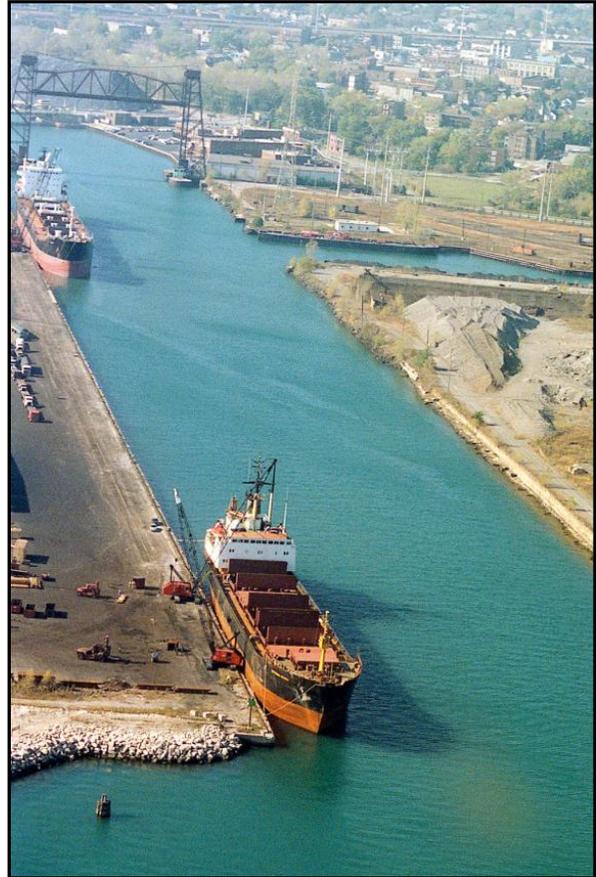


Chicago Area Waterway System

Dredged Material Management Plan & Integrated Environmental Assessment

APPENDIX A: COORDINATION

DRAFT



Prepared By:

Chicago District and Rock Island District



**US Army Corps
of Engineers®**

June 2015

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**Chicago Area Waterway System
Dredged Material Management Plan and Integrated Environmental Assessment
DRAFT
January 2015**

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Attachment 1: 404(b)(1) analysis for dock construction



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

Planning Branch
Environmental Formulation Section

Dear,

The Chicago District is preparing a National Environmental Policy Act (NEPA) document on impacts of a planned 20-year Dredged Materials Management Plan (DMMP) for the Calumet River and Harbor. Possible alternatives include expansion of the existing Confined Disposal Facility (CDF), the use of alternative sites for dredged material, and the possible reuse of sediments from the existing CDF. A map of the project area is enclosed.

I am particularly interested in your comments regarding impacts to aquatic habitat and threatened or endangered animals. Please mark your reply to the attention of Mr. Peter Bullock, U.S. Army Corps of Engineers, 111 North Canal Street, Suite 600, Chicago, Illinois 60606. Questions may be directed to Mr. Bullock at 312/846-5587, or at peter.y.bullock@usace.army.mil. Your assistance is appreciated.

Sincerely,

Susanne J. Davis, P. E.
Chief of Planning Branch

Enclosure

for regulating agencies

MFR: Routine scoping letter/as required by NEPA.

Bullock PM-PL-E *03/09/09*

~~Fleming PM-PL-E~~ *3/5/09*

Ott PM-PM *NM 3/6/09*

Davis PM-PL-E *SP 3/10/09*



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
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Planning Branch
Environmental Formulation Section

Dear,

The Chicago District is preparing a National Environmental Policy Act (NEPA) document on impacts of a planned 20-year Dredged Materials Management Plan (DMMP) for the Calumet River and Harbor. Possible alternatives include expansion of the existing Confined Disposal Facility (CDF), the use of alternative sites for dredged material, and the possible reuse of sediments from the existing CDF. A map of the project area is enclosed.

The project area is an urbanized river and harbor system heavily modified by industrial construction and dredging. The Illinois SHPO will be consulted and is expected to concur with my staff's determination that the project will not affect archaeological or historical properties.

This determination is provided in accordance with the requirements of the National Historic Preservation Act and 36 CFR 800. Please mark your reply to the attention of Peter Bullock; U.S. Army Corps of Engineers, 111 North Canal Street, Suite 600, Chicago, Illinois, 60606. Questions may be directed to Mr. Bullock at 312/846-5587 or at peter.y.bullock@usace.army.mil. Thank you for your assistance.

Sincerely,

12/

Susanne J. Davis, P. E.
Chief of Planning Branch

Enclosure

MFR: Routine scoping letter ^{for in-lbs} as required by NEPA.

Bullock PM-PL-E *03/5/09*
~~Fleming PM-PL-E~~ *3/5/09*
Ott PM-PM *MW 3/6/09*
Davis PM-PL-E *SJD 3/10/09*

Calumet Harbor and River DMMP NEPA Scoping Letter Distribution List

FEDERAL AGENCIES

Advisory Council on Historic Preservation
1100 Pennsylvania Ave. NW
Suite 809
Washington, DC 20004
ATTN: Karen Theimer Brown

U.S. Army Corps of Engineers
4735 E. Marginal Way S.
Seattle, WA 98134-1385
ATTN: Horace Foxall, PM-MB

Executive Office, MSO-Chicago
U.S. Coast Guard
215 W. 83rd St. Suite D
Burr Ridge, IL 60521

STATE AGENCIES

Todd Retting
Office of Resource Reivew
Illinois DNR
One Natural Resource Way
Springfield, IL 62702-1271

Illinois EPA
Water Pollution Division
1001 N. Grand
Springfield, IL 62794
ATIN: Bruce Yurdin

Robert Schanzle
Illinois DNR - Realty/Planning
One Natural Resource Way
Springfield, IL 62702-1271

Illinois Hist. Pres. Agency
1 Old State Capitol Plaza
Springfield, IL 62701
ATIN: Anne Haaker

Illinois DNR/OWR
36 S. Wabash Ave.
Room 1415
Chicago, IL 60603
ATIN: Dan Injerd

LOCAL AGENCIES AND LIBRARIES

Chicago Public Library
400 S. State St.
Chicago, IL 60605
ATIN: Government Publications

Vodak East Side Branch Library
10542 S. Ewing Ave.
Chicago, IL 60617

South Chicago Branch Library
9055 S. Houston Ave.
Chicago, IL 60617

Hegewisch Branch Library
3048 East BOth st.
Chicago, IL 60633

CITY OF CHICAGO

Dept. of Environment
30 N. La Salle St. 25th floor
Chicago, IL 60602
AnN: Sadhu Johnston

Chicago Park District
541 N. Fairbanks 5th floor
Chicago, IL 60611
Attn: Julia Bachrach

Chicago Park District
541 N. Fairbanks 5th floor
Chicago, IL 60611
Attn: Tim Mitchell

ORGANIZATIONS

Chicago Audubon Society
North Park Village
5801-C N. Pulaski
Chicago, IL 60646

Chicago Historical Society
1601 N. Clark st.
Chicago, Illinois 60614

Alliance for the Great Lakes
17 N. State St.
Suite 1390
Chicago, IL 60602

Sierra Club
200 N. Michigan Ave.
Suite 505
Chicago, IL 60601

Landmarks Preservation Council of Illinois
53 W. Jackson Suite 752
Chicago, IL 60604-3699
ATTN: David Bahlman

Friends of the Parks
55 E. Washington Suite 1911
Chicago, IL 60602-2174
ATTN: Erma Tranter

TRIBES/TRIBAL ORGANIZATIONS

Kickapoo of Oklahoma Bus. Committee
P.O. Box 70
McCloud, OK 74851
ATTN: Mr. Thomas Garza, Chairman

Kickapoo Traditional Tribe of Texas
Box HC 19700
Eagle Pass, TX 78853
ATTN: Mr. Raul Garza, Chairman

Miami Tribe of Oklahoma
P.O. Box 1326
Miami, OK 74355
ATTN: Ms. Julie Olds

Citizen Potawatomi Nation
1901 S. Gordon Cooper Dr.
Shawnee, OK 74801
ATTN: Ken Kraft, archaeologist

Huron Potawatomi Tribal Office
2221 One-and-a-half Mile Rd.
Fulton, MI 49052
ATTN: Laura Spur, Director

Prairie Band Potawatomi Tribal Council
16281 Q Rd.
Mayetta, KS 66509
ATTN: Zachariah Pahmahmie

Kickapoo of Kansas Tribal Council
P.O. Box 271
Horton, KS 66439
ATTN: Ms. Bobbi Darnell, Chairperson

Miami Nation in Indiana
P.O. Box 41
Peru, IN 46970
ATTN: Brenda Hartleroad

Midwest SOARRING Foundation
3013 S. Wolf Rd. #192
Westchester, IL 60154
ATTN: Joseph Standing Bear

Forest County Potawatomi Exec. Council
P.O. Box 340
Crandon, WI 54520
ATTN: Clarice Ritchie Werle

Hannahville Potawatomi Comm. Council
N 14911 Hannahville B1 Rd.
Wilson, MI 49896-9728
ATTN: Mr. Kenneth Meshiguad, Chairman

Pokagon Band of Potawatomi Indians
P.O. Box 180
Dowagiac, MI 49047
ATTN: Jefferson Ballew



Illinois Department of Natural Resources

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

Pat Quinn, Governor

Marc Miller, Acting Director

March 23, 2009

Ms. Susanne J. Davis, P.E.
Department of the Army
Chicago District, Corps of Engineers
111 North Canal Street
Chicago, Illinois 60606-7206

Attn: Peter Bullock

Dear Ms. Davis:

Reference is made to your recent letter, received here on March 13, 2009, concerning the Chicago District's proposal to prepare a National Environmental Policy Act (NEPA) document evaluating the impacts of a 20-year Dredged Material Management Plan for the Calumet River and Harbor. Options to be considered include expansion of the existing Confined Disposal Facility (CDF), the use of alternative sites for material placement, and the reuse of sediments from the CDF. The area of study appears to be centered in the northwest quarter of Section 18, Township 37 North, Range 15 East, Cook County, and encompasses a radius of approximately two miles.

The Illinois Natural Heritage Database contains numerous records of state threatened/endangered species and natural areas within the project area, many of them associated with Lake Calumet and Wolf Lake. However, no assessment of potential project-related impacts is possible without more detailed information about the locations of the specific sites being considered for dredged material placement. While significant fisheries impacts appear unlikely given the degraded quality of the Calumet River, sediment placement options will need to be reviewed on a case-by-case basis.

The Department will be pleased to coordinate further with your agency as more information becomes available on the specific dredging and placement plans. Please contact me at 217-785-4863 if we can be of assistance.

Sincerely,

Robert W. Schanzle
Permit Program Manager
Office of Realty and Environmental Planning

RWS:rs

cc: IDNR/OWR (Injerd), IDNR/ORC (Rung, Kirk), IEPA (Yurdin), USFWS (Rogner), USEPA (Pierard)

Printed on recycled and recyclable paper



Miami Tribe of Oklahoma

P.O. Box 1526 Miami, Oklahoma 74355

Ph: (918) 542-1445 Fax: (918) 542-7260



April 8, 2009

Army Corps of Engineers
Department Of The Army
Chicago District
111 North Canal Street
Chicago, IL 60606-7206

Re: Planned 20 year Dredged Materials Management Plan for the Calumet River and Harbor.

Dear Mr. Cummins:

Aya, kikwesitoole. My name is Jake Long and I am the Acting Cultural Resources Director for the Miami Tribe of Oklahoma. In this capacity I am the Miami Nation's point of contact for all NAGPRA and Section 106 issues.

In reference to your NEPA documentation request, the Miami Nation is not currently aware of existing documentation directly linking Indian Religious Sites to the proposed work at the above referenced sites. However, as these sites are within the aboriginal homelands of the Miami Nation, should any Native American items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) be discovered during this construction project the Miami Nation requests immediate consultation with the State Historical Society and all such related entities.

The Miami Nation offers no objection to the proposed construction at this time. However, should human remains and/or objects be uncovered please contact me at 918-542-1445, or by mail at the address listed above, to initiate consultation.

Sincerely,

Jake Long
Acting Cultural Resources Director
Miami Nation



City of Chicago
Richard M. Daley, Mayor

Department of Environment

Suzanne Malec-McKenna
Commissioner

Twenty-fifth Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575
(312) 744-7606 (Voice)
(312) 744-6451 (FAX)
(312) 744-3586 (TTY)

<http://www.cityofchicago.org>

April 16, 2009

U.S. Army Corps of Engineers
Mr. Peter Bullock
111 N. Canal Street
Suite 600
Chicago, IL 60606



Re: NEPA document concerning impacts of the 20-year Dredged Materials Management Plan for the Calumet River and Harbor

Dear Mr. Bullock:

Thank you for the opportunity to respond to the Army Corps' recent letter about the Dredged Materials Management Plan (DMMP). It is my understanding that the Army Corps of Engineers is evaluating various sites for the dredged material, and possible reuse of sediments from the existing Confined Disposal Facility. The Department of Environment (DOE) would like to be involved in the decision-making process for both site selection and sediments reuse.

DOE asks the Corps to ensure that such decisions will be based on active input from wildlife specialists at the Illinois Department of Natural Resources and the U.S. Fish and Wildlife Service. Of particular concern is protection of migratory and state-listed birds that nest and forage throughout the Calumet area. DOE asks that any practices acknowledge these populations and be modified to protect them to the extent possible and/or required by law. Also, the City has a Calumet Open Space Reserve Plan, which preserves 3,900 acres of open space throughout the region. Disturbance of these sites whether through noise, runoff, hydrologic disruption, etc. will be of concern to DOE.

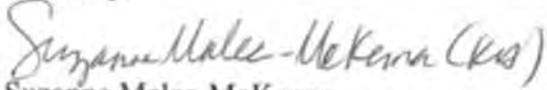
In addition, in 2006 DOE and various partners developed the Calumet Ecotox Protocol, a guidance document for determining ecotoxicological risks to flora and fauna in Calumet. If existing sediments are to be reused in open spaces or sensitive habitat areas, the City would recommend using this protocol to determine whether the sediments pose a risk to ecological receptors, and undergo review by the Ecotox Protocol Technical Team.

Should Brownfields sites be selected for the proposed work, DOE's Urban Management and Brownfields Redevelopment division should be involved.



As you move forward with your NEPA review, please contact DOE for further input and analysis. Thank you for the opportunity to comment.

Sincerely,



Suzanne Malec-McKenna
Commissioner

cc: Aaron Durnbaugh, Deputy Commissioner
Kimberly Worthington, Deputy Commissioner
Nicole Kamins, Program Director



City of Chicago
Richard M. Daley, Mayor

Department of Environment

Suzanne Malec-McKenna
Commissioner

2nd Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575
(312) 744-7606 (Voice)
(312) 744-6451 (FAX)
(312) 744-3586 (TTY)

<http://www.cityofchicago.org>

MD 2/4/10

January 6, 2010

Roy Deda
Deputy for Project Management
Army Corps of Engineers, Chicago District
111 N. Canal St., Suite 600
Chicago, IL 60606-7206

Re: Calumet Harbor and River Dredge Material Management Plan

Dear Mr. Deda, *Roy,*

The Department of Environment (DOE) appreciates the opportunity to participate in the Calumet Harbor and River Dredge Material Management Plan to address dredged sediment management. DOE would like to be proactive in its assistance regarding this important project for the region.

Dredged sediments have a potential reuse, but several challenges have been identified for their potential reuse on City redevelopment sites. These sites need to meet appropriate regulatory objectives commensurate with the end property use after placement of sediments. DOE routinely manages its brownfield redevelopment sites through the Illinois Environmental Protection Agency's (IEPA) Site Remediation Program (SRP) in order to obtain a No Further Remediation letter for the planned end use. Use of these sites for a proposed sediment reuse will require careful planning to ensure that it is protective of human health and the environment. Furthermore, open space sites are of particular concern and any proposed sediment management requires careful surface water management and site planning to maintain the natural setting and ecological objectives. As such, DOE discourages the use of open spaces in the Calumet region, particularly those identified in the Calumet Open Space Reserve.

In addition, the DOE and IEPA have entered into an Intergovernmental Agreement which establishes reuse standards for the safe and appropriate reuse of soil and rubble between City-owned sites. These reuse standards are based on the IEPA's Tiered Approach to Corrective Action Objectives (TACO) clean up values (see attached). TACO, in addition to the SRP requirements, guides DOE on the standards for which material is suitable for reuse.

DOE believes there is a potential for beneficial reuse for the dredged sediments with written approval from IEPA. IEPA continues to demonstrate its support for reuse initiatives through its work with the City on soil and rubble reuse, the Illinois Department of Natural Resource (IDNR) for reuse of Lake Peoria sediments and the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) for biosolids reuse. IDNR (Dr. John Marlin



(217-785-8771) lead scientist) worked with DOE in evaluating Lake Peoria sediment sample test results and prepared a human health risk assessment to determine appropriate reuse. MWRDGC (Dr. Thomas Granato (312-751-3040) Deputy Director of Monitoring and Research) worked with DOE in evaluating biosolids test sampling results, monitoring, reporting requirements and human health risk assessment. DOE recommends contacting both agencies regarding its evaluation and implementation of material reuse.

At this time, DOE has concerns regarding the construction and siting of a new confined disposal facility (CDF) and looks to discuss other options including the reuse of sediments to allow for reclamation of the existing CDF. A new CDF will require engineering and site planning to protect groundwater and surface water resources. Regardless of the approach, DOE strongly recommends early outreach and coordination with the community as part of any planning process.

DOE encourages the Army Corps of Engineers to explore methods to reduce erosion into the Calumet Harbor and River. Additional shoreline and restoration or erosion control can reduce sediments entering into the waterways and the subsequent dredging required. Also, other opportunities may exist regarding watercraft operations to further protect shoreline erosion and sediment movement in dredged channels.

If you have any questions or would like to meet to discuss these items further, please contact me at (312) 744-7606.

Sincerely,



Suzanne Molec-McKenna
Commissioner

Attachment: City and IEPA Soil and Rubble Reuse IGA

cc: Nicole Kamins, Department of Environment
Vasile Jurca, Department of Transportation
Nelson Chueng, Department of Zoning and Land Use Planning

SMM/UMBR/dsg

INTERGOVERNMENTAL AGREEMENT BETWEEN THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND THE CITY OF CHICAGO REGARDING PROCEDURES FOR THE REUSE OF SOIL AND RUBBLE WITHIN THE CITY OF CHICAGO BY THE CITY OF CHICAGO

This intergovernmental agreement ("**Agreement**") is entered into by and between the Illinois Environmental Protection Agency ("**IEPA**") and the City of Chicago ("**City**") for the purpose of facilitating, within the City of Chicago, the reuse of soil and rubble excavated within the City of Chicago by the City.

RECITALS:

WHEREAS, Article VIII, Section 10 of the Constitution of the State of Illinois and the Intergovernmental Cooperation Act [5 ILCS 220] authorizes and encourages intergovernmental cooperation;

WHEREAS, the City is seeking to facilitate the reuse of certain soil and rubble excavated from one site within the City by the City or another unit of local government, and reused at another site within the City by the City or another unit of local government, in order to prevent unnecessary atmospheric emissions, reuse such soil and rubble, preserve limited landfill capacity, and lessen the impact and costs associated with the transportation and disposal of such soil and rubble;

WHEREAS, Section 11-8-390 of the Municipal Code of Chicago, approved by the IEPA for use as an institutional control under TACO (as defined below), prohibits the installation of potable water supply wells within the City, except for wells installed by the City or by other units of local government pursuant to an intergovernmental agreement with the City;

WHEREAS, the City has investigated potential potable water supply wells and has identified 41 wells within the City and 2 wells within 200 feet of the City (other than any wells installed by the City or by other units of local government under intergovernmental agreement(s) with the City) that are currently in operation from which the City shall maintain a setback zone of 1,000 feet for the reuse of soil and rubble; and

WHEREAS, the City, as a Remedial Applicant under the IEPA's Site Remediation Program ("**SRP**"), has routinely used soil excavated within the City of Chicago as engineered barriers under 35 Ill. Adm. Code 742 ("**TACO**") at sites being remediated under the SRP, and as general fill beneath such engineered barriers;

NOW, THEREFORE, the IEPA and the City hereby agree as follows:

AGREEMENT:

SECTION 1. Incorporation of Recitals

The foregoing recitals are incorporated into this Agreement by reference as if set forth fully herein.

SECTION 2. Definitions

For the purposes of this Agreement:

The term “**hazardous substance**” means a hazardous substance as defined in Section 3.215 of the Illinois Environmental Protection Act [415 ILCS 5/3.215].

The term “**public roadway right-of-way**” means a highway as defined in Section 2-202 of the Illinois Highway Code [605 ILCS 5/2-202].

The term “**soil**” means unconsolidated mineral or organic matter on or below the surface of the earth that has been subjected to and shows effects of genetic and environmental factors of parent material, climate (including water and temperature effects), microorganisms, and topography, all acting over time and producing a product that differs from the material from which it is derived in many physical, chemical, biological, and morphological properties and characteristics. “**Soil**” includes naturally occurring geologic material such as sand, gravel, rocks, stones, and boulders. “**Soil**” does not include material generated by human activity, such as foundry sand, slag, fly ash, coke, coal combustion byproduct, and other types of waste.

The term “**rubble**” means concrete and concrete products, reclaimed asphalt pavement, bricks, rocks, gravel, and stone, whether mixed together or separated, generated as a result of the construction, maintenance, repair, or destruction of structures, roadways, sidewalks, or utilities. “**Rubble**” does not include material that has protruding metal bars.

SECTION 3. Applicability

This Agreement applies to soil and rubble, whether separated or mixed together, that is: (i) excavated at one site within the City by the City or by another unit of local government as provided in Section 8 of this Agreement, and (ii) reused at a different site within the City by the City or another unit of local government as provided in Section 8 of this Agreement. Soil and rubble reused in accordance with this Agreement are not considered discarded material.

SECTION 4. Reuse of Rubble

A. Rubble must be properly disposed of as waste if such rubble: (i) has paint, asbestos, or other contaminants adhered to its surface, or (ii) otherwise exhibits signs of contamination based on visual and olfactory examinations; provided, however, that rubble reused under this Agreement may have paint adhered to its surface if the fraction of rubble having paint adhered to its surface is no more than one percent (1%) of the total rubble intended for reuse from a given job, based on the postgrinding surface area or post-demolition surface area, as reasonably estimated by the City’s project manager or his or her designee.

B. If rubble: (i) does not have paint, asbestos, or other contaminants adhered to its surface, other than paint as allowed under Section 4(A) above, and (ii) does not otherwise exhibit signs of contamination based on visual and olfactory examinations; then such rubble may be reused by the City as follows:

1. At SRP sites, as approved by the IEPA under the SRP;
2. On property owned by the City or within a public roadway right-of-way, as below-grade fill if such rubble is: (i) reused outside of a 1,000 foot setback zone of potable water supply wells, and (ii) covered by a road, a structure, or sufficient soil to support vegetation;
3. On property owned by the City or within a public roadway right-of-way, above-grade to construct a man made functional structure that: (i) does not exceed a grade of two to one, unless such structure is buttressed by a retaining wall, and (ii) is covered by a road, a structure, or sufficient soil to support vegetation.

C. Soil that is mixed with rubble, except for de minimis amounts of soil, is subject to Section 5 of this Agreement.

SECTION 5. Reuse of Soil

A. Soil excavated from a public roadway right-of-way may be reused as below-grade fill within a public roadway right-of-way if such soil is: (i) reused outside of a 1,000 foot setback zone of potable water supply wells, and (ii) covered by a road, a structure, or sufficient soil to support vegetation.

B. Except for soil subject to Section 5(A) above, the following procedures shall be used to determine whether soil is acceptable for reuse under this Agreement:

1. Representative Sampling. The City shall analyze representative samples of the soil for the parameters listed in Appendix A. Soil may be sampled either in-situ or ex-situ. In-situ samples shall be collected at a frequency of no less than one sample for each 1,000 cubic yards, or fraction thereof, of soil or mixtures of soil and rubble that will be reused under this Agreement. Ex-situ samples shall be collected at a frequency of no less than one sample for each 750 cubic yards, or fraction thereof, of soil or mixtures of soil and rubble that will be reused under this Agreement. The following minimum sampling requirements shall also apply:

- a. A minimum of one sample shall be collected from each site; and
- b. A minimum of one sample shall be collected from each significantly different soil type encountered during excavation.

2. Additional Sampling. In addition to the sampling required under Section 5(B)(1) above, the City shall also analyze representative samples of soil that: (i) exhibits signs of contamination based on visual and olfactory examinations, or (ii) is likely, in the opinion of an environmental engineer, environmental scientist, civil engineer, geologist, or other qualified professional, to be contaminated with one or more hazardous substances based on field conditions or historical use of the

site and surrounding area. The samples shall be analyzed for the parameters listed in Appendix A. The soil may be sampled either in-situ or ex-situ. In-situ samples shall be collected at a frequency of no less than one sample for each 1,000 cubic yards, or fraction thereof, of soil that meets the criteria of (i) or (ii) of this subsection. Ex-situ samples shall be collected at a frequency of no less than one sample for each 750 cubic yards, or fraction thereof, of soil that meets the criteria of (i) or (ii) of this subsection.

3. Laboratory Analysis. Laboratory analysis shall be conducted by an accredited laboratory in accordance with the requirements of 35 Ill. Adm. Code 740 and 35 Ill. Adm. Code 186.

C. Soil that has been evaluated in accordance with Section 5(B) above may be reused by the City as follows:

1. Soil that does not exceed the Level 1 soil values in Appendix A may be reused:

- a. At SRP sites, as approved by the IEPA under the SRP;
- b. At non-SRP site property owned by the City, or
- c. Within a public roadway right-of-way.

Such reuse may include, but is not limited to, the construction of engineered barriers. Soil reused below grade must be reused outside of a 1,000 foot setback zone of potable water supply wells.

2. Soil for reuse that exceeds the Level 1 soil values in Appendix A but does not exceed the Level 2 soil values in Appendix A may be reused:

- a. At SRP sites, as approved by the IEPA under the SRP. Soil reused below grade must be reused outside of a 1,000 foot setback zone of potable water supply wells;
- b. On property owned by the City or within a public roadway right-of-way, as below-grade fill if such below grade fill is: (i) reused outside of a 1,000 foot setback zone of potable water supply wells, and (ii) covered by a road, a structure, or sufficient soil to support vegetation. Sites with a residential use as defined in TACO must have an engineered barrier that meets TACO's requirements for engineered barriers at residential use sites; or
- c. On property owned by the City or within a public roadway right-of-way, above grade to construct a manmade functional structure that: (i) does not exceed a grade of two to one, unless the structure is buttressed by a retaining wall, and (ii) is covered by a road, a structure, or sufficient

soil to support vegetation. Sites with a residential use as defined in TACO must have an engineered barrier that meets TACO's requirements for engineered barriers at residential use sites.

3. Prior to the City transferring its ownership of any property where offsite soils that exceed the Level 1 soil values in Appendix A but not the Level 2 soil values in Appendix A have been reused at such property, the City shall enter such property in the SRP and obtain and record a No Further Remediation Letter ("**NFR Letter**") in accordance with TACO for such property; provided, however, that ownership of such property may be transferred prior to obtaining or recording the NFR Letter if such property is transferred subject to the condition that a comprehensive NFR Letter is obtained and recorded in accordance with TACO prior to such property being occupied.

This subsection 3 does not apply in cases where the City transfers its ownership to the Public Building Commission for property development purposes, and the Public Building Commission subsequently transfers ownership of the property back to the City either: (i) during the development project, or (ii) upon substantial completion of the development project and occupancy of the property.

- D. If soil becomes mixed with rubble, this Section 5 applies to the soil fraction of the mixture; provided, however, that this Section 5 does not apply to de minimis amounts of soil mixed with rubble.

SECTION 6. Acceptance Procedures

When soil and rubble being reused under this Agreement (whether separated or mixed together) arrives at the site where it will be reused, the City shall inspect each load to ensure that it is consistent with the reusable soil and rubble leaving the site from which the reusable soil and rubble is being excavated.

For soils tested and delivered to a reuse site in accordance with the procedures stated in this Agreement, in-situ testing of the soils at such reuse site is not required under this Agreement.

SECTION 7. Recordkeeping

For sites where soil or rubble is reused under this Agreement, the City shall maintain the following information and, if requested, make it available to the IEPA:

- A. For each load reused at a reuse site, the classification(s) of the soil based on the unified soil classification system (e.g., sand, silt, clay, topsoil) or the type(s) of rubble (e.g., concrete, bricks, reclaimed asphalt pavement);
- B. The results of all sampling conducted under this Agreement. The results shall include, but shall not be limited to, copies of the laboratory reports for each sample and a table comparing the sample results to the Level 1 and Level 2 Soil Values in Appendix A;

- C. The amount of soil or rubble reused at the site from each excavation location, provided in a tabular format, and copies of load tickets;
- D. The addresses of the excavation and reuse sites;
- E. The name, business address, and business telephone number of a contact person for each excavation site;
- F. Copies of field logs documenting the acceptance procedures required under Section 6 of this Agreement; and
- G. Records will be maintained by the City for three (3) years.

SECTION 8. Reuse between the City and Other Units of Local Government

If the IEPA enters into an intergovernmental agreement with a unit of local government other than the City that allows such unit of local government to reuse soil or rubble (whether separated or mixed together) at sites within the City that are owned by such unit of local government, then:

- A. Sites Owned by the City. The City may reuse, at sites within the City that are owned by the City, soil and rubble excavated within the City by such unit of local government. The reuse must be in accordance with the terms of this Agreement between the IEPA and the City; and
- B. Sites Owned by A Unit of Local Government. Such unit of local government may reuse, at sites within the City that are owned by such unit of local government, soil and rubble excavated within the City by the City. The reuse must be in accordance with the intergovernmental agreement between the IEPA and such unit of local government.

SECTION 9. General

This Agreement shall be effective upon its execution by the Director of the IEPA and the Commissioner of the City's Department of Environment. The effective date of this Agreement ("Effective Date") shall be the latest date noted on the signature page.

This Agreement shall continue in full force and effect without modification for a period of 10 years from its Effective Date, unless subsequently amended by a written agreement executed by the Director of the IEPA and the Commissioner of the City's Department of Environment; provided, however, that this Agreement may be cancelled at any time for good cause upon written notification by the Director of the IEPA or the Commissioner of the City's Department of Environment. Any challenge to a cancellation for cause shall be brought in an alternative dispute resolution forum agreed upon by the IEPA and the City.

This Agreement shall terminate in the event that a material change in governing law renders compliance with this Agreement a violation of such governing law, unless the IEPA and the City amend this Agreement in writing to conform with the new governing law. In addition,

upon the Illinois Pollution Control Board's ("**Board's**") adoption of amendments to the Board's Tiered Approach to Corrective Action Objectives rules (35 Ill. Adm. Code 742), the IEPA and the City shall amend this Agreement in writing as necessary so that this Agreement is not inconsistent with the Board's rules.

If any portion of this Agreement is determined to be void or otherwise unenforceable, all other provisions of this Agreement shall continue in full force and effect.

This Agreement does not prohibit the reuse of soil or rubble as otherwise allowed under state or federal law or regulation.

This Agreement is intended to address only the level of contamination that may be present in soil or rubble that is reused by the City within the City. It is not intended to authorize the City to reuse soil or rubble within public rights-of-way that are not owned or otherwise controlled by the City without the approval of the persons who own or otherwise control the public rights-of-way.

This Agreement does not relieve the City of any responsibility or liability it may have under state or federal law or regulation regarding the activities addressed in this Agreement.

[The remainder of this page is intentionally left blank, and the signature page follows.]

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY



Douglas P. Scott
Director

Date: July 30, 2009

CITY OF CHICAGO



Suzanne Malec McKenna
Commissioner
Department of Environment

Date: 6/16/09

12/10/08

New values added per Errata #1 and Chicago comments from 12/4/08
and correction from IEPA dated 05/11/09

APPENDIX A: Level 1 and Level 2 Soil Values

CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
83-32-9	Acenaphthene	8270C 8310	4,700 ^a	120,000 ^{g,h}	---
67-64-1	Acetone	8260B	70,000 ^a	100,000 ^{d,i,j}	---
120-12-7	Anthracene	8270C 8310	24,000 ^a	610,000 ^{g,h}	---
71-43-2	Benzene	8260B	0.069 ^c	0.51 ^j	---
56-55-3	Benzo(a)anthracene	8270C 8310	1.1 ^e	7.8 ^h	---
205-99-2	Benzo(b)fluoranthene	8270C 8310	1.5 ^e	7.8 ^h	---
207-08-9	Benzo(k)fluoroanthene	8270C 8310	8.8 ^a	78 ^h	---
50-32-8	Benzo(a)pyrene	8270C	1.3 ^e	1.3 ^e	---
111-44-4	Bis(2-chloroethyl)ether	8270C	0.3 ^b	0.58 ⁱ	0.66
117-81-7	Bis(2-ethylhexyl)phthalate	8270C	46 ^a	200 ^{g,h}	---
75-27-4	Bromodichloromethane (Dichlorobromomethane)	8260B	10 ^a	92 ^h	---
75-25-2	Bromoform	8260B	49 ^c	100 ⁱ	---
71-36-3	Butanol	8260B	7,800 ^a	8,300 ^j	---
78-93-3	2 – Butanone (MEK)	8260B	730 ^d	730 ^d	---
85-68-7	Butyl benzyl phthalate	8270C	1,000 ^b	1,000 ^{d,i}	---
86-74-8	Carbazole	8270C	32 ^a	290 ^h	NA ^f
75-15-0	Carbon disulfide	8260B	28 ^d	28 ^d	---

12/10/08

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56-23-5	Carbon tetrachloride	8260B	0.021 ^c	0.15 ⁱ	---
106-47-8	4-Chloroaniline (<i>p</i> -Chloroaniline)	8270C	310 ^a	820 ⁸	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
108-90-7	Chlorobenzene (Monochlorobenzene)	8260B	33 ^d	33 ^d	---
124-48-1	Chlorodibromomethane (Dibromochloromethane)	8260B	630 ^c	630 ⁱ	---
67-66-3	Chloroform	8260B	0.028 ^c	0.2 ⁱ	---
95-57-8	2 - Chlorophenol	8270C	390 ^a	1,600 ⁸	---
218-01-9	Chrysene	8270C 8310	88 ^a	780 ^h	---
53-70-3	Dibenzo(a,h)anthracene	8270C	0.2 ^c	0.78 ^h	---
96-12-8	1,2 Dibromo-3-chloropropane	8260B	0.0073 ^c	0.035 ^d	---
106-93-4	1,2 Dibromoethane (Ethylene dibromide)	8260B	0.022 ^c	0.11 ^d	---
84-74-2	Di-n-butyl phthalate	8270C	2,600 ^b	2,600 ^{d,i}	---
95-50-1	1,2-Dichlorobenzene (<i>o</i> - Dichlorobenzene)	8270C	200 ^c	200 ^j	---
106-46-7	1,4-Dichlorobenzene (<i>p</i> - Dichlorobenzene)	8270C	130 ^{e,j}	130 ^{e,j}	---
91-94-1	3,3'-Dichlorobenzidine	8270C	1.4 ^a	13 ^h	1.3
75-71-8	Dichlorodifluoromethane	8260B	6.8 ^c	20 ^d	---
75-34-3	1,1-Dichloroethane	8260B	110 ^c	130 ^d	---
107-06-2	1,2-Dichloroethane (Ethylene dichloride)	8260B	0.066 ^c	0.48 ^j	---
75-35-4	1,1-Dichloroethylene	8260B	2.9 ^d	2.9 ^d	---

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156-59-2	<i>cis</i> -1,2-Dichloroethylene	8260B	700 ^c	700 ^j	---
156-60-5	<i>trans</i> -1,2-Dichloroethylene	8260B	10 ^c	15 ^d	---
78-87-5	1,2-Dichloropropane	8260B	0.023 ^c	0.17 ^j	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
542-75-6	1,3-Dichloropropene (1,3-Dichloropropylene, <i>cis</i> + <i>trans</i>)	8260B	0.061 ^c	0.45 ^j	---
84-66-2	Diethyl phthalate	8270C	2,200 ^{b,d}	2,200 ^{d,i}	---
105-67-9	2,4-Dimethylphenol	8270C	1600 ^a	10,000 ^{d,i}	---
121-14-2	2,4-Dinitrotoluene	8270C	0.94 ^a	8.4 ^h	---
606-20-2	2,6-Dinitrotoluene	8270C	0.94 ^a	8.4 ^h	---
117-84-0	Di-n-octyl phthalate	8270C	16 ^{b,d}	16 ^d	---
100-41-4	Ethylbenzene	8260B	55 ^d	55 ^d	---
206-44-0	Fluoranthene	8270C 8310	3,100 ^a	82,000 ^{e,h}	---
86-73-7	Fluorene	8270C 8310	3,100 ^a	82,000 ^{e,h}	---
118-74-1	Hexachlorobenzene	8270C	0.25 ^c	0.25 ^j	---
77-47-4	Hexachlorocyclopentadiene	8270C	5 ^c	8.8 ⁱ	---
67-72-1	Hexachloroethane	8270C	78 ^a	160 ^j	---
193-39-5	Indeno(1,2,3- <i>c,d</i>)pyrene	8270C 8310	0.88 ^a	7.8 ^h	---
78-59-1	Isophorone	8270C	1,400 ^d	1,400 ^d	---
98-82-8	Isopropylbenzene (Cumene)	8260B	21 ^c	52 ^d	---
74-83-9	Methyl bromide (Bromomethane)	8260B	0.71 ^c	2 ^d	---

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1634-04-4	Methyl tertiary-butyl ether	8260B	160 ^d	160 ^d	---
75-09-2	Methylene chloride (Dichloromethane)	8260B	1.4 ^c	10 ⁱ	---
93-65-2	2 - Methyl naphthalene	8270C	83 ^c	83 ^j	---
95-48-7	2-Methylphenol (<i>o</i> - Cresol)	8270C	2,900 ^d	2,900 ^d	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
91-20-3	Naphthalene	8270C 8310	0.92 ^d	0.92 ^d	---
98-95-3	Nitrobenzene	8270C	7.9 ^d	7.9 ^d	---
86-30-6	<i>N</i> -Nitrosodiphenylamine	8270C	130 ^a	1,200 ^h	---
621-64-7	<i>N</i> -Nitrosodi- <i>n</i> -propylamine	8270C	0.11 ^b	0.22 ^d	---
108-95-2	Phenol	8270C	1,100 ^d	1,100 ^d	---
1336-36-3	Polychlorinated biphenyls (PCBs)	8082	1 ^a	1 ^{g,h}	---
129-00-0	Pyrene	8270C 8310	2,400 ^a	61,000 ^{g,h}	---
100-42-5	Styrene	8260B	230 ^c	230 ^j	---
127-18-4	Tetrachloroethylene (Perchloroethylene)	8260B	0.24 ^c	1.7 ^j	---
108-88-3	Toluene	8260B	200 ^d	200 ^d	---
120-82-1	1,2,4-Trichlorobenzene	8270C	18 ^d	18 ^d	---
71-55-6	1,1,1-Trichloroethane	8260B	130 ^d	130 ^d	---
79-00-5	1,1,2-Trichloroethane	8260B	310 ^a	820 ^g	---
79-01-6	Trichloroethylene	8260B	0.26 ^c	1.9 ^j	---
75-69-4	Trichlorofluoromethane	8260B	31 ^c	90 ^d	---

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99-35-4	1,3,5 Trinitrobenzene	8270C	2,400 ^a	6,100 ^b	---
108-05-4	Vinyl Acetate	8260B	10 ^d	10 ^d	---
75-01-4	Vinyl chloride	8260B	0.011 ^c	0.15 ^f	---
1330-20-7	Xylenes (total)	8260B	27 ^d	27 ^d	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
Ionizable Organics					
120-83-2	2,4-Dichlorophenol	8270C	240 ^a	610 ^{b,h}	---
51-28-5	2,4-Dinitrophenol	8270C	160 ^a	4,100 ^b	---
87-86-5	Pentachlorophenol	8270C	2.6 ^a	24 ^h	---
95-95-4	2,4,5-Trichlorophenol	8270C	7,800 ^a	61,000 ^b	---
88-06-2	2,4,6 Trichlorophenol	8270C	58 ^a	520 ^h	---
Inorganics					
7440-36-0	Antimony	6010B/ 6020	31 ^a	82 ^b	---
7440-38-2	Arsenic	6020/ 7060A/ 7061A/ 7062	13 ^a	61 ^b	---
7440-39-3	Barium	6010B/ 6020	16,000 ^a	140,000 ^b	---
7440-41-7	Beryllium	6010B/ 6020	160 ^a	410 ^b	---
7440-42-8	Boron	6010B/ 6020	16,000 ^a	41,000 ^b	---
7440-43-9	Cadmium	6010B/ 6020	78 ^a	200 ^b	---
7440-47-3	Chromium, total	6010B/ 6020	230 ^a	420 ^f	---

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7440-48-4	Cobalt	6010B/ 6020	23 ^a	560 ⁱ	---
7440-50-8	Copper	6010B/ 6020	3,100 ^a	8,200 ^g	---
57-12-5	Cyanide (amenable)	9012A	1,600 ^a	4,100 ^{g,h}	---
7782-41-4	Fluoride	9056	4,700 ^a	12,000 ^{g,h}	---
7439-92-1	Lead	6020/74 21	400 ^a	700 ^g	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
7439-95-4	Magnesium	6010B	325,000 ^a	730,000 ^g	---
7439-96-5	Manganese	6010B/ 6020	1,600 ^a	4,100 ^g	---
7439-97-6	Mercury	7470A/ 7471A	0.072 ^{d,k}	0.072 ^{d,k}	---
7440-02-0	Nickel	6010B/ 6020	1,600 ^a	4,100 ^g	---
14797-73-0	Perchlorate	6850/ 6860	55 ^a	140 ^g	---
7782-49-2	Selenium	7740A/ 7741A/ 7742	390 ^a	1,000 ^g	---
7440-22-4	Silver	6010B/ 6020	390 ^a	1,000 ^g	---
7440-28-0	Thallium	6010/78 41	6.3 ^a	160 ^{g,h}	---
7440-62-2	Vanadium	6010B	550 ^a	1,400 ^g	---
7440-66-6	Zinc	6010B/ 6020	24,000 ^a	61,000 ^g	---

Notations

a Value from TACO Appendix B, Table A Tier 1 Soil Remediation Objectives for Residential Property for the soil ingestion exposure route.

b Value from TACO Appendix B, Table A Tier 1 Soil Remediation Objectives for Residential Property for the soil outdoor

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- inhalation exposure route.
- c Value from TACO Appendix B, Table G Tier 1 Indoor Inhalation Remediation Objectives for residential properties for the soil indoor inhalation exposure route.
 - d Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil outdoor inhalation exposure route for construction workers .
 - e Value from TACO Appendix A, Table H Concentrations of Polynuclear Aromatic Hydrocarbon Chemicals in Background Soils.
 - f The ADL is less than or equal to the specified remediation objective.
 - g Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil ingestion exposure route for construction workers.
 - h Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil ingestion exposure route.
 - i Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil outdoor inhalation exposure route.
 - j Value from TACO Appendix B, Table G Tier 1 Indoor Inhalation Remediation Objectives for industrial/commercial properties for the soil indoor inhalation exposure route.
 - k Inhalation objective only applies at sites where elemental mercury is a contaminant of concern.



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

September 2, 2010

REPLY TO
ATTENTION OF

Project Management

Ms. Suzanne Malec-McKenna
Commissioner
Department of Environment
30 North LaSalle Street, 2nd Floor
Chicago, Illinois 60602-2575

RE: Calumet Harbor and River, IL/IN Dredged Material Management Plan

Dear Ms. McKenna:

Thank you very much for your interest in the above-referenced feasibility report. Following up on your correspondence dated January 6, 2010, this letter respectfully reports recent progress made on the planning document.

One of the U.S. Army Corps of Engineers, Chicago District's (Corps) primary missions is to maintain commercial navigation for safe, reliable and efficient waterborne transport at local Federal harbors, channels and waterways. As such, the Corps regularly dredges sediment from the Calumet Harbor and River. This sediment is placed into the Chicago-area confined disposal facility (CDF) located at the river mouth inside the harbor. Currently the remaining storage capacity within the CDF is approximately 90,000 cubic yards (CY). The annual sedimentation rate within the Federal channel project is approximately 50,000 CY, and the project is next expected to require dredging in fiscal year 2012. A typical dredging event removes approximately 100,000 CY of sediment, all of which must be placed within the CDF, so this next dredging contract will fill the CDF. The Dredged Material Management Plan (DMMP) will identify placement alternatives for sediment dredged from the Calumet Harbor and River, for a 20-year period starting in the year 2014.

The DMMP is the planning document prepared by the Corps to ensure that maintenance dredging activities are performed in an environmentally acceptable manner, use sound engineering techniques, are economically warranted, and that sufficient placement facilities are available for a minimum 20-year period. The DMMP will address dredging needs, placement capabilities, environmental compliance requirements, potential for beneficial usage of dredged material, and indicators of continued economic justification for Federal maintenance of the Federal channel at the Calumet Harbor and River.

In accordance with the National Environmental Policy Act (NEPA), public input is sought at key points throughout the planning process. NEPA scoping letters were mailed to agencies on March 13, 2009. Since May 2009, the Corps' project delivery team has been meeting regularly with potential project sponsors/stakeholders including the City of Chicago (City), Chicago Park

District (Park District) and Illinois International Port District (Port District). This has provided valuable input to the planning process. We very much appreciate your staff's participation, and your recognition of the importance and urgency of identifying feasible solutions to meet the project needs.

The draft Environmental Assessment (EA) is currently scheduled to be mailed out for public review in January 2012. Our mailing list is comprised of local, State, Federal Agencies, and other known interests, as well as local libraries. If you know of any individuals or organizations that you feel should receive a copy of the draft EA, please let us know and we will be happy to include them on our mailing list. Prior to this public review, we would be glad to consider public input provided through the City, Park District and Port District stakeholders.

The goal of the project's DMMP feasibility process is to identify the most cost-effective, environmentally and socially acceptable alternative as the base plan, with non-Federal cost sharing requirements as identified by applicable law. The feasibility process also identifies project sponsor(s) who intend to cost share and provide real estate for the project. Typically the base plan is also the recommended plan, unless the project's non-Federal sponsor identifies a locally preferred plan for whose incremental cost increase the sponsor is willing to pay.

In order to compare preliminary costs and develop an initial evaluation of the technical requirements, we are currently developing two conceptual alternatives for confined placement of sediment, namely an in-lake and upland alternative.

As a direct result of input from the sponsors/stakeholders, the Corps is identifying environmental requirements and preliminary costs to determine whether the sediment within the CDF could be dried and reused over the short-term period, while keeping the existing CDF open for future dredged material placement. While this would mean the existing CDF site would not soon be available for final capping and Calumet Park expansion, the project could potentially prepare other nearby site(s) for their future intended uses, at the same time allowing channel maintenance for navigation to continue with sediment placement at the existing location.

It is of course essential that any alternative that is designed is protective of the environment, including groundwater and surface water resources, as required by the Illinois Environmental Protection Agency (IEPA) and noted in your letter. A formal discussion was held with the IEPA in December 2009 to preliminarily discuss environmental requirements, and as a minimum we anticipate the need for a final cover to serve as a protective barrier layer, for any new upland site where the existing sediment would be placed.

My staff has reviewed the Intergovernmental Agreement (IGA) that the City established with IEPA, and the required polyaromatic hydrocarbon (PAH) concentrations are similar to TACO residential standards. The sediment from the CDF would not meet the required PAH, PCB and some metals concentrations. However it may be possible to work with the IGA in terms of future sediment dredged from the harbor, where we have typically found lower concentrations.

As you recommended, we have contacted the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC), and received a written response that based on the sediment quality, the sediment is not suitable for blending with the District's biosolids for typical beneficial reuse projects.

My staff has reviewed the available information about the reuse of Lake Peoria sediments at the former U.S. Steel Southworks site. While the sediment quality differs such that sediment from the Calumet Harbor and River could not be used in exactly the same way, we concur with your belief in the potential for the beneficial reuse of the dredged sediment in a manner that is protective of the environment. We appreciate your assistance in identifying potential opportunities for such uses.

As part of the DMMP effort, we are reviewing sources of sedimentation in the river including point sources, loading docks and bank erosion, windborne sediment accretion into the harbor, and watercraft operations, to identify measures that may reduce the amount of future dredging required. It should be noted that state and local agencies are responsible for implementing controls of point source discharges, and it is difficult to identify effective controls for non-point discharges.

We have prepared a table of preliminary sites in the vicinity of the existing CDF, and as you requested have identified the Calumet Open Space Reserve sites. Preservation of existing natural resources is considered in site evaluation. The table contains information on possible new CDF sites, and sites with potential for sediment re-use. The table is updated as new information is received about future intended uses and potential needs for confined fill.

Our most recent regularly scheduled meeting with the project delivery team and stakeholders including Department of Environment staff, was held on August 26, at the Illinois International Port District offices and included a brief site visit to the existing CDF.

We are currently preparing information for our Division and Headquarters offices, for a Feasibility Scoping Meeting that is tentatively scheduled for early December. At the meeting, our office will present work accomplished to date, for input from the Corps' vertical chain of

command. Stakeholders and potential project sponsors will be invited and encouraged to participate in this conference call.

We respectfully request a meeting with you and other Commissioners, as appropriate, in early October to discuss the development of the DMMP. We would provide updates to the above-described progress and answer questions you may have. Please have your staff contact our project manager, Monica Ott, 312-846-5591, to schedule the early October meeting. Please feel free to contact me any time, at 312-846-5302.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Deda', written in a cursive style.

Roy J. Deda
Deputy for Project Management



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS - ROCK ISLAND DISTRICT
CLOCK TOWER BUILDING - PO BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

September 29, 2014

REPLY TO
ATTENTION OF

Regional Planning and Environmental
Division North (RPEDN)

Ms. Anne Haaker
Deputy State Historic Preservation Officer
Review and Compliance Section
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, Illinois 62701-1507

Dear Ms. Haaker:

The U.S. Army Corps of Engineers (Corps) is currently planning the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) for navigation channel maintenance of the Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and Chicago River projects located in Cook, DuPage and Will Counties in Northeastern Illinois. Long-term dredging needs have been identified for Calumet Harbor and River and the Cal-Sag Channel, located in Cook County in Northeastern Illinois. Proposed placement of dredged material for the CAWS DMMP is a federal undertaking and requires coordination and compliance promulgated under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), and its implementing regulations 36 CFR Part 800: "Protection of Historic Properties."

Authorization and improvements for Chicago Harbor were authorized by the River and Harbor Act of 1870 and subsequent River and Harbor Acts. Chicago River improvements were authorized by the River and Harbor Act of 1896 and subsequent River and Harbor Acts. Since the initial authorization of an outer Calumet Harbor protected by breakwaters in 1899, the dimensions, shape, and depth of the Federal channel have been modified by subsequent acts. Improvements to the South Branch of the Chicago River were first authorized as part of Chicago River improvements in 1896. The River and Harbor Act of 1919, however, eliminated the south branch from the maintained channel. In 1930, when the Illinois Waterway Project was established, maintenance to a useable depth of nine feet was authorized. The Corps is authorized to perform operation and maintenance activities on the IWW by the Rivers and Harbors Act of 1927; as modified by the Rivers and Harbors Acts of 1930, 1932, and 1935; and a Resolution of the House Committee on Flood Control of September 19, 1944. These Acts and Resolution authorize the construction, operation, and maintenance of the 9-foot navigation channel on the IWW, including the Calumet-Sag Channel and the Chicago Sanitary and Ship Canal, between the mouth of the Illinois River near Grafton, Illinois, and the mouths of the Chicago and Calumet Rivers to Lake Michigan. The River and Harbor Acts of 1946 and 1957 authorized widening of the channel along with other improvements to support use of the channel by commercial vessels.

Dredging within the CAWS has the potential for removing and depositing contaminated sediments which require CDFs to isolate the contamination. The Corps proposes land-based CDFs where the material would be confined with earthen berms or concrete "T-walls." Impermeable clay liners within the CDFs will prevent seepage of effluent from the contaminated sediment into surrounding soils and water tables. Existing paving, impermeable soils, or artificial surfaces would remain to support the liners and provide additional protection against seepage. Water discharged from the CDF will be monitored, treated, and the CDF will be capped when full capacity is attained.

All dredging shall occur within existing navigable waterways channels and built channels that were historically dredged as part of the IWW navigation system. An excess of 40 alternative locations were previously studied for CDFs, and four locations are presently being evaluated as potential placement sites (Enclosure 2, 313R, 328R, 329L-B, 330L). One or more proposed CDFs will be constructed directly on paved surfaces, reclaimed brownfields, or land surfaces that exhibited heavy industrial/ commercial subsurface development/reclamation, or other extensive subsurface disturbances.

The Corps conducted an archival search for historic properties following the "Policy and Procedures for the Conduct of Underwater Historic Resource Surveys for Maintenance Dredging and Corps Activities" (DGL-89-01, March 1989). The Corps queried the most updated Illinois Geographic Information Systems (GIS) site file database for historic properties (potentially significant archeological and architectural sites) potentially affected by CAWS DMMP. No previously reported or recorded historic properties within the GIS site files are within any of the proposed four CDFs alternatives or proposed dredging. Historically, much of the area immediately adjacent to the Calumet – Sag Channel and Calumet River was documented as lakes, marshes, and wetlands, until the late nineteenth and early twentieth centuries when the area was drained, dredged, and filled. No industrial or residential development is shown within the placement site alternatives, until the 1905 to 1951 Sanborn Fire Insurance maps. These Sanborn Fire Insurance maps overlaid with the proposed CDFs 328R, 329L-B, and 330L are enclosed (Enclosure 3).

The following reference indicated that the industrial development along the Calumet River grew along with the full authorization of the Calumet Harbor and its construction between 1896 and 1915. During this period, the Calumet River was dredged for commercial navigation and its river banks industrially and commercially developed.

Colten, Craig E.
1985 Industrial Wastes in the Calumet Area, 1869–1970: An Historical Geography
(Hazardous Waste Research and Information Center, RR-EO1). State Water Survey
Division, Illinois Department of Energy and Natural Resources, Champaign, Illinois.

The 1985 Colten report states that portions of the Calumet Lake and surrounding marshlands were filled with dredged and industrial waste materials.

Major development at the placement site alternatives can be described as follows: military missile installation and presently paved (313R), residential platted and presently paved (328R), Republic Steel Corporation rail yard, presently remediated brownfield (329L-B), and Republic Steel Corporation storage steelyard (330L). Mr. Joseph Phillippe of your agency and Mr. Ron Deiss of the Rock Island District visited the alternative placement site locations on September 17, 2014. During this reconnaissance the proposed dredged material placements sites were verified as being extensive disturbed having none of the structures or buildings shown on Sanborn Fire Insurance maps. Therefore, the archival search and site reconnaissance indicates that the placement site alternatives have no potential to contain significant historic properties and therefore, no archeological or architectural surveys are recommended.

Pursuant to Section 800.3 of the Council's regulations and to meet the responsibilities under the NEPA of 1969, the Corps has developed a preliminary Interested and Consulting Parties Distribution List (Enclosure 4, Distribution List) comprised of over 40 to government organizations or agencies, tribes, landowners, historical societies, and other interested parties. The Corps will comply with any requests to be removed from, or provide additions to, the Distribution List. The development and maintenance of the Distribution List allows agencies, tribes, individuals, organizations, and other interested parties an opportunity to provide views on any effects of this undertaking on historic properties resulting from the CAWS DMMP and to participate in the review of the Draft Feasibility Report and Integrated Environmental Assessment.

Please provide you concurrence with the undertaking with the finding of no historic properties within 30 days or the Corps will assume your agency concurs with the proposed dredging and development of the proposed CDFs alternatives. Although the Corps provides evidence of no significant historic properties within the proposed dredged material placement or access, if any undocumented historic properties are identified or encountered during the undertaking, the Corps will discontinue all construction and dredged material placement activities and resume coordination with the Illinois Historic Preservation Agency to identify the significance of the historic property and determine potential effects under Section 106 of the National Historic Preservation Act of 1966 and 36 CFR Part 800.

If your agency or those on the Distribution List has questions or comments, please call or email (ronald.w.deiss@usace.army.mil) Mr. Ron Deiss of our Environmental Analysis Branch, telephone 309/794-5185, or write to our address above, ATTN: Planning, Programs, and Project Management Division (Ron Deiss).

Sincerely,

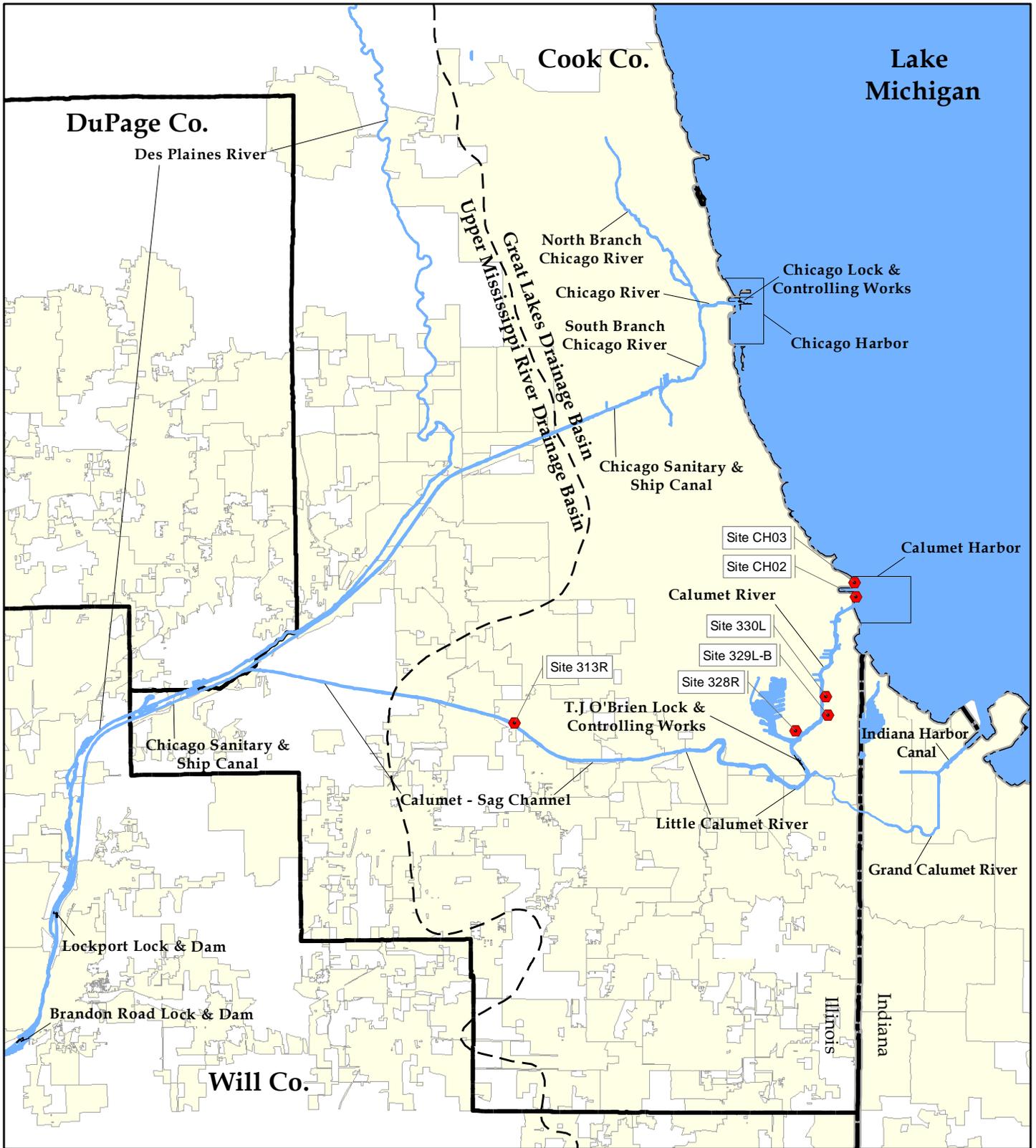


Kenneth A. Barr
Chief, Environmental Planning Branch RPEDN

Enclosures (4)

ENCLOSURE 1

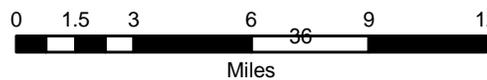
Chicago Area Waterway System
(One 8.5" by 11" sheet)



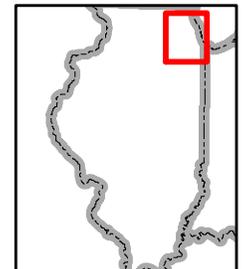
Chicago Area Waterway System Contaminated Sediment Dredged Material Management Plan

Legend

- Potential Placement Site Alternative



**US Army Corps
of Engineers**®
Rock Island District



Sep 8, 2014

ENCLOSURE 2

**CAL-SAG CHANNEL AND CALUMET RIVER MAPS
(POTENTIAL CDF SITE SCREENING)**

(Nine 11" by 17" sheets)

SHEET INDEX

SHEET NUMBER	SHEET REFERENCE	TITLE
1	G-001	COVER SHEET
2	G-002	SHEET INDEX
3	CS101-313	CONCEPTUAL SITE LAYOUT 313R - RIDGELAND
4	CS102-313	CONCEPTUAL SITE LAYOUT - AREA A 313R - RIDGELAND
5	CS103-313	CONCEPTUAL SITE LAYOUT - AREA B 313R - RIDGELAND
6	CS104-313	CONCEPTUAL SITE LAYOUT - AREA C 313R - RIDGELAND
7	CS101-328	CONCEPTUAL SITE LAYOUT 328R - STONY ISLAND
8	CS101-329	CONCEPTUAL SITE LAYOUT 329L-B - REPUBLIC STEEL
9	CS101-330	CONCEPTUAL SITE LAYOUT 330L - LTV
10	CS101-CH2	CONCEPTUAL SITE LAYOUT CH02 - LAKE FILL SOUTH
11	CS101-CH3	CONCEPTUAL SITE LAYOUT CH03 - LAKE FILL NORTH

LEGEND

	SEDIMENT PLACEMENT CELL (SITE 313R)
	DOCK
	CRANE PAD
	EARTHEN RAMP
	EXISTING LIGHT POLE
	EXISTING DRAINAGE STRUCTURE
	EXISTING RCP DRAIN PIPE
	PROPOSED DECANT STRUCTURE
	PROPOSED DRAINAGE STRUCTURE
	PROPOSED RCP DRAIN PIPE
	PROPOSED LIFT STATION
	PROPOSED FORCE MAIN
	PROPOSED FILTER CELLS & EFFLUENT PIPE
	SITE ACCESS ROUTE
	WATER FLOW
	WORK LIMITS

MARK	DESCRIPTION	TRACKING NO.	ACTION	DATE	MARK	DESCRIPTION	TRACKING NO.	ACTION	DATE

DESIGNED BY:	FILE NAME:	ANSI B
DWN BY:	FILE NAME:	ANSI B
CKD BY:	FILE NAME:	ANSI B
DATE:	FILE NAME:	ANSI B
SUBMITTED BY:	FILE NAME:	ANSI B
CONTRACT NO.:	FILE NAME:	ANSI B
SOLICITATION NO.:	FILE NAME:	ANSI B
FILE NUMBER:	FILE NAME:	ANSI B

U.S. ARMY CORPS OF ENGINEERS
CHICAGO DISTRICT
CHICAGO, IL

CALUMET HARBOR & RIVER
DREDGED MATERIAL MANAGEMENT PLAN
REGIONAL SEDIMENT MANAGEMENT FACILITY

SHEET INDEX

SHEET IDENTIFICATION
G-002
SHEET 2 OF 11



US Army Corps of Engineers
Chicago District

ENCLOSURE 3

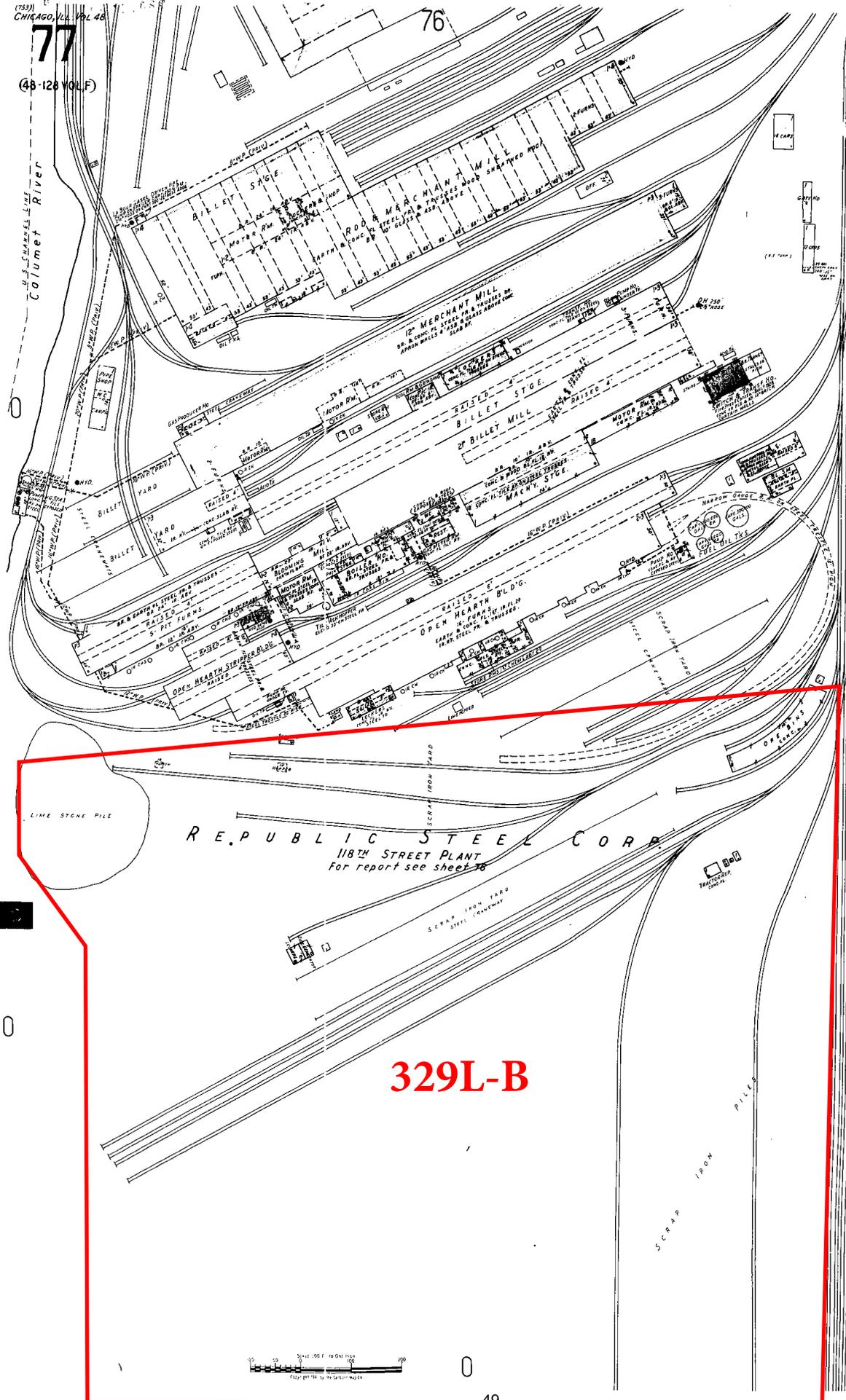
SANBORN FIRE INSURANCE MAPS

Chicago 1905-1951, Vol. 48, 1947-Apr.1950, Sheet Ob

Chicago 1905-1951, Vol. 48, 1947-Apr. 1950, Sheet 77

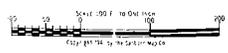
Chicago 1905-1951, Vol. 48, 1947-Apr. 1950, Sheet 76

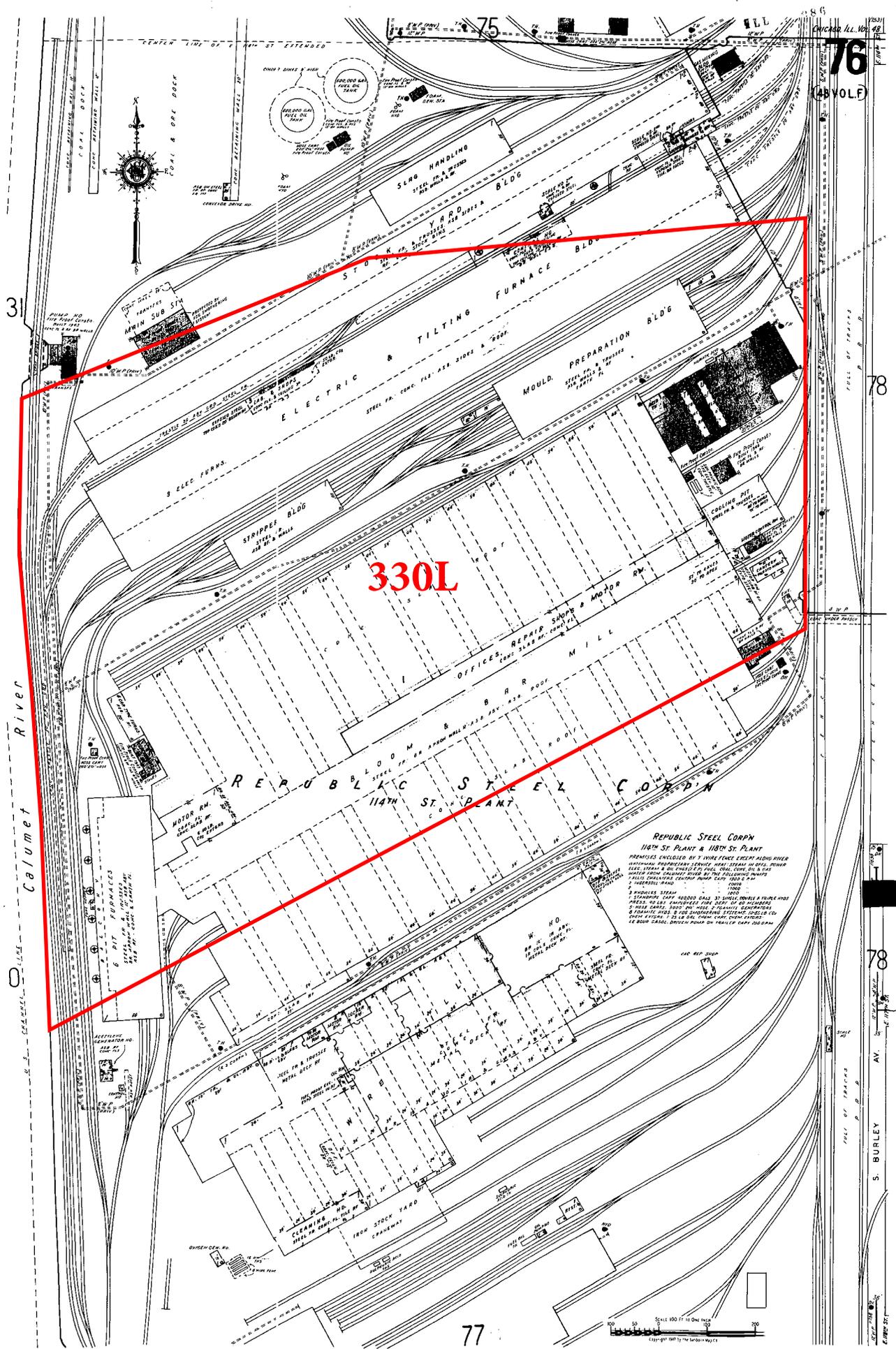
(Three 8.5" by 11" sheets)



REPUBLIC STEEL CORP.
118TH STREET PLANT
For report see sheet 76

329L-B





330L

REPUBLIC STEEL CORP
 114TH ST PLANT & 118TH ST PLANT
 PREMISES ENCLOSED BY 3/4 INCH FENCE EXCEPT ALONG RIVER
 NATIONAL PROTECTION SERVICE HAS STEAK IN THIS PLANT
 STEEL PLANT & IS PROTECTED BY THIS PLANT
 UNDER THIS CALUMET RIVER BY THE FOLLOWING MEANS
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ENCLOSURE 4

INTERESTED AND CONSULTING PARTIES DISTRIBUTION LIST
(Three 8.5" by 11" sheets)

INTERESTED AND CONSULTING PARTIES DISTRIBUTION LIST
Chicago Area Waterway System Contaminated Sediment
Dredged Material Management Plan
ILLINOIS WATERWAY
of the Chicago Sanitary and Ship Canal River Miles 303.4 to 327.0,
the South Branch of the Chicago River,
and the Calumet River from River Miles 327.0 to 333.4,
and the Calumet Harbor and Chicago Harbor in Lake Michigan
Cook, DuPage and Will Counties, Illinois
September 2014

Kickapoo of Oklahoma Bus. Committee
P.O. Box 70
McCloud, OK 74851
ATTN: Mr. Thomas Garza, Chairman

Kickapoo of Kansas Tribal Council
P.O. Box 271
Horton, KS 66439
ATTN: Ms. Bobbi Darnell, Chairperson

Kickapoo Traditional Tribe of Texas
Box HC 1 9700
Eagle Pass, TX 78853
ATTN: Mr. Raul Garza, Chairman

Miami Nation in Indiana
P.O. Box 41
Peru, IN 46970
ATTN: Brenda Hartleroad

Miami Tribe of Oklahoma
P.O. Box 1326
Miami, OK 74355
ATTN: Ms. Julie Olds

Midwest SOARRING Foundation
P.O. Box 275
Lyons, IL 50534
ATTN: Joseph Standing Bear or P.O.C.

Citizen Potawatomi Nation
1901 S. Gordon Cooper Dr.
Shawnee, OK 74801
ATTN: Ken Kraft, archaeologist

Forest County Potawatomi Exec. Council
P.O. Box 34
Crandon, WI 54520
ATTN: Clarice Ritchie Werle

Huron Potawatomi Tribal Office
2221 One-and-a-half Mile Rd.
Fulton, MI 49052
ATTN: Laura Spur, Director

Hannahville Potawatomi Comm. Council
N 14911 Hannahville B1 Rd.
Wilson, MI 49896-9728
ATTN: Mr. Kenneth Meshigwad, Chairman

Pokagon Band of Potawatomi Indians
P.O. Box 180
Dowagiac, MI 49047
ATTN: Jefferson Ballew

Prairie Band Potawatomi Tribal Council
16281 Q Rd.
Mayetta, KS 66509
ATTN: Zachariah Pahmahmie

Mr. William Quackenbush
Ho-Chunk Department of Heritage Preservation
Cultural Resources Division
P.O. Box 667
Black River Falls, WI 54615-0667
Chicago, IL 60606-7206

Joseph M. Schuessler, P.E.
Principal Civil Engineer
Collection Facilities
Engineering Dept., MWRDGC
111 East Erie Street
Chicago, IL 60611-3154

Peter Y. Bullock
Archaeologist
USACE CELRC-PM-PL-E
111 North Canal Street
Chicago, IL 60606-7206

Ms. Deanne Bahr
NAGPRA Coordinator
Sac and Fox Nation of Missouri in
Kansas and Nebraska
Rural Route 1, Box 60
Reserve, Kansas 66434-9723

Mr. Ron Harris, Sr.
Committee Member
NAGPA Contact Representative
Sac and Fox Nation of Oklahoma
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Stroud, Oklahoma 74079

Mr. Elmer Manatowa, Jr.
Principal Chief
Sac and Fox of Oklahoma Business Council
Route 2, Box 246
Stroud, Oklahoma 74079

Ms. Sandra Massey
NAGPRA Coordinator
Sac and Fox Nation
Route 2, Box 246
Stroud, Oklahoma 74079

Ms. Sandra Keo
Chairperson
Sac and Fox Nation of Missouri Tribal Council
Rural Route 1, Box 60
Reserve, Kansas 66343-9723

Mr. David J. Grignon
Tribal Historic Preservation Officer
Menominee Indian Tribe of Wisconsin
P.O. Box 910
Keshena, Wisconsin 54135-0910

Ms. Lisa A. Kraft
Cultural Resources Management Consultant
Citizen Potawatomi Nation
1601 South Gordon Cooper Drive
Shawnee, OK 74801

Tamara Francis, NAGPRA Director
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Mr. Chad Waukechon
Tribal Historic Preservation Officer, Cultural Planner
Menominee Indian Tribe of Wisconsin
P.O. Box 910
Keshena, WI 54135

Mr. Mark L. Dressel
Principal Assistant Attorney
Metropolitan Water and Reclamation
District of Greater Chicago
100 East Erie
Chicago, Illinois 60611-2803 (with enclosures)

Mr. Kenneth Westlake, Chief
Environmental Review Branch
U.S. EPA ME-19J
77 West Jackson
Chicago, IL 60604

US Fish and Wildlife Service
Chicago Illinois Field Office
1250 South Grove, Suite 103
Barrington, Illinois 60010
Attn. Louise Clemency

Mr. Todd Rettig
Office of Resource Review
Illinois DNR
One Natural Resource Way
Springfield, IL 62702-1271

Mr. Nathan Grider
IL DNR
Office of Realty and Environmental Planning
1 Natural Resource Way
Springfield, IL 62702

Ms. Karen M. Miller
IL DNR
Office of Realty and Environmental Planning
1 Natural Resource Way
Springfield, IL 62702

Mr. Daniel Injerd
Illinois DNR/OWR
160 N. LaSalle St,
Suite S-700
Chicago, Illinois 60601

Ms. Diane Tecic
Illinois DNR
Illinois Coastal Management Program
160 N. LaSalle St,
Suite S-700
Chicago, Illinois 60601

Mr. Dan Heacock
Illinois EPA
Water Pollution Division
1001 N. Grand
Springfield, IL 62794

Mr. Ben Bobb A. Beauchamp
Environmental Program Manager
Federal Aviation Administration
Chicago Airports District Office, CHI-ADO-600
2300 East Devon Avenue
Des Plaines, Illinois 60018

Mr. Barry Cooper
Federal Aviation Administration
Chicago Airports District Office, CHI-ADO-600
2300 East Devon Avenue
Des Plaines, Illinois 60018

Mr. Scott Beckerman, State Director
TWS-Certified Wildlife Biologist(r)
USDA APHIS Wildlife Services
3430 Constitution Drive, Suite 121
Springfield, Illinois 62711

Great Lakes Historical Society
Toledo Maritime Center
1701 Front Street
Toledo, Ohio 43604

ATTN: Mr. Thomas McCullouch
c/o Mr. Don L. Klima, Director
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001-2637

Dr. Harold Hassen
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

Mr. Talbert Davenport
Sac and Fox Tribe of the Mississippi in IA
349 Meskwaki Road
Tama, Iowa 52339-9629

MEMORANDUM

TO: Ronald Deiss
FROM: Wade B. Light
SUBJECT: Corp Dredge and Fill Along
Carsag Channel
DATE: October 10, 2014

Thank you for speaking with me this morning and putting my address on the distribution list for this project.

Attached is a copy of the cover letter we received via regular mail on 10/9/14.

As discussed, I am affiliated with the entity which owns the beneficial interest in the title to the majority site 329L-B.



FAX 217/524-7525

Various County PLEASE REFER TO: IHPA LOG #010100214
Cook, Dupage & Will Counties
Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and
Chicago River
COERI
Dredged material management plan, Chicago Area Waterway System

October 16, 2014

Kenneth A. Barr
U.S. Army Corps of Engineers, Rock Island District
Chief, Economic and Environmental Analysis Branch
Clock Tower Building - Post Office Box 2004
Rock Island, IL 61204-2004

Dear Mr. Barr:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer

Deiss, Ronald W MVR

From: Corey Smith [CSmith@delawarenation.com]
Sent: Friday, October 24, 2014 2:38 PM
To: Deiss, Ronald W MVR
Cc: Nekole Alligood
Subject: [EXTERNAL] Regional Planning and Environmental Division North (RPEDN)



**Delaware Nation
Corey Smith
Assistant Director**

Dear Mr. Deiss,

This e-mail is in regards to the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) for navigation channel maintenance of the Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and Chicago River projects located in Cook, DuPage and Will counties in Northeastern Illinois. This proposed project is not in the "area of interest" of the Delaware Nation.

Thank You,

Corey Smith
Assistant Director
Delaware Nation Cultural Preservation
P.O. Box 825
Anadarko, OK 73005
Phone: (405) 247-2448 Ext. 1405
Fax: (405) 247-8905



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS - ROCK ISLAND DISTRICT
CLOCK TOWER BUILDING - PO BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

November 3, 2014

REPLY TO
ATTENTION OF

Regional Planning and Environmental
Division North (RPEDN)

SEE DOCUMENT DISTRIBUTION LIST

The U.S. Army Corps of Engineers (Corps) is currently planning the Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP) for navigation channel maintenance of the Calumet-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River, Chicago Harbor, and Chicago River projects located in Cook, DuPage, and Will Counties in Northeastern Illinois (Enclosure 1). Proposed dredging and placement of dredged material for the CAWS DMMP is a Federal undertaking and requires coordination and compliance promulgated under the National Environmental Policy Act (NEPA) and other relevant Federal and State environmental laws, including (but not limited to) Section 7 of the Endangered Species Act of 1966, as amended (ESA).

Authorization and improvements for Chicago Harbor were authorized by the River and Harbor Act of 1870 and subsequent River and Harbor Acts. Chicago River improvements were authorized by the River and Harbor Act of 1896 and subsequent River and Harbor Acts. Since the initial authorization of an outer Calumet Harbor protected by breakwaters in 1899, the dimensions, shape, and depth of the Federal channel have been modified by subsequent acts. Improvements to the South Branch of the Chicago River were first authorized as part of Chicago River improvements in 1896. The River and Harbor Act of 1919, however, eliminated the north fork of the south branch from the maintained channel. In 1930, when the Illinois Waterway Project was established, maintenance to a useable depth of 9 feet was authorized. The Corps is authorized to perform operation and maintenance activities on the IWW by the Rivers and Harbors Act of 1927; as modified by the Rivers and Harbors Acts of 1930, 1932, and 1935; and a Resolution of the House Committee on Flood Control of September 19, 1944. These Acts and Resolution authorize the construction, operation, and maintenance of the 9-foot navigation channel on the IWW, including the Calumet-Sag Channel and the Chicago Sanitary and Ship Canal, between the mouth of the Illinois River near Grafton, Illinois, and the mouths of the Chicago and Calumet Rivers to Lake Michigan. The River and Harbor Acts of 1946 and 1957 authorized widening of the channel along with other improvements to support use of the channel by commercial vessels.

Dredging within the CAWS has the potential for removing and depositing contaminated sediments which require CDFs to isolate the contamination. The Corps proposes land-based CDFs where the material would be confined with earthen berms. Impermeable clay liners within the CDFs will prevent seepage of effluent from the contaminated sediment into surrounding soils and water tables. Existing paving, impermeable soils, or artificial surfaces would remain to support the liners and provide additional protection against seepage. Dock construction for access

and staging would consist of excavation to cut back the sloped bank approximately 50 feet and driving a sheet pile wall to the bottom of the channel (and further as required for stability). There is not expected to be any fill required, and dock structures would be approximately 400 feet long.

Out of more than 50 different locations previously investigated for suitability as CDF locations, three proposed dredged material placement sites have been identified (313R, 329L-B, 330L) and have been determined feasible alternatives for CDFs (Enclosure 2). One or more proposed CDFs will be constructed directly on paved surfaces, reclaimed brownfields, or land surfaces that exhibited heavy industrial disturbances, all within Cook County. The proposed CDF sites can be described as follows: completely paved (313R), partially remediated brownfield (329L-B), and existing storage steelyard (330L). Only two of the sites, 313R and 329L-B, would require dock construction. There is an existing sheetpile wall at 330L, so no new construction is expected to be necessary at that site. Water discharged from the CDF will be monitored and treated, and the CDF will be capped when full capacity is attained.

Natural resources within and adjacent to the CDF alternative sites are characteristic of those associated with disturbed urban environments of the upper Midwest. Ground surfaces within the sites are primarily pavement or fill material. Lands on the periphery of, or adjacent to, the proposed sites are a mixture of paved urban surfaces and historic fill overgrown with early successional vegetation. Within the latter areas are a few remnant fringes of natural habitat invaded by non-native vegetation and subject to disturbance by ongoing urban activities such as traffic, utilities maintenance, and waste disposal.

Federally-listed endangered and threatened species known to occur or potentially occurring in Cook County include the northern long-eared bat (*Myotis septentrionalis*), currently proposed for listing; the piping plover (*Charadrius melodus*) listed endangered; the eastern massasauga (*Cistrurus catenatus*), currently a candidate for listing; the Hine's emerald dragonfly (*Somatochlora hineana*), listed endangered and with designated critical habitat within the county; the rattlesnake-master borer moth (*Papaipema eryngii*), currently a candidate for listing; the eastern prairie fringed orchid (*Platanthera leucophaea*), listed threatened; the leafy-prairie clover (*Dalia foliosa*), listed endangered; Mead's milkweed (*Asclepias meadii*), listed threatened; and the prairie bush clover (*Lespedeza leptostachya*), listed threatened.

The northern long-eared bat roosts and forages in upland woods and forests during summer months, and hibernates in caves and mines during winter months, swarming in surrounding wooded areas in autumn. These habitats are not present in any of the proposed CDF areas, aside from a few scattered trees on the periphery. Within the Great Lakes region, the piping plover nests on lakeshore beaches, which also are not found in any of the CDF sites. The eastern massasauga lives in wet areas with graminoid dominated vegetation, including fens, sedge meadows, peatlands, wet prairies, and open woodlands and shrublands adjacent to rivers and lakes. These habitat types are absent from the interior of the proposed CDF sites.

The Hine's emerald dragonfly inhabits calcareous spring-fed wetlands, wet meadows, and marshes overlaying dolomite bedrock in Illinois, Missouri, Michigan, and Wisconsin. The USFWS published a Final Rule designating critical habitat for this species on April 23, 2010, which includes several areas in DuPage, Will, and Cook Counties. Of the three designated Critical Habitat areas within or adjacent to Cook County, none are located near the proposed CDF units (the nearest CDF site is approximately 4 miles east of the closest Critical Habitat unit).

The rattlesnake-master borer moth is found in undisturbed prairie and woodland openings that contain their only known food plant, rattlesnake-master. The eastern prairie fringed orchid is found in moderate to high quality wetlands, sedge meadows, marsh, and mesic to wet prairie. The leafy-prairie clover occurs in prairie remnants on thin soil over limestone. Mead's milkweed may be found in late-successional tallgrass prairie, tallgrass prairie converted to hay meadow, and glades or barrens with thin soil. The prairie bush clover occurs in dry to mesic prairies with gravelly soil. These habitat types are not found at any of the proposed CDF sites. For this reason, the Corps has determined that construction and use of any of the proposed sites is not likely to adversely affect any of the eight federally-listed endangered, threatened, candidate, or proposed animal or plant species.

The Illinois Department of Natural Resources has identified 117 state-listed threatened and endangered species as occurring or potentially occurring in Cook County. While the disturbed and urbanized nature of the proposed CDF sites makes it unlikely that any state-listed species will be significantly affected by the proposed CDF development and future dredged material placement, any information or you may have concerning these species or other natural resource concerns with the proposed sites should be provided to our office within 30 days of the date of this letter. If you do not respond during this timeframe, we will assume you have no objections to the proposed action and will proceed with completion of the planning report and NEPA documentation. Comments received in response to this letter will be addressed and incorporated into the Environmental Assessment currently being prepared for this action.

If your agency has questions or comments, please call Ms. Charlene Carmack of our Environmental Analysis Branch, telephone 309/794-5570, or write to our address above, ATTN: Planning, Programs, and Project Management Division (Charlene Carmack).

Sincerely,



Kenneth A. Barr
Chief, Environmental Planning Branch RPEDN

Enclosures (2)

DISTRIBUTION LIST

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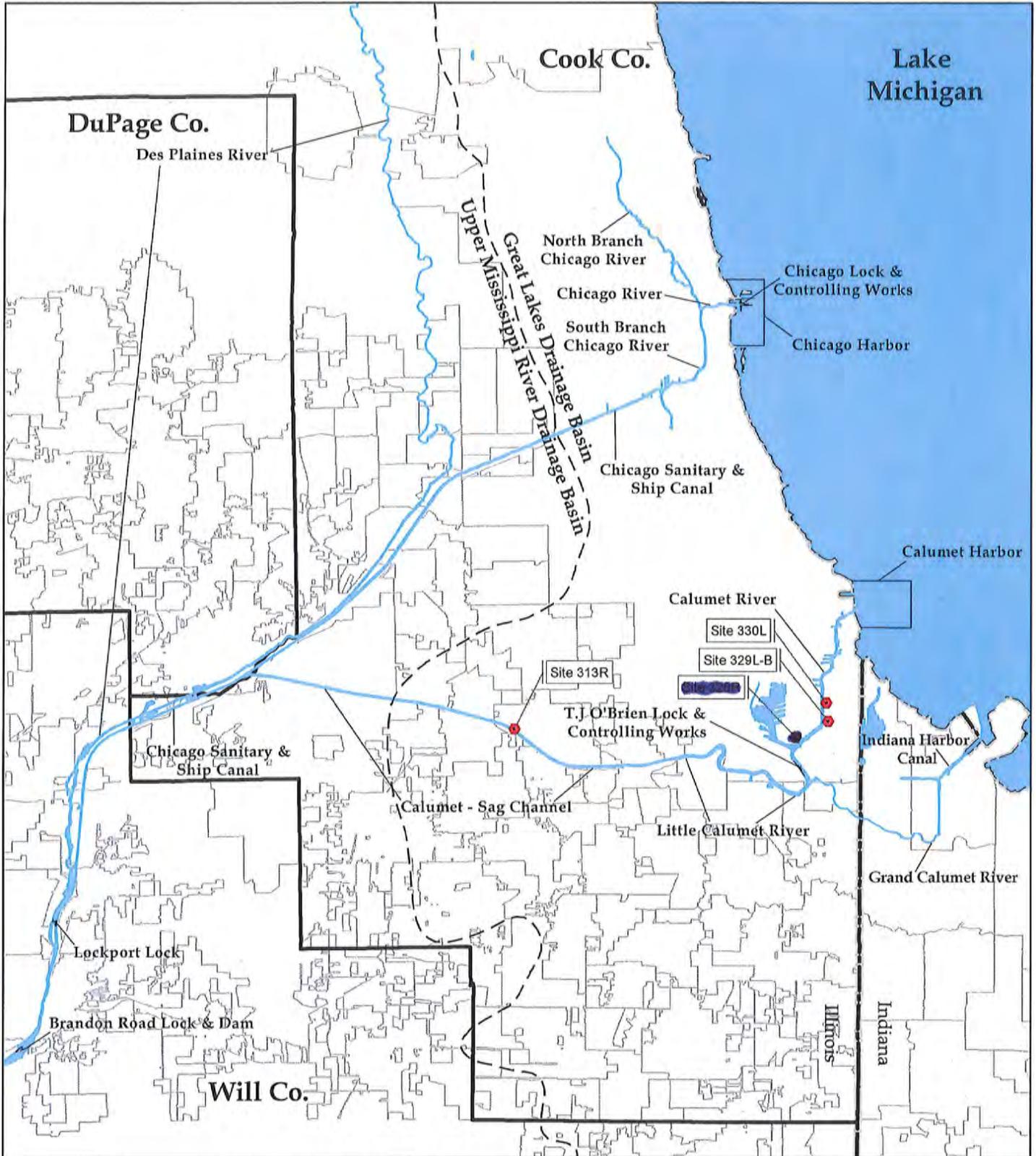
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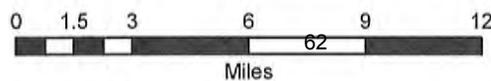
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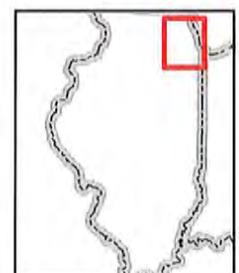
Chicago Area Waterway System - Location Map

Legend

-  Potential Placement Site Alternative



US Army Corps of Engineers
Rock Island District



ENCLOSURE 2

Chicago Area Waterway System
DMMP Alternative Sites



Illinois Department of Natural Resources

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

Pat Quinn, Governor
Marc Miller, Director

December 5, 2014

Charlene Carmack
Environmental Analysis Branch
USACE – Rock Island District
Rock Island, IL 61204-2004

**RE: Chicago Area Waterway System, Dredged Material Placement Plan & Dredging
Project Number(s): 1506825
County: Cook, DuPage, & Will**

Dear Ms. Carmack:

The Illinois Department of Natural Resources has reviewed the Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP) for navigation channel maintenance of the Calumet-Sag Channel, Chicago Sanitary and Ship Canal, Calumet Harbor and River, Chicago Harbor, and Chicago River (including North and South Branch) dated November 3, 2014.

Three placement sites for dredged material are proposed and are located within highly disturbed land areas with either paved surfaces or fill material. Sites 329L-B and 330L are located along the Calumet River and 313R is located along the Calumet-Sag Channel. Sites 313R and 329L-B with require dock construction. Water discharging from the sites will be monitored and treated to isolate contaminants.

The U.S. Army Corps of Engineers requested information on state-listed threatened and endangered species potentially affected by the proposed navigation channel maintenance projects in the CAWS to be included in planning reports and NEPA documentation. Specific to the proposed dredged material placement sites, records of the state-threatened banded killifish (*Fundulus diaphanus*) occur in the Calumet-Sag Channel and Calumet River. This species has the potential to be affected by construction of the proposed docks at sites 313R and 329L-B. State-listed species and species proposed for listing that have the potential to be affected by dredging in the CAWS are summarized in the table below:

Waterbody	Common Name	Scientific Name	Status
LM, CSC, CR, CSSC, CHR	American eel	<i>Anguilla rostrata</i>	Proposed as threatened
LM, CSC, CR, CSSC, CHR	Banded killifish	<i>Fundulus diaphanus</i>	Threatened
CSSC, CHR	Blanding's turtle	<i>Emydoidea blandingii</i>	Endangered
CHR	Iowa Darter	<i>Etheostoma exile</i>	Threatened
LM	Longnose sucker	<i>Catostomus catostomus</i>	Threatened
LM, CR, CHR	Mudpuppy	<i>Necturus maculosus</i>	Threatened
LM, CSC, CR, CSSC, CHR	Osprey	<i>Pandion haliaetus</i>	Endangered

Lake Michigan = LM, Calumet-Sag Channel = CSC, Calumet River = CR, Chicago Sanitary and Ship Canal = CSSC, Chicago River (including North and South Branch) = CHR

Thank you for the opportunity to provide information to be included in your Environmental Assessment of navigation channel maintenance in the CAWS. Please contact me if I can be of further assistance.



Nathan Grider
Impact Assessment Section
217-785-5500



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 18 2014

REPLY TO THE ATTENTION OF E-19J

Charlene Carmack
Planning, Programs, and Project Management Division
U.S. Army Corps of Engineers
Rock Island District
Clock Tower Building – P.O. Box 20024
Rock Island, Illinois 61204-2004

Re: Scoping Comments concerning proposed Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP), Cook, DuPage, and Will Counties, Illinois

Dear Ms. Carmack:

The U.S. Environmental Protection Agency has reviewed the above-mentioned scoping request announcing the U.S. Army Corps of Engineers' (USACE) plan for navigation channel maintenance dredging and disposal of dredged materials from the Calumet-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River, Chicago Harbor, and Chicago River. Our review was conducted pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Scoping documents indicate dredging within the CAWS has the potential to remove contaminated sediments which require disposal in a confined disposal facility (CDF) to isolate contamination. USACE is proposing land-based CDFs to confine contaminated sediments within earthen berms. Impermeable clay liners within the CDFs will prevent seepage of effluent from contaminated sediments into surround water tables and soils. Dock construction for access and staging would consist of cutting back the sloped bank approximately 50 feet and driving a sheet pile wall to the bottom the channel to provide stability.

USACE investigated approximately 50 locations for CDF location suitability. Of those 50 locations originally investigated, three proposed dredged material placement sites have been identified as feasible alternatives for CDFs as identified in Enclosure 2 of the scoping request. One or more proposed CDFs will be constructed on reclaimed brownfields, land surfaces that exhibited heavy industrial disturbances or paved surfaces within Cook County. Scoping materials indicate that water discharged from the CDF will be monitored and treated, and the CDF will be capped when its full capacity is attained.

Based on our review of the limited scoping information, we offer the following comments, categorized by topic, to aid USACE in developing the environmental analysis.

PROJECT FEATURES

1. Scoping materials indicate three potential CDF locations remain from a starting point of approximately 50 locations.
Recommendation: USEPA recommends the forthcoming NEPA analysis discuss the process by which potential CDF sites were identified and the elimination criteria that resulted in the three locations identified in Enclosure 2.

2. Scoping materials indicate that one or more proposed CDFs will be constructed within Cook County.
Recommendation: USEPA anticipates the forthcoming NEPA analysis will indicate 1) which river miles are slated for dredging, 2) quantity of material that will be dredged annually, 3) duration of operation for the CDF, 4) anticipated quantity of material that will be dredged over the life of the CDF, 5) a conceptual CDF design for the three potentially feasible sites including the mechanisms/processes for the collection, handling and treatment of waste water, and 6) an environmental site-characterization summary for the three location identified as potentially feasible.

Additionally, USEPA anticipates the method(s) proposed for dredging sediments (e.g., mechanical dredging) will be discussed. We recommend the analysis cover whether any modifications to the bucket are proposed to minimize resuspension of contaminated sediment into the water column. If a groundwater collection system is proposed, its proposed location and what the collection system will be connected to (e.g., sump pits, on-site wastewater treatment system, etc.) should be discussed in the NEPA analysis.

Transport of sediments should also be discussed. Will sediments be transported overland or slurried and hydraulically placed in the CDF from a barge on the canal adjacent to the CDF?

3. Scoping materials indicate a land-based CDF(s) is proposed where the material would be confined with earthen berms and impermeable clay liners to prevent seepage of effluent from contaminated sediment. Dock construction for access is also proposed.
Recommendation: USEPA anticipates the forthcoming NEPA analysis will discuss the type of materials proposed for CDF construction and the source for said materials. How will construction materials be transported to the site? In particular, what impact to road and/or CAWS traffic will be realized as construction materials as delivered to the site(s)?

4. Acknowledging that project design has not begun, USEPA anticipates the proposed operating cycle will be outlined as much as possible at this stage in project development. For example, will the CDF be comprised of more than one sediment dewatering and containment cell with the cells being operated on a multi-year cycle? We recommend including a schematic of the operating cycle of the CDF.

5. Scoping materials indicate the CDF will be capped when full capacity is attained.
Recommendation: USEPA recommends the inclusion of a preliminary CDF cap design in the NEPA analysis. Additionally, the EA should include a an overview of the operational and post-closure groundwater monitoring to ensure integrity of the CDF is maintained to

prevent releases to the environment (e.g., summary of the groundwater monitoring program for the CDF operational and post-closure period, etc.).

6. Various Acts and Resolutions authorizing USACE to construct, operate, and maintain the 9-foot navigation channel were included in the scoping materials.

Recommendation: In an effort to reduce future dredging amounts, USEPA recommends forthcoming NEPA analysis discuss the effectiveness of bedload interceptors to collect material at key locations before it enters the ship channel and becomes contaminated by pollutants in the shipping canal's industrial areas.

CONTAMINANT IDENTIFICATION

1. Concentrations of chemical components that will be dredged and disposed of in the proposed CDF at any given time may vary by location in the waterway where dredging occurs and the depth profile of the sediments removed. Therefore, data on chemical contaminants in buried sediment sampled from various points along the waterway is necessary to provide an estimation of reasonable long-term average concentrations of contaminant levels that could be expected within the CDF over the life of the project.

Recommendation: USEPA recommends the forthcoming NEPA analysis discuss sediment sampling and characterization methodology and list all chemicals of concern. We anticipate the NEPA analysis will indicate: 1) whether sediment characterization appropriately reflects the nature and extent of contamination over all reaches proposed for dredging and addresses known sources of contamination within the project area (e.g., steel mills, oil refineries, chemical plants, etc.), 2) the age of sampling data. We recommend sediment characterization core samples extend below the navigational dredging depth in order to characterize sediment that will become exposed following proposed dredging, and 3) we recommend that sediment sampling and chemical characterization data be updated with new sampling; alternatively, USACE should provide rationale for why existing characterization data are adequate for understanding the nature of chemical contamination over the proposed reaches of the project.

Sampling locations (data points) will provide comprehensive coverage of the geographic area targeted for dredging as well as the depths to which data on buried sediments will be collected via sampling and testing. Please include data reports and exhibits depicting approximate sampling locations as appendices that include adequate descriptions of sampling locations, sample collection methodology (through the use of bathymetry maps of the project area), sediment-core-compositing intervals, quality assurance/quality control parameters (e.g., analytical method procedures, constituent detection limits), and the identity/class of chemical contaminants from the following classes: metals, polyaromatic hydrocarbons (PAHs), polychlorinated biphenols (PCBs), pesticides/herbicides, petroleum hydrocarbons (e.g., BTEX (benzene, toluene, ethylbenzene, and xylene compounds), naphthalenes)), volatile hydrocarbons, or others as the data show. Lastly, a summary of the data collected would be informative if included as a table within the main body of the NEPA analysis.

Discuss uncertainty, if any, associated with sampling and analyses (e.g., concentration levels assigned to Potential Contaminants of Concern (PCOCs) in bulk sediment, presence of contaminants in bulk sediments not analyzed in historical sampling efforts, etc.).

AIR IMPACTS ANALYSIS

1. After sediment is placed in the CDF, contaminant releases could occur in the form of volatile or particulate emissions.

Recommendation: The forthcoming analysis should discuss the contaminant emission and dispersion modeling program and the air monitoring program the USACE intends to follow for the operation of the CDF. Additionally, will a regulatory compliance limit for emissions be applied to the CDF? If so, what will the limit be?

We anticipate USACE will conduct modeling to estimate the levels of emissions from the CDF and whether those emissions will conform to limits, if any, set by Illinois EPA on the amount of air pollution (e.g., particulates and/or toxic volatile contaminants) that can be released from the CDF(s). The emissions discussion should include: 1) time of year when dredging will take place, 2) time of year when a cell would receive dredged sediments, 3) how long a cell will remain wet, and 4) whether site-specific operational, meteorological and geographic data was used.

Additionally, we recommend a comparison of proposed CDF particulate and volatile toxic air contaminant emissions to emissions reported in the Toxic Release Inventory be conducted and reported in the NEPA analysis.

Emissions from both toxics and criteria emissions, such as diesel and NO_x from activities such as pumps, barges, construction equipment, etc. should also be included in the analysis. If these emissions are found insignificant, USACE needs to provide justification for that.

2. Location of monitors measuring contaminants from CDF after disposal has begun should be shown on an exhibit. Air quality monitoring during CDF operation and post-closure should be discussed.
3. Include a discussion of potential mitigation measures to reduce particulate matter emissions from the CDF. As part of this discussion, please provide an outline for possible mitigation measures and how they would be evaluated. Based on discussions between USEPA and USACE for the Indiana Harbor CDF, we suggest the following be considered: keeping the disposed sediments ponded as much as possible; installing tree lines or wind-break fences to reduce the upgradient wind currents passing over the sediments; seeding the disposed sediments to create a vegetation layer; or a combination of those.
4. In order to protect air quality during construction and operation of the CDF, we recommend implementation of one or more of the following measures where feasible:

- Reduce emissions of diesel particulate matter (DPM) and other air pollutants by using particle traps and other technological or operational methods. Control technologies, such as traps, control approximately 80 percent of DPM. Specialized catalytic converters (oxidation catalysts) control approximately 20 percent of DPM, 40 percent of carbon monoxide emissions, and 50 percent of hydrocarbon emissions.

- Ensure that diesel-powered construction equipment is properly tuned and maintained, and shut off when not in direct use.
 - Prohibit engine tampering to increase horsepower.
 - Locate diesel engines, motors, and equipment as far as possible from residential areas and sensitive receptors (e.g., schools, daycare centers, and hospitals).
 - Require low sulfur diesel fuel (<15 parts per million), if available.
 - Reduce construction-related trips of workers and equipment, including trucks.
 - Lease or buy newer, cleaner equipment at the Tier 2 level or higher, using a minimum of 75 percent of the equipment's total horsepower.
 - Use engine types such as electric, liquefied gas, hydrogen fuel cells, and/or alternative diesel formulations, if feasible.
 - Use construction equipment retrofitted with diesel oxidation catalysts or diesel particulate filters from the Verified List from EPA or the California Air Resources Board.
- Additionally, emissions will be further reduced by installing retrofit emission control devices on all non-road equipment with higher emissions than EPA's Tier 2 Standards. The following table indicates the model year for which these standards take effect. Equipment that is of a model year older than the year given for that equipment's respective horsepower range should be retrofitted.

<u>Horsepower Range</u>	<u>Model Year (or newer)</u>
50-99	2004
100-299	2003
300-599	2001
600-749	2002
750 and up	2006

We recommend USACE discuss plans for reducing emissions from the proposed project. We also recommend commitments to include emissions reduction measures appropriate to CDF construction and dredging operations be included in the decision document.

HUMAN HEALTH IMPACTS

1. Scoping materials indicate one or more proposed CDFs will be constructed directly on paved surfaces, reclaimed brownfields or land surfaces that exhibited heavy industrial disturbances. The three proposed CDF sites are located in Cook County.

Recommendation: The NEPA analysis should evaluate the potential for impacts to human health. In particular, consider the location of dredging activities and the CDF(s) in relation to sensitive receptors (e.g., schools, day care centers, hospitals, neighborhoods, etc.). All sensitive receptor locations should be identified and shown on an exhibit for each proposed CDF site with distance between receptor location and CDF designated. Basic current population demographics and human activities information should also be provided for the proposed CDF sites.

When considering human health risk assessment (HHRA), it is important that technical analysis is preceded by planning, scoping, and problem formulation. This process is referenced most recently in USEPA's Framework for HHRA to Inform Decision Making

(Framework for HHRA)¹. Page 6 of the Framework for HHRA states: "...The initial stage in conducting any EPA risk assessment focuses on carefully characterizing the task to be completed; it includes planning and scoping and problem formulation components." Such components include public, stakeholder, and community involvement. USEPA looks forward to discussing the project in greater detail with USACE project team members, and, in particular, discussing USACE plans for public involvement activities for the proposed CAWS DMMP. Public involvement activities could be crucial to USACE's timeline for dredging and constructing the CDF. Siting a CDF for dredged Indiana Harbor sediments in East Chicago, Indiana, was a multi-year process, in part, due to community concern and resistance.

To assist USACE in addressing human health impacts, we provide the following items as a general approach to characterizing human health risk for dredging projects.

1. Estimate potential emissions of relevant contaminants from dredged sediments both (a) during dredging of the waterways and (b) during sediment transport to, placement in, and long term storage at the CDF. Assuming long term dredging of many river miles of sediment less-than-optimally sampled for contaminants of concern, this exercise is likely to be a tall order and result in considerable uncertainty.
2. Estimate potential air dispersion, transport, and fate of contaminants characterized in item 1 above.
3. Estimate potential human exposure to contaminants characterized in item 2 above in the vicinity of the dredged river miles and the selected CDF site (i.e. the defined study area), including potential ingestion, inhalation and dermal routes of exposure.
4. Estimate potential human health risks/hazards from exposures in item 3 above.
5. Include description of uncertainties and limitations associated with estimates generated in items 1-4 above.

USEPA Region 5's 2006 Indiana Harbor Supplemental Risk Assessment² provides a relatively recent example of how air emissions from dredged contaminated sediments were characterized for HHRA at a USACE CDF.

CLIMATE CHANGE

1. We recommend the NEPA analysis address the potential for climate change to impact dredge operations. Specifically, we suggest the discussion focus on how a change in precipitation

¹ USEPA, 2014. *Framework for Human Health Risk Assessment to Inform Decision Making* (<http://www.epa.gov/raf/frameworkhhra.htm>)

² USEPA, 2006. *Supplemental Risk Assessment of Potential Air Emissions from the Confined Disposal Facility for the Indiana Harbor and Shipping Canal Sediment Dredging and Disposal Project, December 2006* (<http://www.epa.gov/region5/cleanup/indianaharbor/index.htm>)

and water levels could affect dredging operations and, consequently, CDF capacity over the proposed life of the project. For example, if precipitation and water levels exhibit a downward trend, more material would need to be removed, affecting projected CDF capacity. We believe the analysis would benefit from a qualitative discussion focused on recent water level trends, whether the amount of material which needs to be dredged to maintain authorized depths is changing, and, if this is the case, whether this factor has been accounted for in the design of the CDF.

In addition, we recommend the NEPA analysis discuss the diurnal and seasonal weather patterns and how weather fluctuations were used in the emissions estimate development. The analysis should also assess if the proposed sites, design and engineering issues can handle the extreme weather events, such as heavy rains, wind storms, tornadoes, and floods.

FEDERALLY- AND STATE-LISTED THREATENED OR ENDANGERED SPECIES

1. Scoping materials indicate natural resources within and adjacent to the three feasible alternative sites are characteristic of those associated with distributed urban environments of the Upper Midwest. A list of Federally-listed threatened or endangered species was included in the scoping materials. Additionally, 117 state-listed threatened or endangered species can potentially occur in Cook County.

Recommendation: Questions regarding potential impact to Federally- or state-listed species should be referred to the US Fish and Wildlife Service and the Illinois Department of Natural Resources, respectively.

OTHER

1. Discuss public outreach planned.
2. Indicate whether Illinois Environmental Protection Agency is the local partner for the proposed project.
3. Include coordination with Federal, state, and local agencies to secure necessary permits.
4. Evaluate applicability of all permitting requirements and present the results to the Illinois EPA with the USACE's construction or operating permit application, as well as including analysis of permit requirements in the NEPA documentation. In particular, we recommend USACE estimate potential emissions from the proposed CDF(s) and review the applicability criteria under each permitting program (minor NSR, NNSR, PSD, and Title V). USEPA requests USACE include emission estimates in the NEPA documentation which will enable us to determine which permitting rules may apply. Additionally, USACE also needs to address how it plans to control those emissions. As part of USEPA's responses to previous scoping requests for similar projects, we have asked for some modeling information to show that adverse air quality or health impacts are not expected from any of the projects; this information would assist USEPA in evaluating the proposed project.

In summary, we recommend future NEPA analyses provide outlines for conducting: a contaminant characterization, an emissions analysis, a sensitive receptor identification and basic demographic information. You may find the December 2006 *Supplemental Risk Assessment of Potential Air Emissions from the Confined Disposal Facility for the Indiana Harbor and Shipping Canal Sediment Dredging and Disposal Project* to be a useful source document for addressing the topics mentioned above.

We appreciate the opportunity to provide comments at the earliest stage of the proposed project. We invite the USACE to our offices in Chicago to discuss the proposed project and the contents of this letter. We are available beginning the latter half of January. Please advise on the project team's availability early in 2015.

If you have any questions concerning the contents of this letter, please do not hesitate to contact me or Kathy Kowal of my staff at (312) 353-5206 or via email at kowal.kathleen@epa.gov.

Sincerely,



Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement & Compliance Assurance

From: [Clemency, Louise](#)
To: [Carmack, Charlene MVR](#)
Cc: [Shawn Cirton](#)
Subject: [EXTERNAL] Re: FW: ready for Sarah (UNCLASSIFIED)
Date: Wednesday, December 31, 2014 10:57:52 AM

Good morning Charlene,
I wanted to let you know that we had no concerns with the listed species information provided in the scoping letter and that we do not intend to provide comments.
Thank you for reaching out to us to confirm.

Louise

Louise Clemency
Field Supervisor
U.S. Fish and Wildlife Service
Chicago Ecological Services Office
1250 S. Grove Ave., Suite 103
Barrington, IL 60010-5010
(847) 381-2253, Ext. 11
louise_clemency@fws.gov

NOTE: All email correspondence and attachments received from or sent to me are subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

On Tue, Dec 23, 2014 at 11:22 AM, Carmack, Charlene MVR <Charlene.Carmack@usace.army.mil> wrote:

Good morning Louise,

I am forwarding the coordination letter we spoke about earlier today, with enclosures as well. Hopefully this will help in tracking down where/to whom your agency response may have been sent. Please let me know if you have additional questions or have problems opening the attachments. Thanks!

Charlene Carmack
USACE, Rock Island
Environmental Compliance Section

-----Original Message-----

From: Rodkey, Mary E MVR
Sent: Monday, November 03, 2014 3:04 PM
To: Carmack, Charlene MVR
Subject: ready for Sarah (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

2015

Chicago Area Waterway Republic Site Dredge Material Disposal Facility

Section 404(b)(1) Evaluation



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SECTION 404 (B)(1) EVALUATION

I. Project Description

a. Location

The subject of the present 404(b)(1) evaluation includes the barge dock and crane platform portion of the tentatively selected Republic Site Base Plan located near CAWS Turning Basin 3. Construction materials that will constitute fill into waters of the United States include approximately 400 linear feet of sheetpile floodwall and 6,750 cubic yards of IDOT grade CA 5 riprap to serve to as a barge dock and crane platform from which to offload dredged material from Calumet River and Calumet-Sag Channel dredging operations (Figure 1).

Added here for context is a discussion of an upland dredged material management facility (DMDF). The DMDF will cover approximately 25 acres of the currently vacant former Republic Steel site located on the east bank of the Calumet River at Turning Basin 3 and bordered to the south by East 116th Street and to the east by South Burley Avenue (Figures 1 and 2).



Figure 1: Turning Basin 3 Dredged Material Disposal Facility Project location and plan view.

c. Authority and Purpose

The proposed plan would provide capacity for material dredged from the Chicago Area Waterway System Federal navigation projects. Dredged material management is authorized under the navigation project authorities, listed below.

- Calumet Harbor and River, Illinois and Indiana (River and Harbor Acts of 1899 and 1902, as amended)
- Calumet-Sag Channel, Illinois (River and Harbor Act of 1930, as amended)
- Chicago Harbor, Illinois (River and Harbor Act of 1870, as amended)
- South Branch of the Chicago River, Illinois (River and Harbor Act of 1896, as amended)
- Chicago Sanitary and Ship Canal, Illinois (River and Harbor Act of 1930, as amended)

d. General Description of Fill Material

Fill material will consist of approximately 400 linear feet of steel sheetpile floodwall to form a barge dock and 6,750 cubic yards of IDOT grade CA 5 riprap to form a crane platform. The upland DMDF will cover 21 acres with a liner comprised of 52,000 cubic yards of clean clay, while the berm will contain 152,000 cubic yards of clean dredge fill.

e. Description of Proposed Discharge Site

The proposed 43-acre project site is currently vacant industrial land that had previously been part of the Republic Steel Manufacturing Complex.

f. Description of Placement Method

Riprap and steel sheetpile used in the construction of the barge dock and crane platform will likely be brought to the project site by barge and placed into position using light weight machinery. The clay material to comprise the clay liner will likely be brought to the project site by truck and placed using grading machinery. Dredged sediment to be used for berm construction will likely be delivered by barge to the newly-constructed barge dock, offloaded to the DMDF site by crane and graded to design specifications using grading machinery.

II. Factual Determinations

a. Physical Substrate Determinations

1) Substrate Elevation and Slope

Elevation of the project area is 600 feet NAVD83 with no appreciable slope.

2) Substrate Type

The DMDF placement plan at the Republic site would neither directly nor indirectly affect local or regional geology. The placement site is a previously disturbed, former industrial area adjacent to the CAWS comprised of disposed slag and various other non-native fill. The proposed action would involve a limited amount of clearing and grading at the shoreline where the dock facility and crane platform would be constructed.

b. Water Circulation, Fluctuation and Salinity Determinations

1) Water

The proposed fill activity would have no significant long-term negative impacts to water chemistry, water clarity, color, odor, taste, dissolved gas levels, nutrients, or increased eutrophication as a result. Improvements these water quality measures will likely be noted in the long-term with the continued removal of contaminated dredge material following construction of the DMDF

a) Salinity

The proposed fill activity is occurring in a freshwater environment so no significant impacts to salinity are expected.

b) Water Chemistry

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative impacts to water chemistry.

c) Clarity

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is expected to have minor temporary impacts to water clarity. Turbidity of the water is expected to increase during fill activities. The minor increase in turbidity, however, would only be temporary in duration. Overall, the proposed fill activity is not expected to have any significant long-term impacts to water clarity.

d) Color

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative impacts to water color.

e) Odor

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative impacts to water odor.

f) Taste

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative impacts to water taste.

g) Dissolved Gas Levels

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative impacts to dissolved gas concentrations within the water.

h) Nutrients

The proposed fill activity associated with the construction of barge dock, crane platform and DMDF is not expected to have any significant long-term negative effects upon nutrient concentrations within the water.

i) Eutrophication

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to cause any significant long-term increase in eutrophication.

j) Other

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term effects to other system components not specifically defined above.

c. Suspended Particulate/Turbidity Determinations

1) Expected Changes in Suspended Particulates and Turbidity Levels in Vicinity of Fill Site

There would be minor increases in suspended particulates and turbidity levels in the immediate area of the proposed fill activity during construction, which would likely be less than any given summer thunderstorm. The increase in turbidity is expected to be temporary and no long-term changes to turbidity are expected as a result of the proposed fill activities.

2) Effects on Chemical and Physical Properties of the Water Column

It is expected that there would be negligible effects to light penetration or dissolved oxygen levels during construction. The placement of clean fill will not introduce metal, organic toxins or other pathogens to the project area.

a) Light Penetration

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is expected to have localized and temporary impacts to light penetration due to the temporary increase in turbidity during construction. However, these effects are expected to be temporary in duration. Overall, no significant long-term negative effects to light penetration are expected with the proposed construction activities.

b) Dissolved Oxygen

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative effects to dissolved oxygen concentrations within the water column.

c) Toxic Metals and Organics

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to introduce any toxic metals or organics to the project area.

d) Pathogens

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to introduce any pathogens into the project area.

e) Aesthetics

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative effects to aesthetics. Localized and temporary effects to aesthetics are expected during the construction period of the project, but these impacts are expected to be temporary in duration.

f) Other

No additional long-term negative impacts to system components not listed above are expected as a result of the proposed fill activity.

3) Effects on Biota

The CAWS is primarily a man-made system that was not intended to support aquatic communities. The fish and macro-invertebrate assemblage in the project area is comprised of transient species that are quite tolerant of poor water quality, inadequate habitat and poor fluvial function. The proposed action would not change the adverse effects that fish and macro-invertebrate assemblages presently encounter at the project area.

a) Primary Production, Photosynthesis

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is expected to have localized and temporary impacts to light penetration due to the temporary increase in turbidity during construction. This could in turn temporarily impact primary production and photosynthesis by submergent aquatic vegetation within the area. However, submergent aquatic vegetation has not been identified as currently existing within the study area so, therefore, no significant short- or long-term negative effects to primary production or photosynthesis are expected with the proposed construction activities.

b) Suspension/Filter Feeders

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is expected to have localized and temporary increases to turbidity which could potentially impact suspension/filter feeders. These impacts are expected to be temporary in duration so no significant long-term negative effects to suspension/filter feeders are expected with the proposed construction activities.

c) Sight Feeders

The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is expected to have localized and temporary increases in turbidity that could potentially impact sight feeders. But since the impacts are expected to be temporary in duration, and since any fish/macro-invertebrate species present would likely be tolerant of poor water quality conditions, no significant long-term negative effects to sight feeders are expected.

4) Actions Taken to Minimize Impacts

Floating containment booms may be used to control spills, erosion or other construction remains.

d. Contaminant Determinations

The proposed fill material is not expected to introduce any new contaminants into CAWS or release any significant amounts of existing contaminants (if any are present) through bottom disturbance within the construction zone.

e. Aquatic Ecosystem and Organism Determinations

1) Effects on Plankton

No long-term detrimental effects to planktonic organisms are expected.

2) Effects on Benthos

Any existing benthos directly beneath the area where the steel sheetpile and riprap would be placed would be temporarily covered, but the area is so small it would have insignificant effects on the macro-invertebrate population. There are no significant adverse effects expected.

3) Effects on Nekton

Fish eggs and larvae would not be smothered by the proposed fill activity since the anticipated construction activities will not occur during reproductive or rearing seasons. Fish and other free-swimming organisms will tend to avoid the construction area. The construction area will be used again by those organisms soon after construction ends, so overall species presence is not expected to decrease.

4) Effects on Aquatic Food Web

Since any fish/macro-invertebrate presence here is less a food web and more a simple assemblage of species tolerant of poor water quality, no adverse food web effects are expected.

5) Effects on Special Aquatic Sites

a) Sanctuaries and Refuges

No sanctuaries or refuges have been identified within the project area, therefore, the proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have a significant impact on these species aquatic sites.

b) Wetlands

No wetlands have been identified within the project area, so the proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have a significant impact on this habitat type.

c) Mud Flats

No mudflats have been identified within the study area, so the proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have a significant impact on this habitat type.

d) Vegetated Shallows

No vegetated shallows have been identified within the study area, so the proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have a significant impact on this habitat type.

e) Coral Reefs

Not applicable to freshwater environments.

f) Riffle and Pool Complexes

No Riffle and Pool Complexes have been identified within the study area, so the proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have a significant impact on this habitat type.

6) Threatened and Endangered Species

Federally-listed endangered and threatened species known to occur or potentially occur in Cook County include the northern long-eared bat (*Myotis septentrionalis*), currently proposed for listing; the piping plover (*Charadrius melodus*), listed as endangered; the eastern massasauga (*Cistrurus catenatus*), currently a candidate for listing; the Hine's emerald dragonfly (*Somatochlora hineana*), listed as endangered and with designated critical habitat within the county; the rattlesnake-master borer moth (*Papaipema eryngii*), currently a candidate for listing; the eastern prairie fringed orchid (*Platanthera leucophaea*), listed as threatened; the leafy-prairie clover (*Dalia foliosa*), listed as endangered; Mead's milkweed (*Asclepias meadii*), listed as threatened; and the prairie bush clover (*Lespedeza leptostachya*), listed as threatened. The Illinois Department of Natural Resources (IL-DNR) has identified 117 state listed threatened and endangered species as occurring or potentially occurring in Cook County.

In correspondence with the Corps, the IL-DNR indicated that seven of the species listed or proposed for listing as State threatened or endangered occur in the vicinity of the project and could potentially be affected by dredging in the CAWS (Table 1). Specific to the proposed dredged material placement sites, records of the state-threatened banded killifish (*Fundulus diaphanus*) occur in the Calumet-Sag Channel and Calumet River. This species has the potential to be affected by construction of the proposed docks at sites 313R and 329L-B.

Table 1: State listed threatened and endangered species potentially present in the project area.

Water Body	Common Name	Scientific Name	Status
LM, CSC, CR, CSSC, CHR	American Eel	<i>Anguilla rostrata</i>	Proposed as Threatened
LM, CSC, CR, CSSC, CHR	Banded Killifish	<i>Fundulus diaphanus</i>	Threatened
CSSC, CHR	Blanding's Turtle	<i>Emydoidea blandingii</i>	Endangered
LM	Iowa Darter	<i>Etheostoma exile</i>	Threatened
LM, CR, CHR	Mud Puppy	<i>Catostomus catostomus</i>	Threatened
LM, CSC, CR, CSSC, CHR	Osprey	<i>Pandion haliaetus</i>	Endangered
CHR = Chicago River (N&S Branches)		CSSC = Chicago Sanitary and Ship Canal	
CR = Calumet River		LM = Lake Michigan	
CSC = Calumet-Sag Channel			

7) Other Wildlife

No other wildlife would be significantly impacted by the proposed activity.

8) Actions to Minimize Impacts

General construction scheduling and sequencing would minimize impacts to any reproducing macro-invertebrates and fishes present. Floating containment booms would be used to control spills, erosion or other construction remains.

f. Proposed Disposal Site Determinations

1) Mixing Zone Determination

A mixing zone is not applicable to this project since no violation of applicable water quality standards is expected during construction.

2) Determination of Compliance with Applicable Water Quality Standards

The proposed activity is not expected to cause significant or long-term degradation of water quality within the CAWS and would comply with all applicable water quality standards.

3) Potential Effects on Human use Characteristic

Overall, no significant impacts to municipal and private water supplies, water-related recreation, aesthetics, or recreational or commercial fisheries are expected. No known National Parks, National and Historic Monuments, National Seashores, Wilderness Areas, Research Sites or similar preserves are present within the project area. No significant adverse effects are expected.

a) Municipal and Private Water Supply

The proposed fill activity associated with the construction of the barge dock, crane platform or DMDF is not expected to have any significant short-term or long-term negative impacts on municipal or private water supply.

b) Recreational and Commercial Fisheries

The proposed fill activity associated with the construction the barge dock, crane platform or DMDF is not expected to have any significant long-term negative impacts on recreational or commercial fisheries in the area. Recreational fishing, should it occur within the proximity of the project site, could potentially be impacted in the short term due to construction activities that would likely scare fish from the area. These impacts are expected to be temporary.

c) Water Related Recreation

Two large Chicago city parks are near the project area, providing swimming, soccer and softball fields for area residents. Rainbow Park and Beach is located to the north of Calumet Harbor. Just south of Calumet Harbor is Calumet Park with its historic field house. Located on the Illinois portion of Wolf Lake to the east-southeast is the William W. Powers Recreation Area, a popular bird watching, boating and fishing area. Calumet Harbor and River provide access to Lake Michigan from mooring and storage areas on the Calumet-Sag Channel. Recreation lockages through the O'Brien lock on the Calumet River exceed 7,000 craft annually. Recreational traffic is primarily privately owned vessels docked at marinas on the Calumet-Sag Channel using the Calumet River for access to Lake Michigan.

Recreation near the project site could potentially be impacted in the short-term due to construction related noise. The shoreline construction area lies within Turning Basin 3, well out of the main channel where it might otherwise interfere with recreational boating. The proposed fill activity associated with the construction of the barge dock, crane platform and DMDF is not expected to have any significant long-term negative impacts on water related recreation in the area.

d) Aesthetics

The proposed fill activity associated with the construction of the barge dock, crane platform or DMDF is not expected to have any significant long-term negative effects to aesthetics. Localized and temporary effects to aesthetics are expected during the construction period of the project, though these impacts are expected to be temporary. Overall, aesthetic value is likely to increase over the long-term once the DMDF is capped and seeded.

e) Parks, National and Historical Monuments, National Seashores, Wilderness Areas, Research Sites and Similar Preserves

The proposed fill activity associated with the construction of the barge dock, crane platform or DMDF is not expected to have any significant short-term or long-term negative effects to parks, national and historical monuments, national seashores, wilderness areas, research sites, or similar preserves within the area.

g. Determination of Cumulative Effects on the Aquatic Ecosystem

No cumulative adverse impacts to the aquatic ecosystem or to aquatic organisms are expected to result from the construction of the barge dock, crane platform or DMDF or from the confined disposal of dredge material in the DMDF. The DMDF will be lined with an impervious liner of compacted clay to prevent seepage of effluent from contaminated dredged material, and will be equipped with decant structures to collect effluent before directing it to filter cells and ultimately discharging to the existing sewer system for further treatment.

h. Determination of Secondary Effects on the Aquatic Ecosystem

No significant impacts from construction of the barge dock, crane platform or DMDF are expected as a result of the proposed activity.

III. Findings of Compliance or Non-Compliance with the Restrictions on Discharge

- a. No significant adaptations of the Section 404(b)(1) guidelines were made relative to this evaluation.*
- b. No practical alternatives are available that produce fewer adverse aquatic impacts than the proposed plan.*
- c. The proposed fill activity at CAWS Turning Basin 3 and the former Republic Steel site would not violate any applicable water quality standards.*
- d. The project is in compliance with applicable Toxic Effluent Standards under Section 307 of the Clean Water Act; with the Endangered Species Act of 1973; with the National Historic Preservation Act of 1966; and with the Marine Protection, Research, and Sanctuaries Act of 1972.*
- e. The proposed fill activity would not result in significant adverse effects on human health and welfare, including municipal and private water supplies, recreation and commercial fishing, plankton, fish, shellfish, wildlife communities (including community diversity, productivity, and stability), or special aquatic sites. The life stages of aquatic life and other wildlife would not be adversely affected. Significant adverse effects on aquatic ecosystem diversity, productivity and stability, and recreational, aesthetic and economic values would not occur.*
- f. Appropriate erosion control measures will be taken to minimize potential adverse impacts of the fill activity on aquatic ecosystems. General construction scheduling and sequencing would minimize impacts to any reproducing macro-invertebrates and fishes present. Erosion control fabric, silt fencing and containment booms would be implemented to minimize any temporary turbidity, spill or debris impacts associated with the proposed activity.*
- g. On the basis of the Guidelines, the proposed site for the discharge of fill material is specified as complying with the inclusion of appropriate and practical conditions to minimize pollution or adverse impacts to the aquatic ecosystem.*

Conclusions

Based upon this evaluation, the proposed barge dock and crane platform for the purpose of serving the adjacent upland DMDF at the former Republic Steel site are, subject to appropriate and reasonable conditions, determined to be in compliance with Section 404(b)(1) Guidelines, and are determined to protect the public interest.