



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

December 31, 2013

OFFICE OF WATER RESOURCES PERMIT APPLICATION FEES FREQUENTLY ASKED QUESTIONS

Who must pay the permit application review fees?

Anyone proposing an activity in the Public Waters of the state and/or in the floodways of Illinois streams must apply for a permit from the IDNR/Office of Water Resources in accordance with the Rivers, Lakes and Streams Act (see 615 ILCS 5/35) and pay a non-refundable permit application review fee associated with the level of review required to approve or deny the activity. Similarly, anyone proposing to construct, operate, modify, or remove a dam under the jurisdiction of the IDNR/Office of Water Resources must apply for a permit from the IDNR/Office of Water Resources in accordance with the Rivers, Lakes and Streams Act (see 615 ILCS 5/35) and pay a non-refundable permit application review fee associated with the level of review required to approve or deny the dam related activity.

When do permit application review fees become effective?

January 15, 2014

Are any Public Water or floodway activities exempt from the permit application review fee?

All applications and written inquiries received will be reviewed free of charge to determine whether or not the Public Water, dam and/or floodway work proposed requires authorization by the Department, so long as sufficient information is provided for the Department to make that determination. If a permit authorization is not required for the activity proposed, or is already covered by Statewide Permit authorization, the applicant will not be required to pay a permit application review fee and will be notified of such determination by the IDNR.

Why is a permit application review fee required?

To enable IDNR to continue to carry out its mission, the Illinois General Assembly passed the IDNR "Sustainability Act" (Public Act 97-1136) which became law in December 2012 and provides new revenue sources and reduces dependency on General Revenue funding. Among other provisions, this new act added language to the Rivers, Lakes and Streams Act (see 615

ILCS 5/35) that allows IDNR to collect a fee of up to \$5,000 per application for permits issued under the Rivers, Lakes and Streams Act to help defray a portion of the ordinary and contingent expenses of the IDNR.

How do I pay the permit application review fee?

Except when possible through electronic fee payment coming soon to the Office of Water Resources web site, permit application fee payment must be in the form of a check or money order made payable to the Illinois Department of Natural Resources.

When is payment required for the permit application review fee?

If a permit is required for the activity proposed and is not already permitted by Statewide Permit authorization, permit applicants must pay a non-refundable permit application review fee determined by the Department to allow review of the permit application to continue. The applicant shall be notified of the fee determination in writing, immediately after the initial review of the application. Continued review of the permit application will not proceed without receipt of payment of the permit application review fee. Applications will be deemed withdrawn if the fee is not received within 90 days after the applicant is notified of the amount of the fee.

How are the permit application review fees determined?

Permit application review fees are determined based on the estimated amount of professional and administrative staff time required to adequately decipher, sufficiently review, and properly document the work or activity proposed. A fee structure for standard activities, ranging between \$200 and \$5,000, has been developed by the IDNR and is published on the IDNR/Office of Water Resources Web site at www.dnr.illinois.gov

Can more than one permit application review fee apply to my application?

Yes. If the activity being applied for also requires authorization under other parts of the Illinois Department of Natural Resources, Office of Water Resources 17 Illinois Administrative Code Rules (Dams, Public Waters, etc.), the review fee for each Part shall be added together to calculate the total review fee. The review fee shall be capped at \$5,000.

Will the permit application review fees ever increase?

The review fee shall be adjusted on July 1 each year to account for inflation. The U.S. Bureau of Labor Statistics' Consumer Price Index Table for all urban consumers (CPI-U), U.S. city average, all items, base period 1982-84 =100 (Series ID: CUUR0000SA0) (available on the U.S. Bureau of Labor Statistics' website) will be used to calculate the adjustment factor. The adjustment factor shall be directly proportional to the change in the CPI index since June 2013 and rounded to the nearest \$10 to compute the review fee for the coming fiscal year (July 1 through June 30). The review fee shall be capped at \$5,000. The dollar amounts that result from these calculations will be posted on the Department's website at: www.dnr.illinois.gov

Where does the money raised by permit application review fees go?

All collected fees will be deposited into the State Boating Act Fund for use by the IDNR alone.

How will the money raised by permit application review fees be used?

Funds generated by the permit application review fee will be used to help defray a portion of the ordinary and contingent expenses of the IDNR, including hiring new regulatory staff, conducting dam safety inspections, reviewing delegated community actions, conducting floodplain violation enforcement actions to protect public safety and property, and conducting floodplain assessments to identify and remove potential public flood hazards.

What happens if I do not pay the permit application review fee requested?

Applications will be deemed withdrawn if the review fee is not received within 90 days after the applicant is notified of the amount of the fee. A new application and review fee will need to be submitted to restart the application process.

Will I be able to pay using a credit card?

The IDNR Office of Water Resources is working with the Illinois State Treasurer's Office to make electronic payments possible on the Department's Office of Water Resources web site. The Department anticipates being able to offer this payment option in early 2014. More details will be available for electronic payments when the system is in operation.

Is partial fee payment acceptable?

Insufficient payment or failure of a fee payment to clear the bank it is drawn against will result in the automatic withdrawal of the application.

Is the permit application review fee refundable?

Except for refunding of overpayments, permit application fees will not be refunded.

Does payment of the application fee mean my permit will be granted upon receipt of the payment?

Application fees are tendered for consideration of the application only, and do not imply any promise of permit issuance by the Department.