

**Fox Waterway Agency Request For Dredging Application**

**APPLICANT INFORMATION**

Name: \_\_\_\_\_ Ph (home): \_\_\_\_\_  
Address: \_\_\_\_\_ Ph (work): \_\_\_\_\_  
Email: \_\_\_\_\_ Cell: \_\_\_\_\_

**PROJECT INFORMATION**

Request of proposed work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of dredging site: \_\_\_\_\_

Channel name: \_\_\_\_\_ County/Township: \_\_\_\_\_

Waterway it is attached to: \_\_\_\_\_

Approximate depth of water in channel (average during boating season): \_\_\_\_\_

Width and length of area to be dredged: \_\_\_\_\_

Width in feet

Length in feet

Location of dredge material disposal site: \_\_\_\_\_

Proposed use of dredged material: \_\_\_\_\_

Description of area to be dredged, including shoreline character: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated quantity of material to be removed: \_\_\_\_\_

Location and type of truck/equipment access: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are septic tanks or septic fields present in the vicinity of the truck/equipment access site? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE FOLLOWING INFORMATION MUST BE INCLUDED WITH YOUR SUBMITTAL**  
**(Please initial next to each item to verify that it has been included)**

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- \_\_\_ A. Provide a Cover Letter outlining project needs, how the project benefits the boaters and why the FWA should consider the project.
- \_\_\_ B. Completed Dredge Packet and Petition Request Form indicating the name, address, PIN number and phone number for **ALL** parcels along the channel (see attached). This petition must be signed by 100% of the property owners along the channel. All properties and PIN's must be listed sequentially for ease of verification. Signed Property Access Agreement and Seawall release forms. **100% compliance is mandatory.**
- \_\_\_ C. Location map
- \_\_\_ D. When projects associated with dredging or debris removal activities require the temporary stockpile of material within waters of the U.S., the following additional information shall be required:
  - 1. Schedule of work.
  - 2. Location of stockpiled material.
  - 3. Soil erosion and sediment control plan.
  - 4. Restoration plan.
- \_\_\_ E. If you are providing your own disposal site, please include an approval letter from the U.S. Army Corps of Engineers
- \_\_\_ F. Written verification from the Road Commissioner(s) approving truck access route from jobsite to disposal area.
- \_\_\_ G. Subdivision plat showing the location and dimensions of all parcels adjacent to dredged area.

**Property Access  
Dredging Release and Hold Harmless  
Agreement**

This Dredging Release and Hold Harmless Agreement ("Agreement") is hereby entered into by and between the Fox Waterway Agency ("FWA") and \_\_\_\_\_ ("Owners"), at \_\_\_\_\_, \_\_\_\_\_, Illinois ("Subject Property") effective this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

A. The FWA currently has a program in place to dredge the Chain O' Lakes – Fox River Recreational Waterway ("Waterway") and certain inlets thereto to improve the Waterway for recreational purposes and often does so at the request of homeowners along the Waterway needing dredging assistance ("Dredging Activities").

B. The FWA has been requested by the Owners to perform Dredging Activities either 1) from the Subject Property or 2) from the Waterway abutting the Subject Property. If the Dredging Activities are to be conducted from the Subject Property, Owners hereby permit the FWA to fully access that part of the Subject Property designated in the drawing attached hereto as **Exhibit A**, for purposes of trucking, loading, material storage, placement of geotextile fabric tubes, commonly known as geotubes, for the duration of the project and general access to the Waterway for the Dredging Activities.

C. The Subject Property of the Owners maybe improved with one or more of the following: fencing, grass, trees, flowers, shrubbery and other landscaping and hardscape improvements, including a seawall protecting the Subject Property from erosion into the Waterway, as well as subsurface improvements including septic tanks and systems (collectively, "Owner's at-risk Property"). The parties hereto acknowledge that any Dredging Activities involves heavy equipment and vehicles and may cause damage to the Owner's at-risk Property, including the seawall which may be undermined, damaged and/or dislodged. Notwithstanding the possible damage to the Owner's at-risk Property, the Owners desire Dredging Activities to be performed by the FWA and the purpose of this Agreement is to release the FWA, its directors, employees and contractors, from any damage to the Owner's at-risk Property caused by the FWA's Dredging Activities.

Now, therefore, in consideration of the promises and agreements made herein, the adequacy and sufficiency of which is acknowledged by the parties hereto, the undersigned parties hereby agree as follows: 1) The above referenced recitals are hereby incorporated by reference; 2) If the Dredging Activities are conducted from the Subject Property, following completion of the Dredging Activities, the FWA will restore the Subject Property to its general original elevation with topsoil and grass seed; and 3) The Owners hereby fully release the FWA, its directors, employees and contractors from any and all claims, costs, expenses, damage, dislodging, legal fees, losses for any damage to the Owner's at risk Property which may, in any way, arise out of, relate to or be caused by the Dredging Activities of the FWA. Nothing herein shall release the FWA from damage it causes to property other than the Owner's at-risk Property.

Fox Waterway Agency

Owners

By \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Seawall Waiver and Hold Harmless  
Agreement**

This Dredging Release and Hold Harmless Agreement ("Agreement") is hereby entered into by and between the Fox Waterway Agency ("FWA") and \_\_\_\_\_ ("Owners"), at \_\_\_\_\_, \_\_\_\_\_, Illinois ("Subject Property") effective this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Recitals

- A. The FWA is a body corporate and politic and a special-purpose of local government, organized and operated under Illinois law at 615 ILCS 90/1, et seq. ("Act").
- B. Under the Act, the FWA is empowered to implement reasonable programs to improve and maintain the Chain O'Lakes - Fox River Recreational Waterway ("Waterway"), to improve recreational uses of the Waterway and improve the quality of the Waterway.
- C. Pursuant to the Act, the FWA may acquire, possess and control dredging equipment and any other equipment necessary for the accomplishment of the purpose of the Act.
- D. The FWA currently has a program in place to dredge the Waterway and certain inlets thereto to improve the Waterway for recreational purposes and often does so at the request of homeowners along the Waterway needing dredging assistance ("Dredging Activities").
- E. The FWA has been approached by the Owners to perform Dredging Activities within the Waterway abutting the Subject Property.
- F. The Subject Property of the Owners is improved with a seawall protecting the Subject Property from erosion into the Waterway, however, the parties hereto acknowledge that any Dredging Activities of the Waterway close to the seawall may cause the Subject Property and seawall to be undermined, damaged and/or dislodged ("Seawall Damage"). Notwithstanding, the possible Seawall Damage, the Owners desire Dredging Activities to be performed by the FWA and the purpose of this Agreement is to release the FWA and others from any Seawall Damage caused by the FWA's Dredging Activities.

Now, therefore, in consideration of the promises and agreements made herein, the adequacy and sufficiency of which is acknowledged by the parties hereto, the undersigned parties hereby agree as follows: 1) The above referenced recitals are hereby incorporated by reference; and 2) The Owners hereby fully releases the FWA, its directors, employees and contractors from any and all claims, costs, expenses, damage, dislodging, legal fees, losses for any Seawall Damage which may, in any way, arise out of, relate to or be associated with the Dredging Activities on the Waterway by the FWA.

Fox Waterway Agency

Owners

By \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**FOX WATERWAY AGENCY PETITION FOR REQUEST FOR DREDGING**

Please list the required information for **ALL** parcels along the channel in sequential order.

This petition **must be signed** by 100% of the property owners along the channel.

**Non-participants must be listed on this form. Do not skip any parcels.**

|          | <b>Name and Signature</b> | <b>Address</b> | <b>Phone</b> | <b>Pin Number</b> |
|----------|---------------------------|----------------|--------------|-------------------|
| <b>1</b> |                           |                |              |                   |
| <b>2</b> |                           |                |              |                   |
| <b>3</b> |                           |                |              |                   |
| <b>4</b> |                           |                |              |                   |
| <b>5</b> |                           |                |              |                   |
| <b>6</b> |                           |                |              |                   |
| <b>7</b> |                           |                |              |                   |
| <b>8</b> |                           |                |              |                   |
| <b>9</b> |                           |                |              |                   |

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|    |  |  |  |  |  |  |  |  |
|----|--|--|--|--|--|--|--|--|
| 10 |  |  |  |  |  |  |  |  |
| 11 |  |  |  |  |  |  |  |  |
| 12 |  |  |  |  |  |  |  |  |
| 13 |  |  |  |  |  |  |  |  |
| 14 |  |  |  |  |  |  |  |  |
| 15 |  |  |  |  |  |  |  |  |
| 16 |  |  |  |  |  |  |  |  |
| 17 |  |  |  |  |  |  |  |  |
| 18 |  |  |  |  |  |  |  |  |