To all interested parties:

This letter shall serve as a formal notice of the receipt of an application for **Section 401 Water Quality Certification** by the Indiana Department of Environmental Management (IDEM). The purpose of the notice is to inform the public of active applications submitted for water quality certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality related to the proposed project. IDEM will evaluate whether the project complies with Indiana’s water quality standards as set forth at 327 IAC 2.

1. Applicant: Joseph Brack  
   28 Shore Drive  
   Ogden Dunes, IN 46368

2. Agent: 

3. Project location: 28 Shore Drive, Ogden Dunes, Porter County  
   Latitude: 41.62972, Longitude: -87.18648

4. Affected waterbody: Lake Michigan

5. Project Description: The applicant proposes to construct 86 linear feet of new sheet piling along Lake Michigan. The proposed sheet piling will be constructed 15 lakeward of an existing sheet piling seawall. It is proposed to backfill between the existing sheet piling and proposed sheet piling with 500 cubic yards of sand. It is also proposed to placeAdditional information may be found on line at https://www.in.gov/idem/5474.htm

Comment period: Any person or entity who wishes to submit comments or information relevant to the aforementioned project may do so by the closing date noted above. Only comments or information related to water quality or potential impacts of the project on water quality can be considered by IDEM in the water quality certification review process.

Public Hearing: Any person may submit a written request that a public hearing be held to consider issues related to water quality in connection with the project detailed in this notice. The request for a hearing should be submitted within the comment period to be considered timely. The request should also state the reason for the public hearing as specifically as possible to assist IDEM in determining whether a public hearing is warranted.

Questions? Additional information may be obtained from Marty Maupin, Project Manager, by phone at 317-233-2471 or by e-mail at mmaupin@idem.in.gov. Please address all correspondence to the project manager and reference the IDEM project identification number listed on this notice. Indicate if you wish to receive a copy of IDEM’s final decision. Written comments and inquiries may be forwarded to -

Indiana Department of Environmental Management  
100 North Senate Avenue  
MC65-42 WQS IGCN 1255  
Indianapolis, Indiana 46204-2251 FAX: 317/232-8406
November 14, 2019

Marty Maupin
Wetland Program Specialist
Office Of Water Quality
Indiana Department of Environmental Management
100 North Senate Avenue
MC 65-42 IGCN 1255
Indianapolis, IN 46204

Dear Marty,

I am a resident of the Town Ogden Dunes Indiana, and currently have a sheet piling seawall that is failing. It is my understanding that my current seawall was installed in 1985 at time when Lake Michigan water levels were well below what they are now.

I have acquired a report from a Licensed Structural Engineer that indicates that total failure is imminent. This total failure will result in significant property loss to me, and significant property loss to my neighbors, because my seawall provides lateral support to their seawalls. Failure of my wall will result in a “domino effect” of destruction to the adjacent property owners.

As I'm sure that you are aware, the unnatural erosion, lack of beach nourishment and the rising lake levels have posed problems for the Town of Ogden Dunes. My wall in particular, was installed prior to the Town's passing of the "Shoreline Protection Plan of 1987", which set standards for the future installations of seawalls and placement of stone toe protection. The current wall is not of sufficient depth, and therefore I am experiencing underpinning of the piles, causing loss of my backyard.

On April 2nd 2015, IDEM issued a Certification (IDEM No. 2014-623-64-MTM-A), to the Town Of Ogden Dunes, and granted an extension July 6th 2018, that has now expired. Unfortunately, the Certification only granted placement of stone toe protection for Ogden Dunes residents, and did not address the installation of new steel piling seawalls. As a result of this, I am applying for new certification for a sheet pile system rather than seek an extension of IDEM No. 2014-623-64-MTM-A.

In this application I have included a separate sheet for the response of Section #4, project purpose and description. Which will outline the details of the activities.
The composition of the steel piling, the composition of the sand, and means and methods of installation will have no significant variation, if any at all, from the piling systems previously installed over the course of 25 years or so throughout the Town of Ogden Dunes.

In this submittal I have included the following:

a. the application of the permit itself
b. separate sheet in response to Section 4
c. three pictures from Google Maps outlining the location and an aerial view of the proposed work.
d. location map
e. section view of proposed work
f. Plan view of proposed work.
g. picture taken in 2016 showing a perfectly level wall
h. picture taken in 2019 showing a sag in the horizontal plane, and a "belly" in the vertical plane.
i. Copy of IDNR Certification LM-194

I am requesting a review of the documents as an emergency basis.

Should IDEM need any further information, I will be most happy to accommodate.

Please feel free to contact me by phone or email.

Yours truly,

[Signature]

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

State Form 01321 (R2 / 11-16)

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.
<table>
<thead>
<tr>
<th>1. Applicant Information</th>
<th>2. Agent Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Applicant</strong></td>
<td><strong>Name of Agent</strong></td>
</tr>
<tr>
<td>Joseph R Brack</td>
<td></td>
</tr>
<tr>
<td><strong>Mailing address (Street/PO Box/Rural Route, City, State, ZIP Code)</strong></td>
<td><strong>Mailing address (Street/PO Box/Rural Route, City, State, ZIP Code)</strong></td>
</tr>
<tr>
<td>28 Shore Drive</td>
<td></td>
</tr>
<tr>
<td>Ogden Dunes, IN 46368</td>
<td></td>
</tr>
<tr>
<td><strong>Daytime Telephone Number</strong></td>
<td><strong>Daytime Telephone Number</strong></td>
</tr>
<tr>
<td>706-351-8442</td>
<td></td>
</tr>
<tr>
<td><strong>Fax Number</strong></td>
<td><strong>Fax Number</strong></td>
</tr>
<tr>
<td>None</td>
<td></td>
</tr>
<tr>
<td><strong>E-mail address (optional)</strong></td>
<td><strong>E-mail address (optional)</strong></td>
</tr>
<tr>
<td><a href="mailto:jrb1422@aol.com">jrb1422@aol.com</a></td>
<td></td>
</tr>
<tr>
<td><strong>Contact person (required)</strong></td>
<td><strong>Contact person</strong></td>
</tr>
<tr>
<td>Joseph Brack</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Project / Tract Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>County</strong></td>
</tr>
<tr>
<td>Porter</td>
</tr>
<tr>
<td><strong>U.S.G.S. Quadrangle map name (Topographic map)</strong></td>
</tr>
<tr>
<td>Portage Quadrant</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Quarter</strong></td>
</tr>
<tr>
<td>Porter</td>
</tr>
<tr>
<td><strong>Township</strong></td>
</tr>
<tr>
<td>37 North</td>
</tr>
<tr>
<td><strong>Type of aquatic resource(s) to be impacted (Attach Worksheet One.)</strong></td>
</tr>
<tr>
<td>Lake Michigan</td>
</tr>
</tbody>
</table>

3. Project / Tract Location:
Turn off US-12, onto Hillcrest Rd (heading North into Ogden Dunes). Follow Hillcrest Rd to Cedar Trail. Turn right onto Cedar Trail. Follow Cedar Trail to Shore Drive. Turn Right (Heading East) on to Shore Drive, and follow to subject property. Address number "28" is labeled on house.

4. Project Purpose and Description (Use additional sheet(s) if required.)

<table>
<thead>
<tr>
<th>Has any construction been started?</th>
<th>Anticipated start date (month, day, year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>As soon as possible</td>
</tr>
<tr>
<td>No</td>
<td>X</td>
</tr>
<tr>
<td>If yes, how much work is completed?</td>
<td></td>
</tr>
</tbody>
</table>

Purpose of project and overview of activities:

SEE Attachment
A. For projects with Class II isolated wetlands—
   1. Is there a reasonable alternative to the proposed activity?

   1. Is the proposed activity reasonably necessary or appropriate?

A. 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. The current pilings are at an insufficient depth and are failing.

   Furthermore, per the Town of Ogden Dunes “Shoreline Protection Plan” of 1987, it is specified
   that future construction tie-in to the adjacent corners. This new wall will follow this Plan.

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

   Yes. The Town of Ogden Dunes has applied for and received a Certificate from the IDNR (LM-194).
   Also, the fill material (natural sand) as described in Section 4, above, will not be taken from the Lake bed, or
   surrounding dunes, nor will it come in contact with the Lake Michigan Water.

Describe all compensatory mitigation required for unavoidable impacts.

The new sheet pilings will have an inherent locking “knuckle” system that prevents sand, other sediments,
or debris from leaching from behind the wall into Lake Michigan Waters.

6. Drawing / Plan Requirements (Applicants must provide the following.)
   a. Top/aerial/overhead views of the project site showing existing conditions and proposed construction.
   b. Cross sectional view of areas of fill or alterations to streams and other waters.
   c. North arrow, scale, property boundaries.
   d. 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.
   e. 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).
   f. Approximate water depths and bottom configurations (if applicable).

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

8. Additional information that MAY be required (IDEM will notify you if needed.)
   a. Erosion control and/or storm water management plans.
   b. Sediment analysis.
   c. Species surveys for fish, mussels, plants and threatened or endangered species.
   d. Stream habitat assessment.
   e. 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?  X Yes  No
If no, you do not need to answer Part b.

a. Have you applied for an Army Corps of Engineers Section 404 permit?  X 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.

USACE permit request number LRC-2019-724, Chicago Office, Paul Leffler

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


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

A permit from the Town of Ogden Dunes Building Department will be sought.

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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address (number and street)</th>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean W. Christy Trust</td>
<td>24 Shore Drive</td>
<td>Ogden Dunes</td>
<td>IN</td>
<td>46368</td>
</tr>
<tr>
<td>Town of Ogden Dunes</td>
<td>115 Hillcrest Drive</td>
<td>Ogden Dunes</td>
<td>IN</td>
<td>46368</td>
</tr>
<tr>
<td>Address (number and street)</td>
<td>Address (number and street)</td>
<td>City</td>
<td>State</td>
<td>ZIP Code</td>
</tr>
<tr>
<td>Name</td>
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<td>City</td>
<td>State</td>
<td>ZIP Code</td>
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<td>Name</td>
<td>Address (number and street)</td>
<td>City</td>
<td>State</td>
<td>ZIP Code</td>
</tr>
</tbody>
</table>
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: [Signature]

Print Name: Joseph Brack

Date: 11/14/19

Title: [Title]
### A. Jurisdictional Wetlands (Existing Conditions)  

<table>
<thead>
<tr>
<th>Wetland Type</th>
<th>Size of wetland (acreage)</th>
<th>To be Impacted?</th>
<th>Acreage</th>
<th>Fill quantity (cys)</th>
<th>ATF</th>
</tr>
</thead>
<tbody>
<tr>
<td>EM SS FO</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EM SS FO</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
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</tr>
<tr>
<td>EM SS FO</td>
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<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EM SS FO</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EM SS FO</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EM SS FO</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EM SS FO</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Describe the type and composition of fill material to be placed in wetlands on the project site.

### B. Isolated Wetlands (Existing Conditions)  

<table>
<thead>
<tr>
<th>Wetland Class</th>
<th>Type</th>
<th>Size of wetland (acreage)</th>
<th>To be Impacted?</th>
<th>Acreage</th>
<th>Fill quantity (cys)</th>
<th>ATF</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 2 3</td>
<td>NF F</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 2 3</td>
<td>NF F</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 2 3</td>
<td>NF F</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 2 3</td>
<td>NF F</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 2 3</td>
<td>NF F</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 2 3</td>
<td>NF F</td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Describe the type and composition of fill material to be placed in isolated wetlands on the project site.

### C. Bridges and Stream Crossings - provide the following information for EACH structure (Use additional sheet(s) if required.)

#### Stream name

**Description of Impacts**

Length of upstream bank impacts:

Left side:  
Right side:

Length of downstream bank impacts:

Left side:  
Right side:

Bank protection fill placed below the Ordinary High Water Mark:

Volume per running foot:

Bank protection fill placed below the Ordinary High Water Mark:

Area of coverage:
### D. Bank Stabilization – provide the following information for EACH segment *(Use additional sheet(s) if required.)*

<table>
<thead>
<tr>
<th>Water body name</th>
<th>Lake Michigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of impacts</td>
<td>Drive steel sheet piles into the current lake bed approximately which is about 576'. Piles planned at 30' long. Top of proposed piling 599'. Bottom of proposed piling 566'. Place sand fill in area between new pile and existing pile.</td>
</tr>
<tr>
<td>Length of shoreline or bank protection</td>
<td>86 feet</td>
</tr>
<tr>
<td>Volume <em>(cubic yards)</em> of bank protection fill placed below the Ordinary High Water Mark per running foot</td>
<td>Natural Sand fill from 576' (current lakebed) to 599' (top of new piling). About 500 cubic yards placed behind new wall.</td>
</tr>
<tr>
<td>Area <em>(square feet)</em> of bank protection fill placed below the Ordinary High Water Mark</td>
<td>No presence of sand or beach to fulfill requirements of IDNR definition of OHWM. Assuming old standard of USACE 1986, 581.5', 200 cubic yards of the 500 as noted above will be below OHWM</td>
</tr>
</tbody>
</table>

### E. Stream Relocation

<table>
<thead>
<tr>
<th>Water body name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of impacts</td>
<td></td>
</tr>
<tr>
<td>Length of existing channel to be relocated <em>(linear feet)</em></td>
<td></td>
</tr>
<tr>
<td>Length of new channel to be constructed <em>(linear feet)</em></td>
<td></td>
</tr>
<tr>
<td>Existing channel to be backfilled?</td>
<td>Yes  No</td>
</tr>
<tr>
<td>Type of fill and volume <em>(cubic yards)</em></td>
<td></td>
</tr>
</tbody>
</table>

### F. Open Water Fill

<table>
<thead>
<tr>
<th>Water body name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of impacts</td>
<td></td>
</tr>
<tr>
<td>Area of water body to be filled <em>(acres)</em></td>
<td></td>
</tr>
<tr>
<td>Type of fill and volume <em>(cubic yards)</em></td>
<td></td>
</tr>
</tbody>
</table>
Notes and Instructions for Authorization to Discharge Dredged or Fill Material to a State Regulated Wetland and/or Waters of the State Permit Application Form and Worksheet

Note to applicants:

This form is to be used by all persons who intend to discharge dredged or fill materials into wetlands, isolated wetlands, or any other water body regulated under state and federal law. Specifically, this form is to be used for the following:

1. Application for Section 401 Water Quality Certification for any project not covered by the Indiana Regional General Permit
2. Application for a State Regulated Wetland Permit authorized under HEA 1798 and HEA 1277, excluding any activities authorized under any of the State Regulated Wetland General Permits

Consult the Office of Water Quality Web site for information on the types of authorizations and requirements for projects regulated under these laws.

http://www.in.gov/idem/wetlands/index.htm

Do not submit this form until you are familiar with the various authorizations and proper forms for obtaining these authorizations. An application submitted on the incorrect form may result in delays in processing.

Applicants should also contact the Indiana Department of Natural Resources (DNR) regarding potential permit requirements associated with construction in a floodway or a public freshwater lake. You can reach the DNR Division of Water at (317) 232-4160 or toll free at (877) WATER-65.

Instructions for Completing the Application and Worksheet

Address all applications or questions to:

Indiana Department of Environmental Management
Office of Water Quality
Section 401 Water Quality Certification/State Isolated Wetlands Program
100 North Senate Ave.
Indianapolis, Indiana 46204

Telephone: (800) 451-6027 or (317) 233-8488

Print clearly or type.
Attach additional 8.5" x 11" sheets as necessary.

APPLICATION

Note: Some wetland activities may impact both U.S. navigable waters and state regulated isolated wetlands. In those situations, the project will require a Section 401 Water Quality Certification and Section 404 U.S. Corps of Engineers permit AND approval under the new State Isolated Wetland Regulatory Program. When IDEM receives an application that involves an activity that may impact both interstate navigable waters and a state regulated wetland, current state law requires that we evaluate each activity using different authorities. IDEM will, at the request of an applicant, evaluate a project with multi-jurisdictional wetlands under the Section 401 certification framework and will provide one authorization for the project, applying the state regulated isolated wetlands law and federal Clean Water Act Section 401 authorities. If an applicant prefers that all IDEM approvals occur within the same streamlined review process, a separate letter specifically requesting a combined review of the entire project should be submitted concurrently with the application.

Block 1 - Applicant Information
Provide your name, address, and telephone number. You MUST provide a contact name. For complex projects or projects with multiple contractors and responsible parties, designation of a single point of contact will speed up the review process and enable more timely responses to requests for information.

Block 2 - Agent Information
If you choose to be represented by an agent, provide the agent's address and telephone information. You are not required to have an agent.

Block 3 - Project Location
Provide specific information relating to the location of your proposed project. Provide accurate maps depicting the project location. Try to keep detail on maps to a minimum, focusing instead on the location of structures and associated water bodies. Consult the USGS Quadrangle maps for information on the quarter, section, township and range of the project. IDEM may require that you submit full size plans to supplement the 8 ½" by 11" map sheets if the project is large or complex.

Block 4 - Project Purpose and Description
Provide the proposed or actual start date and the anticipated completion date. If you have started your project before obtaining authorization, you may be in violation of federal and/or state law. Give a narrative description of the proposed project. You should include any supplemental environmental reports, assessments, or other documents that explain or justify the proposed configuration of the project. Describe the purpose of the project (that is, what goal outcome will be met by the construction of the project).

Block 5 - Avoidance, Minimization, and Mitigation Information
You must describe possible alternatives to the proposed project that would avoid impacts to the aquatic resource that were considered during the project planning process. You must also describe ways to minimize impacts considered during the project planning process, including a description of how you plan to contain any dredged/excavated material to prevent re-entry into waterways or wetlands. Examples of alternatives include construction on the upland portions of the property, rerouting a roadway to avoid a wetland, or alternate design plans. Minimization of the impacts may decrease any mitigation requirements that might otherwise apply. Minimization may include reduction of the amount of dredging, filling, or vegetative clearing. For isolated wetlands only, encroachment of the copy of (1) a resolution of the executive of the county or municipality in which the wetland is located or (2) a permit or other approval from a local government...
entity having authority over the proposed use of the property on which the wetland is located; that includes a specific finding that the wetland activity is part of a 'legitimate use proposed by the applicant on the property, substitutes for the information required on avoidance and minimization.
In general, all impacts to wetlands or other waters that require the use of this form will require some form of compensatory mitigation. A detailed description of the mitigation plan must be provided, including: the location of the mitigation site, the size and type of mitigation to be performed, the construction sequence, timing of the mitigation, information on post-construction monitoring, mitigation techniques, and success criteria of the mitigation site. A mitigation plan, with overview drawings, planting lists, cross sectional views, and other relevant information is recommended as a supplement to answer this question.

**Block 6 - Drawing/Plan Requirements**

You must submit drawings/plans that are on 8 1/2 by 11 inch sheets. Your project will be delayed if these materials are not submitted in the formats specified in the application.

**Block 7 - Supplemental Application Materials**

All projects involving impacts to wetlands must be accompanied by a wetland delineation using the procedures established in the U.S. Army Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1 (January 1987). This delineation must be approved or reviewed by the Corps of Engineers in order for IDEM to determine the impacts to water bodies associated with the project. DO NOT submit an application involving impacts to wetlands without a wetland delineation. For projects that involve impacts to isolated wetlands, a letter from the Corps of Engineers that specifically makes this determination must be provided or the application will not be processed. Submit all of the photographs depicting the project site is highly encouraged. Photos must be clearly labeled with the direction of the shot, the area depicted, and notes on relevant features. A map depicting the location of photos on the project site is also useful and should be included whenever photos are submitted.

For project sites with isolated wetlands, a tract history is also required. This history provides information on all the wetlands on the site prior to January 1, 2004, and describes any and all activities within these wetlands, including impacts allowed to wetlands exempt from regulation under the various provisions of federal and state law. Direct questions regarding this requirement to IDEM staff for clarification.

**Block 8 - Additional Information That May Be Required**

You are not required to submit the information specified in this section unless directed to do so by IDEM. However, you may submit the information if you anticipate that such information will be required. For example, if you are aware of issues on the proposed project site which may impact water resources, such as the presence of contaminated soils or sediments, endangered species, well field protection areas, or previously permitted activities on the project site, information regarding these points must be submitted with the certification application.

**Block 9 - Permitting Requirements**

Provide information regarding your application to the Corps of Engineers. If you have not yet contacted the Corps of Engineers, you must do so as soon as possible (SEE BLOCK 7). Provide information regarding any other federal, state, or local permits, variances, licenses, or certifications required for your project. Please indicate whether they were approved, denied, or are pending.

**Block 10 - Adjoining Property Owners and Addresses**

List the names and addresses of landowners adjacent to the property on which your project is located. Adjoining property owners are persons who share property lines with your property. Inclusion of names and addresses of other persons (or entities) potentially affected by your project must include persons within your neighborhood, take association, or in the general vicinity that may have an interest in your project. Consult with IDEM for further clarification.

**Block 11 - Signature - Statement of Affirmation**

You must sign and date the application. If the applicant is a corporation, a responsible person from that corporation must sign. No other signatures will be accepted. The application will not be processed without the appropriate signature.

**WORKSHEET**

Note: When calculating any type of impact, all areas that are affected by placement of fill, bank armor, culverting, excavation, or any other activity must be counted. When calculating open water impact, all areas within lakes, rivers, streams and the like must be counted. This includes areas under new bridge piers, benches, and boat ramps, as well as to the Ordinary High Water Mark means that line on the shore of a water body established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, natural destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

- Fill out only the sections of this worksheet that apply to your project.

**Section A - Wetlands**

This section for wetlands determined to be under the jurisdiction of the U.S. Army Corps of Engineers (Corps) and that require a Section 404 permit as well as a Section 404 Water Quality Certification from IDEM. List the type of wetland as Emergent (EM), Scrub shrub (SS), or Forested (FO). "Emergent wetland" means a wetland characterized by erect, rooted, herbaceous hydrophytes, excluding meadows and lichens. "Scrub shrub wetland" means a wetland dominated by woody vegetation having a height greater than three and two-tenths (3.2) feet, and a stem diameter less than three (3) inches. This includes true shrubs, young trees, and trees and shrubs stunted by environmental conditions. "Forest wetland" means a wetland dominated by woody vegetation that has a diameter, at breast height, greater than three (3) inches, regardless of total height. The size of the wetland must be determined by conducting a wetland delineation consistent with the protocols established in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual. The applicant must list whether or not the wetland will be impacted, the acreage of the impact, and the quantity of fill to be discharged into the wetland. The applicant must identify whether or not this is an after-the-fact (ATF) permit. An ATF permit is for impacts to wetlands or other water bodies under the jurisdiction of IDEM that did not receive authorization before the impacts occurred. Additionally, the applicant must describe the type and composition of material proposed to be discharged or removed from the wetland.

**Section B - Isolated Wetlands**

This section for wetlands the Corps has determined to be isolated and no longer under their jurisdiction. The Corps jurisdictional determination letter must be included with the application. Isolated wetlands are considered State Regulated Wetlands and proposed impacts to these wetlands will be reviewed pursuant to IC 13-18-22. The class of wetland must be determined by the definitions outlined in IC-13-11-2.25.8. This is determined by assessing the vegetation type,
hydrologic function, habitat functions, values of the wetland, and disturbances to the wetland. The applicant must determine the type of wetland by designating the wetland as either Non-Forest (NF) or Forested (F). The size of the wetland must be determined by conducting a wetland delineation consistent with the protocols established in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual. The applicant must list whether or not the wetland will be impacted, the acreage of the impact, and the quantity of fill to be discharged into the wetland. The applicant must identify whether or not this is an after-the-fact (ATF) permit. An ATF permit is for impacts to wetlands or other water bodies under the jurisdiction of IDEM that did not receive authorization before the impacts occurred. Additionally, the applicant must describe the type and composition of material proposed to be discharged or removed from the wetland.

Section C - Bridges and Stream Crossings
This section is for projects that impact streams in order to construct, maintain, or protect structures used to cross the stream. The applicant must list the name of the stream to be impacted by the proposed project. The stream name can be found on the USGS Topographic map. If the stream does not have a name, identify it as a tributary to the next stream or water body with a name. Describe the proposed impacts in detail. Include the lengths of bank impacts to both banks upstream and downstream. Determine the left and right banks in the following manner: at the point furthest upstream on the project site, face downstream - the left bank is on your left and the right bank is on your right. Identify the volume per running foot of material to be discharged below the Ordinary High Water Mark (OHWM). Identify the total area below the OHWM to receive a discharge of fill material.

Section D - Bank Stabilization
This section is for projects that discharge fill material in order to stabilize eroding land along streams, lakes, or other water bodies. The applicant must list the name of the water body to be impacted by the proposed project. The name of the water body can be found on the USGS Topographic map. If the water body does not have a name, identify it as a tributary to the next stream or water body with a name. Provide the length of shoreline or bank impact. Identify the volume per running foot of material to be discharged below the Ordinary High Water Mark (OHWM). Identify the total area below the OHWM to receive a discharge of fill material.

Section E - Stream Relocation
This section is for projects that propose to relocate a stream from its existing banks either by open channel construction or by stream piping. The applicant must list the name of the stream to be impacted by the proposed project. The stream name can be found on the USGS Topographic map. If the stream does not have a name, identify it as a tributary to the next stream or water body with a name. Describe the impacts to the stream. Provide the linear feet of existing channel to be relocated and the length of new channel to be constructed. The applicant must state whether the old channel is proposed to be filled and describe the type and quantity of fill to be used to fill the old channel. The applicant must also provide the type of relocation, new channel or piping.

Section F - Open Water Fill
This is for projects where the fill material extends beyond the edge of the shoreline into open water. Some examples include the filling of pit mines, borrow pits, and other land reclamation projects. Provide the name of the water body to be impacted. If the water body does not have a name, identify it as unnamed open water body. Describe the impacts to the water body including the area to be filled and the type and quantity of fill material to be discharged.
Response to Section #4 “Project Purpose and Description”

Purpose:

To provide a new sheet piling wall approximately 15 feet to the North of the current wall at 28 Shore Drive, Ogden Dunes, Indiana.

The property owner currently has a sheet piling seawall that is failing. The combination of rising lake levels and lack beach nourishment has compromised the current wall. The owner acquired a report from a licensed structural engineer in August 2019 that indicates that total failure is imminent. This total failure will result in significant property loss to the property owner, and significant property loss to the neighbors property, as the current seawall provides lateral support to their seawalls. Failure of this wall at 28 Shore Drive will result in a “domino effect” to the adjacent property owners and cause destruction and loss to their properties.

The back yard of this property is already eroding and sinking as a result of underpinning because of this failure.

Description of Activities:

Install a new steel sheet pile wall and fill the space between the two walls with natural sand.

The new wall, as the attached documents will show, will tie-in at the corner of the current wall at 30 Shore Drive and extend East to tie into the corner of the current wall at 24 Shore Drive and be will have a length of 25-30 feet.

The top of this wall will be set at 589' and extend down to a depth of 559'.

Once ALL of the piles are driven, clean natural sand will be backfilled into the newly created space between the current and new walls.

The current wall, as seen from the attached Google Maps, is indented from the rest of the Lakefront seawalls of the Town of Ogden Dunes. This proposed new seawall will save the property from significant loss, create a uniform appearance for the Town of Ogden Dunes, provide a more congruent, harmonious, and safe walking trail for the public, and provide better lateral support for the neighbors’ current seawalls.
The composition of the steel piling, the composition of the sand, and means and methods of installation will have no significant variation, if any at all, from the piling systems previously installed over the course of 25 years or so throughout the Town of Ogden Dunes.

The contractor will use the Town of Ogden Dunes Beach Access Easement #3 directly to the West of the property. All work performed will be from land and no water access will be needed.

Lastly, these activities will be keeping with the IDNR "Certificate of Approval" granted to the Town of Ogden Dunes on April 16th 2015, application #LM-194.

Of particular note, #8 and #9 of the "Special Conditions" section of this Certificate, are of particular importance, as it specifies concordance with the Town of Ogden Dunes "Shoreline Protection Plan" of 1987.

#8 “any existing shore protection that does not comply with the Ogden Dunes "Shore Protection Plan" at the time of issuance of this permit, is grandfathered; however, if for any reason that structure must be rebuilt, it must conform to the construction standards of the designs provided with this permit or in the Ogden Dunes "Shore Protection Plan" and the special conditions of this permit”

#9 “all new structures must tie-in to adjacent structures or incorporate measures to prevent erosion behind an existing or planned adjacent structure; at the east and west ends of any new shore protection structures, the new structure must either:

a) tie-in to the existing adjacent shore protection such that erosion is prevented at the juncture, or
b) must be “keyed” (provided with a joint) to the blind end of a new steel sheet piling wall to allow easy future tie-in of an adjacent steel sheet piling wall at a later date, or

c) if no adjacent shore protection exists or is planned, or if it is a juncture between a steel sheet piling wall and a rock revetment, an adequate tie-back wall must be constructed, extending far enough landward (south) to prevent erosion behind the new shore protection and the adjacent rock revetment structure.”
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
LAKE MICHIGAN

APPLICATION # : LM-194
LAKE : Lake Michigan
APPLICANT : Town of Ogden Dunes
Jim Combs
115 Hillcrest Road
Ogden Dunes, IN 46368-8502
AGENT : James Combs
138 Shore Drive
Ogden Dunes, IN 46368-1015
AUTHORITY : IC 14-29-1 with 312 IAC 6

DESCRIPTION : Along approximately 4700' of Lake Michigan shoreline, stone toe protection will be placed and installation or maintenance of steel sheet piling walls will be done as required. The 3 types of construction or repair are contained in the Ogden Dunes "Shore Protection Plan" dated February 2, 1987 and March 10, 1987 on file with the Division of Water. Construction may include: placement of new steel sheet piling walls, stone toe protection along existing or new steel sheet piling walls, or construction of a rock revetment where no steel sheet pile wall exists. New steel sheet piling walls may be installed 18' north of the private property line from 4 to 100 Shore Drive, and 20' north of the private property line from 102 Shore Drive through the west end of Ogden Dunes. New stone toe protection in front of a steel sheet pile wall will have the northern most stone set at 578' IGLD'85 or below, depending on existing beach conditions. The top stone elevation will be 587' IGLD'85 at the front of the steel sheet piling whaler. Stone will be placed at a 2:1 slope from the whaler on anchored and wrapped geo fabric to provide an uneven random barrier to dissipate wave forces. Excavation may be required to prepare the lake bottom for the filter cloth and placement of bedding stone. Any excavated sand will be stored at the site and used as sand cover over the toe stone. Details of the project are contained in information and plans received at the Division of Water on January 5, 2015 and February 10, 2015.

LOCATION : DOWNSTREAM: 4 to 158 Shore Drive near Ogden Dunes, Portage Township, Porter County
Section 28, T 37N, R 7W, Ogden Dunes Quadrangle
UTM Coordinates: Downstream 4606419 North, 483312 East
UPSTREAM:
UTM Coordinates: Upstream 4608742 North, 484868 East

APPROVED BY : [Signature]
James J. Hebenstreit, PE, Assistant Director
Division of Water

APPROVED ON : April 16, 2015

Included: Notice Of Right To Administrative Review - General Conditions - Special Conditions - Service List
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
LAKE MICHIGAN
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW
APPLICATION #: LM-194

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department’s rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Director
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.
STATE OF INDIANA  
DEPARTMENT OF NATURAL RESOURCES  

GENERAL CONDITIONS  
APPLICATION #: LM-194

(1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology  
Room W274  
402 West Washington Street  
Indianapolis, IN 46204  

Telephone: (317) 232-1840, FAX: (317) 232-8036

(2) This permit must be posted and maintained at the project site until the project is completed.

(3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Little Calumet River Basin Development Comm.</td>
<td>(219) 595-0599</td>
</tr>
<tr>
<td>Porter County Drainage Board</td>
<td>(219) 486-3880</td>
</tr>
<tr>
<td>US Army Corps of Engineers</td>
<td>(317) 546-6390</td>
</tr>
<tr>
<td>Indiana Department of Environmental Management</td>
<td>(317) 232-8499 or (800) 451-6027</td>
</tr>
<tr>
<td>Local city or county planning or zoning comm.</td>
<td></td>
</tr>
</tbody>
</table>

(4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.

(5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.

(6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.

(7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer contact:

Mr. Michael W. Neyer, PE, Director  
Division of Water  
Room W284  
402 West Washington Street  
Indianapolis, IN 46204  

Telephone: (317) 232-4186, Toll Free: (877) 928-3765  
FAX: (317) 233-4579

(8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.

(9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS
APPLICATION #: LNI-194

PERMIT VALIDITY: This permit is valid for 60 months from the "Approved On" date shown on the first page. If work has not been completed by April 16, 2020 the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE: Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: January 6, 2015 and February 18, 2015. Any deviation from the information must receive the prior written approval of the Department.

<table>
<thead>
<tr>
<th>Number</th>
<th>Special Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>minimize the movement of resuspended bottom sediment from the immediate project area</td>
</tr>
<tr>
<td>(2)</td>
<td>do not work or deposit sand below the Ordinary High Water Mark of Lake Michigan (581.5' IGLD 1985) from May 1 through June 30 without the prior written approval of the Division of Fish and Wildlife</td>
</tr>
<tr>
<td>(3)</td>
<td>contact Nate Thomas, Lakes Permitting Biologist, at 260-244-6805 one (1) week prior to construction on an annual basis</td>
</tr>
<tr>
<td>(4)</td>
<td>should any fish mortality be observed, which includes all life stages, all activity must be halted and Indiana’s Division of Law Enforcement must be contacted at 219-879-5710 to investigate and file the necessary report</td>
</tr>
<tr>
<td>(5)</td>
<td>the proposed activities must stay within 20 feet of the seawall to avoid any impacts to the shipwreck; during construction activities, a construction fence should be placed at the northern limits of the project area between lots 50 to 52</td>
</tr>
<tr>
<td>(6)</td>
<td>during the 5-year life of this permit, any future &quot;maintenance plans&quot; developed to place additional stone on existing toe stone must be submitted to DNR Division of Water at least one month prior to the anticipated construction start date for review and approval, and approval must be received in writing from DNR before any future maintenance work may begin</td>
</tr>
</tbody>
</table>

The submitted maintenance plans must provide the following information:

* indicate the location of the intended construction, and its orientation to adjacent structures,
* the type of construction materials to be used (i.e. steel sheet piling, stone, sand etc.),
* the size and source of material to be placed as stone cover or backfill behind the new structure (i.e. sand or stone composition and size)
* a description of how the ends of the new structure will tie-in to adjacent structures,
* if adjacent structures do not exist, describe the configuration of the tie-back walls needed to prevent erosion behind the end of the new structure and prevent damage to adjacent property
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
SPECIAL CONDITIONS
APPLICATION #: LM-194

(7) all new shore protection structures (including toe stone) must lie parallel to the shoreline and in as close to a straight line as possible, avoiding the creation of any individual protrusions extending out toward or into Lake Michigan beyond adjacent existing or planned structures, which could, in the opinion of DNR, interrupt the natural movement of sand along the shoreline; any request for deviation from this straight line orientation along the shoreline must be submitted in writing to DNR Division of Water, and must receive written approval from DNR before construction begins

(8) any existing shore protection that does not comply with the Ogden Dunes "Shore Protection Plan" at the time of issuance of this permit, is grandfathered; however, if for any reason that structure must be rebuilt, it must conform to the construction standards of the designs provided with this permit or in the Ogden Dunes "Shore Protection Plan", and the special conditions of this permit

(9) all new structures must tie-in to adjacent structures or incorporate measures to prevent erosion behind an existing or planned adjacent structure; at the east and west ends of any new shore protection structures, the new structure must either:

a) tie-in to the existing adjacent shore protection such that erosion is prevented at the juncture, or
b) must be "keyed" (provided with a joint) to the blind end of a new steel sheet piling wall to allow easy future tie-in of an adjacent steel sheet piling wall at a later date, or
c) if no adjacent shore protection exists or is planned, or if it is a juncture between a steel sheet piling wall and a rock revetment, an adequate tie-back wall must be constructed, extending far enough landward (south) to prevent erosion behind the new shore protection and the adjacent rock revetment structure

(10) the amount of stone toe protection must comply with the design plans submitted with this permit as described in the Ogden Dunes "Shore Protection Plan"

(11) If it is necessary to excavate down into the beach or lakebed for installation of the proposed filter cloth, bedding stone, and armor stone, the excavated sand must remain on-site, and may be stored on the adjacent beach to be used as cover over the new toe stone; sand stored on the beach may be recovered, however, during recovery of this sand, the contractor must not dig down into the natural beach any farther than the bottom of the stored sand, to the maximum extent practicable, the exception to this is when sand is stored where required excavation is occurring; no sand may be recovered from the lakebed as stone cover

(12) removal of existing native sand from the beach or lake bottom is prohibited; any sand cover or backfill material placed over or behind the proposed shore protection structures must not be taken directly from the lake bed of Lake Michigan

(13) any deviation from the "design plans" submitted to DNR must be submitted to DNR in writing for review and must obtain written approval from DNR before any work of the new plan may begin

(14) slag may not be used as toe protection, stone cover, or as backfill material; use of slag is prohibited
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS
APPLICATION #: LM-194

(15) two (2) weeks prior to the start of any work on the shoreline, provide notice to: (1) Indiana American Water Company, which has a Lake Michigan water intake located immediately west of Ogden Dunes, Martin Willie, Phone 219-880-2339 Cell 219-808-6459; (2) the Indiana Dunes National Lakeshore, INDI Law Enforcement Dispatch (219-936-1005), and (3) the DNR Lake Michigan Specialist, Stephen Davis (219-874-8916), sdavis@dnr.in.gov

(16) any equipment and/or cables placed on a public waterway must be clearly marked with navigation buoys described in 312 IAC 5-4 in a manner that would be visible to any watercraft operator in the area

(17) any equipment and/or cables left in a public waterway in times of limited visibility must, in addition to the requirement listed above, be marked with flashing amber warning lights and reflective signage warning watercraft operators of the hazards
STATE OF INDIANA  
DEPARTMENT OF NATURAL RESOURCES  
SERVICE LIST  
APPLICATION #: LM-194  

Town of Ogden Dunes  
Jim Conibs  
116 Hollenbeck Road  
Ogden Dunes, IN 46366-8502

James Conibs  
146 Shore Drive  
Ogden Dunes, IN 46366-1015

38 Shore Drive Land Trust  
591 Silvervale Road, Suite 97ADQ  
Wilmington, DE 19809

Abitacon Associates LLC  
410 North Spring Avenue  
La Grange Park, IL 60526

Paul D. and JoAnn M. Arnold  
144 Shore Drive  
Portage, IN 46368

Paul D. and JoAnn M. Arnold  
3500 Mulberry Drive  
Lafayette, IN 47905

Dr. Gary A. and Patricia A. Doboske  
40 Shore Drive  
Portage, IN 46368

Sarah Dorman Bailey  
132 Shore Drive  
Portage, IN 46368

John R. Bailey  
154 Shore Drive  
Ogden Dunes, IN 46368-1015

Richard Balanda  
120 Shore Drive  
Portage, IN 46368

Barbara T. Edison Trust  
526 North Washington Street  
Hinsdale, IL 60521

Michele Bonneau  
160 Shore Drive  
Portage, IN 46368

Bruce E. and Sandy D. Boyer  
120 Shore Drive  
Portage, IN 46368

Peter D. Brown  
1726 South Michigan Avenue, #2601  
Chicago, IL 60616

Timothy Cleland  
68 Shore Drive  
Ogden Dunes, IN 46368-1007

Freddie and Shirley Collins  
70 Shore Drive  
Portage, IN 46368-1007

James and Victoria Conibs  
136 Shore Drive OD  
Portage, IN 46366

Dean W. Chrisly Trust  
14892 South Elgin Avenue  
Chicago, IL 60617

Drifich Trust No. 1  
84 Shore Drive  
Portage, IN 46368

Oxleyen of Nature Preserves  
Mike Mohar  
Lake Michigan Coastal Program  
402 West Washington Street, Room W267  
Indianapolis, IN 46204-2739

Thomas and Leslie Hogan  
20 Shore Drive OD  
Portage, IN 46368-1007

Donna N. Finch Trust  
203 West Ohio Street, Apt 3104  
Chicago, IL 60654

Edward Patioan Trust Agreement  
3 Nolima Drive  
Oakbrook, IL 60523

Edward D. Rocks Trust  
68 Shore Drive  
Portage, IN 46368

Jeff and Debra Fieeger  
405 Little Sound Road  
Sedona, AZ 86336-3401

Marion Forcey  
68 Shore Drive  
Portage, IN 46368-1007

Steven and Judith Frank  
102 Shore Drive #751 OD  
Portage, IN 46368-1018

Noel and Madam Frigo  
72 Shore Drive  
Portage, IN 46368-1007

Louis and Patricia Gagliardi  
2 Shore Drive  
Ogden Dunes, IN 46368

Athena Giamnopoulo  
1 Shore Drive  
Portage, IN 46368-1008

Peter and Laurie Gitreath  
688 Old Orchard Road  
Brentwood, TN 37027-5194

Kristina M. Grasso  
6020 East 84th Drive  
Montville, IN 46440

Owen M. Tomlin Declaration of Trust  
1301 Keystone Avenue  
River Forest, IL 60305
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen G Haline</td>
<td>257 Deerfield Road</td>
<td>Riverside, IL, 60546</td>
</tr>
<tr>
<td>Richard Hansen</td>
<td>1 Shore Drive</td>
<td>Portage, IN, 46368-1008</td>
</tr>
<tr>
<td>Ed Hewitt</td>
<td>8 Valerie Road</td>
<td>Ogden Dunes, IN, 46309</td>
</tr>
<tr>
<td>Doshi Himanshu</td>
<td>948 Milner Drive</td>
<td>Dyer, IN, 46311</td>
</tr>
<tr>
<td>Rodger G and Kathryn R Howell</td>
<td>710 North Ellis Street</td>
<td>Hinsdale, IL, 60521</td>
</tr>
<tr>
<td>IDNR Law Enforcement District 10</td>
<td>Tom Torelli</td>
<td>LaPorte, IN, 46350</td>
</tr>
<tr>
<td>Indiana American Water Company</td>
<td>850 Madison Street</td>
<td>Gary, IN, 46410</td>
</tr>
<tr>
<td>Indiana Department of Natural Resources</td>
<td>Brian Bridtist</td>
<td>Hinsdale, IL, 60521</td>
</tr>
<tr>
<td>Indiana Department of Natural Resources</td>
<td>100 West Water Street</td>
<td>Michigan City, IN, 46360-1010</td>
</tr>
<tr>
<td>Indiana Dunes National Lakeshore</td>
<td>1100 North Mineral Springs Road</td>
<td>Porter, IN, 46304-1269</td>
</tr>
<tr>
<td>Eric and Bethany Jensen</td>
<td>160 Shore Drive</td>
<td>Portage, IN, 46368</td>
</tr>
<tr>
<td>Kenneth R Paulson 1994 Trust</td>
<td>8473 Waidren Avenue</td>
<td>Burr Ridge, IL, 60092</td>
</tr>
<tr>
<td>Richard Kinney</td>
<td>12 Shore Drive</td>
<td>Ogden Dunes, IN, 46368</td>
</tr>
<tr>
<td>Lake County Trust Co # 1030</td>
<td>3200 Glenside Dyer Road</td>
<td>Lyons, IL, 60531</td>
</tr>
<tr>
<td>Marjorie Largesse</td>
<td>528 Ponte Vedra Boulevard</td>
<td>Ponte Vedra Beach, FL, 32081-2316</td>
</tr>
<tr>
<td>John and Pat Lawless</td>
<td>PO Box 4681</td>
<td>Oakbrook, IL, 60522-4881</td>
</tr>
<tr>
<td>Little Calumet River Basin Development Commission</td>
<td>Dan Repay</td>
<td>Munster, IN, 46321</td>
</tr>
<tr>
<td>Peter G and Elizabeth Mawelski</td>
<td>100 Shore Drive</td>
<td>Portage, IN, 46368</td>
</tr>
<tr>
<td>David P and Cheryl J Megrenits</td>
<td>44 Shore Drive</td>
<td>Portage, IN, 46368</td>
</tr>
<tr>
<td>Cynthia P Mancin</td>
<td>536 East 6th Street</td>
<td>Hinsdale, IL, 60521</td>
</tr>
<tr>
<td>Michelle J Hassinger Living Trust</td>
<td>54 Shore Drive</td>
<td>Portage, IN, 46369</td>
</tr>
<tr>
<td>Scott and Amy Z Miller</td>
<td>99 Shore Drive</td>
<td>Portage, IN, 46368</td>
</tr>
<tr>
<td>Milton B Bergl Estate Trust</td>
<td>104 Shore Drive</td>
<td>Portage, IN, 46368</td>
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<tr>
<td>Laurie G Mykleby</td>
<td>152 Shore Drive</td>
<td>Portage, IN, 46368</td>
</tr>
<tr>
<td>Nancy Wells Array Revocable Trust</td>
<td>106 Shore Drive</td>
<td>Portage, IN, 46368</td>
</tr>
<tr>
<td>Patricola M Feeny</td>
<td>257 Balmoral Road</td>
<td>Riverside, IL, 60540</td>
</tr>
<tr>
<td>Porter County SWCD</td>
<td>Harvey Nix</td>
<td>Eastport Tower, Suite 104, 3001 Leonard Drive, Valparaiso, IN, 46383</td>
</tr>
<tr>
<td>Patricola A Pelsoff</td>
<td>22 Shore Drive</td>
<td>Portage, IN, 46388-1007</td>
</tr>
<tr>
<td>Elisabeth Porchek</td>
<td>143 Shore Drive</td>
<td>Ogden Dunes, IN, 46368</td>
</tr>
<tr>
<td>Porter County Drainage Board</td>
<td>County Surveyor</td>
<td>Valparaiso, IN, 46383-5656</td>
</tr>
</tbody>
</table>
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST
APPLICATION #: LM-194

Raymond V Kemerich Revocable Trust
84 Shore Drive
Portage, IN 46368

Nicholas and Mahala Seaver
140 Shore Drive
Portage, IN 46368-1015

Steve J and Lauren D Swinkelski
126 Shore Drive
Portage, IN 46368

James Stush
8 Shore Drive OD
Portage, IN 46368-1007

Dick and Betty Slusak
60 Shore Drive
Portage, IN 46368-1007

Crystal Strickland
78 Shore Drive
Portage, IN 46368

George and Marge Taeing
110 Shore Drive
Portage, IN 46368-1069

United States of America
PO Box 283
Valparaiso, IN 46383-0283

US Army Corps of Engineers
Chicago District
231 South LaSalle Street, Suite 1500
Chicago, IL 60604

David and Fay Velerline
15 Shore Drive
C것ten Dunes, IN 46368

George and Ruth Vann
80 Shore Drive OD
Portage, IN 46368-1007

Emily A Vogt
8 Shore Drive OD
Portage, IN 46368-1007

Robert T and Jill Woodburn III
128 Shore Drive
Portage, IN 46368

Albert M Zakooff
99 Shore Drive #711
Coretical Dunes, IN 46368

Staff Assignment:
Administrative
Environmental
Fish and Wildlife
Law Enforcement
Historic Preservation & Archaeology

: Marcella Shepherdson, CFM
: J. Matthew Buffington
: Nathan D. Thomas
: Tom Tonzell
: Cathy Drewer-Williams
September 10, 2019

Town of Ogden Dunes
115 Hillerest Road
Ogden Dunes, IN 46368

Dear Councilman Lehman and Mr. Howell,

The Department of Natural Resources’ role through the Division of Water (DOW) is on the required permits under IC 14-29-1 (Navigable Waterways). Pursuant to IC 14-29-1-8, a permit is required for placing, filling or erecting a permanent structure in a navigable waterway, which Lake Michigan is such a body of water. Once issued by the DOW, a permit is valid for a five-year period.

As noted in your letter, Ogden Dunes has received two permits from DOW. Permit LM-194 is for placement of stone toe protection along 4,700 feet of lakeshore. LM-195 is stone toe protection and any steeling piling wall maintenance. These permits remain effective until April 16, 2020. Both permits, however, point out that the DOW permit must not be construed as a waiver of any local ordinance or other state or federal law.

Local, state and federal agencies work collectively with varying layers of jurisdiction regarding Lake Michigan. It is through this collective partnership that we all strive to ensure a balanced approach to the protection and use of this precious natural resource.

DNR has found your proposed activity to be permissible, assuming conditions are met as specified in the permit, within the state’s jurisdictional area of Lake Michigan. The National Park Service also has the ability to exert authority within their zone of jurisdiction.

Our DOW staff would be happy to answer any questions regarding the permit or its conditions. In addition, if the proposed work is unable to be completed within the permit time period, our staff can work on a reapplication if so requested.

Best wishes,

[Signature]

Chris Smith
Deputy Director
Department of Natural Resources

The DNR mission: Protect, enhance, preserve and wisely use natural, cultural and recreational resources for the benefit of Indiana’s citizens through professional leadership, management and education.

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