



US Army Corps
of Engineers
Chicago District

Public Notice

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.

4. Additional information is available from the Regulatory Branch, U.S. Army Corps of Engineers, Chicago District, 111 North Canal Street, Chicago, Illinois 60606-7206, telephone (312) 353-6428.

A handwritten signature in black ink, appearing to read "Russell L. Fuhrman". The signature is written in a cursive style with a large, looping initial "R".

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.