

**NOTICE OF APPLICATION FOR FEDERAL CONSISTENCY REVIEW
LAKE MICHIGAN COASTAL ZONE PROGRAM**

Project Number: 19059-1

Name of Applicant: Richard Saichek

Address of Applicant:

U.S. Army Corps of Engineers, Chicago District
231 South LaSalle Street, Suite 1500
Chicago, IL 60604

Project Description: Calumet Harbor bedrock removal to authorized depth, Draft EA

Location of Project:

Lake County, IN; 4620000N 457777E

Send comments to the following no later than August 27, 2016:

Federal Consistency Review Coordinator, Environmental Unit
Division of Fish and Wildlife
Department of Natural Resources
402 West Washington Street, Room W273
Indianapolis, IN 46204
Electronic mail: environmentalreview@dnr.in.gov

Copies of the request, accompanying information and data are available for inspection at the following location:

Environmental Unit
Division of Fish and Wildlife
Department of Natural Resources
402 West Washington Street, Room W273
Indianapolis, IN 46204

FC Application

ER-19059-1

Vaught, Olivia

From: Saichek, Richard E LRC <Richard.E.Saichek@usace.army.mil>
Sent: Wednesday, August 10, 2016 8:58 AM
To: Review, Environmental
Cc: Semmler, Jay A LRC; Miller, Jennifer LRC
Subject: Request for Federal Consistency Determination - Calumet Harbor Rock Removal Project (UNCLASSIFIED)
Attachments: 2016-08-09_Cal_Hbr_Rck_Rmvl_Fed_Cnstncy.pdf

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CLASSIFICATION: UNCLASSIFIED

Dear Sir or Madam,

The U.S. Army Corps of Engineers (USACE), Chicago District, respectfully requests a **Federal consistency determination** for the removal of the upper layer of bedrock from a portion of Calumet Harbor to the authorized dredge depth (28 feet below low water datum (LWD) plus 2 feet of over-depth). The proposed activity complies with Indiana's approved coastal management program and will be conducted in a manner consistent with such program.

The method proposed for bedrock removal is through the use of drilling and blasting. Following the blasting, the predominantly rocky material will be mechanically dredged and then transported by split hull scow / barge to be placed along the toe of both sides of the existing Calumet Harbor crib breakwater in Indiana. Approximately 50,000 to 100,000 cubic yards of rock may be removed through a series of contracts over multiple years, depending on the availability of funding. This request is intended to cover a five (5)-year time period. A single contract is expected to last up to a year, but the contracts will likely include one or more periods of no activity to protect aquatic species. A copy of the application for Clean Water Act Section 401 Water Quality Certification has been enclosed (see attached file) that shows the proposed bedrock removal and placement areas and includes further details on the project. Please refer to the Environmental Assessment (EA) posted for review on the following webpage for details regarding the evaluation of water resources and proposed measures to minimize adverse environmental impacts:
<http://www.lrc.usace.army.mil/Missions/Civil-Works-Projects/calharbordredging/>.

Indiana's approved coastal management program previously determined that the periodic maintenance dredging of the Calumet Harbor and River Federal navigation project was in conformance with applicable state laws (DNR# ER-17638), but this determination did not include the proposed drilling and blasting method for the removal of bedrock or the placement of the predominantly rocky material along the existing Calumet Harbor crib breakwater in Indiana.

If you have any questions concerning this letter, please feel free to contact me at (312) 846-5507, by email to richard.e.saichek@usace.army.mil, or at the address below.

Sincerely,

Richard

Richard E. Saichek, PhD, PE
U.S. Army Corps of Engineers
Environmental Engineer, Chicago District
231 S. LaSalle St., Suite 1500

Chicago, Illinois 60604

Office: (312) 846-5507

Fax: (312) 353-2156

CHICAGO USACE WEB SITE: <http://www.lrc.usace.army.mil>

FACEBOOK: <http://www.facebook.com/usacechicago>

CLASSIFICATION: UNCLASSIFIED



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
231 SOUTH LA SALLE STREET, SUITE 1500
CHICAGO IL 60604

10 9 AUG 2016

Environmental Unit, Division of Fish and Wildlife
Indiana Department of Natural Resources
402 West Washington Street, Room W273
Indianapolis, Indiana 46204

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If you have any questions concerning this letter, please feel free to contact Richard Saichek at (312) 846-5507, by e-mail to richard.e.saichek@usace.army.mil, or at the address above.

Sincerely,

A handwritten signature in cursive script that reads "Linda M. Sorn".

Linda M. Sorn, P.E.
Acting Deputy for Project Management

Enclosures



APPLICATION FOR AUTHORIZATION TO DISCHARGE DREDGED OR FILL MATERIAL TO ISOLATED WETLANDS AND/OR WATERS OF THE STATE

State Form 51021 (R2 / 11-15)
Indiana Department of Environmental Management

- INSTRUCTIONS:**
1. Read the Instruction sheet before filling out this form.
 2. You must complete all applicable sections of this form

1. Applicant Information		2. Agent Information	
Name of Applicant U.S. Army Corps of Engineers, Chicago District		Name of Agent	
Mailing address (Street/ PO Box/ Rural Route, City, State, ZIP Code) 231 South LaSalle Street, Suite 1500 Chicago, Illinois 60604		Mailing address (Street/ PO Box/ Rural Route, City, State, ZIP Code)	
Daytime Telephone Number (312) 846-5507		Daytime Telephone Number	
Fax Number		Fax Number	
E-mail address (optional) richard.e.saichek@usace.army.mil		E-mail address (optional)	
Contact person (required) Richard Saichek		Contact person	
3. Project / Tract Location			
County Lake		Nearest city or town Chicago, Illinois	
U.S.G.S. Quadrangle map name (Topographic map) Lake Calumet, IL, IN		Project street address (if applicable)	
Quarter Not Applicable	Section Not Applicable	Township Near 37N	Range Near 10W
Type of aquatic resource(s) to be impacted (Attach Worksheet One.) Lake Michigan at Calumet Harbor		Project name or title (if applicable) Calumet Harbor Rock Removal	
Other location descriptions or driving directions From Chicago, follow US-41 South (South Lake Shore Drive) to South Ewing Avenue, and turn left onto East 95th Street. These are the directions to the land area (Calumet Park or the Chicago Area Confined Disposal Facility) adjacent to Calumet Harbor. The rock removal project will be located approximately a mile offshore in the harbor, as shown in Attachment #1.			
4. Project Purpose and Description (Use additional sheet(s) if required.)			
Has any construction been started? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Anticipated start date (month, day, year) Oct. 01, 2016	
If yes, how much work is completed?			
<p>Purpose of project and overview of activities</p> <p>In order to maintain the Calumet Harbor and River Federal navigation project, the U.S. Army Corps of Engineers, Chicago District, is planning to remove the upper layer of bedrock from a portion of Calumet Harbor to the authorized dredge depth (28 feet below low water datum (LWD) plus 2 feet of over-depth). The method proposed for bedrock removal is through the use of drilling and blasting. Following the blasting, the predominantly rocky material will be mechanically dredged and then transported by split hull scow / barge to be placed along the toe of both sides of the existing Calumet Harbor crib breakwater in Indiana. Approximately 50,000 to 100,000 cubic yards of rock may be removed through a series of contracts over multiple years, depending on the availability of funding. This application is intended to cover a five (5)-year time period. A single contract is expected to last up to a year, but the contracts will likely include one or more periods of no activity to protect aquatic species. Please refer to the Environmental Assessment (EA) posted for review on the Chicago District's home page (www.lrc.usace.army.mil) for details regarding the evaluation of water resources and proposed measures to minimize adverse environmental impacts. Attachments 2 and 3 are drawings that show the project area, and the drawing sheets for the first contract have also been attached to provide additional details.</p>			

5. Avoidance, Minimization, and Mitigation Information: Applicants must answer all of the following questions
(Use additional sheet(s) if necessary - provide a detailed response to all applicable questions.)

A. For projects with Class II Isolated wetlands -

1. Is there a reasonable alternative to the proposed activity?

Not Applicable

2. Is the proposed activity reasonably necessary or appropriate?

Not Applicable

B. For projects with Class III wetlands, adjacent wetlands, and/or streams, rivers, lakes or other water bodies -

1. Is there a practicable alternative to the proposed activity?

No. Alternative methods to remove the bedrock material have been attempted and evaluated, including the use of a conventional mechanical dredge bucket or the use of a hydraulic hammer / chisel, but these methods were not practicable.

2. Have practicable and appropriate steps to minimize impacts to water resources been taken?

In order to protect spawning and migration of native fish, the project will likely include windows of no activity. In addition, other measures may be taken to minimize impacts, such as the use of deterrents, for instance underwater sonic signals or smaller, repelling charges to scare away aquatic species prior to the detonation of the major explosive charge. Please refer to the environmental assessment (EA) for additional details regarding the evaluation of water resources and proposed measures to minimize adverse environmental impacts.

Describe all compensatory mitigation required for unavoidable impacts.

No compensatory mitigation is proposed.

6. Drawing / Plan Requirements (Applicants must provide the following.)

- Top/aerial/overhead views of the project site showing existing conditions and proposed construction.
- Cross sectional view of areas of fill or alterations to streams and other waters.
- North arrow, scale, property boundaries.
- Include wetland delineation boundary (if applicable). Label all wetlands (Jurisdictional, Isolated and exempt) as I-1, I-2, I-3, etc. and the mitigation areas as M-1, M-2, etc.
- Location of all surface waters, including wetlands, erosion control measures, existing and proposed structures, fill and excavation locations, disposal area for excavated material, including quantities, and wetland mitigation site (if applicable).
- Approximate water depths and bottom configurations (if applicable).

7. Supplemental Application Materials (Applicants must provide the following.)

- A wetland delineation of all wetlands on the project site (for projects with wetland impacts).
- At least three photographs of the project site. Indicate the photo locations on the project plans.
- If isolated wetlands are present, a letter from the Corps of Engineers verifying this statement.
- Wetland mitigation plan and monitoring report.
- Classification of all isolated wetlands on the tract (if isolated wetlands are present onsite).
- Copies of all applicable local permits and/or resolutions pertaining to the project or tract.
- Tract history (see instructions).

8. Additional information that MAY be required (IDEM will notify you if needed.)

- Erosion control and/or storm water management plans.
- Sediment analysis.
- Species surveys for fish, mussels, plants and threatened or endangered species.
- Stream habitat assessment.
- Any other information IDEM deems necessary to review the proposed project.

9. Permitting Requirements

a. Does this project require the issuance of a Department of the Army Section 404 Permit from the US Army Corps of Engineers? Yes No
 If no, you do not need to answer Part b.

b. Have you applied for an Army Corps of Engineers Section 404 permit? Yes No
 If yes, please supply the Corps of Engineers ID Number, the Corps of Engineers District, the project manager, and a copy of any correspondence with the Corps. If no, contact the Army Corps of Engineers regarding the possible need for a permit application.
 In accordance with Title 33 Code of Federal Regulations (CFR) 335.2, the Corps does not issue itself a Clean Water Act (CWA) permit to authorize Corps discharges of dredged material or fill material into U.S. waters, but does apply the 404(b)(1) guidelines and other substantive requirements of the CWA and other environmental laws.

c. Have you applied for, received, or been denied a permit from the Department of Natural Resources for this project? Yes No
 Please give the permit name, permit number, and date of application, issuance or denial.

Coordination with the Indiana Department of Natural Resources for Federal Consistency under the Indiana Lake Michigan Coastal Program will be included with the Environmental Assessment and concurrent with this application for CWA Section 401 Water Quality Certification.

d. Have you applied for, received, or been denied any other federal, state, or local permits, variances, licenses, or certifications for this project?
 Yes No
 Please give the permit name, agency from which it was obtained, permit number, and date of issuance or denial.

10. Adjoining Property Owners and Addresses

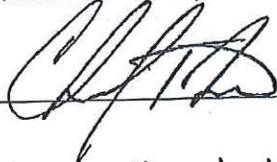
List the names and addresses of landowners adjacent to the property on which your project is located and the names and addresses of other persons (or entities) potentially affected by your project. Use additional sheet(s) if required.

Name Illinois International Port Authority Address (number and street) 3600 East 85th Street City State ZIP Code Chicago IL 60617	Name U.S. Coast Guard Station, Calumet Harbor Address (number and street) 4001 East 98th Street City State ZIP Code Chicago IL 60617
Name U.S. Steel Corporation, Corporate Headquarters Address (number and street) 600 Grant Street Room 1381 City State ZIP Code Pittsburgh PA 15219	Name Chicago Park District Address (number and street) 541 North Fairbanks, 3rd Floor City State ZIP Code Chicago IL 60611
Name Solo Cup Company Address (number and street) 7575 South Kostner Avenue City State ZIP Code Chicago IL 60652	Name North America Stevedoring Address (number and street) 9301 South Kreiter Avenue (Iroquois Landing) City State ZIP Code Chicago IL 60617
Name Chicago Lakeside Development Address (number and street) 8555 South Green Bay Avenue City State ZIP Code Chicago IL 60617	Name McCaffery Interests Address (number and street) 875 North Michigan Avenue, Suite 1800 City State ZIP Code Chicago IL 60611
Name Chicago Fire Department Air Sea Rescue Heliport Address (number and street) 3954 East Foreman Drive City State ZIP Code Chicago IL 60617	Name Address (number and street) City State ZIP Code
Name Address (number and street) City State ZIP Code	Name Address (number and street) City State ZIP Code

11. Signature - Statement of Affirmation

I certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true and accurate. I certify that I have the authority to undertake and will undertake the activities as described in this application. I am aware that there are penalties for submitting false information. I understand that any changes in project design subsequent to IDEM's granting of authorization to discharge to a water of the state are not authorized and I may be subject to civil and criminal penalties for proceeding without proper authorization. I agree to allow representatives of the IDEM to enter and inspect the project site. I understand that the granting of other permits by local, state, or federal agencies does not release me from the requirement of obtaining the authorization requested herein before commencing the project.

Applicant's Signature:



Date:

3 Aug 2016
(mm/dd/yyyy)

Print Name:

DREW, Christopher, COL, US Army

Title:

D. Bank Stabilization – provide the following information for EACH segment (Use additional sheet(s) if required.)

Water body name
Description of Impacts
Length of shoreline or bank protection
Volume (cubic yards) of bank protection fill placed below the Ordinary High Water Mark per running foot
Area (square feet) of bank protection fill placed below the Ordinary High Water Mark

E. Stream Relocation

Water body name	
Description of Impacts	
Length of existing channel to be relocated (linear feet)	
Length of new channel to be constructed (linear feet)	
Existing channel to be backfilled? <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of relocation <input type="checkbox"/> Piping <input type="checkbox"/> Open <input type="checkbox"/> Channel <input type="checkbox"/> Other: _____
Type of fill and volume (cubic yards)	

F. Open Water Fill

Water body name Calumet Harbor in Lake Michigan
Description of Impacts Water quality impacts (temporary increases in turbidity) due to the use of explosives, and minor, temporary increases in turbidity due to the placement of the predominantly rocky material along the toe of the Calumet Harbor breakwater.
Area of water body to be filled (acres) A maximum of 18 acres
Type of fill and volume (cubic yards) 50,000 to 100,000

Attachment 1



Attachment 2

