



# PUBLIC NOTICE

## APPLICATION FOR PERMIT

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

**PUBLIC NOTICE/APPLICATION NUMBER: LRC-2021-00454**

**COMMENT PERIOD BEGINS: 22 April 2022  
COMMENT PERIOD EXPIRES: 23 May 2022**

U.S. Army Corps of Engineers

### **APPLICANT**

John Peterson  
Winnetka Park District  
540 Hibbard Road  
Winnetka, Illinois 60093

Peter Lee (Trustee)  
Orchard Revocable Trust  
353 North Clark Street  
Floor 27  
Chicago, Illinois 60654

### **PROPOSED ACTION**

Proposal to expand the public beach facilities at Elder Lane and Centennial Parks in Winnetka, IL (See attached drawings). A detailed description of this proposal is provided on page 2 of this notice.

### **LOCATION OF PROPOSED ACTION**

225-299 Sheridan Road in Winnetka, Cook County, Illinois (Latitude 42.09897, Longitude - 87.71538).

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 **May 23, 2022** 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 Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 Action of the Clean Water Act of 1972(33 U.S.C. 1344).

Written comments shall be mailed to:

U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
Attn: **LRC-2021-00454**, Mr. Soren Hall  
231 South LaSalle Street, Suite 1500  
Chicago, Illinois 60604-1437

It should be noted that ALL comments received by this office (via hard copy or electronic) will only be accepted with the full name and address, and email address, if available of the individual commenting, and must be received by the close of the public notice period. Electronic comments may be sent to the project manager at [Soren.G.Hall@usace.army.mil](mailto:Soren.G.Hall@usace.army.mil).

### **PROJECT DESCRIPTION**

The Winnetka Park District is proposing to expand the existing public beach facilities at Elder Lane and Centennial Parks. Information regarding the *Winnetka Waterfront 2030: Lakefront Master Plan* can be found here: <https://www.winpark.org/park-district-info/plans-projects/waterfront-2030/>.

Elder Lane and Centennial Parks are currently bisected by a private residential lot at 261 Sheridan Road, owned by Orchard 2020 Revocable Trust (Orchard). The Winnetka Park District and Orchard executed a property exchange agreement in October of 2020 whereupon Orchard will grant title to the home and lot at 261 Sheridan Road in exchange for an equal width of property at what is current part of the south end of Centennial Park. This property exchange would allow for unification of the two parks into a singular facility.

The existing shoreline consists of several existing steel groins and a pier (Exhibit 1). A steel wall is in place along the majority of the bluff toe and a beach that has fluctuated in size with changing water levels. For the last two years, Elder Lane beach has been closed and Centennial Beach has been intermittently closed due to shoreline damage and beach stability concerns. Exhibit 1 identifies the existing structures to be removed. Exhibit 2 details the proposed structures to be constructed.

The project goals include:

- Protection of the bluff toe from erosion;
- Removal of the damaged concrete pier;
- Improvement to the stormwater discharge to the lake;
- Unification and expansion of the public beach with designated swimming and non-motorized watercraft areas;
- New or improved access from the park to the beach for emergency vehicles, pedestrians, and kayak and paddle boards (carried by hand) to the lakefront;
- Increased recreational activities along the lakefront;
- Off-season use of the site for off-leash dog users;

The following activities that are the subject of this notice\* include:

- Two stone breakwaters at the north and south property boundaries;
- A louvered wall along both property boundaries;
- 800 continues feet of ADA accessible boardwalk;
- A 195' wide sunbathing pier located nearly 300 feet into the water;
- Food truck node and seating area;
- Relocated stormsewer pipe;
- Expanded sand beach;
- Emergency and pedestrian access to beach;
- Stabilization of the sand beach;
- 10 years of sand nourishment (up to 2,000 tons annually) to maintain the beach;

*\* Other park improvements not listed here may be completed by the Winnetka Park District but are not subject to regulation by this office.*

Dimensions of all structures are depicted on Exhibit 2-7. The proposed stormsewer reconstruction is shown towards the north end of the project site. The stormsewer would follow along its existing alignments from the west before turning northward. The stormsewer would again turn lakeward and extend into the breakwater structure. The stormsewer outfall would be enclosed within the stone breakwater and would not be visible.

The construction of the breakwaters and pier would include 9,276 cubic yards of stone and cover 1.0 acres of lakebed. Sand fill would also be placed totaling 23,200 cubic yards (Exhibit 6). The quantity of sand is intended to fill the beach area up to the capacity that could be held by the structures plus an additional 20% overflow. The overflow is intended to reduce the potential that sand flowing along the shoreline from north to south would be captured within the enclosed beach area.

The proposed louvered walls would be constructed on top of the existing breakwaters and would gradually lower in height as they extend lakeward. The intent of the walls include:

- Keep off-leash dogs on the public beach and off the adjacent private properties;
- Reduce wave over-topping and dissipate wave energy;
- Improve sand retention and reduce erosion, including wind driven sand;
- Reduce stress on plants in the planter pockets, serving in part as a water and wind break;
- Reduce crest elevation of stone breakwater.

The louvered wall would prohibit pedestrian movement along the shoreline at the north and south ends of the project. A rendering of the proposed wall is shown in Exhibit 8.

## **AVOIDANCE & MINIMIZATION**

The applicant has stated the following concerning avoidance and minimization of impacts to Waters of the United States: After working through the master plan process, the design meets the needs of the community.

## **MITIGATION**

The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States: The project covers 1.0 acres of the lakebed below the

ordinary high water mark (identified as 583' International Great Lakes Datum-1985). The fill does improve the quality of the lakebed and water with the quarystone breakwaters creating habitat for fish. As this system will be monitored annually for 5 years north and south of the site, sand removed from the littoral drift system can be better quantified for replacement. Additionally, this permit calls for up to 2,000 tons of sand to be placed annually or as needed for beach nourishment. Based on this information, no additional mitigation is proposed.

The Corps has not verified the adequacy of this mitigation proposal at this time and will make the final determination on whether the proposed mitigation is appropriate and practicable in accordance with 33 CFR Part 332.

### **REGULATORY AUTHORITY**

This proposed action will be reviewed according to the provisions of Section 10 of the Rivers and Harbors Act of 1899 and 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 Section 404 of the Clean Water Act of 1972 due to placement of fill within Lake Michigan. Lake Michigan is a traditional navigable water and is therefore under the jurisdiction of this office.

### **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:**

The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that the IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity.

The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at <https://www2.illinois.gov/epa/public-notices/Pages/section-401-notices.aspx>. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below.

Written comments concerning possible impacts to water quality should be addressed to the following agency, along with a copy of the comments provided to the Corps of Engineers:

Illinois Environmental Protection Agency  
Bureau of Water  
Watershed Management Section  
1021 N. Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

If you have any questions please contact the IEPA at (217) 782-3362.

### **DEPARTMENT OF NATURAL RESOURCES:**

The applicant has applied to the Illinois Department of Natural Resources, Office of Water Resources (IDNR-OWR) for a permit pursuant to the State of Illinois Rivers, Lake and Streams Act (615 ILCS 5). Comments concerning the IDNR-OWR permit should be addressed to the following agency, along with a copy of the comments provided to the Corps of Engineers:

Illinois Department of Natural Resources  
Office of Water Resources  
Michael A. Bilandic Building  
160 N. LaSalle Street, Suite S-700  
Chicago, IL 60601

If you have any questions please contact the IDNR at (312) 793-5947.

**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.

**HISTORIC PROPERTIES/CULTURAL RESOURCES:**

Preliminary review indicates that the proposed activity is not likely to adversely affect any historic property which is listed, or eligible for listing, on the National Register of Historic Places. However, a Phase I archaeological survey is being conducted by the applicant and will be assessed by this office.

**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 **May 23, 2022**. 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. Soren Hall by telephone at (312) 846-5532, or email at [Soren.G.Hall@usace.army.mil](mailto:Soren.G.Hall@usace.army.mil). **It should be noted that ALL comments received by this office (via hard copy or electronic) 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> for more information on our program.