsanitary conditions in or about said waters, so as not to pollute said waters,
556 or make them unwholesome or unfit for use.

557 **30. HUNTING.** Hunting on Lake Decatur is hereby prohibited except the hunting of
558 water fowl in season on that portion of Lake Decatur upstream from the Basin 6 sediment trap.

559 (Amended, Ordinance 2017-05, February 6, 2017)

560
561 **31. BLINDS AND PITS DEFINED.** A blind or pit shall mean any cover, whether natural
562 vegetation or a structure, used for concealment by anyone in an act of hunting migratory
563 waterfowls.

564 **32. LOCATION OF BLINDS AND PITS.** No person shall establish or use any blind or
565 pit for the hunting of migratory water fowl on Lake Decatur except above the Basin 6 sediment
566 trap, which blind or pit shall not be set up within 200 yards of any other blind or pit. No blind
567 or pit shall be built within 300 yards of any building, bridge, roadway or developed area of
568 public access. The restrictions herein shall not apply to blinds in existence and properly licensed
569 as of January 1, 1988.

570 (Amended, Ordinance 2017-05, February 6, 2017)

571
572 **33. PERMITS FOR BLINDS AND PITS.** No such blind or pit shall be established on
573 Lake Decatur, on property of the City adjacent to such Lake, or on any property from which a
574 person fires a weapon over such Lake or Lake property, until a written permit therefore has been
575 first obtained from the Lake Maintenance Supervisor or designee.

34. **APPLICATION FOR BLINDS AND PITS.** Applications for permits to construct blinds as required in Section 33 herein shall be made upon forms to be furnished by the City and shall be accompanied by an initial fee of:

	Effective:	March 1, 2014	March 1, 2015	March 1, 2016
Blinds and pits initial fee		\$44.00	\$46.00	\$48.50

for each new permit issued after January 1, 1988 and a fee of:

	Effective:	March 1, 2014	March 1, 2015	March 1, 2016
Blinds and pits annual fee		\$37.00	\$39.00	\$41.00

for all other blinds. (Amended Ordinance 2014-05, March 3, 2014)

35. **ONE PERMIT.** No person shall obtain more than one permit to construct a blind as required in Section 33 herein.

36. **PERMIT NOT TRANSFERABLE.** Permits obtained in accordance with Section 33 herein are for privileges personal to the permit holder and are not transferable and no blind shall be used by other than the permit holder without written permission of the permit holder thereof.

37. **REGULATIONS FOR BLINDS AND PITS.**

A. Construction of a blind shall be completed by opening day of the first Fall Central Zone waterfowl season as established by the Illinois Department of Natural Resources.

(Amended, Ordinance 2017-05, February 6, 2017)

B. Any blind site not registered and with payment received by the Finance Department on opening day of the first Fall Central Zone waterfowl season of that year is hereby declared open and available for registration by another person.

(Amended, Ordinance 2017-05, February 6, 2017)

C. Any and all material left on an unregistered blind site becomes the property of the City of Decatur to be removed and disposed of at the expense of the last registered owner.

D. A duck blind permit may be revoked upon conviction of the permit holder of a violation of any rule or regulation concerning duck blinds or hunting duly established hereunder or any other hunting ordinance or statute the violation of which occurred on or adjacent to Lake Decatur.

E. When a permit for a duck blind has been revoked, no permit shall be issued to the former permit holder for a period of one (3) years thereafter.

F. Existing blinds that are not registered by January 1, 1988, are hereby deemed abandoned and may be eliminated or removed by the City or re-issued to another person.

G. Any permit may in the discretion of the Lake Maintenance Supervisor or designee be revoked, terminated or temporarily suspended as deemed necessary for the public good or safety.

H. A City-furnished permit number plate shall be displayed on the front of the blind when unoccupied; the permit holder shall affix thereto a decal or sticker evidencing payment of the permit fee for the then current year.

38. DISCHARGING FIREARMS. The discharge of firearms on or over Lake Decatur is forbidden except for the hunting of water fowl in season as permitted herein.

39. AIRCRAFT. The landing of aircraft is hereby prohibited on Lake Decatur.

40. CAMPING. Any person or persons using the drainage area of Lake Decatur for picnic, camping or other recreational purposes shall keep the premises neat and clean, pick up and remove in a satisfactory manner all paper, garbage, rubbish and debris, and before leaving the premises put out any fires made by such person or persons. Picnics and camping are prohibited below the high water level.

623 **41. FISHING.**

624
625 A. Fishing from boats is hereby prohibited in Lake Decatur in that area lying west of a
626 line 300 feet upstream from the east side of the public highway known as U.S. Route 51. Fishing
627 from the Lake Decatur dam, dam spillway and water intake structure is prohibited.

628 (Amended, Ordinance 2017-05, February 6, 2017)

629
630 B. No person shall take, catch, or attempt to take or catch, any fish in the reservoir by any
631 method whatsoever except by hooks attached to a single line. The use of any seine of any character,
632 or any dip, hook, fyke, gill, pound or basket net or of any trap for the taking or catching of
633 aquatic life is hereby prohibited except as herein provided. The use of snares, spears, gigs or
634 firearms for the taking or catching of aquatic life is hereby prohibited except as herein provided.
635 All fish species of carp, buffalo, sucker and carpsucker may be taken by gig or pitch fork effective
636 April 1, 1993.

637 C. Any properly licensed person, in any one day, may take up to thirty (30) gizzard shad
638 for personal use by using a shad trawl not larger than 30 inches in diameter or a shad throw net not
639 larger than eight (8) feet in diameter. Any other species of aquatic life taken in this manner must
640 immediately be returned to the reservoir. The taking of gizzard shad or any other aquatic life from
641 the Lake for commercial use or resale is allowed only with written approval by the Lake
642 Maintenance Supervisor or designee.

643 D. Any person possessing a valid sport fishing license may use a gig to take bullfrogs.

644
645 E. It shall be unlawful to use, set or place or control any bank lines, bank poles, limb
646 lines, trotlines, snag lines, fishing jugs or any similar devices.

F. All persons using said waters for fishing purposes shall use the same so as not to create any unsanitary conditions in or about said waters or so as not to pollute the said waters and make them unwholesome or unfit for use.

G. Nothing herein enumerated in subsections (a) to (f) inclusive of this section, shall apply to or be construed to prevent or penalize anything done or caused to be done by the City or by agents of the Department of Natural Resources of the State in protecting or caring for the reservoir or the aquatic life therein.

(Amended, Ordinance 2017-05, February 6, 2017)

42. **WALLEYE AND BASS.** No person shall take from Lake Decatur walleye (stizostedion vitreum) sauger (stizostedion canadense), small mouth bass (micropterus dolomieu), or large mouth bass (micropterus salmoides) less than fourteen (14) inches in length, by any means.

43. **CITY AUTHORITY.** The City shall at all times have and retain full power and authority to prohibit, limit or restrict bathing, swimming, boating, skiing, hunting and fishing in said Lake Decatur and its tributaries thereto for the purpose of preventing, suppressing, or arresting any epidemic or any communicable or infectious disease or for the purpose of safety to persons or property, or for the purpose of preserving the public water supply.

44. **REVOCATION OF PERMITS.** For violation of the rules or regulations hereof in whole or in part any license or permit issued under the provisions of this Chapter may be revoked or suspended. Under no condition may the holder of a boat license which has been suspended or revoked operate any other licensed boat during such period of revocation or suspension.

671 **45. ICE SKATING AND ICE FISHING.** No persons shall skate or otherwise be upon
672 the ice of Lake Decatur except that persons may skate and ice fish within fifty (50) feet of an
673 authorized dock in Zone 3 with the permission of the owner. Ice skating is allowed on Bayview
674 Cove which is located north of Cantrell Street, south of Bayview Drive and Irving Drive, east of
675 North Country Club Road, and west of Lake Ridge Avenue. Ice skating is also allowed on Sand
676 Creek Cove which is located north of Grove Road, south of South Shores Drive, east of Southland
677 Road and west of Shoreline Drive. No person shall operate a motorized vehicle on the Lake ice
678 except for emergency purposes.

679 (Amended, Ordinance 2017-05, February 6, 2017)

680 **46. ICE BOATING.**

681 A. No person shall operate or use any ice boat upon the ice of Lake Decatur unless such
682
683 boat or craft is licensed therefor. Applications for such licenses shall be made to the Finance
684 Department. No license for any ice boat shall be issued unless and until the owner of such boat
685 agrees to indemnify and hold harmless the City from and against all causes of action arising out of
686 the operation of said boat upon the Lake, in a form to be approved by the Corporation Counsel.
687 Such licenses shall be effective from December 1 through the last day of February of the
688 succeeding year. The fee for such license shall be Thirty Five Dollars (\$35.00).

689 B. A temporary license for an ice boat, good for not to exceed three (3) days, may be
690 obtained by a non-resident of the City. Such temporary licenses shall be issued in like manner and
691 with such indemnities as are provided for in Section A hereof. The fee for such license shall be
692 Fifteen Dollars (\$15.00).
693

694 **47. PIERS AND DOCKS.** Piers or docks may be constructed upon Lake Decatur under
695 the following conditions only:

(a) No pier or dock shall be placed, constructed, operated or maintained in or on the Lake without a permit issued by the Finance Department after application for the same has been approved by the Lake Maintenance Supervisor or designee.

(b) No pier or dock shall be constructed immediately in front of another owner's private property; provided that, owners of property abutting the Lake may grant easements appurtenant to owners of property lying within 500 feet of the shoreline of the Lake, as the same exists at high water mark, for purposes of dock construction and maintenance, and ingress and egress therefrom and thereto, and such grantees of said easements, and their heirs, successors and assigns, may be issued a permit for, and may construct and maintain, a dock on said abutting property, for personal use. Not more than three such docks belonging to grantees of easements, as described herein, or their heirs, successors or assigns, may be constructed on abutting property.

(c) No pier or dock shall be constructed except in locations approved by the Lake Maintenance Supervisor or designee.

(d) Each pier or dock shall be securely attached to the shore line and shall be of a type of construction, of such size, length and materials as may be approved by the Lake Maintenance Supervisor or designee.

(e) The pier or dock must at all times be kept in good state of repair.

(f) Temporary piers or docks shall be removed from the lake on or before November 15 of each year and not replaced before March 15 of each year unless such pier or dock is approved as a permanent pier or dock by the Lake Maintenance Supervisor or designee. Temporary piers or docks adjacent to Shore Line Zones 1 and 2 must be installed no later than May 15 of each year.

(g) The owner of any pier or dock shall permit no swimming from the pier or dock of children under the age of 16 years unless an adult who is an expert swimmer is present. No person shall swim from any pier or dock without the owner's consent. There shall be no swimming from such pier or dock beyond 50 feet from shore. Swimming, under all provisions of this Section, is prohibited from one-half hour after sunset to one-half hour before sunrise.

(h) The location, construction, operation or maintenance of a pier or dock anywhere in or on the Lake is a revocable license privilege.

(i) Any pier or dock located, constructed, operated or maintained in violation of the provisions of this Section, or the rules or regulations promulgated thereunder, shall be removed from the Lake upon notice from the Lake Maintenance Supervisor or designee.

(j) If a pier or dock is not removed on the date herein set forth or when requested by the Lake Maintenance Supervisor or designee, the same may be removed by the City and expense thereof charged to the permit holder as per Section 48 (p)

(k) A City furnished permit number plate shall be displayed at the Lake end and at the shore end of each pier or dock, and on the plate at the Lake end a decal or sticker evidencing payment of the permit fee for the then current year shall be affixed.

(l) Application for an initial permit or for annual renewal of a permit shall be filed with the Finance Department upon forms provided by the City requiring such information as shall be deemed reasonably necessary or desirable to aid in the administration of the provisions of this Chapter and which application shall be accompanied by the payment of the appropriate annual fees as follows:

	Effective:	March 1, 2014	March 1, 2015	March 1, 2016
Shore Line Zone 1:				
For each front foot of shore line		\$6.50	\$7.00	\$7.50
plus for the first boat space		\$105.00	\$110.50	\$116.00

plus for each boat space above one	\$131.50	\$138.00	\$145.00
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Shore Line Zone 2:

For each front foot of shore line	\$5.50	\$6.00	\$6.50
plus for the first boat space	\$105.00	\$110.50	\$116.00
plus for each boat space above one	\$124.50	\$130.50	\$137.00

Shore Line Zone 3:	\$52.50	\$55.00	\$58.00
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In **Shore Line Zones 1 and 2** the minimum front foot charge is for twelve feet of shore line; and, if the application is for an initial permit, not a renewal, a fee of:

	Effective:	March 1, 2014	March 1, 2015	March 1, 2016
Initial permit		\$44.00	\$46.00	\$48.50

shall accompany payment of the annual fee. **In Shore Line Zone 3**, if a pier or dock, or the adjacent real property permitted as the physical location of the pier or dock, is not inside the corporate limits of the City, the initial or annual permit fees shall be two times the fees for piers or docks of the same classification situated within the corporate limits. (Amended Ordinance 2014-05, March 3, 2014)

(m) In **Shore Line Zones 1 and 2** permits will be issued for docks or piers only to the extent that space is available in the judgment of Lake Maintenance Supervisor or designee with preference being given to multiple boat installations and in **Shore Line Zone 3** permits will be issued only to persons owning property abutting the Lake for piers or docks located at such abutting property, except as provided in subsections (b) and (n). Docks or piers owned or operated by government agencies are exempt from permit fees.

(n) Where sufficient room is available at locations other than those adjacent to privately owned premises, permits may be issued to groups or clubs, applications for which, whether initial or annual renewal, shall be accompanied by a list of the names of those officers and members thereof, their respective home addresses, a telephone number for each, the license

number of each boat to be operated from such pier or dock, and location of each boat at the pier or dock.

Group or club boat dock permits issued for locations adjacent to privately owned premises in Shore Line Zone 3, and issued prior to February 28, 1997, may be renewed, but only if the number of boat spaces does not exceed the number of such spaces permitted in 1996. Except as expressly authorized hereby, no other permits for groups or clubs may be issued.

(o) The applicant in each application must agree to indemnify and to hold the City harmless for any and all liability for damages to person or property for which it may be held liable by reason of the maintenance or operation of a permitted pier or dock on the lake.

(p) If any pier or dock is physically retrieved, recovered or removed from the Lake by the City, the owner thereof shall pay a charge of Fifty Dollars (\$50.00) along with a sum equal to the cost of labor, material and equipment use to the City connected with such action in excess of Fifty Dollars (\$50.00) and with a charge of Ten Dollars (\$10.00) for each day or part thereof in which the same is in the custody of the City which custody shall be at the risk of the owner thereof.

(q) No boat shall be moored in the Lake unless it is moored within fifty (50) feet of the shore line, and a pier permit endorsed to authorize such mooring is obtained.

(r) In **Shore Line Zones 1 and 2** only owners of boats registered with the City for operation on the Lake shall be eligible for permits and as to multiple boat dock permits shall be issued only when such boat registration is shown for each boat space thereon.

(s) No boat shall be docked at a pier or dock without permission of the permit holder thereof.

(t) Permit holders shall not loan the use of the permitted dock or pier in Shore Line Zones 1 and 2 or space thereon or lease, sublease or rent the same, except temporarily for short spaces of time with permission of the Lake Maintenance Supervisor or designee and without payment of any fee or charge for the same.

(u) All piers or docks in Shore Line Zones 1 and 2 and those in Shore Line Zone 3 located under the provisions of subsections (m) and (n) shall be furnished with a gate suitable to limit entry to such pier or dock when closed, and which gate shall be closed and locked except during use by an authorized user.

(v) Determinations and decisions of the Lake Maintenance Supervisor or designee under subsections (c), (d), (f), (i) and (m) of this Section may be reviewed by the City Manager provided a written request for such review is filed with the City Manager within five (5) days after notice of such determination or decision.

(w) In Shore Line Zones 1 and 2, the terms of the annual dock and pier permits include the City's right to limit access, limit use, and allow other organizations the temporary use of the dock and pier facility, for the purpose of conducting public events on and adjacent to Lake Decatur. This section shall become effective March 1, 1994.

48. PERMITS ARE PERSONAL PRIVILEGES. Permits issued pursuant to Section 47 are for privileges personal to the permit holder and spouse and may not be transferred. All such permits expire on the last day of February next after issuance.

49. REVOCATION OF PIER PERMIT. A pier or dock permit may be revoked upon conviction of the permit holder of a violation of any rule or regulation duly established hereunder or any other ordinance or statute of like nature the violation of which occurred on or adjacent to Lake Decatur.

806 **50. TRESPASSING ON DAM.** No person shall, at any time, go onto or be upon the Lake
807 Decatur dam across the Sangamon River, the dam spillway, water intake structure or the Sangamon
808 River downstream of the Lake Decatur dam for a distance of 300 feet for any purpose except to
809 conduct City business.

810 (Amended, Ordinance 2017-05, February 6, 2017)

811
812 **51. PROPERTY ADJACENT TO LAKE.**

813
814 A. The Public Works Director shall have charge of all real estate owned by the City and
815 adjacent to the Lake. He shall see that such real estate is properly maintained and protected. He
816 shall have authority to lease such property or portions thereof upon such terms deemed most
817 advantageous to the City. Such leases must be approved by the City Manager. (Amended,
818 Ordinance 2017-08, February 6, 2017)

819 B. Employees of the Lake Services Section of the Public Works Department are hereby
820 authorized to perform all the duties and responsibilities of Parking Meter Checker, at the direction
821 of the Chief of Police, but only as to those City-owned or City-leased premises directly adjacent
822 to Lake Decatur. (Amended, Ordinance 2017-08, February 6, 2017)

823 **52. PENALTIES.** A. Any person, firm or corporation who shall violate any of the
824 provisions of Section 4, 5, 6, 7, 8, 9, 10, 11 or 12 of this chapter shall be fined not less than Five
825 Hundred Dollars (\$500.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00) for
826 each offense, and each day on which a violation occurs or continues shall be considered a separate
827 offense.

828 B. Any person, firm or corporation who shall violate any of the provisions of Section 51
829 subparagraph B of this chapter shall be fined not less than Twenty Five Dollars (\$25.00) for each

offense, and each day on which a violation occurs or continues shall be considered a separate offense. (Amended, Ordinance 2017-05, February 6, 2017)

C. Any person, firm or corporation who shall violate any of the provisions of any section of this Chapter not enumerated in subparagraph A and B above shall be fined not less than One Hundred Fifty Dollars (\$150.00) nor more than Five Hundred Dollars (\$500.00) for each offense, and each day on which a violation occurs or continues shall be considered a separate offense.

53. VIOLATION NOTICE AND COMPLAINT. Whenever a Lake Patrol or full time Lake Services Section employee witnesses or has knowledge based on reasonable grounds of a violation by any person, firm or corporation of any section of this Chapter, such person may be issued a Violation Notice and Complaint for said violation by the Lake Patrol or full time Lake Services Section employee, as set forth in Chapter 29 of this Code.

54. PAYMENT OF VIOLATION NOTICE AND COMPLAINT.

A. A person cited by a Lake Patrol employee for a violation of any section of this Chapter is herein provided may terminate any further proceedings by the City due to said violation by making payment to the City at the office of the City Treasurer. Payment is considered as being made only when the City Treasurer is in receipt of the full amount.

B. If a person is given a citation for a violation as herein provided, no complaint may be filed by an attorney on behalf of the City in any court having jurisdiction thereof seeking to prosecute and fine such person for said violation sooner than ten (10) days after such citation is issued, and no complaint may be filed if the citation is timely paid.

55. ANNUAL PERMIT FEE ADJUSTMENT. Effective March 1, 2017, and continuing annually on March 1 thereafter, all permit fees contained in Sections 19.D., 19.G., 34.And 47. (l) of this Chapter will increase by 2.5 percent or by the annual percentage change of the

854 U.S. Department of Labor Midwest Urban Consumer Price Index for each corresponding
855 preceding January 1 to December 31 time period, whichever is greater, and rounded up to the next
856 \$0.50 increment. (Amended Ordinance 2014-05, March 3, 2014)

Appendix 2 – Existing City of Decatur Ordinances and Sections Relevant to Lake Decatur Shoreline

Ordinance Chapter 38 – Stormwater Ordinance

Section	Relevant Components
38.3 Land Disturbance	(a) Land disturbance permit is required for disturbances of 1 or more acres of land. (c) Permit required for land disturbance activity of less than 1 acre, if in the discretion of the City Engineer such activity poses a unique threat to water, or public health or safety because the activity itself or of a cumulative effect negatively impacts water quality. (d, e) Permit required for creation and use of borrow pits and stockpiles > 50 cubic yards.
38.5 Land Disturbance Permit Exemptions	Several exemptions for agriculture, conservation practices, industry, and emergency measures.
38.14 Standards and Performance Criteria for Stormwater Pollution Prevention Plans	(c) City Engineer consultation to determine if applicants are subject to additional stormwater pollution prevention plan requirements: (1) Waters for which there is a TMDL for TSS, turbidity or siltation (2) Waters listed on Illinois 2014 303(d) list (3) Critical areas with sensitive resources (4) “Hot spots” that may require specific structural BMPs and pollution prevention practices
38.16 Stormwater Management Plan Requirements	(f) dedication of easements necessary to ensure access to the site for the purpose of maintenance and inspection of the storm water management facilities. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded as a commitment against the property

Section	Relevant Components
38.17 Landscaping and Stabilization Requirements	(a) Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be vegetated according to a plan approved by the City Engineer (b) A plan for establishing permanent vegetative cover to stabilize disturbed or exposed areas must be submitted with the stormwater pollution prevention plan. The plan shall describe the vegetative stabilization and management techniques to be used at a site after construction is completed using BMPs. This plan will explain how the site will be stabilized after construction, who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure adequate vegetative cover is preserved. (c) Where it is required by the BMP, this plan must be prepared by a registered Landscape Architect in the State of Illinois.
38.20 Failure to Meet or Maintain Design or Maintenance Standards	If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this ordinance, the City Engineer, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing necessary work to place the facility in proper working condition. In the event the stormwater management facility becomes a danger to the environment or the public health, safety and welfare, the City Engineer shall notify, in writing, the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible party shall receive seven (7) calendar days to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the City of Decatur shall take necessary corrective action. The cost of any action by the City of Decatur under this section shall be charged to the responsible party.
38.20 Existing Locations and Developments	Compliance requirements for pre-ordinance land disturbance activities.
38.27 Stormwater Utility and Stormwater Fund	(f) Exemptions and credits applicable to service charges The Public Works Director shall grant SWSC credits for properties that reduce the impact of or eliminate stormwater runoff from said property. Credits include various discharge reduction credits, an education credit and a water quality credit referenced below:

Section	Relevant Components
	(e) Water Quality Credit: Stormwater service credits will be available for properties that hold an Industrial NPDES permit or use best management practices to reduce the total suspended solids leaving the property by 75%. The water quality Credit will be further defined in the Stormwater Credit Regulations.

*note that language may be summarized and not verbatim from City ordinances

Ordinance Chapter 48 – Nuisances

Section	Relevant Language
48.9 Natural Areas and Native Prairie Landscape Areas	B. Location and Limitations (1) Lake Frontage – Natural Areas and Native Prairie Landscape Areas may be located on a lot, lots or parcel of ground abutting, and/or within 100 feet of the lake shore line of Lake Decatur, except that Natural Areas and Native Prairie Landscape Areas may not be located within 10 feet of any residential property. Natural Areas and Native Prairie Landscape Areas near or adjoining Lake Decatur must be set back not less than 10 feet from the side lot lines. If the owner owns multiple adjacent lots the setback requirements of this ordinance shall apply to the outer perimeter of the total tract. Said setbacks shall not apply if said lot lines abut Lake Decatur. No Native Prairie Landscape area may be located in the front yard of a property.
48.10 Storage, Disposition and Use of Pesticides and Other Chemicals	No person, owing, or in possession, charge, or control of any building or premises shall store, dispose of or use any pesticide, herbicide or other substance in such a manner as to cause injury to human beings, wildlife or other animals, or in such a manner as to cause injury to vegetation or crops of others or in such a manner as to contaminate any surface or groundwater.

*note that language may be summarized and not verbatim from City ordinances

Ordinance Chapter 66 – Regulation of Lake Decatur (Adopted Ordinance 2012-12, April 2, 2012)

Section	Relevant Language
66.1 Shore Line Zones	Shore Line Zones 1 – 3 are defined: "Shore Line Zone 1" is that shore line lying to the north and west of the eastern edge of the breakwater located south of the Lake Office and that area lying to the south and west of the property formerly used as the Beach House. "Shore Line Zone 2" is that shore line located to the west and south of Route 36 and north and west of Lost Bridge Road not included in Shore Line Zone 1. "Shore Line Zone 3" is all other shore line not included in Shore Line Zone 1 or Shore Line Zone 2.
66.2 Zones Defined	Lake Zones A – C are defined: Zone "A" shall consist of all land lying within the high water mark or below the high water mark, in the reservoir site, whether flooded or not. This zone includes tributary watercourses upstream to the aforesaid high-water mark. Zone "B" shall consist of that portion of the drainage area within 100 feet of the high water mark around the reservoir and within the same distance of said high water mark of any of its tributaries extending upstream (following the channel of the stream) and a distance of one half mile from the high water mark upstream of said tributaries, and shall include at certain places all land extended from the 100 foot limit to the top of the bluffs and to the end of ravines where slopes are steep. Zone "C" shall consist of territory within 100 feet of Zone "B" as specified Zone "D" shall constitute the territory within 500 feet of Zone "C" as specified. Zone "E" shall constitute the remainder of the drainage area.
66.3 Buildings Prohibited	No buildings or any structure, tent, camp car or trailer, whether for habitation or otherwise, shall be built or maintained within the limits of Zones A, B or C unless upon permit in writing by the City. No permit will be granted except upon proof of ability to comply with the provisions of Section 4 of this Chapter.

Section	Relevant Language
66.6 Pollution in Zone A	No person, firm or corporation shall permit the territory known as Zone A, or water situated therein, to be used, kept or maintained so as to cause pollution of the water in the reservoir
66.47 Piers and Docks	Twenty-three individual codes are outlined for piers and docks, encompassing permitting, placement, construction, usage restrictions, maintenance, operation.
66.51 Property Adjacent to Lake	The Public Works Director shall have charge of all real estate owned by the City and adjacent to the Lake. He shall see that such real estate is properly maintained and protected. He shall have authority to lease such property or portions thereof upon such terms deemed most advantageous to the City. Such leases must be approved by the City Manager. (Amended, Ordinance 2017-08, February 6, 2017) B. Employees of the Lake Services Section of the Public Works Department are hereby authorized to perform all the duties and responsibilities of Parking Meter Checker, at the direction of the Chief of Police, but only as to those City-owned or City-leased premises directly adjacent to Lake Decatur. (Amended, Ordinance 2017-08, February 6, 2017)

*note that language may be summarized and not verbatim from City ordinances

DRAFT

**ZONES A-D
FROM
ORDINANCE 3123 (1958)**



- LEGEND**
- Zone A (615' elevation)
 - Zone B (100' buffer of Zone A)
 - Zone C (100' buffer of Zone B)
 - Zone D (500' buffer of Zone C)

