Appendix A: Coordination and Public Involvement

For

Chicago Area Waterway Systems (CAWS)

Dredged Material Management Plan (DMMP)

August 2020
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1. 13 March 2009 Scoping Letter and Distribution list
2. Responses to March 2009 scoping
3. 2014 SHPO coordination documentation
4. 2014 Endangered Species Act and natural resources coordination documentation
5. 2015 Letter announcing release of the public document and marking the beginning of the 30-day public and agency review of the Draft DMMP/EA, as well as comments received
6. Materials from 22 June 2015 public meeting
7. Materials from 2018 stakeholder roundtable meetings
8. Materials from 2018 public workshops
9. Overview presentation of the Crowdsource Reporter pilot application
10. 2018 Environmental Assessment scoping letter, attachments, and responses received
11. 2018-2019 NOI to prepare an Environmental Impact Statement (EIS), EIS scoping letter with attachments, and responses received
12. Materials for May 2019 public meetings
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Appendix A: Coordination and Public Involvement

For

Chicago Area Waterway Systems (CAWS)
Dredged Material Management Plan (DMMP)

1.0 Overview Public Involvement, Review, and Coordination

The public, key stakeholders, and the non-federal sponsor have been actively involved in the planning process for the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP). The public coordination and involvement strategy has been an iterative process, guided by the requirements of the National Environmental Policy Act (NEPA), as well as the US Army Corp of Engineers (USACE) Risk Informed Planning process and Environmental Operating Principles (EOPs).

The Project Delivery Team (PDT) has engaged the non-federal sponsor, the City of Chicago (City), as represented by Chicago Department of Transportation (CDOT), as well as several federal and state agencies and the public in an effort to determine the problems, opportunities, objectives and constraints in the study area and to understand the likely future without project conditions (FWOP). A brief summary of the major coordination and outreach efforts that have occurred throughout the planning process is as follows:

- Former NEPA public comment period.............. 09 June - 15 July 2015
- Re-Initiation of NEPA Scoping........................ 02 February – 05 March 2015
- Stakeholder Roundtable Meeting #1.............. 20 February 2018
- In-Progress Review with Vertical Team......... 26 February 2018
- Stakeholder Roundtable Meeting #2.............. 09 March 2018
- Public Workshop #1.................................... 28 April 2018
- Public Workshop #2.................................... 30 April 2018
- In-Progress Review with Vertical Team......... 06 June 2018
- Stakeholder Roundtable Meeting #3.............. 28 June 2018
- Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register..... 28 December 2018
- Revised Scoping Period after Transition to EIS.... 07 January – 06 February 2019
- 45-Day NEPA Public Review.......................... 03 May – 01 August 2019
- Stakeholder Meeting..................................... 13 May 2019
• NEPA Public Meetings...................................................... 15 & 18 May 2019

2.0 Public Involvement under NEPA in 2015 Iteration of the Draft DMMP

The CAWS DMMP is an ongoing study that has been through a number of changes since its inception based upon changing study sponsorship, public and agency review, and changing conditions (particularly related to real estate). In 2015 a Draft DMMP was developed with an integrated Environmental Assessment (EA). This process was informed by NEPA (42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality’s (CEQ) implementing regulations (40 C.F.R. Parts 1500-1508).

An EA is used to determine whether preparation of a full Environmental Impact Statement (EIS) is warranted, and includes the following topics:

• Purpose and need
• Study/project alternatives
• The environmental impacts of the proposed action
• Documentation of agencies, stakeholders, and other persons consulted

Generally, if the EA finds that the action will not have significant environmental impacts, the agency will issue a Finding of No Significant Impact (FONSI). A FONSI is a document that presents the reasons why the agency has concluded that there are no significant environmental impacts projected to occur upon implementation of the action. The 2015 DRAFT EA concluded that the proposed project would not have significant adverse environmental impacts.

2.1 Scoping and Coordination

Per the CEQ regulations for implementing NEPA, the scoping process should be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. Among the goals of the NEPA scoping process, the responsible agency should accomplish the following:

• Invite the participation of affected federal, state, and local agencies, any affected Indian tribes, the proponent of the action, and other interested persons (including those who might not be in accord with the action on environmental grounds).
• Determine the scope and the significant issues to be analyzed in depth in the analysis.
• Identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review, narrowing the discussion of these issues in the statement to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.

The scoping process started with the issuing of scoping letters on 13 March 2009 (Attachment 1). Documentation of the scoping comments received and other correspondence related to the March 2009 scoping letter is included in Attachment 2.

LRC released another letter to the State Historic Preservation Office (SHPO) on 29 September 2014 seeking coordination under the National Historic Preservation Act of 1966. This letter and the associated dialogue with the Illinois SHPO is included at Attachment 3.

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On 03 November 2014, LRC released another coordination letter to state and federal resource agencies seeking comments on potential impacts to natural resources, with a focus on endangered species, per the Endangered Species Act of 1966. Documentation of the results of this coordination is included in Attachment 4.

2.2 30-day public and agency review - EA

Formal 30-day public review of the Draft EA occurred between 09 June 2015 and 15 July 2015. During this review, the PDT made its recommendation that a Dredged Material Disposal Facility (DMDF) be constructed at the former Republic Steel site along the Calumet River near Turning Basin #3 and presented its analysis of the potential environmental impacts of this action. The letter announcing release of the public document and marking the beginning of the 30-day public and agency review, as well as comments received are included as Attachment 5.

2.2.1 Public Meetings

During the 30-day public review period, the PDT held a public meeting to present the Draft DMMP/EA and solicit feedback. The meeting was held on 22 June 2015 at the offices of Alderman Susan Sadlowski Garza, 10th Ward. The materials from this meeting are included in Attachment 6, and include:

- Sign in sheet
- Meeting presentation
- Supplemental informational posters
- Court reporter’s transcript of the meeting
- *Not included in Attachment 6 due to file length, but publically available upon request*

3.0 2018 Public Outreach Campaign

The previous non-Federal Sponsor (NFS) for this study was unable to prove financial viability to cost share in the implementation of the proposed project in the 2015 Draft DMMP/EA following public review of that document. Without a viable sponsor, the study was suspended. In 2017, the current sponsor, the City of Chicago, stepped forward as a viable partner to re-engage the study and attempt to limit the negative local and regional impacts of discontinuing maintenance of the CAWS once capacity runs out in the existing Chicago Area CDF. However, between pausing the study in 2015 and the City coming on in 2017, the previously recommended site was no longer available due to active plans for development. The new plans for the Republic Steel Site would make the property no longer vacant and provide employment benefits in the study area. For these reasons, the Republic Steel site was deemed to no longer satisfy the screening criteria used in site selection during the formation of the 2015 Draft DMMP/EA.

For this reason, and because so much time had passed, the PDT decided to re-evaluate potential sites in the study area based on lessons learned from the previous Draft DMMP/EA and possible changes to existing conditions in the study area. More information on the site selection process itself is contained in the Site Selection Appendix to the DMMP (Appendix I). The reason it is mentioned here is that the PDT saw this as a public outreach opportunity, to address some of the concerns voiced by the public in 2015 and to solicit feedback and leverage local knowledge related to potential DMDF sites along the Calumet River.
The PDT convened a series of Stakeholder Roundtable Meetings, public workshops, updated NEPA scoping and used a pilot application of a web-based crowdsource tool to disseminate key information about the study and solicit feedback about potential sites. Specifically, the team sought to determine whether it was overlooking any potentially viable sites or key information about the sites under consideration.

3.1 Key Stakeholder Meetings
The PDT began this public outreach effort by holding a series of public stakeholder meetings to discuss the project, as well as concerns and/or input on the selection of a new DMDF site. Key stakeholders were invited to these meetings to represent and report out to their respective constituents. The stakeholder round table meetings were attended by representatives from:

- USACE Chicago District
- Chicago Dept. of Transportation (CDOT)
- Chicago 10th Ward Aldermanic Office
- Congresswoman Robin Kelly’s Office (IL 2nd)
- Chicago Park District (CPD)
- Friends of the Parks (FOTP)
- Southeast Environmental Task Force (SETF)
- Openlands
- Metropolitan Water Reclamation District (MWRD) of Greater Chicago
- IL International Port District (IIPD)

Three stakeholder round table meetings were held during the revised site identification and selection process in 2018:

15. 20 February 2018 hosted by IIPD.
16. 09 March 2018, hosted by IIPD.
17. 28 June 2018, Hosted by IIPD.

The presentation materials used to share information and frame discussions at these meetings are included in Attachment 7.

3.2 Public Workshops
The PDT hosted two public workshops in an attempt to open up a dialogue similar to that from the stakeholder round table meetings to the greater public. The workshops were intended to have three components, 1.) an open house opportunity with informational posters and technical staff available to discuss the study, and 2.) a formal presentation by the USACE team on the study, progress, findings, and next steps, and 3.) a public comment period where members of the public could provide spoken feedback about the study. In addition to the comment period, the PDT accepted comments submitted in written comment cards, letters, emails, and a webapp (see Section 3.3).
The workshops were facilitated by representatives from the USACE Collaboration and Public Participation Center of Expertise (CPCX), and the meeting details were as follows:

1. 28 April 2018 (Saturday) at the Rowan Park gymnasium from 1030-1300
2. 30 April 2018 (Monday) at the Chicago Public Library – Vodak East Side Branch from 1700-1930

The materials from these workshops are included in Attachment 8, and include:

- Press release
- Project informational brochure
- Sign in sheet
- Informational posters
- Potential site posters for public input
- Workshop presentation
- Court reporter’s transcript of the meeting
- *Not included in Attachment 6 due to file length, but publically available upon request*

### 3.3 Crowdsource Reporter Webapp

As part of the 2018 public outreach effort, the PDT considered options for increasing public participation. For example, hosting multiple public workshops at different locations and times-of-day was planned in acknowledgement that people have diverse work schedules. With this goal in mind, the PDT accepted a request from the CPCX to pilot the use of a web-based app for interfacing with the public. This “Crowdsource Reporter” webapp allowed folks to participate in the public involvement process who otherwise may not have been able to attend the public meetings for any number of reasons.

As a pilot application of this technology, the study team learned that certain aspects of the tool worked well, while others left room for improvement in the future. On the positive side, the tool made public participation in the planning process more accessible. 332 comments were received with the webapp, compared to only 140 from all formats combined at the public workshops. And, the comments were directly exportable to a spreadsheet format, allowing the team to more efficiently categorize, group, and address comments.

A number of lessons were learned through this process that USACE should continue to investigate and refine before rolling this methodology out across the enterprise. Some of the lessons learned include:

- Monitoring and tool management – there needs to be an assigned POC to run the webtool, screen potentially offensive submissions, and manage the resulting data. A standard operating procedure this process would be highly valuable.
- The out-of-the-box tool provides a very complex URL address. This means that the tool is harder to access without linking directly to it. A possible solution to this obstacle in the future would be to identify secure URL shortener that are approved for use by DoD and/or USACE, according to all cyber security requirements.
• Limited dialogue – the tool provides an open forum for comments, which is valuable. However, unlike more direct interpersonal dialogue, it is challenging to provide additional information to clarify misunderstandings, misinformation, etc. This can have an amplifying effect that is unproductive if based on false information or misunderstandings.

• Lack of clear direction – with the standard template, it was challenging to provide key instructions to potential commenters about the study, the commenting process, use of the tool, and the type of information being solicited. Incorporation of additional splash windows, map legend functionalities, etc. may have made the tool more effective.

A presentation that was given on the use and results from the PDT’s pilot use of the Crowdsource Reporter tool is included as Attachment 9.

4.0 Current NEPA

In developing a new tentatively selected plan, the PDT prepared an updated draft NEPA document. In the preparation of this document, many of the previously completed steps in the NEPA process needed to be likewise updated, if not redeveloped all together.

4.1 Scoping

The scoping process for the preparation of an Environmental Assessment was repeated in 2018. As previously discussed, the PDT needed to identify a new recommended DMDF site and evaluate any associated potential impacts. Additionally, the team wanted to increase public involvement in this new iteration of the study based on the concerns that were voiced during the previous public review period. As such, new scoping letters were released on 02 February 2018. The scoping letter, distribution list, map of the study area, and responses received are included in Attachment 10.

4.2 Transition to Environmental Impact Statement

After hosting the stakeholder round table meetings and public workshops discussed in Section 3.0, the PDT made the decision to complete an Environmental Impact Statement (EIS) for the study. Typically an EIS is only prepared if an EA first demonstrates that significant adverse environmental impacts are likely due to the proposed action. However, in this instance an EIS is being prepared based on requests received and concerns that the PDT has heard repeatedly voiced during public outreach. This decision was made in the hope of easing some of these concerns, because the regulatory requirements for an EIS are more detailed and rigorous than the requirements for an EA, including publication of a Notice of Intent (NOI) to prepare and EIS in the Federal register, scoping, a minimum 45-day public and agency review, and publication of the Notices of Availability in the Federal Register before the draft and final EIS is released to the public. The EIS process ends with the issuance of the Record of Decision (ROD).

An NOI was published in the Federal Register on 28 December 2018, marking the beginning of the EIS scoping phase. Subsequently, scoping letters were released on 07 January 2019. The NOI, scoping letter with attachments, and scoping responses are included in Attachment 11.

4.2.1 45-day public and agency review

A Notice of Availability (NOA) was published in the Federal Register on 03 May 2019 (EIA no. 20190081), marking the beginning of the mandatory 45-day Public and Agency Review phase. The Chicago District extended the close date for public comments from 17 June 2019 to 02 July 2019.
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based on requests received from project stakeholders and the public. The review period was then extended once more, resulting in a final close of Public and Agency Review on 01 August 2019.

4.2.2 Public Meetings

Three meetings were held during Public and Agency Review on the week of 13 May 2019.

- Stakeholder Meeting – 13 May 2019 – This meeting was held at the Chicago District office at 231 S. LaSalle Street, Suite 1500, Chicago, IL 60602. The purpose of the meeting was to present the Tentatively Selected Plan to key study stakeholders that have been in active coordination with the PDT during the planning process ahead of the two public meetings scheduled for later that week.

- Public Meeting #1 – 15 May 2019 – This meeting was held on a weeknight (Wednesday) evening at the Chicago Public Library East Vodak Branch, located at 3710 E 106th Street, Chicago, IL 60617. The purpose of the meeting was to present the Tentatively Selected Plan to the general public and receive feedback.

- Public Meeting #2 – 18 May 2019 – This meeting was held on a weekend (Saturday) morning at the Calumet park Gymnasium, located at 9801 S Ave G, Chicago, IL 60617. The meeting was a duplicate of the first public meeting, held at a different time and location with the intent of increasing opportunities for public involvement based on diverse work schedules, family obligations, etc. in the study area.
5.0 Summary of Public, Agency, and other Stakeholder Comments and Responses

This section attempts to summarize the comments and feedback received to date related to the proposed plan of vertically expanding the existing Chicago Area CDF. Rather than responding to each individual comment, similar comments have been grouped together to 1.) highlight the major themes that developed during study coordination, and 2.) to increase efficiency and limit redundancy in providing responses.

**General Comments and/or Plan Formulation**

**Comment:** The Corps should conduct an Environmental Impact Statement (EIS) rather than an Environmental Assessment (EA).

**Response:** Upon receiving this request in multiple forums during the extensive public and stakeholder coordination that went into the CAWS DMMP, the Corps made the decision to complete an EIS rather than an EA following a public workshop that was held in 2018. Most commonly, an EIS is completed only when significant adverse impacts are anticipated (often following the completion of an EA). This is not the case for the CAWS DMMP. However, the lead agency (the Corps of Engineers), may decide to complete an EIS if there is either scientific or public controversy over the proposal. In a good faith effort to increase transparency and public involvement, the Corps initiated an EIS. The regulatory requirements for an EIS are more detailed and more rigorous than the requirements for an EA.

**Comment:** The process provided by the Corps of Engineers has been rushed and insufficient. Preliminary comments show that there is public opposition to this proposal.

**Response:** The Corps initiated the CAWS DMMP in 2001. Over the long life of this study, the Corps has undergone multiple public and stakeholder outreach efforts in accordance with the NEPA process and internal best management practices. A draft CAWS DMMP was released for public review in the summer of 2015, during which time public meeting were also held. During this review period, it was apparent how controversial the proposed project was to certain stakeholder groups in the study area.

After a brief hiatus due to a lapse in non-federal sponsorship, the study process resumed again in 2017. The Corps utilized the lessons learned from stakeholder opposition in 2015 to develop a public involvement process that sought to bring stakeholders into the process earlier and reach more individuals, groups, and agencies. Over 2018, the Corps convened 3 stakeholder meetings for key interest groups identified in the study area, hosted 2 public workshops that were open to the broader community, and developed a pilot web-application to solicit feedback on potential sites from an even wider audience. Then, in 2019, the Corps reissued scoping letters for the development of an EIS, released a draft CAWS DMMP document for 45 day public review, extended the public review twice (to a total of 90 days), and hosted 2 public meetings. Based on all of this outreach, coordination, and transparency, the Corps believes that it has taken the meaningful steps to be anything but rushed and/or insufficient.
Comment: The 2015 draft DMMP and draft EA did not include the option of a Vertical Expansion of the existing CDF. The Corps of Engineers was not transparent in how it arrived at vertical expansion, when it had previously been screened out as a potential site.

Response: In the 2015 draft plan, vertical expansion had been considered as a potential alternative but had been screened out as inadequate in size for the confinement of all sediment dredged from the harbor and river. As a result of the public involvement campaign, specifically the stakeholder roundtable meetings and public workshops of 2018, as well as due to changing policies within USACE, the team reconsidered the basic assumptions for the plan. Specifically, the plan now does not include the confinement of clean harbor sediment. This greatly reduces the facility size requirement. The vertical expansion alternative was developed and analyzed side-by-side with the other potential sites and ultimately selected as the recommended plan, as described in the CAWS DMMP. This information was presented to the public at 2 public meetings held in 2019 as well as in the Draft CAWS DMMP that the Corps released for 45-day public review (that was then extended to a 90-day review).

The specific discussion related to reincorporation of the vertical expansion alternative (which had been screened out during the 2015 draft) is include in the DMMP report in Section 3.10.4 under the bullet Re-examination of original site identification process.

Comment: The draft report was unclear regarding the history of the existing Chicago Area CDF, the status of its original liner, and what is the potential for contaminated material inside the facility to be released into the aquatic environment.

Response: The CAWS DMMP was updated to be clearer on this issue and additional documents related to the history of the site, specifically as it regards a liner, have been made available on the study website, including:

- The Original 1982 Chicago Area CDF Environmental Impact Statement
- 1986 Forum to Review CDFS – Chicago Liner Experience
- 1998 Chicago Area CDF Supplemental EIS, and
- 2000 CDF Containment Features: A Summary of Field Experience


USACE conducts regular monitoring of the facility. Based on the data collected over many years, there is no evidence that the facility has released any contaminants to Lake Michigan, the Calumet River, or to Iroquois Landing. Monitoring data has likewise been made available on the web at the same site as above.

Comment: Consistent with applicable requirements, USACE should state in the FEIS whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted.
Response: The draft CAWS DMMP included measures to avoid and minimize environmental harms for all of the final project alternatives. In the final CAWS DMMP, a new section has been added to Section 4.20 (Avoid, Minimize, and Mitigate) that reiterates and summarizes the measures taken to avoid and minimize potential adverse impacts.

Comment: Request that the Corps make public additional environmental data and provide the public adequate time to consume this additional information.

Response: Additional environmental data has been made publically available on the study website and includes routine water monitoring reports, dredging reports, sediment sampling reports, subsurface investigations, trend analyses, and additional background information on the history of the existing CDF and its liner. This information was made publically available based on a request received during public review of the draft CAWS DMMP. The public review period for the draft DMMP was extended twice from its original duration of 45 days to a total of 90 days. This information is posted on the study website at: [https://www.lrc.usace.army.mil/Missions/Civil-Works-Projects/Calumet-Harbor-and-River/](https://www.lrc.usace.army.mil/Missions/Civil-Works-Projects/Calumet-Harbor-and-River/)

Comment: The Corps should expand upon its narrative information regarding materials management in the Recommended Plan, including descriptions of staging and separation methods.

Response: Additional narrative description regarding materials management in the recommended plan was included as the final paragraph of section 6.2. Additional details on the ongoing development of the beneficial use strategy can be found in the newly added beneficial use appendix (Appendix L).

Comment: Non-federal sponsor agreement is required for vertical expansion of the existing CDF.

Response: We agree. The Chicago Department of Transportation, Chicago Park District, and Illinois International Port District have all provided letters of intent to serve as non-Federal sponsors for the project. While CDOT will share in the design and construction costs, CPD and IIPD have offered to provide the necessary real estate.

Comment: The Mayor and her Administration, the Chicago City Council, the Park District Superintendent, or the Park District Board would all certainly need to review any such proposal before agreeing to take on these costs and liabilities. Rather than the useful park land the City bargained for in 1982, the City of Chicago and Chicago Park District will be left with the bill for managing in perpetuity a towering hazardous waste landfill.

Response: The Corps has worked closely with its non-federal partner, the City of Chicago, as represented by CDOT, since it joined on as the non-federal sponsor for this study in 2017. In addition to day-to-day participation in the feasibility study process, the non-federal sponsor has participated in all public outreach engagements hosted since they became involved in the study.
The Chicago Park District agreed to be responsible for the long term operation and management of the existing Chicago Area CDF, according to the terms of the original cooperation agreement. This will not change as a result of the recommended plan for vertical expansion but the site will have a different topography. While the Corps cannot speak for CPD’s long-term vision for the site, there are numerous examples in Chicago, nationally, and globally of successful habitat and/or parkland development on previous mounded disposal sites.

**Comment:** The Corps should accurately characterize the total volume of material that will be land disposed now and in the future.

**Response:** Based on historical averages, the Corps estimates that:

- 500,000 CY of dredged material from the Calumet River will be confined over the next 20 years
- 500,000 CY of dredged material from Calumet Harbor will be beneficially used in certain unconfined upland applications over the next 20 years. Approximately 158,000 CY of the Calumet Harbor dredged material will be used beneficially for constructing the vertical expansion.
- 30,000 CY of dredged material may be dredged from the Cal-Sag Channel at some point during the next 20 years

In the future, any number of variables could affect the amount of dredging that is required to maintain the federal navigation channels of the CAWS. Regularly repeating the process of developing a DMMP ensures that management measures being employed continue to be aligned with real world conditions.

**Comment:** The DEIS is unclear if dredged materials will all be staged for dewatering at the Chicago CDF or if some/any dredged materials will be transported directly to beneficial use locations.

**Response:** The exact details of how beneficial use of Calumet Harbor dredged material will be implemented continues to evolve and is described in greater depth in the added Beneficial Use Appendix (Appendix L). Additionally, the Chicago District anticipates releasing a supplemental National Environmental Policy Act (NEPA) document that is devoted entirely to the beneficial use of dredged material related to this DMMP as more information becomes available. Currently, there are multiple ongoing conversations with the Illinois Environmental Protection Agency (IEPA), the Indiana Department of Environmental Management (IDEM), researchers from the Corps’ Engineering Research Development Center (ERDC), existing beneficial use practitioners, and other stakeholders to better understand the opportunities for beneficial use of dredged material from Calumet Harbor and to demonstrate the viability of such uses through case studies and pilot projects.

**Comment:** Contrary to USACE’s statements that only the 500,000 CY of River Dredge will be disposed of in the Vertical Expansion, this structure will actually also be the depository of a massive amount of the Harbor Dredge, if not all of it.
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Response: None of the material dredged from Calumet Harbor that is suitable for beneficial use will be placed inside the facility. Calumet Harbor material will, on the other hand, be used to construct the containment dikes (two levels) and the majority of the final cap. All other suitable material will be beneficially used offsite as described in the Beneficial Use Appendix (Appendix L). The exact details of the final beneficial use plan are continuing to be coordinated between the Corps, the non-federal sponsors, the appropriate regulatory agencies, and other stakeholders, as applicable. Once this process is completed, the Corps intends to complete a supplementary NEPA document describing the plan. Additional feedback will be solicited from the public related to beneficial use opportunities at that time.

Comment: How much of the Harbor Dredge will be disposed of/beneficially reused at this location, rather than beneficially reused at another non-CDF location?

Response: Approximately 60,000 CY of Calumet Harbor material will be used in the Stage I containment berms. Approximately 52,000 CY of Calumet Harbor material will be used in the Stage II containment berms. Approximately 46,000 CY of Calumet Harbor material will be used in the final cap. This is a total of approximately 158,000 CY of beneficial use material. That leaves approximately 342,000 CY of beneficial use material to be utilized for other purposes over the next 20 years.

Comment: What is the weight that the existing CDF will be bearing on per square foot basis? And where is any discussion of the ability of the existing 1984 structure to support this weight? Is there a risk that operation will create additional pressure on the existing CDF and cause a rupture?

Response: A slope stability analysis was conducted in the geotechnical appendix (Appendix D) to ensure the additional vertical loading would not cause undue risk to the existing dike. The toe of the proposed berm needs to be at least 20 feet away from the existing dike to ensure the safety of the structure. This will be reevaluated during design after more subsurface investigation is complete.

Comment: How many acres of the property will be used for this drying operation? And how will these Harbor and Lake facing “drying pads” be protected from the high wind, rain, waves and storm surge that currently occur on the Lake Michigan shore?

Response: The two drying pads are each approximately 8 acres. The drying pads will be surrounded by existing containment berms (approximately 3 feet high). The drying pads are within the footprint of the existing Chicago Area CDF, where waves and storm surge are not known to have overtopped the existing rubble mound perimeter dike. Stormwater from the proposed facility will be collected onsite and directed towards the decanting pond. Wind would not be expected to pose a problem for wet sediment. However, dry sediment left on the drying pads would need to be managed to control dust using the measures described in the CAWS DMMP (including vegetation and wetting).

Comment: What is the purpose of the Wick drains and/or how are they anticipated to function?
Response: Wick drains will be used to help remove water from the sediment deeper in the CDF, to ensure that the material is consolidated. Wick drains combined with preloading (piling soils to provide weight) is a commonly used technique to consolidate soils prior to construction. Wick drains are actually vertical drains, somewhat similar to plastic drains wrapped in geotextile fabric that one might install around a home foundation, except that they are installed vertically. They provide an easy path for the water to move, so that when a load (soil) is placed on the area, the water is more or less “squeezed out” from the deeper layers. This results in compacted materials that are more easily used for a construction base. The water from the wick drains will be collected in the decant pond and will be handled with the water already collected from dredging operations and precipitation.

The subsurface is expected to settle on the order of 1+ feet with the additional loading (weight) of the new facility. Without wick drains, this settlement could take up to 2 years to complete. However, adding wick drains will reduce this time to a few months, preventing delays to the schedule or settlement during operation of the facility.

Comment: Why hasn’t the Corps proposed to install a double liner and a leachate collection system for the new Vertical Expansion as would be required for any landfill accepting this highly contaminated waste stream?

Response: The proposed facility is not a landfill. Landfills are clearly defined and strictly regulated facilities for the disposal of different classes of waste. The mixed waste in landfills is typically very porous and does not compact well, leaving liquids free to migrate downward and collect. Sediment, on the other hand, is not classified as waste and does not produce the negative byproducts of landfills, including chemical leachate and landfill gases. Sediment is heavy and compacts well, and fine grained sediment (such as at the existing CDF) tend to block the migration of water downward, so that there is no puddle of leachate at the bottom to collect. A liner and leachate collection system would not function at a CDF the way that they work at a landfill. Therefore, typical landfill design standards are not included in the proposal since they are not necessary to safely confine sediment.

Comment: DMMP fails to consider applicable environmental standards

• Friends of the Park believes IL Pollution Control Board water quality standards for Lake Michigan Basin are what the Corps should be using.

Response: The Corps has operated the Chicago Area CDF safely since 1984, and the facility is operated in accordance with a water pollution control permit that is issued to the Corps by the IEPA. The facility has maintained compliance with the permit and all applicable environmental standards. The Corps is committed to being accountable and meeting its environmental responsibilities in the future, for the existing CDF as well as the proposed vertical expansion. In accordance with the IEPA water pollution control permit, the water quality in the vicinity of the existing CDF is monitored, and past monitoring data has indicated that the water quality near the CDF dikes is comparable to the water quality at distant background locations in Calumet Harbor / Lake Michigan; there is no evidence that the CDF is impacting water quality in Lake Michigan or Calumet Harbor. During dredging operations, effluent from the CDF is pumped to filter cells located approximately a half mile west of the facility along the Calumet River. In accordance with the Illinois Pollution Control Board’s water quality standards, the Calumet
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River is not considered to be part of the Lake Michigan Basin, since it drains away from the lake. The standards for any discharge from the CDF are included in the IEPA issued water pollution control permit. Based on the monitoring of the influent to and effluent from the filter cells, the filter cells have been effective at removing total suspended solids (TSS), and USACE operations are in compliance with the permit.

Comment: The Corps did not provide or publish notice of its new proposal and the issuance of the Draft DMMP/EIS in Spanish or provide a translation of the Draft DMMP/EIS in Spanish as required based on the high proportion of Spanish-speaking residents in the neighboring Environmental Justice communities.

Response: Spanish translation services were available at the two public workshops hosted in 2018, as well as the two public meetings hosted in 2019. Translators introduced themselves at the beginning of each meeting in both Spanish and English so that participants would know that they were available.

Comment: The Corps is more concerned about the prospect of litigation or requirements for remediation that could delay the project than about risks to the environment. The possibility of releases from or a rupture of the existing and/or expanded CDF presents a major liability for the Corps and/or the non-federal sponsor(s).

Response: The current facility was completed in 1984, it has operated safely ever since with no permit violations or enforcement actions over the life of the facility to date. The likelihood of a remedial action being required is low based on the industrial history of the site. There is no evidence to support the assertion that a release is more likely to occur from the recommended plan site compared to any of the other study alternatives.

Comment: Contrary to the Corps’ suggestion that containing contaminated sediments in a CDF is a solution, these highly contaminated sediments will continue to present a risk and have to be managed in perpetuity.

Response: The commenter is correct that the legacy contaminated sediments must be maintained in perpetuity to protect humans and wildlife. However, the potential risk of exposure through contact with, or ingestion of, these sediments is much lower if they are safely confined in an engineered facility than if they were to continue to exist unconfined in the environment.

Comment: The City of Chicago, state, county and federal agencies, Southside community organizations, and multiple non-profit planning and environmental organizations have been actively engaged in projects to recover the natural environment from these areas of historic industrial degradation. USACE’s dismissal of the impacts of this massive project on wildlife habitat of all forms in this region will not withstand judicial scrutiny.
**Response:** The Corps has undergone substantial coordination with the stakeholder groups referenced above throughout multiple iterations of the plan formulation process for developing the CAWS DMMP. Further, the Corps believes that it has, in good faith, met the requirements of the National Environmental Policy Act. Specific documentation of these coordination efforts specific to habitat, as referenced in the comment, include the U.S. Fish and Wildlife Service Coordination Act Report that was received on 04 November 2019 and the Illinois Department of Natural Resources (IDNR) Coastal Management Program’s Coastal Consistency Determination that was received on 23 January 2020.

While the Corps’ navigation mission provides the impetus for this study, the continued maintenance of these federal navigation channels does provide ancillary benefits that align with the goal of recovering the natural environment from historical industrial degradation. It is noted that as a degraded industrial waterway, the Calumet River historically has provided nothing in the way of viable habitat. As contaminated sediment has been removed from the system, the waterway has improved and the habitat has begun to recover. Removing the contaminated sediment from the current uncontrolled locations is helpful to the larger environment.

**Comment:** The Corps ranks the likelihood of difficulty obtaining the real estate from the CPD to be “low”. This is based on assumption that there will be no delay in acquiring the Public Trust property and that the CPD and City will ultimately agree to fund and take responsibility for the Operation, Maintenance, Repair, Replacement, and Rehabilitation (OMRR&R), and assume liability associated with the vertical expansion. But, the DMMP/EIS provides no evidence of CPD’s or City’s agreement to this plan or to the City taking on these costs and liabilities.

**Response:** The U.S. Army Corps of Engineers, Chicago Department of Transportation (CDOT), the Illinois International Port District, and the Chicago Park District are all partners in the development of the CAWS DMMP and potential implementation of the recommended plan, pending approval and funding. The Chicago Park District agreed to be responsible for the long term operation and management of the existing Chicago Area CDF according to the terms of the original Project Partnership Agreement (PPA). Moving forward, the Corps and its non-federal sponsors will enter into a new or revised PPA following approval of the final CAWS DMMP. CDOT, acting as the primary non-federal partner, will cost share in the design and construction of the new expanded facility. IIPD and CPD will be providing real estate only. Once closed, the site will still be turned back over to the landowner (Chicago Park District) for long term operation and maintenance and its allowable end use will continue to be as maintained open space or parkland.

**Plan Formulation**

**Comment:** The Corps does not address causal factors of sediment accumulation in the CAWS; the Corps should consider measures in the DMMP to reduce accumulation of sediment in the channels.

**Response:** Based on the results of a study by the USACE Engineer Research and Development Center (ERDC) in Vicksburg, MS to investigate principal sources of sediment and associated contamination deposited in the Calumet River (Perkey, Chappell, and Seiter 2017), it appears the sediment sources in
Calumet Harbor and River are primarily stormwater and combined overflow sewer outfalls, channel outlets (particularly the channel outlet known as Pullman Creek), non-point sources and overland flow (materials that wash from upland). While best management practices at the individual property/parcel level may be effective in reducing sediment accumulation from non-points sources and overland flow, it is outside of the Corps’ authority to regulate those practices for private landowners. The Corps is, however, actively involved in efforts such as the Chicago Underflow Plan (CUP) that will help reduce stormwater and combined sewer overflows in the waterways in the future.

Comment: The Corps should consider technologies to treat contaminated sediment or describe why they were eliminated from consideration.

Response: The Corps considered and described potential treatment technologies in the CAWS DMMP. However, these treatment options were screened out because there are none that are proven effective or cost efficient at the necessary scale for the CAWS DMMP. Additional description of this measure and its screening has been added to the CAWS DMMP based on interest that the Corps has received from stakeholder groups and the public.

Sediment treatment is discussed in Section 3.7 of the CAWS DMMP. As explained in this section, ERDC prepared a technical report evaluating four available sediment treatment technologies (Estes et al. 2011). The four technologies evaluated include JCI/Upcycle Rotary Kiln, Cement-Lock, Minergy Glass Furnace Technology, and BioGenesis SM Sediment Washing Technology. The report discusses criteria for comparing the technologies, including an approximate cost per cubic yard for implementation. Mining sediment from CDFs is a concept that has been applied in Ohio but this is dependent on material quality. The ERDC study discussed above indicates that material from the Chicago Area CDF cannot be readily mined or ‘reclaimed’. Additionally, some of these techniques generate byproducts that are subject to the same type of environmental concerns as the sediment itself and would require additional management.

Comment: The Corps should include considerations for beneficial use of dredged material in the DMMP.

Response: Beneficial use is included in the CAWS DMMP as the Base Plan for Calumet Harbor material. As such, all material dredged from Calumet Harbor is intended to be used beneficially, and not placed inside the dredged material management facility. First, Calumet Harbor material will be used beneficially to construct the containment dikes that make up the dredged material disposal facility. After that, the Corps continues to coordinate with the non-federal sponsor, IEPA, IDEM, ERDC, and members of the private sector to identify additional options for beneficial placement and pilot projects to create engineered soil using dredged material. The Beneficial Use Appendix (Appendix L) was added to the CAWS DMMP summarizing these efforts. In the future, as specific beneficial use plans come into greater focus, the Corps expects to release a supplemental NEPA document to analyze potential impacts of the complete suite of beneficial use options that result from this effort.

Comment: Brownfields in the Calumet region should be capped and seeded to pasture grass or prairie.
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**Response:** The Corps does not have an environmental remediation authority that would allow it to undertake this type of larger effort in the Calumet region. However, the Corps is currently participating in ongoing master planning efforts for the IIPD and coordinating with state regulatory agencies in the development of a beneficial use plan for excess Calumet Harbor material that is not required for facility construction. To the extent that these efforts may overlap in the future, it is possible that the Corps will be able to provide clean fill for future development and ecosystem restoration projects. It is noted that the Corps has already participated in numerous ecosystem restoration projects in the Chicago Area, including within the Calumet region, such as Indian Ridge Marsh.

**Comment:** The Corps should identify “hot Spots” in the river corridor that are generating polluted sediment loads, develop a plan that would rate every acre in terms of its role in sediment loading to the river, and then start capping/solving these “hot spots” in a systematic order. It is irrational to construct a sediment facility without a highly detailed, comprehensive analysis of sediment quality throughout the entire area that is to be dredged.

**Response:** The Calumet River is not a static system. Shoaling areas in the Calumet River are the result of sediment migration throughout the corridor. Once in the river, sediment continues to move as water flows and ship traffic exert forces on the system. Therefore, “hot spot” locations would reasonably be expected to shift to some extent from year to year. As sediment quality continues to improve throughout the Calumet River, the Chicago District may undertake a comprehensive sediment characterization study in the future to determine if the material has improved to the point of potentially being suitable for beneficial use.

**Comment:** The report fails to consider/acknowledge the Landfill Moratorium for the City of Chicago.

**Response:** The Corps is aware of the landfill moratorium for the City of Chicago. While there appears to be some confusion about this terminology, the proposed facility is not a landfill. Landfills are clearly defined and strictly regulated facilities for the disposal of different classes of waste. Sediment, on the other hand, is not classified as waste and does not produce the negative byproducts of landfills, including chemical leachate and landfill gases. The Chicago Area CDF is not a permitted landfill and cannot accept waste streams. Only dredged materials are placed in the facility.

**Comment:** The Corps should develop an intergovernmental strategy to address source reduction of pollutants in the CAWS.

**Response:** The Corps’ regulatory mission requires users to seek a permit in order to place fill in the Waters of the United States. Non-point sources of sediment, such as stormwater runoff and combined sewer overflows, are believed to be the major source of sediment in the Calumet River. Developing an intergovernmental strategy specifically to reduce non-point source pollution coming from private lands is not within the Corps’ authority, although the Corps has reduced sediment loading from combined sewer overflows through flood control projects such as the Chicago Underflow Plan (CUP).
Comment: It is unclear from the DEIS whether the Corps considered whether the portion of the Tunnel and Reservoir Project (TARP) that has already been completed will obviate a substantial portion of the need for the project. Using loading data from prior decades regarding sediment loading without adjusting for the work that has been done to control pollution is inappropriate.

Response: Corps guidance for the development of DMMPs supports using historical averages to predict future management needs, particularly if there are not anticipated significant changes in dredging operations or site conditions in the study area in the future. While it is possible that the quantities estimated in the DMMP may turn out to be high as a result of the TARP, it is too early to accurately quantify that amount. Since any trend in sediment quantity resulting from the TARP would likely indicate a net decrease, there is a low risk that the assumptions outlined in the CAWS DMMP would result in a recommended plan that is insufficient for the actual quantities removed from the waterways. If changing conditions in the future indicate a decreasing need for dredging or sufficient quality improvement that Calumet River material could be used beneficially, the Corps can initiate a new DMMP process. More directly, the Corps can defer construction of the second lift of dikes for the planned facility if the capacity is not needed in the future.

Comment: Landfilling dredged sediment from the calumet river was not seriously studied or fairly assessed in the report.

Response: The Corps developed cost estimates for landfilling contaminated dredged material from mooring cells as part of the 2018 GLMRIS-BR Report (USACE 2018) referenced in the integrated DMMP/EIS. This was based on the cost of offloading, dewatering, hauling, and placement of approximately 65,000 CY of material. Assuming that this material would be sent to a regulated solid waste landfill facility with 2.5 miles (20 minute round trip) of the existing Chicago Area CDF, this represent a rough order of magnitude cost of ~$230 per CY (including tipping fees) or ~$100 per CY just for hauling and disposal. In total, landfilling dredged material represents an almost 100% cost increase compared to containment in a dedicated sediment management facility. [It should be noted that there is not a regulated landfill within 2.5 miles of the CDF that could take this material, so that the transportation costs would be much higher than estimated.]

The use of a commercial landfill is potentially viable for small-scale or one-time dredging applications. However, due to the increased cost of pursuing private management at the scale of this study and the lack of assured capacity at nearby landfills, it was not retained for inclusion in the study alternatives. This information has been added to the explanation of screening decisions made during the feasibility study.

Comment: Annual transport and disposal of dredged sediment in an out-of-city landfill is minimal compared to the amount of surrounding truck traffic and landfill capacity in the surrounding metropolitan region. If dredging generated 25,000 CY of sediment per year, it would likely take four to five 30 cubic-yard trucks per day for 200 days to transport the dredged material to a certified landfill. This is a small number of trucks considering the thousands of trucks that pass through daily in area IDOT ADT truck movement counts.
Response: Putting aside the local impacts of all the additional truck traffic in the community to transport material from Iroquois Landing to a certified solid waste landfill, dredging and dredged material management are not year-round activities. Therefore, if landfilling all of the contaminated material were to occur, the timeframe would likely be much shorter than 200 days, resulting in a corresponding increase of daily truck traffic. In addition, the use of trucks to haul materials will increase local air pollution and will increase the project costs substantially.

Comment: There is evidence that a new CDF is not needed based on sediment quality improvements observed over time. A “no CDF” alternative may become viable in the future if sediment conditions continue to improve. The Corps should continuously sample to avoid all unnecessary disposal now and in the future.

Response: The Corps will continue to sample according to the standards outlined in the USEPA/USACE Great Lakes Dredged Material Testing and Evaluation Manual (1998) or successor guidance as applicable. If sediment quality continues to improve, there may come a time when the Corps is able to beneficially use even more material than what is included in this DMMP.

Comment: In the Final EIS, clarify if “future evaluations” are planned in the future to re-evaluate open water placement. And if so, when and for what purpose?

Response: The following language was added to Section 2.2.3 – Sediment Quality to clarify how this re-evaluation might occur in the future: “At this time, no specific plans exist for a separate analysis for open-water placement of Calumet Harbor material. However, the Chicago District follows specific regional guidance in the Great Lakes Dredged Material Testing and Evaluation Manual (1998) to determine whether sediment will be suitable for open-water placement. If continued sampling of dredged material shows changes in the sediment characteristics, open-water placement will be re-evaluated.”

Comment: Based on the screening criteria of avoiding high quality habitat, the vertical expansion alternative should not have been included in the final alternatives because of its location in and adjacent to Lake Michigan and its associated high quality habitat, including endangered species.

Response: The Corps screened out any new in-water sites considered during the study in order to reduce potential impacts to the natural environment (Sections 3.10.4 and 3.10.5 in the CAWS DMMP). The existing Chicago Area CDF was built out into Lake Michigan in the 1980s. Since that time, however, it has been filled and is now approximately at grade with the surrounding upland landscape. As a result, vertical expansion will not be located in Lake Michigan.

Comment: Avoiding contaminated sites was another screening criteria for site selection. However, the existing CDF is a contaminated site filled with highly contaminated dredge materials. The DMMP rejects
other upland sites based on much less contamination risk and should, therefore, likewise reject the vertical expansion alternative.

**Response:** During the site selection and screening process, the Corps attempted to avoid sites with unresolved contamination issues. Hazardous, toxic, and radioactive waste (HTRW) is a major concern in formerly industrial landscapes and the Corps does not have an environmental remediation authority. Therefore, selecting a site that requires remediation prior to use by the Corps would place an additional burden on the non-federal sponsor. Unresolved regulatory status or litigation over contaminated sites and/or requirements for the non-federal sponsor to carry out remediation actions prior to implementation would also have negative, and potentially major, impacts on the implementation schedule. This could impact the Corps’ ability to continuously maintain the waterways, resulting in increased economic damages.

The existing Chicago Area CDF site was originally designed and constructed by the Corps and has been continuously operated by the Corps ever since. For these reasons, the Corps believes that the risk of contamination issues associated with the Vertical Expansion alternative is the lowest of all study alternatives. This is due to the fact that vertical expansion occupies the same footprint as the existing Chicago Area CDF. Prior to construction of the existing facility, the site was occupied by the near-shore waters of Lake Michigan. The current facility was completed in 1984, it has operated safely ever since with no permit violations or enforcement actions over the life of the facility to date. The likelihood of a remedial action being required is low based on the industrial history of the site.

**Comment:** None of the other alternatives would discharge water to Calumet River or Harbor. If this effluent meets water quality standards, why isn’t the Corps discharging to the River from those alternative sites? The fact that the Corps is not including the costs of hooking up to existing sewer infrastructure artificially reduces the cost of the Vertical Expansion alternative and results in a cost-benefit comparison that is not “apples-to-apples”.

**Response:** The Corps’ decision to connect the non-recommended alternatives to existing sewer infrastructure would have allowed the Corps to safely manage excess water without the added administration effort (for both the Corps and IEPA) of continually renewing discharge permits and adhering to the stipulations therein to ensure that the facility protects water quality. This planning foresight to utilize existing infrastructure is logical for the development of a new facility. Unfortunately, there is no existing sewer infrastructure available for the vertical expansion alternative. However, the site does already include infrastructure in the form of a force main and 2 filter cells. All of the study alternatives utilize existing wastewater infrastructure to the extent practicable. The difference is that utilizing the infrastructure at the existing Chicago Area CDF site will require additional permitting with IEPA, which the Corps has a long successful history of doing at this site. The cost differences between these facilities are captured in the total project costs. Either strategy would result in the same economic benefits that are used in determining the economic justification of the project.

**Comment:** The Corps should better explain the cost analysis that led to the decision to screen the measure of employing sediment treatment measures.
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Response: More detail has been added to Section 3.7 of the CAWS DMMP related to some of the specific treatment measures that the Corps considered in its analysis. In addition to, and more importantly than increased costs, current potential measures for sediment treatment are not proven to be effective at the scale necessary to provide a feasible alternative for consideration in the CAWS DMMP.

Natural Resources

Comment: The Corps does not fully discuss potential impacts to aquatic resources found in the CAWS that could be adversely impacted by dredging operations, including increased turbidity and sediment mobilization in the water column.

Response: Maintenance dredging of the federal navigation channels is covered under an existing NEPA document, as cited (see below for reiteration). The CAWS DMMP is focused on analyzing the potential impacts of constructing and operating a new dredged material disposal facility, as described, at various potentially suitable sites within the study area.


Comment: A new sediment facility should be maintained so as not to become an attractive nuisance for wildlife.

Response: Concur. Wildlife will be discouraged from using the site during its operational life. This includes, but is not limited, to fencing and proper maintenance of vegetation on the site.

Comment: The final document should expand its discussion and list of wildlife that is known to utilize the CAWS.

Response: The Corps has coordinated with the U.S. Fish and Wildlife Service, IDNR, and IDEM in the development of the documentation of existing wildlife in the study area (Chapter 2).

Comment: The Corps should include the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act to the list of applicable federal laws included in the Environmental Impact Statement.

Response: These Acts have been added to the list of federal laws that the EIS was developed in compliance with.

Comment: DMMP does not adequately discuss Lake Michigan in its natural resources impact analysis.
Response: The CAWS DMMP does consider whether potential impacts to Lake Michigan would occur as a result of any of the alternatives presented in the document. For the so-called upland alternatives, site liners would prevent seepage into groundwater, the Calumet River, and Lake Michigan. Additionally, dewatering operations at these sites would discharge directly to existing MWRD sewer infrastructure.

For the recommended plan (vertical expansion of the existing Chicago Area CDF), water from dewatering operations would be treated and discharged consistent with the current method of operation at the Chicago Area CDF in compliance with applicable permits. Historic water quality monitoring reports for the Chicago Area CDF indicate that there is no significant impact on Lake Michigan water quality, and thus water quality impacts are not anticipated for the Vertical Expansion alternative.

In light of these conclusions that none of the study alternatives would adversely impact Lake Michigan, the Corps believes that it has adequately discussed Lake Michigan in its natural resource impact analysis (Section 4.3).

Comment: The Corps cannot rely on “resource agencies” concurrence in a previously selected TSP as concurrence in this newly identified option.

Response: The Corps has coordinated with the appropriate resource agencies as required under NEPA. Comments received have been responded to both in this document and in edits made to the final CAWS DMMP. Additionally, concurrence has been gained from the U.S. Fish and Wildlife Service in a Coordination Act Report dated 04 November 2019 and from the IDNR Coastal Management Program in a Coastal Consistency Determination dated 23 January 2020.

Comment: The DMMP/EIS is dismissive of the impacts the proposed project will have on Endangered Species. “Because the alternative sites are located in disturbed urban environments, no significant impacts to any state-listed endangered or threatened species are expected to result from the DMDF development and use.” The Corps should perform a serious analysis of this project on those species. Further, for the Vertical Expansion alternative, USACE should specifically consider species that frequent or live within the waters and shore of Lake Michigan.

Response: Corps biologists/ecologists have analyzed all of the alternative sites, in coordination with USFWS and IDNR, and determined that there are no known critical habitat areas present at the DMDF site. Further, the habitat which is present is unlikely to support threatened and endangered species. The vertical expansion alternative is not expected to impact Lake Michigan based on facility design to manage sediment and stormwater on site, operational controls to prevent releases during the active life of the facility, and the historical water quality monitoring that the Corps has made publically available on the project website. On 26 June 2020, USFWS concurred that the recommended plan would have no effect on federally listed threatened or endangered species.

Comment: The DMMP/EIS concludes that “There are no high quality natural resources at any of the sites included in the final array of alternatives.” This implies that the Corps doesn’t consider Lake Michigan to be a natural resource.
Response: The Corps acknowledges and values Lake Michigan as a valuable environmental, social, cultural, and economic resource. None of the alternative sites considered in this study are located in, or cause significant adverse impacts to, Lake Michigan. All of the study alternatives call for the development of upland sites to safely confine contaminated material that currently exists unconfined in waterways that are directly connected to Lake Michigan. The development of any new in-water sites was screened out due to concerns over potential for adverse environmental impacts to these waters, including Lake Michigan.

Comment: Dredging will suspend sediments in the water column that may be polluted with contaminants such as phosphorous. There should be a discussion of best management practices during dredging to limit suspension of contaminated sediments.

Response: Maintenance dredging of the federal navigation channels is covered under an existing NEPA document, as cited (see below for reiteration). The CAWS DMMP is focused on analyzing the potential impacts of constructing and operating a new dredged material disposal facility, as described, at various potentially suitable sites within the study area.


Sediment Quality

Comment: The Corps should undertake additional sampling, particularly for PCBs.

Response: None of the past sediment samples have exceeded the 50 milligrams per kilogram (mg/kg) PCB regulatory threshold under the Toxic Substances Control Act. Historically, concentrations of PCBs in the water samples collected from the Calumet River have been below the detection limit, but the concentrations of PCBs measured in sediment samples from the Calumet River have been heterogeneous and varied from non-detectable to a maximum of 39 mg/kg in 1989, as shown in the Tier 1 Sediment Evaluation prepared November 2010 (located in Appendix C: Environmental Engineering).

Comment: The Corps has not identified the sampling protocol it will use to assess if the material is suitable for beneficial use.

Response: The Corps samples dredged material according to the standards outlined in the USEPA/USACE Great Lakes Dredged Material Testing and Evaluation Manual (1998). If sampling trends indicate that Calumet River material may be suitable for beneficial use, the Corps would need to complete a comprehensive sampling event throughout the waterway. Then, a human health risk-based screening would be performed to determine whether the analytical results from that sampling effort are less than risk-based concentrations developed by the USEPA and the IEPA. This is the process that was utilized to determine that unconfined upland placement would be appropriate for Calumet Harbor material.
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**Comments:** Recommend that the Corps undertake additional sampling for PCB levels in sediments to be placed in the CDF, both during and after the vertical expansion of the CDF, to ensure PCB levels continue to stay below this threshold.

**Response:** The Chicago District follows specific regional guidance in the Great Lakes Dredged Material Testing and Evaluation Manual (1998). The Chicago District understands that PCBs are a legacy contaminant of concern and plans to continue testing the dredged material for PCBs. It is noted that PCBs have never been above 50 mg/Kg (the concentration regulated under the Toxic Substances Control Act).

**Comment:** Include a discussion on the results of 2000 analytical testing for SVOCs in the FEIS. Provide clarification on whether SVOCs will or will not, and why or why not, be considered a COC after the vertical expansion of the existing CDF.

**Response:** The results from the SVOC testing of the Calumet Harbor sediment samples collected in 2000 were summarized in Table 2 of the Tier 1 Sediment Evaluation for the Calumet Harbor and River sediment, dated November 2010. The Tier 1 was included with the Environmental Engineering Appendix of the CAWS DMMP. The table identifies the nine (9) SVOCs that were detected in the Calumet Harbor sediment samples, and the maximum concentrations were compared to the corresponding values listed for industrial and residential properties in the Illinois Administrative Code (IAC) Part 742 regulations (tiered approach to corrective action objectives – TACO). Two (2) of the SVOCs, 3/4 – Methylphenol and phenanthrene, were not listed in TACO, so comparison concentrations were not available. Only one of the remaining SVOCs, benzo(a)pyrene, had a maximum concentration in the sediment that exceeded the corresponding TACO residential value, but a footnote for this compound explains that for sites located in any populated area, the background concentration may be used. Since the background concentration for this compound in Chicago (shown in Appendix A, Table H of TACO) was higher than the maximum measured concentration, benzo(a)pyrene is not considered to be a COC for the Calumet Harbor sediment.

Sediment samples from the Calumet River are not typically tested for SVOCs since metals have historically been the contaminants of concern that were known to be present in high concentrations. The sediment is monitored for the parameters listed in the IEPA water pollution control permit. This permit was included with Appendix C (the Environmental Engineering water quality addendum) of the CAWS DMMP. The program for future monitoring of the sediment and water quality will be coordinated with the IEPA and will be performed in accordance with applicable environmental standards, regulations, and guidance, such as the IEPA water pollution control permit and Great Lakes Dredged Material Testing and Evaluation Manual (1998).

**Water Quality**

**Comment:** The Corps needs to better discuss whether continued operation of a DMDF at the location of the existing Chicago Area CDF would impact drinking water, which is drawn from Lake Michigan.
Response: Section 4.9.1 Potential Pathways of Exposure was added to the CAWS DMMP. Drinking water is discussed under the Ingestion Controls subheading as it relates to the Chicago Groundwater Ordinance of 1997 and the City’s drinking water intake structures in Lake Michigan. Continued operation of a sediment facility at the location of the existing Chicago Area CDF would not adversely affect drinking water drawn from Lake Michigan. Further, water quality monitoring data has been made publically available on the study website. These reports support the conclusions made in the CAWS DMMP.

Comment: The Corps claims that all alternatives other than “no action” provide the environmental benefit of cleaning up legacy contaminants in the River and Harbor. However, this doesn’t take into account the impact of concentrating those legacy contaminants in one place. In the case of the Vertical Expansion alternative, this concentration of legacy pollutants is being placed on the shore of Lake Michigan at the same location where these sediments have for the last 35 years been allowed to interact with Lake Michigan water and have contributed to contamination of this precious resource. Further, effluent from these dredged materials is proposed to continue being discharged back into the River with only filtration as treatment.

Response: Legacy contaminants currently exist unconfined in the environment where they are more able to migrate between waterways, including direct connection to Lake Michigan. For this reason there is a much higher likelihood of legacy contaminants affecting Lake Michigan in the current condition than there would be if the same contaminants were safely confined in an engineered facility. The existing Chicago Area CDF has not experienced any breaches or ruptures (or indications of such failures) over the life of the facility. Water quality monitoring reports have been made publically available online and in a water quality addendum to the Environmental Engineering Appendix. These reports show that contaminants are not leaking out of the existing CDF, but rather are safely bound within.

Comment: The monitoring that has been done indicates that, for a number of pollutants, pollution levels are higher in the immediate vicinity of the existing CDF than background levels and much higher than applicable water quality standards (e.g. phosphorus, WQS =.007 mg/L). If the current calendar year monitoring program that calls for comparing near CDF pollutant levels for certain pollutants with background levels is not adequate to detect problems, expansion of the CDF should not be considered seriously until a more adequate monitoring system is devised and put into effect.

Response: An overview of the water quality monitoring results is provided in the Chicago Area CDF Data Analyses that are periodically submitted to the IEPA. These analyses were included with Appendix C (Environmental Engineering Appendix water quality addendum) for the CAWS DMMP. The most recent analysis covers the time period of 2010 through 2015, and this report is dated February 2016. The data were divided into two (2) groups; historical (1984 to present) and current (Water Year 2011 to the present). The recent data are typically more accurate and reliable because of advancements in technology and laboratory methods. It can be seen from the current data that the mean (average) concentrations for the background and near-dike sample locations were 0.00851 and 0.0085 mg/L, respectfully. These average phosphorus values are nearly identical. The background concentrations are representative of ambient levels in Lake Michigan (Calumet Harbor). The water quality standard does not reflect the conditions in the Lake, but rather the allowable discharges to the lake. In the case of the
monitoring, the near-dike sample (which would reflect any pollution leaking from the CDF) is insignificantly lower than the existing lake concentration. In other words, the concentrations are the same and there is no evidence that the CDF is impacting the lake.

**Comment:** The Calumet waterways are experiencing water quality improvements over time as a result of efforts to decrease combined sewer overflows. A new sediment facility would contribute to the problem of contaminated sediments.

**Response:** Maintenance dredging actually has the ancillary benefit of removing contaminated sediments from the waterways where they currently exist unconfined. Operation of the existing CDF is covered by an IEPA permit pursuant to Section 402 of the Clean Water Act that was renewed most recently in 2016. This permit covers facility operations in addition to the discharge of effluent following treatment in the filter cells, neither of which is anticipated to change or cause significant adverse impacts, as documented in this integrated DMMP and EIS.

**Comment:** Corps should seek a modification of its NPDES permit for the existing Chicago Area CDF.

**Response:** IEPA presently regulates the existing facility under a water pollution control permit that needs to be renewed every five years (current permit expires May 2021). This permit covers facility operations in addition to the discharge of effluent following treatment in the filter cells, neither of which is anticipated to change or cause significant adverse impacts, as documented in this integrated DMMP and EIS. USACE will submit a permit renewal application in late 2020, and will include the proposed design and operational changes for the vertical expansion facility.

**Comment:** SETF requests clarification of the status of making modifications to the existing NPDES permit and generating this documentation. SETF also asks the Corps to commit to public engagement as part of making this modification.

**Response:** Information is presently being compiled and reviewed prior to the late 2020 submission of an application to renew the existing IEPA water pollution control permit. The Corps coordinates directly with the IEPA to ensure compliance with their requirements and review process. It is the understanding of USACE that the IEPA typically provides public notices on their website for issuance of new permits. The specifics of the IEPA review process are best answered by the IEPA, so it is recommended that the SETF coordinate with the IEPA for more information regarding opportunities for public engagement during the permit review process.

**Comment:** The dike wall appears to be effective in controlling releases of pollutants for the facility. The Corps should state whether these results hold true specifically for mercury, lead, and PCBs.

**Response:** The pollutants in question tend to be associated with the sediment, and PCBs in particular are not very soluble. Thus, if the dikes prevent sediment release, USACE expects that the associated
pollutants are also being controlled. The Corps does conduct water quality monitoring for some parameters that are potential issues with the sediment. This information is included in Appendix C (Environmental Engineering Appendix water quality addendum). The trend analyses indicate that no significant adverse water quality impacts have occurred and the CDF is performing as designed to adequately contain the dredged material.

**Comment:** The Corps should expand on the description of effluent management for the proposed project. How will direct releases to Lake Michigan be prevented? How do the filter cells work and what constituents do they remove? What monitoring requirements are required to meet state water quality standards?

**Response:** The filter cells are intended to treat decanted water from the facility for the total suspended solids (TSS) by physically removing this material from the water. The complete current/active Water Pollution Control Permit for the existing Chicago Area CDF has been included in a *Water Quality Addendum* to the environmental engineering appendix and made available on the study website. The Corps anticipates that future Water Pollution Control Permits would be similar for the recommended plan.

**Comment:** The proposal states that effluent that doesn’t evaporate will be drained to a “dewatering pond,” run through a filter, and discharged to the Calumet River.

- Isn’t this discharge actually drained to the Harbor?
  **Response:** No, decanted water is collected in a pond at the south end of the facility before being transmitted via force main to the 2 filter cells that are located on the northwest corner of the IIPD’s Iroquois Landing property. After passing through the filter cells, treated water is discharged into the Calumet River.

- What contaminants are present in the “dewatering pond” effluent and at what level?
  **Response:** The parameters that are currently monitored for the influent to the filter cell are Total Suspended Solids (TSS) and nitrogen, ammonia. The effluent from the filter cell is monitored for the current dredging water quality monitoring parameters specified in the IEPA water pollution control permit. The permit is provided in Appendix C (Environmental Engineering Appendix water quality addendum) for the CAWS DMMP. The results (levels) from the water quality monitoring are provided in the maintenance dredging reports, and the dredging reports for Water Year 2013 and 2015 are included with the same appendix. The water monitoring program was designed to insure that no water quality impacts occur, and that the CDF is performing as designed to adequately contain the dredged material. The specifications for the initial water quality monitoring program were provided in Appendix G of the 1982 Environmental Impact Statement (EIS) for the Chicago Area CDF, but refinements/adjustments to the program have been made occasionally in coordination with the IEPA to make it more efficient and improve the quality of the data.

- What standards are applied to ensure the discharge will not degrade the River or Harbor?
  **Response:** The water quality program was developed to provide a standardized set of data to allow comparisons between the different sample locations in the vicinity of the CDF and background locations that represent the ambient conditions in Calumet Harbor (Lake Michigan).
Samples are also collected before, during, and after the dredging events, and routine monitoring is performed if there are no dredging events. Basically, the standards used for comparison are the background conditions that exist away from the CDF and the conditions that exist before the dredging activities start and after they are completed. The standard for suspended solids removal was to provide an effluent containing less than 15 mg/Liter of suspended solids. Based on averages of the sediment quality data and presumed homogenous distribution of chemical constituents in the sediment and effluent, the effluent quality was estimated to meet the applicable effluent standards at the discharge point in comparison to the Illinois discharge standards.

- Is filtration alone considered treatment for those contaminants?  
  **Response:** Yes, filtration is typically the primary treatment process for removing contaminants from water. Research indicates that the contamination associated with sediments is strongly bound to the solid particles, so the main goal for treatment was to remove the suspended solids, which was the objective for the filter cells. Anthracite filter media is also utilized within the filter cells to help remove contaminants. The Illinois Water Pollution Control Board sets water quality standards for effluent discharges in the State of Illinois, and the prime consideration for effluent quality of this operation is suspended solids, maximum allowable being 15 mg/liter.

- How often will this discharge be monitored?  
  **Response:** Effluent from the filter cells is only discharged to the Calumet River when dredged material is actively being placed into the CDF. When dredged material is placed into the CDF, the effluent is monitored once per week (on a weekly basis).

- Why shouldn’t this effluent be discharged to the MWRD sewer systems as was assumed for each of the other disposal options reviewed in the DMMP/EIS?  
  **Response:** Same response as to the question on Page 20 of this appendix. The Corps’ decision to connect the non-recommended alternatives to existing sewer infrastructure would have allowed the Corps to safely manage excess water without the added administration effort (for both the Corps and IEPA) of continually renewing discharge permits and adhering to the stipulations therein to ensure that the facility protects water quality. This planning foresight to utilize existing infrastructure is logical for the development of a new facility. Unfortunately, there is no existing sewer infrastructure available for the vertical expansion alternative. However, the site does already include infrastructure in the form of a force main and 2 filter cells. All of the study alternatives utilize existing wastewater infrastructure to the extent practicable. The difference is that utilizing the infrastructure at the existing Chicago Area CDF site will require additional permitting with IEPA, which the Corps has a long successful history of doing at this site. The cost differences between these facilities are captured in the total project costs. Either strategy would result in the same economic benefits that are used in determining the economic justification of the project.

**Comment:** The DMMP/EIS states that confining the highly contaminated sediment will be a public benefit. It fails to state that the sediments in the existing CDF are not confined. The existing CDF that will be the foundation of the Vertical Expansion was designed as an “in water” structure that would allow the dredged material to be hydraulically connected to the waters of Lake Michigan.

**Response:** The recommended plan is not located “in” Lake Michigan. The existing Chicago Area CDF was built out into Lake Michigan in the 1980s. Since that time, it has been filled and is now approximately at grade with the surrounding (upland) landscape. The Corps screened out any new in-water sites.
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considered during the study in order to reduce potential impacts to the natural environment (Sections 3.10.4 and 3.10.5 in the CAWS DMMP). Water quality monitoring reports have been made publically available online and in a water quality addendum to the Environmental Engineering Appendix. These reports show that contaminants are not leaking out of the existing CDF, but rather are safely bound within.

**Comment:** The vertical expansion option presents a prospect of catastrophic failure of the entire CDF and irreparable damage to the Lake Michigan shore as a result of “floating” another 1 million tons of highly contaminated dredge material on top of an unstable 1984 “in water” structure that was never intended for this purpose.

**Response:** The existing facility is not floating. Structural analysis (found in Appendix D – Geotechnical Engineering and Attachment 3 to that appendix) has not indicated that the facility is at risk of catastrophic failure.

**Comment:** In the case of the Vertical Expansion, the Corps plans to discharge decanted water back to the Calumet River following treatment in existing filter cells. Neither the DMPP/EIS nor the environmental data and reports provided to FOTP in Response to its FOIA Request include data on the quality of that discharged effluent in the past. Given the highly contaminated nature of this sediment, filtration alone is insufficient and the Vertical Expansion alternative should include the installation of a sewer connection and discharge to the MWRD.

**Response:** Filtration is an effective treatment and the water quality of the effluent from the filter cells has been provided in the maintenance dredging reports for the parameters in the IEPA water pollution control permit. The permit and reports are available for review in Appendix C (Environmental Engineering Appendix water quality addendum) for the CAWS DMMP.

**Comment:** The DMPP/EIS recognizes that localized changes in runoff patterns will occur but assumes these changes will not have a significant adverse impact while providing no evidence or analysis. This change in topography will create particularly difficult stormwater management challenges for the Corps, the CPD, and any other non-federal partner in perpetuity in order to prevent run-off from flowing into Lake Michigan.

**Response:** During active operation of the facility, stormwater will be maintained onsite, with perimeter drains that redirect stormwater to the dewatering pond. Water from the pond is periodically discharged through a treatment system during dredging operations. Upon closure and capping of the facility, the Corps will coordinate with CPD to determine how the final layout of the retired facility can fit in with future plans for the site. Long-term stormwater management maintenance strategies for capped site will be developed and implemented by CPD. Any contaminated sediment will be isolated from precipitation by the cap on the site, so those pollutants will not be discharged into Lake Michigan.
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Comment: Filtration alone only treats the decanted water for particles. It is not equivalent to the three-stage water treatment that occurs at the MWRD. The DMMP should provide evidence that the effluent quality meets the applicable water standards.

Response: Filtration is an effective treatment and the water quality of the effluent from the filter cells meets the applicable discharge standards set by IEPA. Documentation on the discharge quality has been provided in the maintenance dredging reports for the parameters in the IEPA water pollution control permit. The permit and reports are available for review in Appendix C (Environmental Engineering Appendix water quality addendum) for the CAWS DMMP.

Air Quality

Comment: The Corps needs to better discuss whether continued operation of a DMDF at the location of the existing Chicago Area CDF would impact air quality in low income and/or minority communities.

Response: The CAWS DMMP discusses consequences and potential impacts to air quality in Paragraph 4.4. Although the existing Chicago Area CDF has been in operation since 1984, this CDF was constructed as an “in-water” facility. As a consequence, a large portion of the site had been covered by water until approximately 2007. In general, the Chicago Area CDF is not expected to adversely impact the air quality, but proper controls and best management practices for particulate emissions will be necessary under certain weather conditions. Total emissions are anticipated to be well below threshold levels for all criteria pollutants.

Comment: The proposal will result in airborne sediment and volatilized PCBs.

Response: As long as dredged material is wet, it poses no risk of creating dust. As the material dries over time, it will first be moved to the interior of the facility where the containment dikes will provide some protection from the wind. Vegetation has a tendency to colonize naturally in dry dredged material. Additionally, dust abatement measures such as additional vegetating, wetting, and silt fencing will be applied, as necessary, to prevent desiccated material from becoming airborne. The sediments placed into the Chicago Area CDF have historically contained non-detectable to low concentrations PCBs, which are generally not highly volatile.

Comment: The Corps should discuss current and proposed air monitoring efforts and associated costs in the project vicinity.

Response: Corps operations personnel are frequently at the site to manage the dredged material, and these personnel are aware of issues concerning wind erosion and dust generation (particulate emissions), as well as methods to control dust emissions (i.e., wetting the material using a water truck or seeding vegetation (grass) for long-term control). It explains in Paragraph 2.2.2 that if the dredged material within the facility becomes so dry that it might be susceptible to wind erosion, and/or the construction equipment operations will potentially generate dust, a water truck or sprinkler system will need to be utilized to occasionally spray the material to suppress and minimize dust emissions.
Spontaneous vegetation of the dredged material also reduces the opportunities for dust generation, as plant roots hold the material in place. A more detailed dust control management plan is in development to investigate the use of other best management practices (BMPs) for wind erosion stabilization, such as silt fences and/or seeding and mulching to grow grass and other vegetation to proactively prevent the generation of dust and avoid adverse impacts to the air quality. The final dust control management plan will be developed during detailed design once the feasibility phase is complete. It should further be noted that the sediments placed into the Chicago Area CDF have historically contained non-detectable to low concentrations of volatile organic compounds (VOCs), so these compounds are not anticipated to cause adverse impacts the air quality.

Comment: Commitments to specific best practices to minimize greenhouse gas emissions from construction and operations.

Response: As described in Section 4.4, source emissions from construction equipment are regulated; construction equipment must use appropriate fuel and technology to minimize diesel exhaust emissions. The DMDF operation is not a source of greenhouse gas emissions, since “operation” in this case refers to passive drying of the materials. As with construction equipment, any equipment used for sediment management is regulated and must use appropriate fuel and technology to minimize emissions.

Comment: Provide clarification on why the proposed construction is expected to have a minimal impact on air quality in the study area without having completed data gathering or analysis. Provide information on the data analysis used to support USACE's conclusion.

Response: All of the proposed action alternatives would cause localized, temporary increases in exhaust emissions from equipment and vehicles during construction and placement activities. These impacts would be limited through emissions controls during activities, in compliance with USACE, USEPA, IEPA, and local laws and regulations. The construction and operation of a new sediment management facility would involve a small number of typical construction vehicles, used sporadically over the life of the facility. This operation was then compared to a much larger construction project (in Section 4.5 Air Quality) that was deemed to be well below de minimis levels for emissions. Since this much larger project was found to have a minimal impact on air quality, it can safely be inferred that construction of a new sediment facility would as well.

Because the CAWS DMMP construction is expected to have a minimal impact on air quality in the study area, it was determined to be unnecessary to conduct a detailed analysis using air quality models. Diesel exhaust emissions are not expected to be a long term issue, and USACE requires that all construction operations meet current environmental and safety laws and regulations. Particulate emissions are not expected to be a concern as long as the DMDF operation incorporates proper controls to reduce the potential dust emissions that may occur under certain weather conditions. Total emissions are anticipated to be well below threshold levels for all criteria pollutants.

Comment: In the FEIS, expand the above explanation to describe the weather conditions that could be problematic for particulate emissions.
Response: Clarification was added that the type of weather conditions that would pose the highest risk for particulate emissions include drought conditions and/or high wind. Desiccated soil is more likely to become airborne and high wind velocities would have increased potential to transport particulate emissions. Proper controls including wetting, vegetation, and wind blocks as described in the CAWS DMMP, would reduce the risk of particulate emissions.

Comment: EPA recommends the installation and use of additional air monitors (for PM at a minimum) around the project site. This would allow USACE to confirm if the proposed control methods (wetting the sediment, silt fences, or vegetation) are adequate. The FEIS should discuss USACE's proposals for air monitoring before, during, and after project construction. Additional monitoring should be committed to in the NEPA decision document... [and]... The FEIS should discuss current and proposed air monitoring efforts in the project vicinity, including any that are undertaken by USACE in addition to by others. Potential offsite impacts to air quality should be analyzed and discussed. The Final EIS should include locations of the existing air quality monitors at the Chicago Area CDF and discuss how USACE plans to provide information and monitoring data during construction, operation, closure, and post-closure of the proposed Vertical Expansion.

Response: Based on modelling and operations at other facilities, particulate emissions are only anticipated under certain weather conditions or when dry material is actively managed at the site. Visual monitoring, best management practices, and particulate control methods are expected to be sufficient. A more detailed dust control management plan is in development.

Comment: Will this drying operation be regulated as a “stationary source” subject to Illinois EPA and Clean Air Act permitting? Notably, the DMMP/EIS does not account for emissions from this operation and states that operation of the TSP entails no “stationary source” emissions.

Response: According to the U.S. EPA, stationary sources include industrial facilities such as factories and chemical plants, which must install pollution control equipment and meet specific emission limits under the Clean Air Act (CAA). The CDF is not a large industrial facility and emission levels are not anticipated to be significant. Total emissions are anticipated to be well below threshold levels for all criteria pollutants.

Comment: Regarding drying of dredged material: What type and quantity of emissions will be generated by these drying operations (will it include volatile organic or toxic emissions)?

Response: The sediments placed into the Chicago Area CDF have historically contained non-detectable to low concentrations of volatile organic compounds (VOCs). Particulate emissions might be a concern under certain weather conditions, and a detailed dust control management plan, which will include visual monitoring of the site conditions, is in development.
Comment: Will dredging operations be regulated as a “stationary source” subject to Illinois EPA and Clean Air Act permitting? Again, the DMMP/EIS does not account for these emissions and states that operation of the TSP entails no “stationary source” emissions.

Response: The CDF is not a large industrial facility, such as a factory or chemical plant, and emission levels are anticipated to be well below the threshold levels for the Clean Air Act. As a consequence, the CDF should not be regulated as a “stationary source,” and will not require a Clean Air Act permit.

Comment: Volatilized PCBs could be an issue for the CDF and its expansion and drying operations...[and]... both dermal and inhalation exposure routes should be evaluated by an industrial hygienist

Response: Characteristics of the sediment are provided in the maintenance dredging reports in Appendix C (Environmental Engineering Appendix water quality addendum) for the CAWS DMMP. The sediment samples collected since 1984 had an average total PCB concentration of approximately 1.7 mg/kg. More recent data, since 2011, shows that the average total PCB concentration was 0.2 mg/kg. While the average concentration since 1984 is higher than the IEPA TACO remediation objective of 1 mg/kg, the older sediments are buried beneath the newer dredged material, and the personnel that work on the site are outdoors and are typically not directly exposed to the material for long periods of time.

For reference, in 40 C.F.R. 761.61, the U.S. EPA says under Performance-based disposal, Paragraph (b)(3), that “Any person may manage or dispose of material containing less than 50 ppm [mg/kg] PCBs that has been dredged or excavated from waters of the United States: (i) in accordance with a permit that has been issued under section 404 of the Clean Water Act, or the equivalent of such a permit as provided for in regulations of the U.S. Army Corps of Engineers at 33 CFR Part 320.” However, for reference, the U.S. EPA specifies the cleanup level for bulk PCB remediation waste in low occupancy areas as being less than or equal to 25 mg/kg. Where a “low occupancy area” is defined as any area where PCB remediation waste has been disposed of on-site and where occupancy for any individual not wearing dermal and respiratory protection for a calendar year is less than 335 hours (an average of 6.7 hours per week) for bulk PCB remediation waste. Examples could include an electrical substation or a location in an industrial facility where a worker spends small amounts of time per week (such as an unoccupied area outside a building, an electrical equipment vault, or in the non-office space in a warehouse where occupancy is transitory). In relation to the DMDF, the sediment average concentration is much lower than 25 mg/kg, the site is outdoors, site workers typically minimize their exposure to the dredged material, and they are usually not on the site for a considerable amount of time, such as 335 hours per calendar year. Moreover, PCBs are compounds that are generally stable and slow to biodegrade, and most PCBs have low water solubility and low vapor pressures. PCBs tend to partition to the organic matter in sediments and remain adhered to this material. Volatilization of PCBs are not expected to be a significant concern, but the concentrations in the sediment and exposure requirements for site workers can be coordinated with a Corps industrial hygienist or toxicologist for verification. USACE staff who run the facility, operate under the existing safety plan that was most recently updated in September 2018. The general public is not allowed on the site, and is not exposed to the sediment.
Comment: The Corps and the U.S. Environmental Protection Agency’s 2003 CDF Study demonstrates that the Corps is aware of the potential for localized and regional air pollution impacts emanating from dredge evaporation, drying, and windblown dust from sediment management facilities, yet the DMMP/EIS provides no substantial analysis or discussion of these risks to neighboring communities, parks, Lake Michigan, and beaches.

Response: With implementation of proper controls, as described in the CAWS DMMP, risk of human exposure is minimized. The final CAWS DMMP includes a discussion of exposure pathways (Section 4.9.1 Potential Exposure Pathways). This section compares the risk of human exposure to contaminants under existing conditions and future-with-project conditions. With the proper controls described in the document, the likelihood of human exposure to contaminated sediments would be expected to decrease compared to existing conditions in the study area today.

Comment: A CDF is a stationary source of continuing emissions which should be permitted as such by Illinois EPA. Further, because all of the proposed alternatives, including the Vertical Expansion TSP, are all located in an Environmental Justice area, greater discussion and analysis of these air pollution impacts is required in an EIS.

Response: The CDF is not a large industrial facility, such as a factory or chemical plant, and emission levels are anticipated to be well below the threshold levels for the Clean Air Act. As a consequence, the CDF should not be regulated as a “stationary source,” and should not require a Clean Air Act permit. Dust (particulates) may be a concern under certain weather conditions, and a more detailed dust control management plan is in development. However, no significant impacts to the air quality are anticipated as a result of the activities at the CDF.

Comment: The discussion of environmental consequences in Section 4.4. Air Quality focuses solely on temporary emissions from mobile sources associated with construction and dredge placement activities – and assumes these will be minimal. However, construction of a 25-foot hill out of dredge material is a significant activity that will have significant air quality impacts that are not limited to mobile sources.

Response: As explained in Paragraph 3.10.3 of the CAWS DMMP, the berms are to be constructed of dredged material from Calumet Harbor that is suitable for beneficial use. The berms are to be constructed in two (2) stages; once the capacity of the initial, approximately 11 foot tall berm is reached, a second berm will be constructed. Construction activities are expected to be for a short duration, and the berms will be stabilized with vegetation (grass) to control erosion, including wind erosion.

Comment: The final DMMP/EIS must provide an analysis of air emissions emanating from all CDF operations during its active life, and steps that will be taken to monitor and control those emissions throughout the life of the CDF.

Response: For most of the life of the CDF, until approximately 2007, the sediment within the facility was covered with water, so there were minimal air emissions. Due to the low concentrations of volatile organic compounds (VOCs), the main concern for environmental impacts from future CDF operations is
the particulate emissions due to wind erosion under certain weather conditions. Modelling and analyses have been performed for similar sediments to assess wind erosion. The steps that will be taken to control the emissions will include visual monitoring and other best management practices to control particulates, such as use of a water truck, silt fences and/or seeding and mulching to grow grass and other vegetation to proactively prevent the generation of dust and avoid adverse impacts to the air quality. A more detailed dust control management plan is in development.

Climate, Climate Change

Comment: The Corps should increase discussion of how rising water levels could impact the existing Chicago Area CDF, as well as site selection criteria and design for the establishment of a new DMDF. Describe how resiliency and adaptation to changing climate conditions have been factored into project siting, design, and mitigation decisions.

Response: The existing CDF has a robust design. At the time of this DMMP study, Lake Michigan is near or at record high lake levels and the rubble mound outer dikes are not showing risk of overtopping or failure. At the time of this response, Lake Michigan is at a record high level for the month of February (581.50 IGLD) and is still a full eight feet below the top of the existing rubble mound dike (589.50 IGLD). Additionally, the proposed vertical expansion design uses a 20 foot setback to reduce additional stress on the existing rubble mound dikes. Additionally, adaptive management measures such as adding armor stone can be utilized in the future if conditions warrant it.

Comment: Do rising lake levels reduce the need for dredging by providing additional draft above shoaled sediment areas? Discuss how this would impact sizing the proposed facility.

Response: Yes, during periods of high lake levels, less dredging may be required in order to commercial navigation in the channels. Although water levels are currently at record or near-record highs, they fluctuate regularly and can be expected to subside and rise again in the future. The estimated dredging quantities presented in the CAWS DMMP are based on historical dredging date from periods of both high and low lake levels.

Environmental Justice, Human Health, Jobs

Comment: On the topic of environmental justice; low income and/or minority communities should not bear the brunt of adverse impacts or degradation of the environment as result of the recommendations included in the DMMP. The communities in the study area may meet the definition of low income and/or minority.

Response: The Corps acknowledges that communities in the study area are low income and/or minority communities. However, based on the analysis in the CAWS DMMP, no significant adverse impacts are anticipated as a result of the recommended plan described in the document. Additionally, although the official Corps mission area that this study seeks to address is commercial navigation, the recommended plan will nonetheless result in environmental benefit, as contaminated material that currently exists...
unconfined in the study area will be removed from the waterway and safely confined where there are fewer exposure pathways for residents in the study area. Additional discussion of these ancillary benefits has been added to the Socioeconomic/Environmental Justice sections of the CAWS DMMP along with added discussion of potential exposure pathways.

Comment: The Corps’ least cost analysis relies on foisting the costs and liabilities on minority and/or low-income southside communities. The Corps should only consider sites for a new DMDF that are not in Chicago’s 10th Ward. To do otherwise foists the costs and liabilities on southside communities, the Chicago Park District, and taxpayers.

Response: Per Corps policy, the selected site must reasonably be the least cost, environmentally acceptable, and technically feasible alternative. The Corps considered more than 60 sites between 2015-2019, located in communities all along the waterways where dredging is projected to potentially occur over the next 20 years (Calumet Harbor, Calumet River, and the Cal-Sag Channel). One of the major cost drivers that distinguished otherwise potentially viable sites (i.e. environmentally acceptable and technically feasible) was transportation cost. Approximately 97% of anticipated dredging over the next 20 years will occur in Calumet Harbor and River. Additionally, transportation solely by barge is far less expensive and less polluting than double handling the material to move it via truck or rail. The decision to select a waterway-adjacent site along the Calumet Harbor or River is attributed to these operational and cost considerations.

Comment: The FEIS should include a full environmental justice analysis of the proposed action, fully addressing whether disproportionately high adverse impacts to minority and low-income populations exist, whether those adverse impacts are significant and further analyzing environmental health risks, exposure pathways and social context in determining whether health and environmental harms can be avoided.

Response: The CAWS DMMP acknowledges that low income and/or minority populations live within the study area. However, the analysis presented indicates that no significant adverse impacts to the human or natural environment are anticipated as a result of the implementing the recommended plan. Therefore, low income and/or minority populations will not be disproportionately impacted. To the contrary, the recommended plan is ultimately expected to provide long-term environmental and social benefits for the communities in the study area, such as removing unconfined contaminants from the waterways, supporting local economies, reducing truck and rail traffic through or adjacent to residential areas, and creating a lakefront parcel that will be maintained as open space or parkland in perpetuity where previously there was only active industrial land. Discussion of these benefits has been added to the final CAWS DMMP.

Also added to the final CAWS DMMP is a discussion of exposure pathways (Section 4.9.1 Potential Exposure Pathways). This section compares the risk of human exposure to contaminants under existing conditions and future-with-project conditions. With the proper controls described in the document, the likelihood of human exposure to contaminated sediments would be expected to decrease compared to existing conditions in the study area today.
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Comment: The Corps should discuss factors that can amplify potential impacts, such as exposure pathways, and show whether practical means to avoid or minimize environmental harm are included the Recommended Plan.

Response: The final CAWS DMMP includes a discussion of exposure pathways (Section 4.9.1 Potential Exposure Pathways). This section compares the risk of human exposure to contaminants under existing conditions and future-with-project conditions. With the proper controls described in the document, the likelihood of human exposure to contaminated sediments would be expected to decrease compared to existing conditions in the study area today.

Comment: Before proceeding, the Corps should provide a data-based analysis of the public health impact of managing the facility on the lakefront in close proximity to beaches and harbors.

Response: The water quality monitoring program has generated a considerable amount of data, data analyses have been performed (see Appendix C (Environmental Engineering Appendix water quality addendum) for the CAWS DMMP), and the results have consistently shown that the CDF is not causing significant adverse impacts to the surrounding waters in Calumet Harbor (Lake Michigan). The facility is not connected to any beaches. As stated above, with the proper controls described in the document, the likelihood of human exposure to the contaminants would be expected to decrease compared to existing conditions in the study area today.

Parks, Public Trust Doctrine, Regional Development

Comment: The Corps has made a commitment to cap the existing facility and turn it back over to the owner (Chicago Park District) for long term operation and maintenance, including development into a public park.

Response: The recommended plan changes neither the long term ownership nor operation and maintenance responsibilities for the existing Chicago Area CDF. The site will still be turned back over to the landowner (Chicago Park District) for long term operation and maintenance and its allowable end use will continue to be as maintained open space or parkland. Whether the site will ultimately be developed into a public park is left to the discretion of the landowner.

Comment: Longstanding plans assembled previously by various stakeholder groups for the region would be waylaid or terminated by the recommended plan. The current facility took public lakebed and promised to create conditions suitable to future parkland development. The recommended plan would deny access to another entire generation.

Response: The Corps researched and considered previous planning documents that included proposed future uses for the site of the recommended plan in the development of the DMMP. As a permanent stakeholder in the management of Calumet Harbor and River, the Corps must consider planning
horizons that may be longer than some stakeholders desire. However, the recommended plan does not alter the acceptable future end use of the site (parkland or open space), but rather only the timeline and final layout.

As the comment acknowledges, the facility was originally built out into Lake Michigan. As such, operation of the facility does not deny access to public open space that was previously available. It does, however, continue to create the opportunity for a continuously green/public lakefront in the future. While the facility remains in operation, public access to Lake Michigan exists at Steel Workers Park to the north and Calumet Park to the south of the site.

**Comment:** The vertical expansion alternative will have a negative effect on proposals for redevelopment of the USX property to the north.

**Response:** It is the Corps’ understanding, based on reporting from local news outlets, that soil contamination at the USX site is the reason that previous redevelopment bids have fallen through. This highlights the challenges of operating in an area with a history of such heavy industrial use and pollution. On the positive side, continued maintenance of the waterways contributes to their long term health by removing contaminated sediment. Further, the Corps continues to explore beneficial use opportunities for the material taken out of Calumet Harbor. Potential uses include clean fill for nearby redevelopment and park development (Steel Workers Park was created using dredged material from Lake Peoria).

**Comment:** The Friends of the Park (FOTP) group asserts that the proposed project violates public trust doctrine and that operation of the existing facility on public trust land was limited to 10 years. Because the Vertical Expansion will deprive the public of its use of the Public Trust land for an additional 25-40 years, this real estate is not legally available for this use.

**Response:** Continued use of the Chicago CDF via vertical expansion of that facility does not violate public trust doctrine. First, vertical expansion of the CDF does not surrender Lake Michigan lake bottom to private entities. The project is cost-shared between the City of Chicago, the International Port District, the Chicago Park District, and the US Army Corps of Engineers – all public entities. Second, vertical expansion is a federal navigation project in the public interest to maintain navigation in the Chicago area and to maintain the navigation connection between the Great Lakes and the Gulf of Mexico. Through the local cooperation agreement signed in 1982 and the future project partnership agreement that will be signed, the Chicago Park District maintains ownership. Further, vertical expansion of the existing Chicago Area CDF will not change the acceptable long-term land use of the parcel. The site must be maintained as open space or parkland in perpetuity and in a manner that maintains the integrity of the engineered cap.

**Comment:** Construction of a new sediment facility will permanently foreclose the economic development where it occurs.
Response: It is true that any site used for a new sediment facility will have restrictions put on future land use to protect the integrity of the closed facility and its engineered cap. However, certain types of economic development could reasonably still be pursued, such as solar development and parking. One of the benefits of selecting vertical expansion of the existing Chicago Area CDF as the recommended plan is that it will not alter the possible end uses of that site, which are restricted to passive end uses such as open space development or parkland. This discussion is elaborated on in the trade-off analysis presented in section 6.1 of the CAWS DMMP.

Comment: A sediment facility generates few direct and indirect jobs. Jobs are needed to support families and neighborhoods in the study area.

Response: Per the Regional Economic Analysis presented in the CAWS DMMP (Section 2.16), the project would directly and indirectly support approximately 1766 jobs in the Chicago Metropolitan Statistical Area. As part of the Corps’ commercial navigation mission area, maintaining federal navigation contributes to regional and economic development by supporting the commercial and industrial users that rely upon these resources, the jobs that they create, and the revenue they generate.

Comment: The Corps will be leaving the non-federal sponsors with a mountain of dredge material that will quickly be exposed by the elements and blown into the surrounding communities and parks, as well as neighboring Lake Michigan and nearby beaches.

Response: The final closed facility will be a capped and planted site with a hill in the middle (also capped and planted). As part of the existing partnership agreement, the non-federal landowner must maintain the site in perpetuity in a manner that protects the integrity of the cap. This will not change as a result of implementing the recommended plan and will include vegetation control, avoiding deep rooted vegetation such as trees, and not installing structures that require major foundations.

Comment: The Vertical Expansion will be located between two existing parks. The EIS recognizes that historic Calumet Park is on the National Register of Historic Places and its field house is on the list of Chicago City Landmarks. The existing CDF is not only a source of contamination of those parks, it is an intimidating, eye-sore for those using the parks – a military style chain-link fenced, and camera-monitored fortress. It will become even more polluting and intimidating if the proposed Vertical Expansion is allowed to go forward.

Response: Any of the sediment management facility alternatives operated by the Corps would be fenced off to protect humans, wildlife, and property. Additionally, the U.S. Department of Homeland Security and the U.S. Coast Guard require the IIPD Iroquois Landing property to be secured as part of the Port’s security plan. At this time, there is no physical connectivity of the existing Chicago Area CDF parcel and Calumet Park through the IIPD’s property. As such, the Port’s security fences cannot reasonably be expected to be removed regardless of the plan for the CDF.
Coordination and Public Involvement Appendix

Comment: The DMMP/EIS fails to discuss the fact that the construction of a 25 foot, steeply sloped hill on the Vertical Expansion site is a major and adverse change to CPD park land. This will make the site almost entirely unusable as a park and difficult to manage. Further, the steep slope required for the “compact” CDF Vertical Expansion will increase the quantity and velocity of the stormwater run-off, making stormwater management difficult and intensive.

Response: The Chicago Park District as agreed to be a non-federal partner for this study to provide the lands necessary to implement the recommended plan. This will not alter their responsibility for the long term operation and management of the existing Chicago Area CDF, according to the terms of the original PPA. However, the site will have a different topography. The final closed facility that the Corps hands over to the non-federal landowner will be a capped and planted site with a hill in the middle (also capped and planted). While the Corps cannot speak for CPD’s long-term vision for the site, there are numerous examples in Chicago, nationally, and globally of successful habitat and/or parkland development on previous mounded disposal sites.

Comment: Parks are located on both sides of the existing CDF site but nowhere does the Corps provide an analysis of the environmental impacts of this project on these parks or the other multiple parks, beaches, harbors, and recreational resources and their users.

Response: Per the statement included in Section 4.8.1 of the CAWS DMMP, “No current parkland or existing recreational facilities will be impacted by any of the action alternatives. In the long term, recreation would be a compatible possible end use option for the closed DMDF.” All of the with-project alternatives would represent nearly identical conditions compared to the without-project (existing) conditions in which a sediment management facility has been safely operated since the 1980s without causing negative environmental impacts to local parks, beaches, harbors, and recreational resources and their users.

Comment: Explain why the Corps finds that vertical expansion of the existing Chicago Area CDF will delay development of open space or parkland but does not find this to be a significant adverse impact to cultural resources.

Response: There are multiple parks and other recreational sites in the study area. None of these sites are impacted by the continued operation of a sediment management facility at the mouth of the Calumet Harbor. Therefore, the recommended plan would not have an impact on existing parkland.

Continued operation of the existing Chicago Area CDF, via vertical expansion, would delay the possibility of future park development at this site. It is not guaranteed that the facility would be developed into parkland immediately upon capping and closure of the facility to begin with. This would likely be dependent on establishing public access to the site which is currently lacking, the development of designs, and the availability/allocation of funding by the landowner who is responsible for operation and maintenance of the closed facility in perpetuity. Also, continued operation of a sediment management facility will not change the appropriate end uses for the site, which are open space or parkland. Continued operation of the facility will provide a public benefit in the short term (supporting navigation in the CAWS) and the long term (open space and/or park development).
Comment: Whole generations of Chicagoans have been denied the benefit of this public land as children and will now be denied access to this lakefront and park land for the rest of their lives.

Response: The “public land” at the existing Chicago Area CDF did not exist in previous generations. Rather, industrial users occupied the shore of Lake Michigan at Calumet Harbor. The land that exists there now is the result of the Corps maintenance of the federal navigation channels at Calumet harbor and River and the development of the existing Chicago Area CDF. Once the facility is closed, however, public land and continued industrial activity will coexist at the mouth of the Calumet River. Once the facility is ultimately closed, the site must be maintained as open space or parkland in perpetuity.

Comment: The construction of the Vertical Expansion will not only unreasonably and illegal deny the public its bargained-for access to this lakefront public trust property, it will permanently destroy its use as a public park.

Response: Once the facility is ultimately closed, the site must be maintained as open space or parkland in perpetuity. The Chicago Park District agreed to be responsible for the long term operation and management of the existing Chicago Area CDF, according to the terms of the original PPA. This will not change as a result of the recommended plan for vertical expansion but the site will have a different topography. While the Corps cannot speak for CPD’s long-term vision for the site, there are numerous examples in Chicago, nationally, and globally of successful habitat and/or parkland development on previous mounded disposal sites.

Costs, Economic Analysis

Comment: The DEIS recognizes that future tonnage may well be overestimated (DEIS pp. 53-5), but that does not fully recognize the tenuous basis for many of the numbers relied on in the DEIS to justify the project.

Response: Economic justification of the alternative plans and subsequently Recommended Plan identified in the DEIS incorporated future traffic demand estimates, channel maintenance requirements and project costs and schedule estimates. Appendix B – Economic Analysis for CAWS DMMP was amended to include a characterization of the uncertainty surrounding future dredging needs and associated costs and indicate how uncertainty and risks to project cost and schedule estimates were accounted for in the total project cost (TPC) estimate.

Consistent with Corps guidance for the development of DMMPs (ER 1105-2-100) supports using historical averages to predict future management needs, particularly if there are not anticipated significant changes in dredging operations or site conditions in the study area in the future. Calumet Harbor and River have been dredged regularly over the past 20 years; historical dredging contract quantities and costs were used to inform future channel maintenance requirements. The economic appendix will be amended to include a characterization of the uncertainty surrounding future dredging needs, and associated risks to project maintenance costs and economic viability.
The cost projections outlined in the Cost Appendix, the TPC Sheet, and the Cost Certification Statement underwent a successful agency technical review that was performed by the Corps’ Cost Engineering Mandatory Center of Expertise in Walla Walla, WA. In compliance with Engineer Regulation (ER) 1110-2-1302 Civil Works Cost Engineering dated September 15, 2008, a Cost and Schedule Risk Analysis was conducted to establish the cost and schedule risk and resulting contingencies that are used within the calculation of the TPC. Refer to Appendix F- Cost Engineering for information about the CSRA and TPC. The economic appendix will be amended to include a reference to Appendix F- Cost Engineering.

Comment: The Corps should attribute a cost line item for the use of public land and include costs for facility closure.

Response: The Corps does consider the value of real estate in its cost estimates. However, this value is assessed based on the highest and best market value of any property required for implementation of the proposed project. Due to the restrictions placed on the future use of the existing Chicago area CDF site (i.e. it must be maintained as open space or parkland in perpetuity), it has little or no commercial value. Additionally, the land has previously been used as an item of cooperation for a federal project and therefore would not available to be used again for crediting purposes.

Costs have been included for closure of the facility (~$2.2M) in the total project costs.

Comment: A new facility should be avoided if there are any other less expensive alternatives that meet the study’s purpose and need.

Response: Concur. Corps guidance is clear that the agency must select the least-cost, environmentally acceptable, and technically feasible alternative for dredged material management over the next 20 years. The recommended plan described in the CAWS DMMP is the alternative that accomplishes this.

Comment: DMMP fails to attribute any cost to post-closure care.

Response: The costs of post-closure care of a dredged material disposal facility are borne by the non-federal landowner once the federal project on the site has concluded, and therefore these costs are not included in the cost estimate for the federal project. This standard applies to the existing Chicago Area CDF as well as the recommended new facility. Utilizing the existing facility footprint, however, does have potential cost-saving benefits for the non-federal sponsors as it reduces the total acreage that needs to be maintained in perpetuity and it delays the transition of those maintenance costs.

Comment: DMMP fails to account for stormwater management costs with vertical expansion alternative.

Response: Stormwater will be maintained onsite, with perimeter drains that redirect stormwater to the dewatering pond. There it would be transmitted through the existing force main and filter cells and
discharged under permit. These costs are accounted for in the design of drainage features in recommended plan, as well as through regular Operation and Maintenance of the facility (which is funded separately using federal funds over the life of the facility).

**Comment:** DMMP fails to account for cost of fortifying the facility against rising lake levels, storm surge, and erosion.

**Response:** Routine visual inspections of the site are carried out by Corps staff. Currently, there are no apparent defects in the rubble mound structure (such as missing or misplaced stones) and there is no indication that additional fortification of the site is necessary. However, if additional measures are proven to be required in the future, they would be covered under “adaptive management” costs and/or regularly appropriated operations and maintenance funding for the federal project.

**Comment:** DMMP fails to attribute any cost to potential impacts to natural resources.

**Response:** Potential impacts to natural resources are nonmonetary and are described in the CAWS DMMP. If significant adverse impacts to these resources had been identified, mitigation measures may have been recommended in the alternative plans and those costs would have been included in the total costs. However, no significant adverse impacts to natural resources are anticipated as a result of implementing the recommended plan.

**Comment:** DMMP fails to attribute any cost to potential impacts to parks and/or cultural resources.

**Response:** Potential impacts to parks and/or cultural resources are nonmonetary and are described in the CAWS DMMP. If significant adverse impacts to these resources had been identified, mitigation measures may have been recommended in the alternative plans and those costs would have been included in the total costs. However, no significant adverse impacts to parks and/or cultural resources are anticipated as a result of implementing the recommended plan.

### 30-Day posting of the Final EIS

The Final EIS was made available through the USEPA’s eNEPA tool for a mandatory 30-day period from 17 July 2020 to 17 August 2020. This was accompanied by a Notice of Availability published in the Federal Register, a letter to project stakeholders, a news release, and posts to the Chicago District’s social media accounts. During this 30-day period of availability, a total of 45 comments were submitted. A full record of these comments is included at Attachment 14 to this appendix. A Statement of Findings related to comments received through the NEPA process is included as an attachment to the Record of Decision (ROD).