

MEMORANDUM OF AGREEMENT
AMONG THE FOLLOWING AGENCIES AND ORGANIZATIONS:

Des Plaines River Watershed Working Group

Illinois Office of Water Resources

Illinois Environmental Protection Agency

Lake County Public Works Department

Lake County Stormwater Management Commission

United States Environmental Protection Agency

Wetlands Research, Inc.

Vernon Hills Park District

Village of Vernon Hills

Village of Lincolnshire

Long Grove Park District

The above-listed agencies and organizations are herein after referred to as the "Parties" to this agreement. The Parties are fully aware of the activities of the above identified members and will

coordinate their activities with each and all of the other members. Whereas one of the Parties is assigned a special task, that agency or organization shall be specifically identified and its task documented. The purpose of this agreement is to secure and prepare the necessary property and stream corridors for a water quality market pilot project; undertake landscape design, formulate research and monitoring programs; secure permits; coordinate restoration, research, and monitoring activities; and, retain the appropriate scientific, engineering and restoration expertise. The Parties agree to the following objectives:

- Whereas the Parties are in full agreement with the goals and objectives of the Des Plaines River Watershed Work Group (herein after referred to as DRWW), they incorporate these goals and objectives into this agreement as Exhibit A and agree to modify this exhibit as necessary for the planned execution of the activities of DRWW.
- Whereas the Parties are in agreement with the Indian Creek Watershed Based Plan (March, 2009) that flood damage reduction is an important goal and, in coordination with the Lake County Stormwater Management Commission; the design of the pilot project will incorporate floodwater storage wherever possible by the use of pools and riffles (much in the way that beaver managed the streams of North America prior to settlement).
- Whereas WRI has been discussing with the Vernon Hills Park District and others, the concept of a pilot project to explore the use of a water quality credit market to reduce nitrogen, phosphorus and other pollutants; and have identified a stream corridor on park district land (see Exhibit B).
- Whereas the Parties recognize the certain pollutants (e.g., suspended solids, nitrogen, phosphorous, chloride, sodium, mercury, pharmaceuticals and other contaminants are surface water impairments, the morphology of the stream channels and related floodplains will be designed to maximize the wetted surface and to retain the normal and flood flows as long as possible, without damage to the riparian properties or creating noxious odors or unpleasant vistas. The stream channels and floodplains will be populated spatially by appropriate wetland plant communities,
- Whereas the Parties agree that native landscapes, suitable for wildlife habitat and attractive and interesting open space is sorely needed in Northeastern Illinois; therefore only native plants will be used and maintained. The restoration work on Park District property will be agreed upon by WRI and the Vernon Hills Park district by separate contract.
- WRI will be responsible for the restoration design and the research plan (see Exhibit C) but both will be reviewed and approved by the other Parties before any permits application are submitted to the regulatory authorities.
- Given that the terms of the permits have been met, the regulatory authorities represented among the Parties will not withhold, without cause, the requested permits
- Whereas, the Lake County Public Works Department/DRWW will monitor the water quality changes due to the restored landscape and, with the involvement of WRI, the LCPWD will

calculate, record and publish on a monthly basis, the tons of subject contaminants removed. The price of each contaminants will be determined by the Parties based on the cost of removing the contaminants by conventional means, including capital depreciation. The difference between that price and the cost of contaminant removal by the restored wetlands, including capital depreciation will be divided by two and added to the cost of wetland removal, which assumes that the cost of removal by wetlands is less than by conventional means.

- WRI will be responsible for the preparation of all permits, their submission and the attainment of all requirements specified in the related permits.
- WRI will be responsible for securing the necessary funding for the restoration, research and administrative work, primarily through wetlands mitigation banking (see exhibit C). However, other individual members, from time to time, may be called upon to participate in the preparation of permits, grant applications and seeking funding through available governmental programs.
- Whereas WRI has funded the major part of the restoration work, operated the pool and riffle system, and maintained the plant community, WRI will receive the income from the sale of mitigation bank credits, minus a percentage to be transferred to the Vernon Hills Park District, as land owners, for future maintenance. WRI will be allotted a percentage of water quality credit income generated from the project as determined under separate contact between Vernon Hills Park District and WRI.
- Whereas Lake County Public Works and Village of Vernon Hills have contributed in kind services, they will receive savings through the project by variances under their NPDES permits issued by the Illinois Environmental Protection Agency; saving them from having to fund convention treatment methods or other more costly methods to meet water quality standards.

The Parties, having reviewed this document and made any necessary changes, do hereby approve this Memorandum of Agreement by their signatures in the appropriate space below on this date of

_____.

Signature

Agency

Date

