



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217/782-3362

April 14, 2022

IDNR/Office of Water Resources
Lake Michigan Management Section
160 North LaSalle Street, Suite S-703
Chicago, Illinois 60601

Re: Winnetka Park District - Breakwater - Protected Beach – Winnetka (Cook County)
Log No. 2022-67124
Bureau ID # W0318100056
Final Determination #: 2022-LM-67124

Sir or Madam:

This Agency received a request on February 24, 2022 from Winnetka Park District requesting necessary comments concerning the proposed to three quarystone and steel breakwater structures and a steel and concrete pier along the shoreline at 299, 261, and 225 Sheridan Road, Winnetka, Illinois. The proposal also includes placement of 23,200 cubic yards of quarried sand and annual sand nourishment of up to 2,000 cubic yards. We offer the following comments.

Based on the information included in this submittal, it is our engineering judgment that the proposed project may be completed without causing water pollution as defined in the Illinois Environmental Protection Act, provided the project is carefully planned and supervised.

These comments are directed at the effect on water quality of the construction procedures involved in the above described project and are not an approval of any discharge resulting from the completed facility, nor an approval of the design of the facility. These comments do not supplant any permit responsibilities of the applicant toward the Agency.

This Agency hereby issues Final Determination under Section 39 of the Illinois Environmental Protection Act, subject to the applicant's compliance with the following conditions:

1. The applicant shall not cause:
 - a. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulations;
 - b. water pollution defined and prohibited by the Illinois Environmental Protection Act;
 - c. interference with water use practices near public recreation areas or water supply intakes; or
 - d. violation of applicable provisions of the Illinois Environmental Protection Act.

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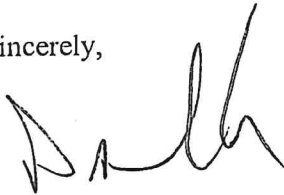
2. The applicant shall implement all necessary sedimentation and erosion control measures consistent with the current version of the "Illinois Urban Manual" found at <https://illinoisurbanmanual.org/>.
3. Asphalt, bituminous material and concrete with protruding material such as reinforcing bar or mesh shall not be 1) used for backfill, 2) placed on shorelines/streambanks, or 3) placed in waters of the State.
4. The fill material used in Lake Michigan shall be predominantly sand or larger size material, with <20% passing a #230 U. S. sieve.
5. All material excavated which is not being used as backfill in accordance with the application documents shall be stored or disposed of in self-contained areas with no discharges to waters of the State.
6. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Material excavated or dredged from the surface water or wetland shall not be used to construct the temporary facility.
7. Fill material used for temporary work areas in Lake Michigan shall consist of clean coarse aggregate and shall be removed entirely upon project completion. Material excavated or dredged from Lake Michigan shall not be used to construct the temporary work areas.
8. Construction activities shall be conducted in a manner to minimize resuspension of materials in the water column. Techniques such as careful equipment use, construction during favorable weather conditions that minimize turbulence and transport of suspended contaminants and other methods such as turbidity curtains should be used as necessary to minimize re-suspension of sediment material. Turbidity curtains shall be used in accordance with the current version of the "Illinois Urban Manual" <https://illinoisurbanmanual.org/> Practice Standard for Floating Silt Curtain (no. 917).
9. All construction equipment and material that enters Lake Michigan shall be free of contaminants of any kind including, but not limited to: sludge, clay, dirt, oil, grease, organic matter, or any other pollutant that would produce offensive conditions or otherwise violate water quality standards.
10. All hydraulic machinery used for this activity and deployed in or immediately adjacent to Lake Michigan shall utilize biodegradable or bio-based hydraulic fluids to minimize pollution in the case of broken or leaking hydraulic equipment.
11. This Section 39 final determination does not cover material excavated, dredged or otherwise produced from Lake Michigan to be used as fill material in Lake Michigan. The proposed shoreline restoration shall not result in discharges of dredged materials without proper authorizations including testing of materials in accordance with applicable regulations. All dredged materials shall be stored or disposed of in self-contained areas with no discharges to waters of the State.
12. This Section 39 final determination does not authorize the construction of boat ramps or related facilities or the construction and installation of stormwater handling and discharge structures.

13. The applicant shall implement applicable Best Management Practices consistent with Table 5-1 of Illinois EPA's TMDL report titled "Total Maximum Daily Load, Shoreline Segments in Suburban Cook County, Illinois" dated May 15, 2013 to the extent necessary to address bacterial loading from constructed embayment structures and to ensure compliance with applicable fecal coliform water quality standards under 35 Ill. Adm. Code 302.505 and the geometric mean of 126 cfu/100mL load allocation requirement under the above mentioned USEPA approved TMDL.
14. The applicant is advised that the following permit(s) must be obtained from the Agency: The applicant must obtain permits to construct sanitary sewers, water mains and related facilities prior to construction.
15. A case-specific Section 401 water quality certification may be required by the Agency for your project in conjunction with a Section 404 permit issued by the U.S. Army Corps of Engineers.
16. The storm sewer outfall noted on the plans shall not be connected to a sanitary sewer and shall not discharge wastewater from any source, including but not limited to saunas or swimming pools, to Lake Michigan.

This final determination becomes effective when the Illinois Department of Natural Resources, Office of Water Resources, includes the above conditions # 1 through # 16 as conditions of the requested permit pursuant to Section 39 of the Illinois Environmental Protection Act and Chapter 19, par. 65, Ill. Rev. Stat.

This Section 39 final determination does not grant immunity from any enforcement action found necessary by this Agency to meet its responsibilities in prevention, abatement, and control of water pollution.

Sincerely,



Darin E. LeCrone, P.E.
Manager, Permit Section
Division of Water Pollution Control

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Final Determination

cc: IEPA Records Unit
IEPA, DWPC, Des Plaines FOS
Winnetka Park District
Shabica & Associates, Inc.
SMT