

# Illinois Department of Natural Resources

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

*Revised 5/12/12*

Pat Quinn, Governor  
Marc Miller, Director

Office of Water Resources • 2050 West Stearns Road • Bartlett, Illinois 60103

## PUBLIC NOTICE

### PROPOSED STREAM BANK STABILIZATION PROJECT ON THE NORTH BRANCH OF THE CHICAGO RIVER IN COOK COUNTY BY THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

The Metropolitan Water Reclamation District of Greater Chicago, 100 East Erie Street, Chicago, Illinois 60611, has applied for a permit from the Office of Water Resources to authorize a stream bank stabilization project on the east side of the North Branch of the Chicago River between Montrose Avenue and Berteau Avenue in the City of Chicago. This public notice is being issued pursuant to State rules for construction in public waters.

The proposed work involves 1,330 linear feet of stream bank stabilization improvements, which include the construction of a low sheetpile wall at the toe of the existing bank and the placement of 1055 linear feet of riprap and 275 linear feet of articulated concrete block mats on the bank slope above the new wall. Existing riprap and rubble will be relocated to the base of the new wall. An existing 80 ft. long fish lunger structure will be replaced by a 100 ft. long fish lunger structure. No dredging in the river is anticipated. The contractor will be doing the majority of the work from a barge. Approximately one half of the waterway will remain open to navigation during construction. The estimated time of construction is one year. The purpose of the project is to stabilize and restore the east riverbank slope.

The site of the proposed work is located in the Southeast Quarter of Section 13, Township 40 North, Range 13 East of the Third Principal Meridian in Cook County. On the back of this public notice is a location map of the project site.

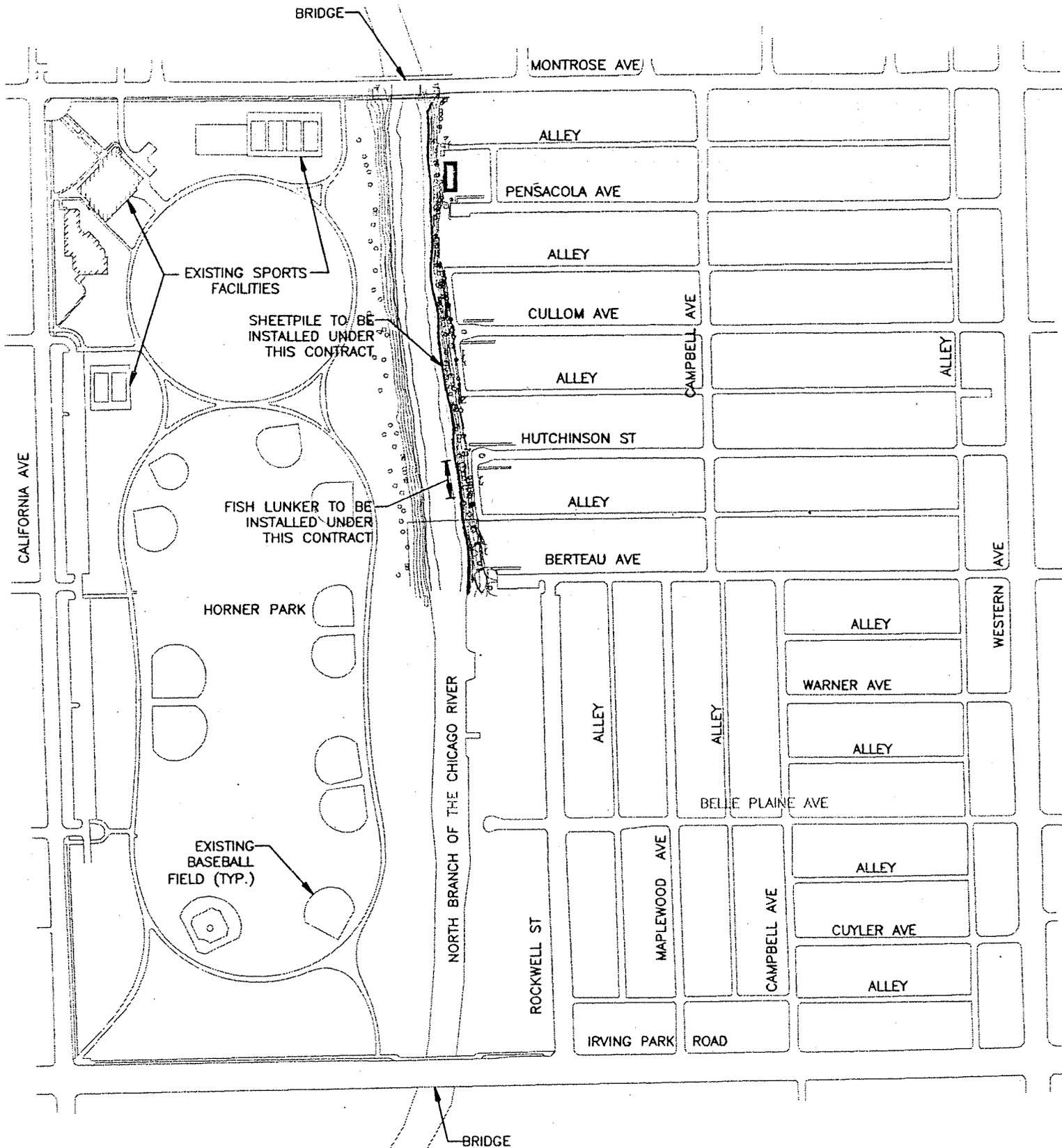
**No work is to start on this project unless and until a permit is issued.**

Plans for the proposed work may be seen by appointment at the Northeastern Illinois Regulatory Programs Section office, 2050 West Stearns Road, Bartlett, Illinois 60103. Inquiries and requests to review the plans may be directed to Jeannette Schiller of the Bartlett Office at 847/608-3100, extension 32025. You may also contact Charles Jackson of the Metropolitan Water Reclamation District of Greater Chicago at 312/751-5882.

Review of this project will be limited to the following issues: 1) Any obstruction to, or interference with the navigability of the river; 2) Any encroachment on the river; and 3) Any impairment of the rights, interests or uses of the public on the river or in the natural resources thereof.

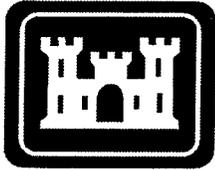
**You are invited to send written comments regarding the proposed work to the Bartlett Office by May 31, 2012.**

May 10, 2012



**LOCATION MAP**  
 SCALE: 1"=200'-0"

Revised 5/4/12



## PUBLIC NOTICE

### APPLICATION FOR PERMIT

**U.S. ARMY  
CORPS OF ENGINEERS  
CHICAGO DISTRICT**

**PUBLIC NOTICE/APPLICATION NUMBER: LRC-2010-00043**

**COMMENT PERIOD BEGINS:** May 8, 2012  
**COMMENT PERIOD EXPIRES:** June 8, 2012

#### **APPLICANT**

Metropolitan Water Reclamation District  
Kenneth Kits  
100 East Erie Street  
Chicago, Illinois 60611

#### **PROPOSED ACTION**

Proposal to stabilize approximately 1,330 feet of stream bank on the east side of the North Branch of the Chicago River. A detailed description of this proposal is provided on page 2 of this notice.

#### **LOCATION OF PROPOSED ACTION**

Along the North Branch of the Chicago River, from Montrose Avenue to Berteau Avenue, within the City of Chicago, Cook County, Illinois.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and as shown on the attached drawings. You are invited to provide your comments by **June 8, 2012** on the proposed work, which will become part of the record and will be considered in the decision. A permit will be issued or denied under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 Action of the Clean Water Act of 1972(33 U.S.C. 1344).

Written comments shall be mailed to:

U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
Attn: **LRC-2010-00043**, Kate M. Bliss  
111 North Canal Street, 6th Floor  
Chicago, Illinois 60606-7206

## **PROJECT DESCRIPTION**

The Metropolitan Water Reclamation District is planning to stabilize approximately 1,330 feet of stream bank on the east side of the North Branch of the Chicago River, from Montrose Avenue to Berteau Avenue, within the City of Chicago. The existing stream bank is mostly natural with a few areas having a small amount of stone/riprap installed by neighborhood residents. The project site is a narrow, steep wooded slope. The original bank has deteriorated over the years due to hydraulic erosion.

The project proposes sheetpile, rip rap, articulated blocks, fish lunkers and some plantings. The sheetpile wall will be installed along almost the entire length of the project, except for approximately 100 feet of the bank, which will have fish lunkers. The sheetpile wall will be installed near the existing toe of the slope with the top of the sheet pile at an elevation below the normal water level elevation. Slopes above the low sheetpile wall will be stabilized with riprap over a bank length of approximately 1055 feet and with articulated concrete block mats over a bank length of approximately 275 feet. The average distance from the existing bank to the sheet pile installation will be approximately 8 feet. The sheetpile will not encroach upon the present configuration of the navigable channel of the river. Some existing trees will be maintained and the articulated blocks and rip rap will have openings for shrub or native plantings. Please see the attached exhibits for more information.

## **MITIGATION**

If a permit is issued for the proposed project, the Corps will determine what is appropriate and practicable compensatory mitigation in accordance with 33 CFR Part 332. The amount of compensatory mitigation to be determined shall be commensurate with the anticipated impacts of the project.

## **REGULATORY AUTHORITY**

This proposed action will be reviewed according to the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act of 1972.

## **JURISDICTION**

This application will be reviewed according to the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act of 1972 due to placement of fill within a navigable waterway.

## **EVALUATION FACTORS**

The decision whether to issue a permit will be based on an evaluation of probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments.

All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental

concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, if the proposed activity involves the discharge of dredged or fill material into waters of the United States, the evaluation of the impact on the public interest will include application of Section 404(b)(1) guidelines (40 CFR 230) promulgated by the U.S. Environmental Protection Agency.

The Corps of Engineers is also soliciting comments from the public, Federal, state and local agencies, Indian tribes, and other interested parties in order to consider and evaluate the potential impacts of the proposed activity. Once this office completes a review of the comments received, it will be determined whether to issue, modify, condition, or deny a permit for this proposal.

To prepare this decision, comments are taken into consideration to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used in the preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. A determination concerning the need for a public hearing will also be based on the comments received.

## **PRELIMINARY EVALUATION OF SELECTED FACTORS**

### **WATER QUALITY:**

The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that the IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity.

The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at [www.epa.state.il.us/public-notices/](http://www.epa.state.il.us/public-notices/). In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below.

Written comments concerning possible impacts to water quality should be addressed to the following agency, along with a copy of the comments provided to the Corps of Engineers:

Illinois Environmental Protection Agency  
Bureau of Water  
Watershed Management Section  
1021 N. Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

If you have any questions please contact the IEPA at (217) 782-3362.

**ENDANGERED AND THREATENED SPECIES:**

The Corps of Engineers has determined that the proposed activity would not affect any federally-listed endangered or threatened species or critical habitat for any endangered or threatened species, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act does not appear to be warranted at this time.

**HISTORIC PROPERTIES/CULTURAL RESOURCES:**

Preliminary review indicates that the proposed activity is not likely to adversely affect any historic property which is listed, or eligible for listing, on the National Register of Historic Places.

**ENVIRONMENTAL IMPACT STATEMENT**

A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

**PUBLIC HEARING**

Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing. A request for a hearing may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

It should be noted that materials submitted as part of the permit application become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Chicago District Corps of Engineers Office of Counsel.

Interested parties wishing to comment on the proposed activity must do so in writing no later than **June 8, 2012**. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

If you have any questions, please contact Kate M. Bliss of my staff by telephone at 312-846-5542, or email at [Kate.M.Bliss@usace.army.mil](mailto:Kate.M.Bliss@usace.army.mil). **It should be noted that ALL comments received by this office (via hard copy or electronic) will only be accepted with the full name and address of the individual commenting.** You can also visit our website at [www.lrc.usace.army.mil/co-r](http://www.lrc.usace.army.mil/co-r) for more information on our program.

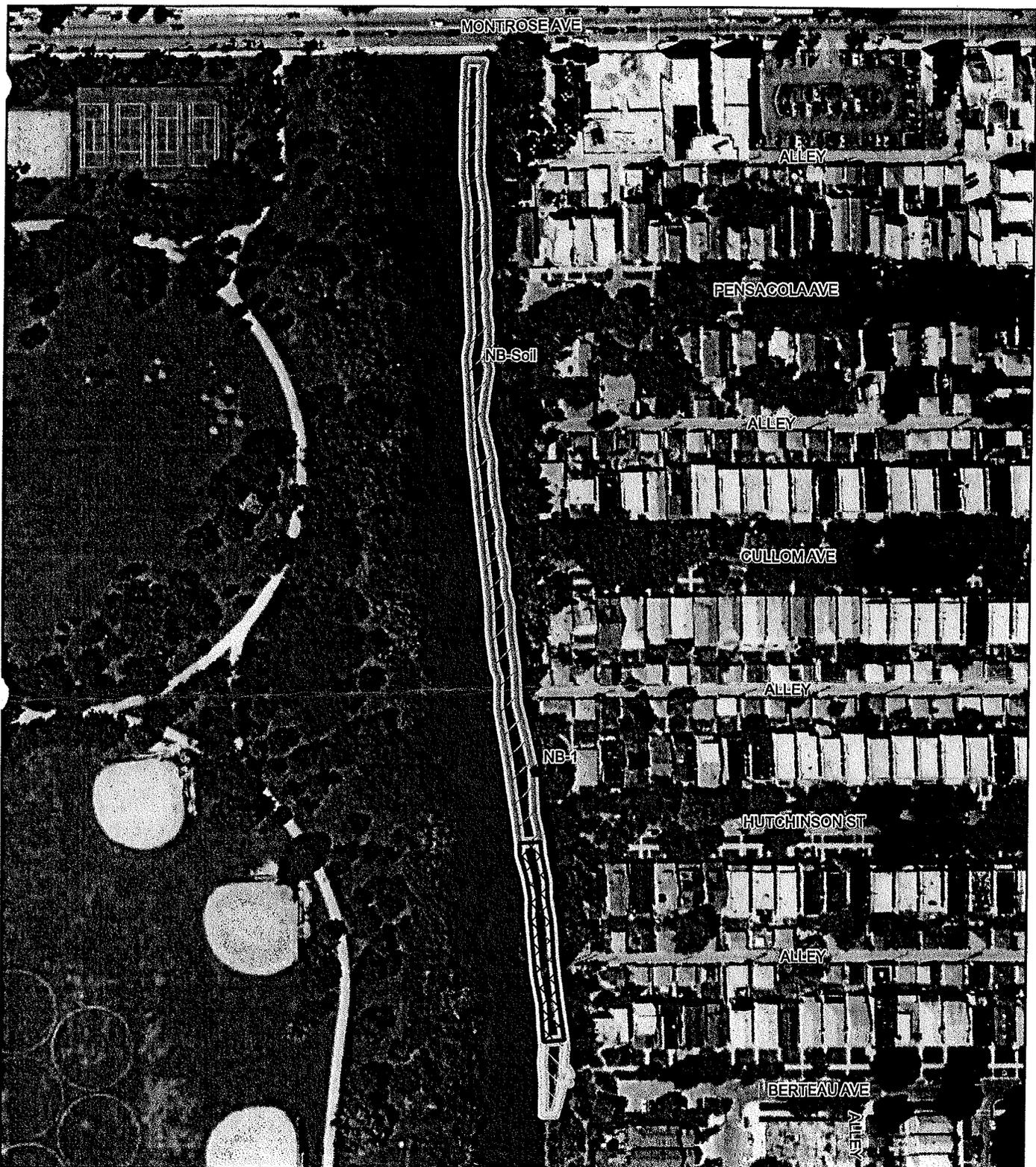
FOR THE DISTRICT COMMANDER:

**ORIGINAL SIGNED**

Leesa A. Beal  
Chief, Regulatory Branch

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted until **June 8, 2012**.



**Legend**

-  Site
-  Observation Point
-  Woodland - Managed
-  Woodland
-  Community Prairie

Sources:  
Source: ESRI, I-cubed, USDA FSA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGP



**Figure 3**  
Waters of the U.S.  
and Vegetative Communities  
North Branch of Chicago River  
Restoration  
Chicago, Illinois



MWH

October 2010