



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET  
CHICAGO, ILLINOIS 60604-1437

January 19, 2021

Operations Division  
Regulatory Branch  
LRC-2017-00676

SUBJECT: Discharge of 0.04 acre of new embankment fill and 0.04 acre of temporary dewatering for construction access at an existing bridge (Lake Shore Drive over the 59th Street Lagoon Inlet off Lake Michigan) and 0.20 acre of temporary dewatering for construction access at the East Hayes Drive bridge over the South Lagoon off Lake Michigan, in Sections 13 & 24, Township 38 North, Range 14 East, City of Chicago, Cook County, Illinois (Latitude 41.78819, Longitude -87.57786)

Daniel Burke  
Chicago Department of Transportation  
30 North LaSalle Street, Suite 400  
Chicago, Illinois 60602

Dear Mr. Burke:

This office has verified that your proposed activity complies with the terms and conditions of Regional Permit 3 (Transportation Projects) and the General Conditions for all activities authorized under the Regional Permit Program.

This verification expires three (3) years from the date of this letter and covers only your activity as described in your notification and as shown on the plans entitled "General Plan – Permanent Wetland Impacts, S. Lake Shore Drive over 59th Street Lagoon Inlet" and "General Plan – Temporary Wetland Impacts, S. Lake Shore Drive over 59th Street Lagoon Inlet" as plotted 9/29/2017, and "General Plan and Elevation, Hayes Drive Over Jackson Park Lagoon" as plotted 3/28/2019, prepared by Alfred Benesch & Company. Caution must be taken to prevent construction materials and activities from impacting waters of the United States beyond the scope of this authorization. If you anticipate changing the design or location of the activity, you should contact this office to determine the need for further authorization.

Please be aware that the activity may not be completed until you submit the following information to our office:

1. Prior to the commencement of any work, you shall receive a determination by the Will-South Cook Soil and Water Conservation District (SWCD) that the Soil Erosion and Sediment Control (SESC) plans meet technical standards.

Upon receipt of the above information, the activity may be completed without further authorization from this office provided the activity is conducted in compliance with the terms and conditions of the RPP, including conditions of water quality certification issued under Section 401 of the Clean Water Act by the Illinois Environmental Protection Agency (IEPA). If the design, location, or purpose of the project is changed, you should contact this office to determine the need for further authorization

The following special conditions are a requirement of your authorization:

2. You shall undertake and complete the project as described in the plans titled, "General Plan – Permanent Wetland Impacts, S. Lake Shore Drive over 59th Street Lagoon Inlet" and "General Plan – Temporary Wetland Impacts, S. Lake Shore Drive over 59th Street Lagoon Inlet" as plotted 9/29/2017, and "General Plan and Elevation, Hayes Drive Over Jackson Park Lagoon" as plotted 3/28/2019, prepared by Alfred Benesch & Company, including all relevant documentation to the project plans as proposed.
3. This authorization is contingent upon implementing and maintaining soil erosion and sediment controls in a serviceable condition throughout the duration of the project. You shall comply with the SWCD's written and verbal recommendations regarding the SESC plan and the installation and maintenance requirements of the SESC practices on-site.
  - a. You shall schedule a preconstruction meeting with SWCD to discuss the SESC plan and the installation and maintenance requirements of the SESC practices on the site. You shall contact the SWCD at least 10 calendar days prior to the preconstruction meeting so that a representative may attend.
  - b. You shall notify the SWCD of any changes or modifications to the approved plan set. Field conditions during project construction may require the implementation of additional SESC measures. If you fail to implement corrective measures, this office may require more frequent site inspections to ensure the installed SESC measures are acceptable.
  - c. Prior to commencement of any dewatering work, you shall submit constructions plans and a detailed narrative to the SWCD that disclose the contractor's preferred method of cofferdam and dewatering method. Work in the waterway shall NOT commence until the SWCD notifies you, in writing, that the plans have been approved.
4. Work in the waterway should be timed to take place during low or no-flow conditions. Low flow conditions are flow at or below the normal water elevation.
5. The plan must be designed to allow for the conveyance of the 2-year peak flow past the work area without overtopping the cofferdam. The Corps has the discretion to reduce this requirement if documented by the applicant to be infeasible or unnecessary.

6. Water shall be isolated from the in-stream work area using a cofferdam constructed of non-erodible materials (steel sheets, aqua barriers, rip rap and geotextile liner, etc.). Earthen cofferdams are not permissible.
7. The cofferdam must be constructed from the upland area and no equipment may enter flowing water at any time. If the installation of the cofferdam cannot be completed from shore and access is needed to reach the area to be coffered, other measures, such as the construction of a causeway, will be necessary to ensure that equipment does not enter the water. Once the cofferdam is in place and the isolated area is dewatered, equipment may enter the coffered area to perform the required work.
8. If bypass pumping is necessary, the intake hose shall be placed on a stable surface or floated to prevent sediment from entering the hose. The bypass discharge shall be placed on a non-erodible, energy dissipating surface prior to rejoining the stream flow and shall not cause erosion. Filtering of bypass water is not necessary unless the bypass water has become sediment-laden as a result of the current construction activities.
9. During dewatering of the coffered work area, all sediment-laden water must be filtered to remove sediment. Possible options for sediment removal include baffle systems, anionic polymers systems, dewatering bags, or other appropriate methods. Water shall have sediment removed prior to being re-introduced to the downstream waterway. A stabilized conveyance from the dewatering device to the waterway must be identified in the plan. Discharge water is considered clean if it does not result in a visually identifiable degradation of water clarity.
10. The portion of the side slope that is above the observed water elevation shall be stabilized as specified in the plans prior to accepting flows. The substrate and toe of slope that has been disturbed due to construction activities shall be restored to proposed or pre-construction conditions and fully stabilized prior to accepting flows.
11. This site is within the aboriginal homelands of several American Indian Tribes. If any human remains, Native American cultural items or archaeological evidence are discovered during any phase of this project, interested Tribes request immediate consultation with the entity of jurisdiction for the location of discovery. In such case, please contact Mr. Colin C. Smalley, PG, by telephone at 312-846-5538, or email at [colin.c.smalley@usace.army.mil](mailto:colin.c.smalley@usace.army.mil).
12. You are responsible for all work authorized herein and for ensuring that all contractors are aware of the terms and conditions of this authorization.
13. A copy of this authorization must be present at the project site during all phases of construction.
14. You shall notify this office of any proposed modifications to the project, including revisions to any of the plans or documents cited in this authorization. You must receive approval from this office before work affected by the proposed modification is

performed.

15. You shall notify this office prior to the transfer of this authorization and liabilities associated with compliance with its terms and conditions.
16. You must contact the United States Coast Guard, Marine Safety Unit Chicago, Waterways Management Division, (630-986-2155 or D09-DG-MSUChicago-Waterways@uscg.mil) at least 30 days prior to the anticipated start of construction to determine whether a Notice to Mariners is advisable for any construction period(s) and/or to notify mariners of the new completed structure. You must retain documentation of any such discussions, and you must provide such information to the USCG as they may require to prepare the Notice(s) to Mariners prior to commencing construction of the structure. If you anticipate starting construction within 30 days of this authorization, you must contact the MSU within 3 business days of this authorization.
17. Within 21 days of completion of construction, in order to facilitate updating federal navigation charts, you must file a "Permit/Public Notice Report" form with the NOAA National Ocean Service, Office of the Coast Survey, including as-built drawings and geo-referenced CADD or GIS files in electronic format. Submit the form, drawings, and files to ocs.ndb@noaa.gov and Colin.C.Smalley@usace.army.mil.

This verification does not obviate the need to obtain all other required Federal, state, or local approvals before starting work. **This verification does not authorize the Chicago Park District's request pursuant to Section 14 of the Rivers and Harbors Act of 1899. A final determination on that request will be sent to the Chicago Park District under separate cover.** Please note that Section 401 Water Quality Certification has been issued by IEPA for this RP. If you have any questions regarding Section 401 certification, please contact Mr. Darin LeCrone at IEPA Division of Water Pollution Control, Permit Section #15, by telephone at (217) 782-0610.

Once you have completed the authorized activity, please sign and return the enclosed compliance certification. If you have any questions, please contact Mr. Colin C. Smalley, PG of my staff by telephone at (312) 846-5538, or email at Colin.C.Smalley@usace.army.mil.

Sincerely,

Kathleen G. Chernich  
Chief, East Section  
Regulatory Branch

Enclosures

Copy Furnished:

U.S. Federal Highway Administration (Matt Fuller)

U.S. National Park Service (Morgan Elmer)

U.S. Fish and Wildlife Service (Shawn Cirton)

U.S. Environmental Protection Agency (Ken Westlake, Liz Pelloso)

U.S. Coast Guard, Marine Safety Unit Chicago (LT Tiziana Garner)

Illinois Department of Natural Resources/OWR (James Casey)

Illinois Department of Transportation (Bill Raffensperger)

Metropolitan Water Reclamation District of Greater Chicago (Dan Feltes)

Will-South Cook SWCD (Dan Jay)

Chicago Park District (Heather Gleason)

Civiltech Engineering, Inc. (Jen Hyman, Tom Lilienseik)



**PERMIT COMPLIANCE  
CERTIFICATION**

Permit Number: LRC-2017-00676  
Permittee: Daniel Burke  
Chicago Department of Transportation  
Date: January 19, 2021

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of said permit and if applicable, compensatory wetland mitigation was completed in accordance with the approved mitigation plan.<sup>1</sup>

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PERMITTEE

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DATE

Upon completion of the activity authorized by this permit and any mitigation required by the permit, this certification must be signed and returned to the following address:

U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
231 South LaSalle Street, Suite 1500  
Chicago, Illinois 60604-1437

Please note that your permitted activity is subject to compliance inspections by Corps of Engineers representatives. If you fail to comply with this permit, you may be subject to permit suspension, modification, or revocation.

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<sup>1</sup> If compensatory mitigation was required as part of your authorization, you are certifying that the mitigation area has been graded and planted in accordance with the approved plan. You are acknowledging that the maintenance and monitoring period will begin after a site inspection by a Corps of Engineers representative or after thirty days of the Corps' receipt of this certification. You agree to comply with all permit terms and conditions, including additional reporting requirements, for the duration of the maintenance and monitoring period.