

PUBLIC NOTICE

APPLICATION FOR PERMIT

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

PUBLIC NOTICE/APPLICATION NUMBER: LRC-2021-00103; 408-LRC-2021-0006

COMMENT PERIOD BEGINS : February 19, 2021
COMMENT PERIOD EXPIRES: March 22, 2021

PUBLIC NOTICE
U.S. Army Corps of Engineers

APPLICANT
Indiana Dunes National Park
1100 Mineral Springs Road
Porter, IN 46304

PROPOSED ACTION
Proposal to install approximately 150 tons of armor rocks to protect existing concrete node structure from wave impact (see attached drawings). A more detailed description of this proposal is provided on page 2 of this notice.

LOCATION OF PROPOSED ACTION
At Portage Lakefront near 100 Riverwalk Drive in Portage, Lake County, Indiana

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and as shown on the attached drawings. You are invited to provide your comments by March 22, 2021 on the proposed work, which will become part of the record and will be considered in the decision. A permit will be issued or denied under Sections 10 & 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403 & 408) and Section 404 Action of the Clean Water Act of 1972(33 U.S.C. 1344).

Comments shall be emailed to:

Paul.m.leffler@usace.army.mil

PROJECT DESCRIPTION

Proposed installation of Armor Rock to protect existing concrete node structure from wave impacts on Lake Michigan. The area surrounding the concrete node has been damaged by the high water levels and several storms over the last few years. This proposed work will repair the erosion and protect the area from future damage. In addition it will provide access to the existing break water structure.

The Armor Rock will total approximately 150 tons, with each rock weighing between 4-6 tons with a 5 foot diameter. The total surface area of impact to Lake Michigan is 0.017 acre.

MITIGATION

If a permit is issued for the proposed project, the Corps will determine what is appropriate and practicable compensatory mitigation in accordance with 33 CFR Part 332. The amount of compensatory mitigation to be determined shall be commensurate with the anticipated impacts of the project.

REGULATORY AUTHORITY

This proposed action will be reviewed according to the provisions of Sections 10 & 14 of the Rivers and Harbors Act of 1899 **and/or** Section 404 of the Clean Water Act of 1972.

JURISDICTION

This application will be reviewed according to the provisions of Section 10 of the Rivers and Harbors Act of 1899 **and/or** Section 404 of the Clean Water Act of 1972 due to placement of fill within Lake Michigan, a navigable water. The application will be reviewed according to the provisions of Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408, "Section 408") due to the proposed work's alteration of the West Breakwater portion of the Burns Small Boat Harbor Navigation Project.

EVALUATION FACTORS

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

All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, if the proposed activity involves the discharge of dredged or fill material into waters of the United

States, the evaluation of the impact on the public interest will include application of Section 404(b)(1) guidelines (40 CFR 230) promulgated by the U.S. Environmental Protection Agency.

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

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

PRELIMINARY EVALUATION OF SELECTED FACTORS

WATER QUALITY:

A Department of the Army permit, if otherwise warranted, will not be issued for this project until a Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or is considered waived. The applicant is responsible for obtaining the certification from IDEM. This public notice serves as the public notice for the application for a Clean Water Act (CWA) Section 401 Water Quality Certification. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice.

Comments to IDEM should be addressed to:

IDEM, Office of Water Quality,
Section 401 WQC Program
100 N. Senate Ave., IGCN 1255
Indianapolis, Indiana 46204-2251

ENVIRONMENTAL IMPACT STATEMENT

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

PUBLIC HEARING

Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing. A request for a hearing may be denied if

substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

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

Interested parties wishing to comment on the proposed activity must do so in writing no later than March 22, 2021. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described. This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

If you have any questions, please contact Mr. Paul Leffler of my staff at Paul.M.Leffler@usace.army.mil.

It should be noted that ALL comments received by this office will only be accepted with the full name and address of the individual commenting. You can also visit our website at <http://www.lrc.usace.army.mil/Missions/Regulatory.aspx>

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted until March 22, 2021.



PROJECT AREA:
 1. INSTALL 100 TONS / ARMOR ROCK.
 2. 4-6 TONS PER STONE.
 3. SEE SHEET C02 FOR MORE DETAILS.

LATITUDE: 41°37'51.36"N
 LONGITUDE: 87°10'45.65"W

STAGING AREA
 (17.X74')

PORTAGE
 LAKEFRONT
 (PAVILION)

RIVERWALK DR.

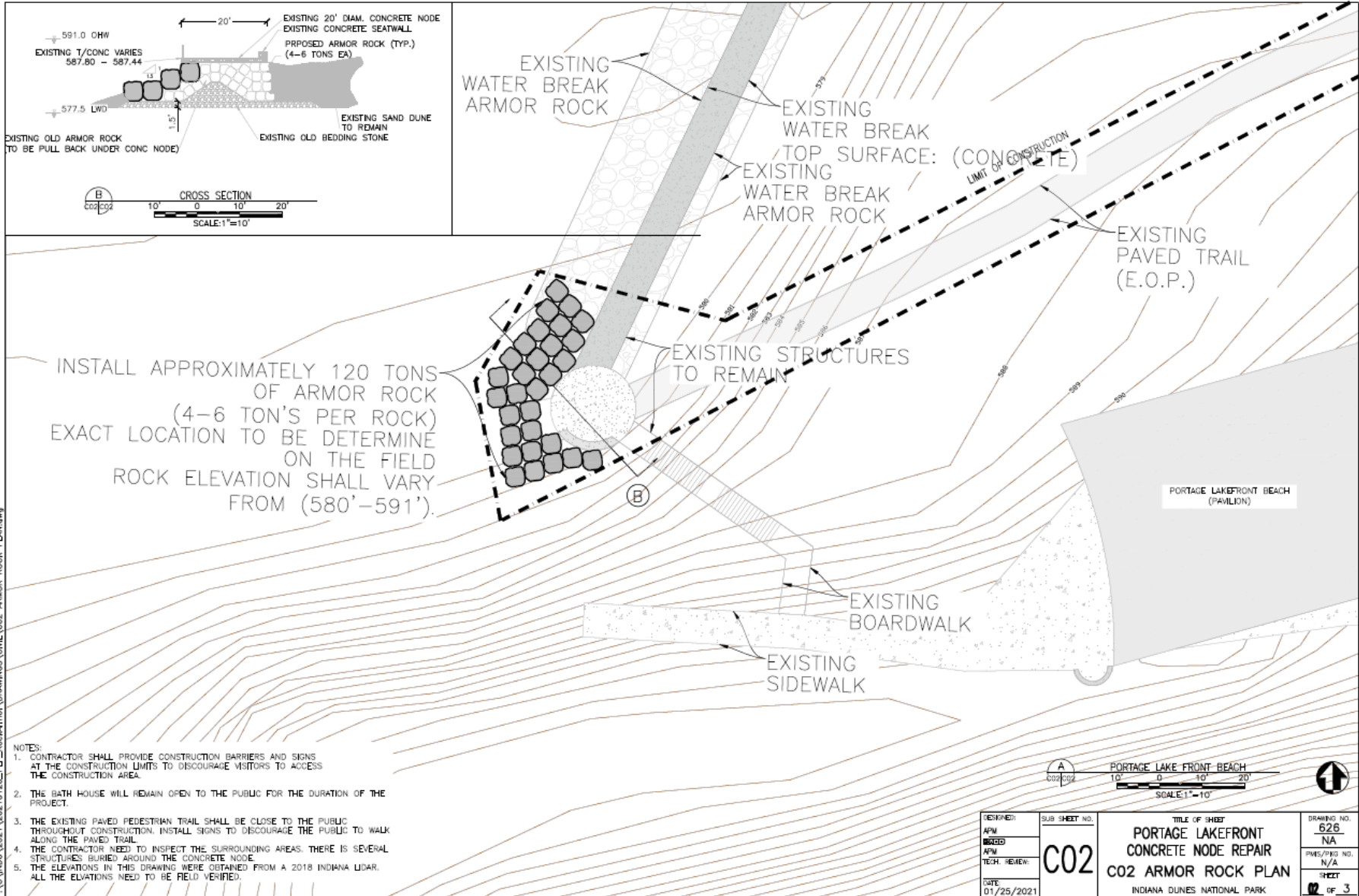


DESIGNED BY	APM
DRAWN BY	APM
CHECKED BY	APM
DATE	01/25/2021

SUB SHEET NO.	C01
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TITLE OF SHEET	PORTAGE LAKEFRONT CONCRETE NODE REPAIR C01 LOCATION MAP
INDIANA DUNES NATIONAL PARK	

DRAWING NO.	626
NA	
PNRS/PNO. NO.	N/A
SHEET	01 OF 3



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NOTES:

1. CONTRACTOR SHALL PROVIDE CONSTRUCTION BARRIERS AND SIGNS AT THE CONSTRUCTION LIMITS TO DISCOURAGE VISITORS TO ACCESS THE CONSTRUCTION AREA.
2. THE BATH HOUSE WILL REMAIN OPEN TO THE PUBLIC FOR THE DURATION OF THE PROJECT.
3. THE EXISTING PAVED PEDESTRIAN TRAIL SHALL BE CLOSE TO THE PUBLIC THROUGHOUT CONSTRUCTION. INSTALL SIGNS TO DISCOURAGE THE PUBLIC TO WALK ALONG THE PAVED TRAIL.
4. THE CONTRACTOR NEED TO INSPECT THE SURROUNDING AREAS. THERE IS SEVERAL 'STRUCTURES' BURIED AROUND THE CONCRETE NODE.
5. THE ELEVATIONS IN THIS DRAWING WERE OBTAINED FROM A 2018 INDIANA LIDAR. ALL THE ELVATIONS NEED TO BE FIELD VERIFIED.

DESIGNED: APM	SUB SHEET NO. C02	TITLE OF SHEET PORTAGE LAKEFRONT CONCRETE NODE REPAIR C02 ARMOR ROCK PLAN	DRAWING NO. 626
CHECKED: APM			NA
TECH. REVIEW:			PMS/PKG NO. N/A
DATE 01/25/2021			SHEET 02 OF 3