



**REGIONAL PERMIT PROGRAM**  
**AGENCY REQUEST FOR COMMENT**

APPLICATION NO. LRC-2020-00983  
408-LRC-2020-0043

**U.S. Army Corps of Engineers**  
Chicago District

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Date: February 12, 2021

The Chicago District has received a request for authorization under Category II (by the District's discretion) of Regional Permit 1 (Residential, Commercial, and Institutional Developments). Information on the proposed activity is provided for your review and comment in accordance with Agency Request for Comments (ARC) procedures described in General Condition 23 of the Chicago District's Regional Permit Program dated April 1, 2017.

Please indicate by telephone, fax or email within ten (10) days of the date of this ARC whether you intend to provide comments on this project. If we receive no response from your office within 10 days, we will assume your office has no objections to the activity as proposed (with certain exceptions for parties to a National Historic Preservation Act (NHPA) consultation, as described below). If you indicate that you intend to provide comments, your written comments must be received by the District within 25 days of the date of this ARC.

The District has determined that, for purposes of Section 106 of the NHPA [see 36 CFR 800.3(a) and 800.16(y)], the Federal "undertaking" which has the potential to cause effects on historic properties is limited to the verification of the above-cited Regional Permit pursuant to Sections 10 and 14 of the Rivers and Harbors Appropriations Act of 1899 (33 USC 403 & 408) and Section 404 of the Clean Water Act (33 USC 1251 et seq.) for project activities within the Permit Area. The "area of potential effects" (APE) for the undertaking is the same as the Permit Area and is shown on the enclosed figures (see 33 CFR 325, Appendix C 1(g) and 36 CFR 800.4(a)(1)).

Because the Permit Area is wholly either within the water or on a structure that was created in modern times and is not eligible for listing on the National Register of Historic Places, and there are no recorded historic properties within the Permit Area, we have determined that there are no historic properties present (and if historic properties are present, the undertaking would have no effect upon them). Accordingly, the District has made a determination that there will be No Historic Properties Affected by the undertaking (see 36 CFR 800.4(d)(1)).

The District believes we have included all known consulting parties on this request. If you believe you are entitled to consulting party status, we invite you to concur with these determinations within 30 days of this request. If you need additional information, including copies of the materials the District relied upon to reach our determination, please contact us as

soon as possible, to ensure you have all materials required by 33 CFR 800.11. If we do not hear from you within 30 days, we will proceed with the final public interest decision regarding issuance of the permit [33 CFR 325, Appendix C 7(b) and 36 CFR 800.3(c)(4)].

The following paragraph will be added as a special condition of any authorization issued by this office: “This site is within the aboriginal homelands of several American Indian Tribes. If any human remains, Native American cultural items or archaeological evidence are discovered during any phase of this project, interested Tribes request immediate consultation with the entity of jurisdiction for the location of discovery. In such case, please contact Mr. Colin C. Smalley, PG by telephone at (312) 846-5538, or email at [Colin.C.Smalley@usace.army.mil](mailto:Colin.C.Smalley@usace.army.mil).”

Comments should be emailed to [Colin.C.Smalley@usace.army.mil](mailto:Colin.C.Smalley@usace.army.mil). If you prefer to send written comments, please address them to Mr. Colin C. Smalley, PG of the U.S. Army Corps of Engineers, Chicago District, Regulatory Branch, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604-1437; fax (312) 353-4110. Comment letters should include your name, address, phone number and email address.

If you have any questions, please contact Mr. Colin C. Smalley, PG by telephone at (312) 846-5538 or email at [Colin.C.Smalley@usace.army.mil](mailto:Colin.C.Smalley@usace.army.mil).

## PROJECT INFORMATION

**Application Number:** LRC-2020-00983; 408-LRC-2020-0043

**Applicant:** Jerry Maher, NuStar Energy, L.P.

**Location of work:** At Mile Marker 316.5 on the Calumet Sag Channel (part of the Illinois Waterway navigation project) in Section 35, Township 37 North, Range 13 East, Cook County, Illinois. (see attachments)

**Description of Work:** Installation of a 356 linear foot steel sheet pile bulkhead surrounding an existing dock and two mooring bollards to the northeast and northwest of the new bulkhead.

**Project Purpose:** As described by the applicant: “Dock integrity investigations conducted in spring 2019 identified the [current permanently-moored and partially sunken and filled] barge [dock] to be in general disrepair. The dock had begun pitching down toward the water, fill had been washed out from below the decking, and the decking was no longer securely connected to the barge structure. The Project will address the long-term barge dock integrity and safety concerns to ensure the continued safe docking operations surrounding [the applicant’s] refined petroleum product shipping and receiving process.”

**Regional Permits Being Considered:** Regional Permit 1 (Residential, Commercial, and Industrial Developments)

**Proposed Impacts:** The applicant proposes to construct a new steel sheet pile bulkhead style dock encompassing the current dock facility. The new bulkhead will result in a discharge of 0.03 acre of fill material as backfill behind the new bulkhead (beyond the current dock fill, which is the current lateral limit of the Corps’ jurisdiction). The current dock will be abandoned in place within the new dock.

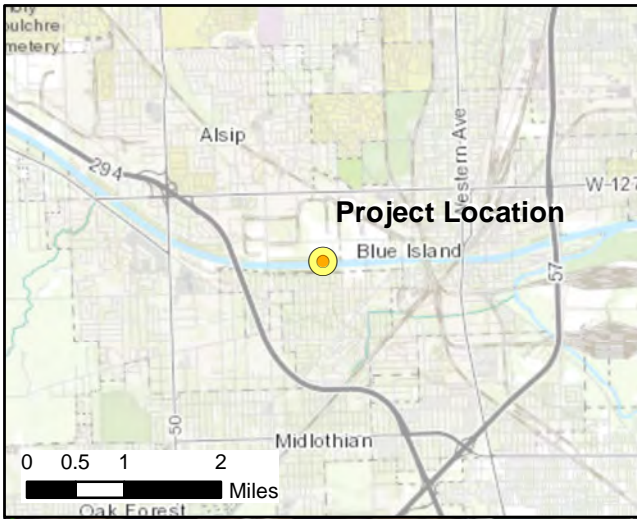
The impacts to navigation include a decrease in the horizontal channel width in this area from 261 feet to 255 feet (as measured without a berthed barge or vessel). The new dock facility will also include mooring bollards to the northeast and northwest of the bulkhead area.

**Proposed Best Management Practices:** The regulated activities associated with this project will not alter stormwater flows, and therefore no stormwater BMPs are proposed.

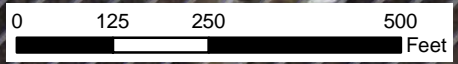
**Mitigation Plan:** The impacts associated with this proposal are minimal and no mitigation is required by the Regional Permit Program when impacts are below 1/10 of an acre.

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

**Navigation:** No cofferdams or dewatering will be required for this work. The applicant will be required to coordinate with the US Coast Guard, Marine Safety Unit Chicago regarding safety and notice(s) to mariners during construction, and may be required to update the USACE and NOAA Office of the Coast Survey with the as-built drawings for updating federal navigation charts. This application is being considered by the Corps of Engineers under Section 14 of the Rivers and Harbors Act, 33 USC 408.

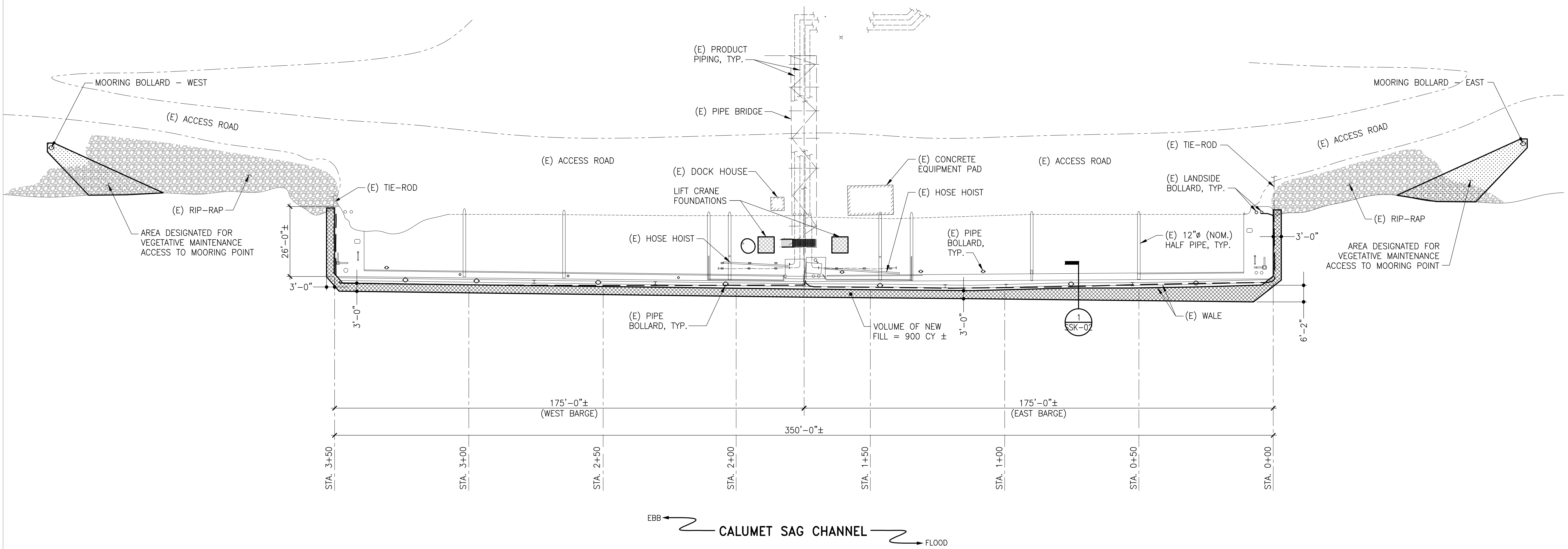
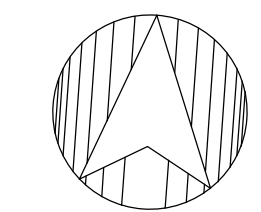


Calumet Sag Channel is a Section 10 Waterway and is maintained by the USACE as a Section 408 Waterway. Total Project Area within the Channel will be 0.24 acre. Total new development impact within the Floodplain is 0.03 acre of fill.



<p> Proposed Project Area - 0.54 ac</p> <p> Photo Locations</p> <p> NHD Intermittent</p> <p> NHD Perennial</p>		<p> FEMA 100-yr Floodplain</p> <p> NWI Freshwater Forested/ Shrub Wetland</p>		<p>NuStar Energy, L.P.  <b>Blue Island Terminal Dock</b>                  Vicinity and Photo Locations                  Alsip, Cook County, IL</p> <p><b>Geosyntec</b>                  consultants</p>		<p><b>Figure</b>  <b>1</b></p>
<p>Project Coordinates: 41.651823, -87.707745</p>				<p>Chicago, IL</p>	<p>December 2020</p>	





1 MARINE TERMINAL PLAN  
SCALE: 1"=20'-0"

For Review Only - Not for Construction

**SIMPSON GUMPERTZ & HEGER**  
Engineering of Structures  
and Building Enclosures

Simpson Gumpertz & Heger Inc.  
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Boston  
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San Francisco  
Washington, DC

**NOTES:**  
1) CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO FABRICATION AND INSTALLATION.

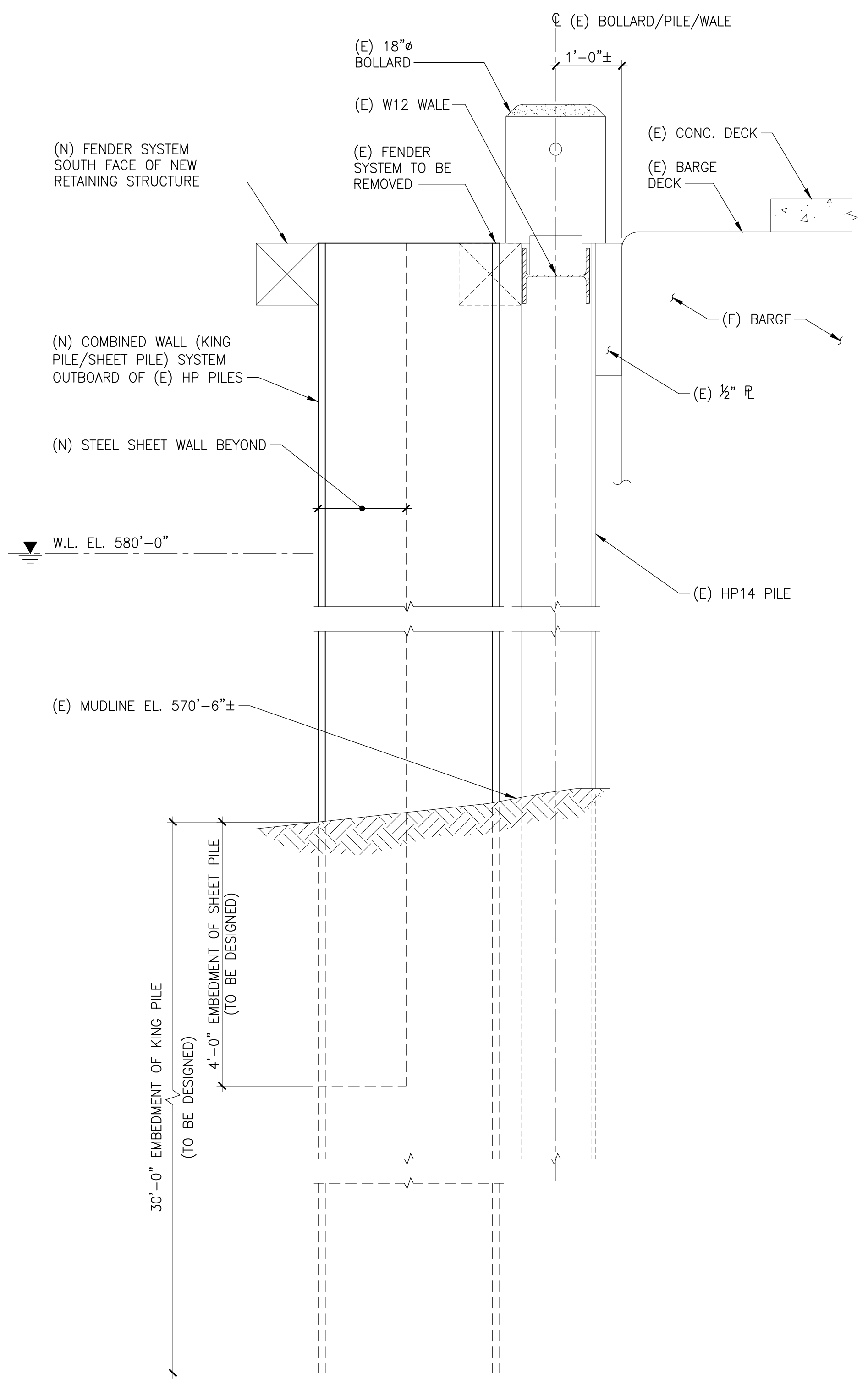
**REFERENCE DRAWINGS:**

NO.	REVISION	BY	DATE	APR

19003 IH-10 West  
San Antonio, Texas 78257  
Tel: (210) 918-2000  
1-800-866-9060

<b>PROJECT LOCATION:</b> 3210 131st STREET, BLUE ISLAND, IL 60406	
<b>DRAWN BY:</b> ETF/RTB	<b>DATE:</b> 10/26/2020
<b>CHECKED:</b> RFM	<b>DATE:</b> 10/30/2020
<b>APPROVED:</b> WMB	<b>DATE:</b> 10/30/2020
<b>SCALE:</b> AS NOTED	

<b>BLUE ISLAND TERMINAL WHARF IMPROVEMENTS MARINE TERMINAL PLAN</b>	
ORIGINAL PROJECT NO. -	
DRAWING NO. SSK-01	REV.



NHWL\_SSK-02\_001

**1** RETAINING WALL SECTION

SCALE: 3/4"=1'-0"

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**NOTES:**  
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REFERENCE DRAWINGS:

NO.	REVISION	BY	DATE	APR



**NuStar**  
Energy L.P.

19003 IH-10 West  
San Antonio, Texas 78257  
Tel: (210) 918-2000  
1-800-866-9060

PROJECT LOCATION: 3210 131st STREET, BLUE ISLAND, IL 60406	
DRAWN BY: ETF/RTB	DATE: 10/26/2020
CHECKED: RFM	DATE: XX/XX/2020
APPROVED: WMB	DATE: XX/XX/2020
SCALE: AS NOTED	

BLUE ISLAND TERMINAL MOORING POINT DESIGN MARINE TERMINAL PLAN	
ORIGINAL PROJECT NO. -	
DRAWING NO. SSK-02	REV.

**For Review Only - Not for Construction**