Public Notice

US Army Corps
of Engineers
Chicago District

DISCRETIONARY AUTHORITY OVER LAKE COUNTY ADID WETLANDS

February 1, 1993

Announcement of Exertion of Discretionary Authority
Over Some Waters of the United States
Within Lake County, Illinois

1. The North Central Division, U.S. Army Corps of Engineers has
authorized the exertion of discretionary authority to require
individual permits for any filling activities in the wetlands or
other waters of the United States within Lake County, which the
Lake County Advanced Identification of wetlands (ADID) study has
identified as unsuitable for filling activities. Specifically,
the following nationwide permits are eliminated for activities in
the ADID sites: 3, 5, 7, 12, 13, 14, 15, 17, 18, 23, 25, 26, 33
and 36.

2. The U.S. Army Corps of Engineers has regulatory authority
under Section 404 of the Clean Water Act to require permits for
the discharge of dredged or fill material into waters of the
United States, including wetlands. Certain discharges have been
authorized by the Chief of Engineers under nationwide permits,
including filling activities that affect less than 10 acres of
isolated wetlands or less than 10 acres of wetlands adjacent to a
stream but above the headwaters of that stream. The headwaters
is the point on a stream above which the average annual flow is
less than five cubic feet per second (Reference 33 CFR Part 330).

3. Assumption of discretionary authority was based on concerns
for the aquatic environment, including wetlands as expressed in
the guidelines published by the Environmental Protection Agency
pursuant to Section 404(b)(1) (Reference 40 CFR Part 220).
Discretionary authority to require individual permits enables the
Corps to conduct a more thorough review of proposals to discharge
dredged or fill material into special aquatic sites that would
normally be done under nationwide permits. Only those projects
that are determined not contrary to the public interest will be
permitted. The Chicago District, U.S. Army Corps of Engineers,
may decide to authorize minor discharges for essential
activities, such as erosion control, under existing nationwide
permits on a case-by-case basis.

[Signature]
Russell L. Fuhrman
Brigadier General, U.S. Army
Commander and Division Engineer

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted for 30 days from the date of issuance.