



# **PUBLIC NOTICE**

## **APPLICATION FOR PERMIT**

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

**PUBLIC NOTICE/APPLICATION NUMBER: LRC-2016-00611**

**COMMENT PERIOD BEGINS:** November 17, 2016  
**COMMENT PERIOD EXPIRES:** December 17, 2016

**PUBLIC NOTICE**  
U.S. Army Corps of Engineers

**APPLICANT**  
Michael Mulhern  
667 Sheridan Road  
Winnetka, IL 60093

### **PROPOSED ACTION**

Proposal to construct a quarystone breakwater and quarystone revetment in front of an existing timber wall along Lake Michigan located at 667 Sheridan Road in Winnetka (see attached drawings). A detailed description of this proposal is provided on page 2 of this notice.

### **LOCATION OF PROPOSED ACTION**

Within Lake Michigan at 667 Sheridan Road in Winnetka, Cook County, Illinois (Latitude: 42.11017, Longitude: -87.72690)

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and as shown on the attached drawings. You are invited to provide your comments by December 17, 2016 on the proposed work, which will become part of the record and will be considered in the decision. A permit will be issued or denied under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 Action of the Clean Water Act of 1972(33 U.S.C. 1344)

Written comments shall be mailed to:

U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
Attn: **LRC-2016-00611**, Mr. Soren Hall  
231 South LaSalle Street, Suite 1500  
Chicago, Illinois 60604-1437

It should be noted that ALL comments received by this office (via hard copy or electronic) will only be accepted with the full name and address of the individual commenting, and must be received by the close of the public notice period. Electronic comments may be sent to the project manager at Soren.G.Hall@usace.army.mil.

### **PROJECT DESCRIPTION**

The property currently has a low steel seawall lakeward of the toe of the bluff and a timber retaining wall approximately 20 feet landward at the base of the bluff slope. There are remains of a failing concrete groin along the south property line. The property currently contains a perched sandy beach between the steel seawall and timber retaining wall.

The shoreline stabilization would include a quarystone breakwater that extends east straddling the south property line and then angles to the northeast 75' (from the south property line to the toe of the breakwater). The toe of the proposed breakwater would end approximately 125' east of the bluff toe. A short spur extension to the south would also be constructed extending an additional 20' south of the proposed breakwater.

The purpose of the proposed steel and quarystone breakwater and breakwater spur is to create a pocket beach system in an attempt to reduce lakebed downcutting and prevent erosion of the bluff. The purpose of the revetment is to prevent erosion of the bluff toe.

Lakebed downcutting would be addressed through the construction of the breakwater, as described above, and through the placement of 1,1607 tons of sand. The placement of sand includes the 20% overfill required by the Corps and the IDNR. This would be done in an effort to compensate for the removal of sand from the littoral system caused by the construction of the breakwater and spur.

Stone stairs would be incorporated into the breakwater along the south property line to accommodate Pedestrian access along the shoreline.

Total fill below the ordinary high water mark (OHWM) of Lake Michigan for the new quarystone breakwater and new quarystone spur is 0.10 acres. The proposed revetment is located above the OHWM and would not result in a discharge of fill into the lake.

In addition to the above describe proposed alternative, the applicant considered alternate designs which include the following:

- (1) Encapsulate the existing concrete groin with quarystone;
- (2) Construct a quarystone breakwater island.

Alternative 1 would not address the issue of lakebed downcutting which, if not addressed, could undermine the revetment toe. This alternative would also allow stormwaves to overtop the steel groin and impact the bluff and timber retaining wall. This alternative would require approximately 0.04 acres of fill.

Alternative 2 would address the project needs but would extend in front of the applicant's entire shoreline frontage. The option was not favored by the applicant. This alternative would require approximately 0.10 acres of fill.

Mitigation is not proposed for the proposed alternative as the impact of 0.10 acres does not exceed the mitigation threshold of 0.10 acres of fill.

### **AVOIDANCE & MINIMIZATION**

The applicant has stated the following concerning avoidance and minimization of impacts to Waters of the United States: The existing deteriorated concrete pier will be recycled into the proposed breakwater.

### **MITIGATION**

The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States: Mitigation is not required as impacts are below the mitigation threshold.

The Corps has not verified the adequacy of this mitigation proposal at this time and will make the final determination on whether the proposed mitigation is appropriate and practicable in accordance with 33 CFR Part 332.

### **REGULATORY AUTHORITY**

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

### **JURISDICTION**

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

### **EVALUATION FACTORS**

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

All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of

property ownership and, in general, the needs and welfare of the people. In addition, if the proposed activity involves the discharge of dredged or fill material into waters of the United States, the evaluation of the impact on the public interest will include application of Section 404(b)(1) guidelines (40 CFR 230) promulgated by the U.S. Environmental Protection Agency.

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

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

## **PRELIMINARY EVALUATION OF SELECTED FACTORS**

### **WATER QUALITY:**

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

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

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

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

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

**DEPARTMENT OF NATURAL RESOURCES:**

The applicant has applied to the Illinois Department of Natural Resources, Office of Water Resources (IDNR-OWR) for a permit pursuant to the State of Illinois Rivers, Lake and Streams Act (615 ILCS 5). Comments concerning the IDNR-OWR permit should be addressed to the following agency, along with a copy of the comments provided to the Corps of Engineers:

Illinois Department of Natural Resources  
Office of Water Resources  
Michael A. Bilandic Building  
160 N. LaSalle Street, Suite S-700  
Chicago, IL 60601

If you have any questions please contact the IDNR at (847) 608-3116.

**ENDANGERED AND THREATENED SPECIES:**

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

**HISTORIC PROPERTIES/CULTURAL RESOURCES:**

Preliminary review indicates that the proposed activity is not likely to adversely affect any historic property which is listed, or eligible for listing, on the National Register of Historic Places. By letter dated September 9, 2016, the Illinois Historic Preservation Agency stated that based on the information provided by the applicant, no historic properties would be affected.

**ENVIRONMENTAL IMPACT STATEMENT**

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

**PUBLIC HEARING**

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

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

Interested parties wishing to comment on the proposed activity must do so in writing no later than **December 17, 2016**. It is presumed that all parties receiving this notice will wish to

respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

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

If you have any questions, please contact Mr. Soren Hall of my staff by telephone at 312-846-5532, or email at Soren.G.Hall@usace.army.mil. **It should be noted that ALL comments received by this office (via hard copy or electronic) will only be accepted with the full name and address of the individual commenting.** You can also visit our website at <http://www.lrc.usace.army.mil/Missions/Regulatory.aspx> for more information on our program.

FOR THE DISTRICT COMMANDER:

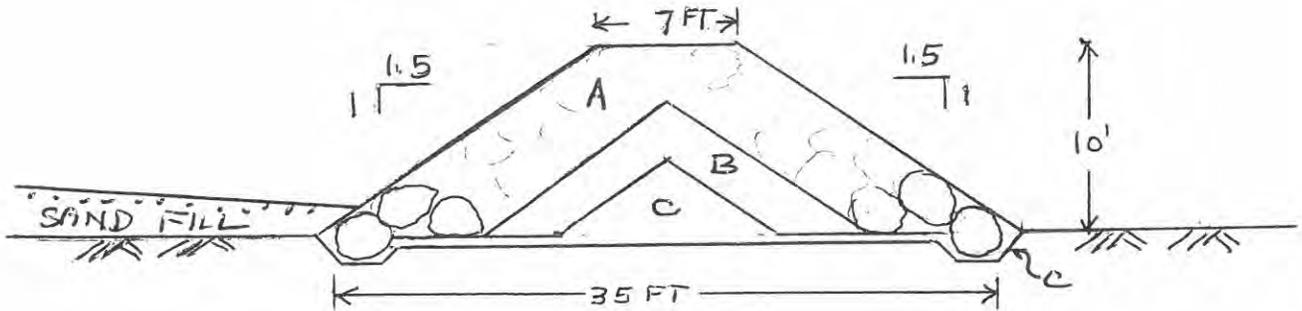
**ORIGINAL SIGNED**

Kathleen G. Chernich  
Chief, East Section  
Regulatory Branch



667 SHERIDAN RD, WINNETKA, IL

BREAKWATER SECTIONS A-A' B-B'



0 FEET 10'

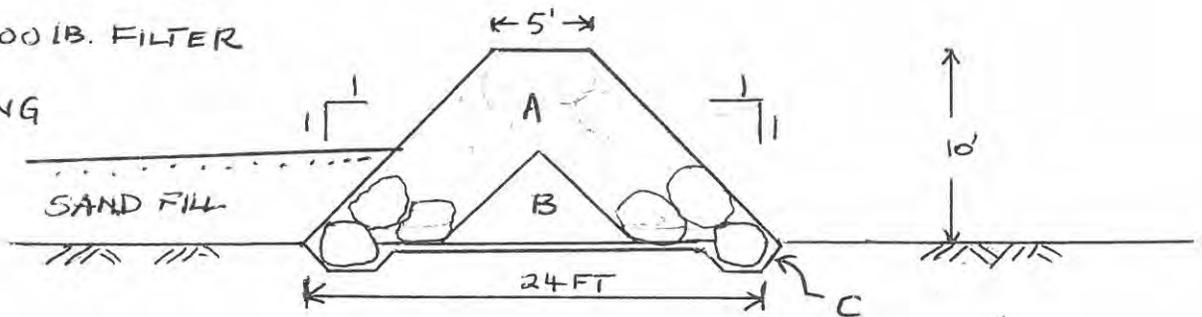
STONE

SECTION C-C

A - 2-5 TON ARMOR STONE

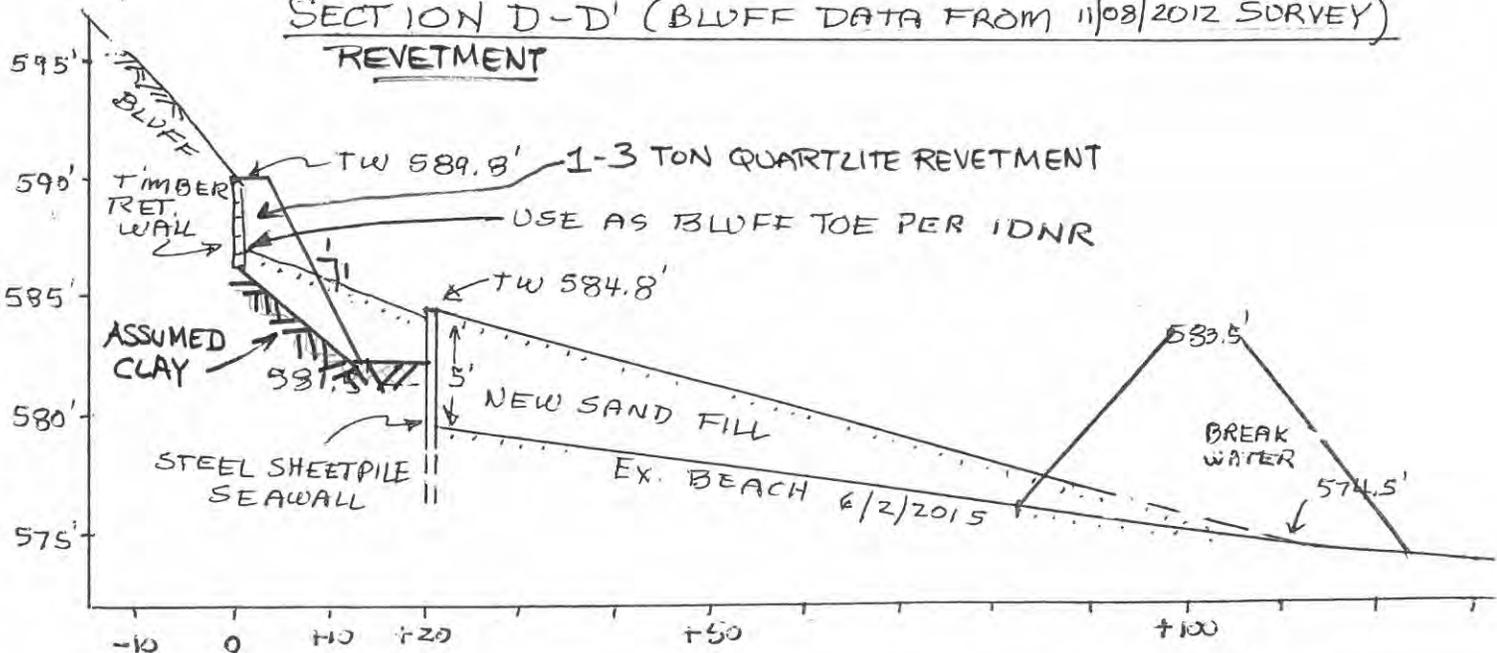
B - 400 - 1000 LB. FILTER

C - BEDDING



SECTION D-D' (BLUFF DATA FROM 11/08/2012 SURVEY)

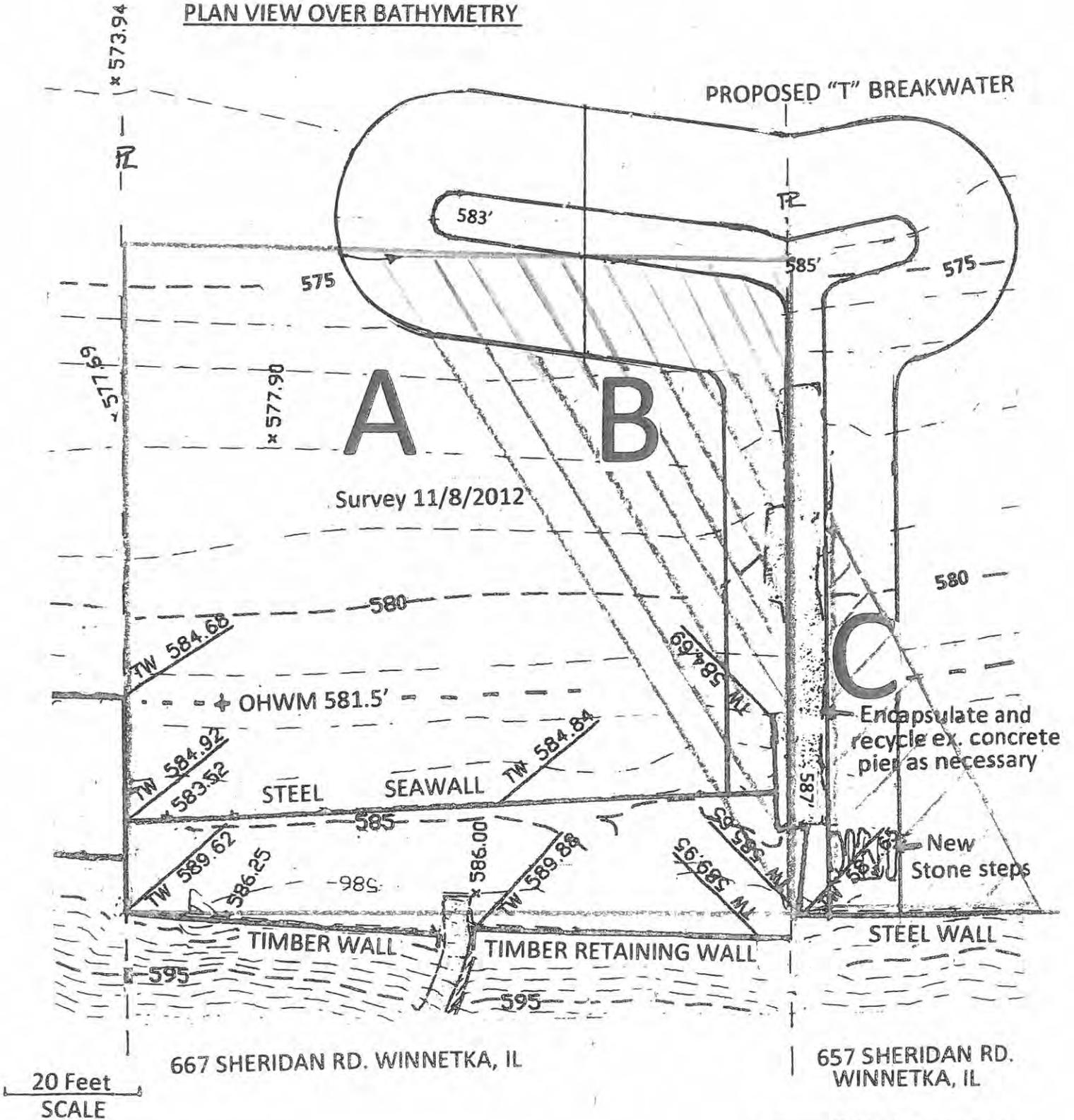
REVETMENT



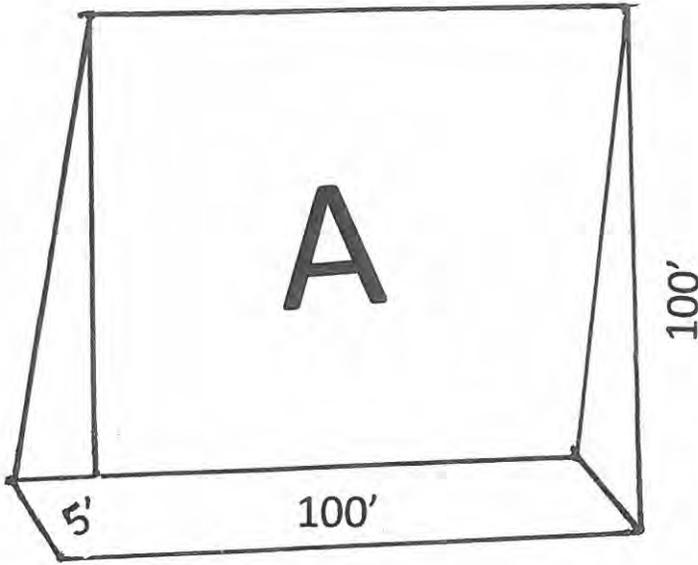
REV. 11/14/2016

# SAND FILL PLAN VIEW

## PLAN VIEW OVER BATHYMETRY



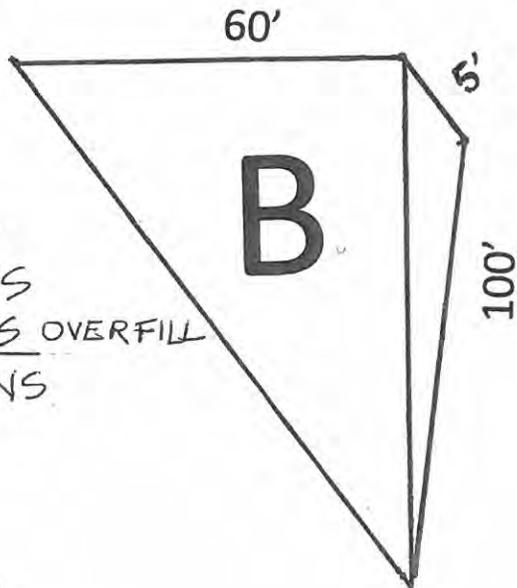
SAND FILL CALCULATIONS



$$\frac{5' \times 100' \times 100'}{2} = 25,000 \text{ ft}^3$$

$$\frac{25,000 \text{ ft}^3}{27 \text{ ft}^3 / \text{yd}^3} = 926 \text{ yd}^3$$

$$926 \text{ yd}^3 \times 1.25 \text{ TONS} / \text{yd}^3 = \underline{\underline{1,160 \text{ TONS}}}$$



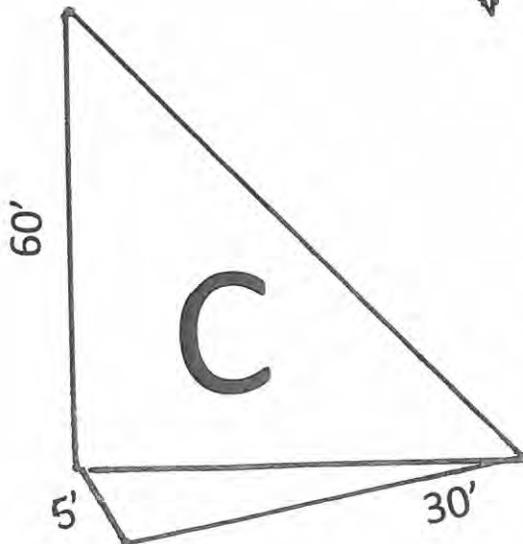
$$\frac{5' \times 60' \times 100'}{6} = 5,000 \text{ ft}^3$$

$$\frac{5,000 \text{ ft}^3}{27 \text{ ft}^3 / \text{yd}^3} = 185 \text{ yd}^3$$

$$185 \text{ yd}^3 \times 1.25 \text{ TONS} / \text{yd}^3 =$$

$$\underline{\underline{231 \text{ TONS}}}$$

TOTAL SAND FILL  
 1,461 TONS  
 + 146 TONS OVERFILL  
 1,607 TONS



$$\frac{5' \times 60' \times 30'}{6} = 1,500 \text{ ft}^3$$

$$\frac{1,500 \text{ ft}^3}{27 \text{ ft}^3 / \text{yd}^3} = 56 \text{ yd}^3$$

$$56 \text{ yd}^3 \times 1.25 \text{ TONS} / \text{yd}^3 =$$

$$\underline{\underline{70 \text{ TONS}}}$$

