



# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

April 10, 2024

SUBJECT: FAU 2561 (Gary Avenue)  
Section 20-00123-00-PV (Wheaton)  
DuPage County  
Contract No. 61K32  
Item 007  
April 26, 2024 Letting  
Addendum (A)

## NOTICE TO PROSPECTIVE BIDDERS:

Attached is an addendum to the plans or proposal. This addendum involves revised and/or added material.

- 1. Revised Special Provision Index**
- 2. Added pages 146A-146F to the Special Provisions**

Prime contractors must utilize the enclosed material when preparing their bid and must include any changes to the Schedule of Prices in their bid.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jack A. Elston'.

Jack A. Elston, P.E.  
Bureau Chief, Design and Environment

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DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604-1437

March 29, 2024

Regulatory Branch (LRC-2021-00095)

SUBJECT: Nationwide Permit Authorization for 0.23 Acres of Permanent Wetland Impacts, 0.04 Acres of Permanent Waters Impacts, and 0.0 Acres of Temporary Waters Impacts for the Proposed Gary Avenue Roadway Improvements Between Harrison Avenue and Jewell Road, Wheaton, DuPage County, Illinois (Latitude 41.87414°N, Longitude -88.112805°W)

IDOT Contract # 61K32

Sarang Lagvankar  
City of Wheaton  
303 West Wesley Street  
Wheaton, Illinois 60187

Dear Mr. Lagvankar:

The U.S. Army Corps of Engineers, Chicago District, has completed its review of your pre-construction notification for the above referenced project, dated November 15, 2023 (and amended December 20, 2023), for authorization under the Nationwide Permit (NWP) Number 14 (NWP 14 Linear Transportation Projects), submitted on your behalf by Engineering Resource Associates, Inc (ERA). This office has verified that your proposed activity complies with the terms and conditions of the NWP.

This determination covers only your project as described above and in the approved project plans titled, "Plans For Proposed Federal Aid Highway F.A.U. Route 2561 (Gary Avenue) Jewell Road to Harrison Avenue. Ellis Avenue Reconstruction Project Section 20-00123-00-PV", dated November 15, 2023, prepared by Thomas Engineering Group. Caution must be taken to prevent construction materials and activities from impacting waters of the United States beyond the scope of this authorization. If the design, location, or purpose of the project is changed, it is recommended that you contact this office to determine the need for further authorization.

The subject activity may be performed without further authorization from this office provided that the activity complies with the NWP terms and general conditions, the regional conditions for Illinois, the special conditions listed below, and the Section 401 Water Quality Certification ("WQC") conditions added by the Illinois Environmental Protection Agency ("IEPA"). The NWP Program terms, general conditions, and regional conditions are listed in the enclosed NWP Summary. The WQC conditions are listed in the enclosed Fact Sheet.

Specifically, we wish to draw your attention to General Condition 21, which requires permittees to notify our office immediately in the event of discovery of previously

unknown human remains, Native American cultural items, or archaeological artifacts; and a term of the NWP program, which states that NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

In addition to the general, regional, and water quality conditions of this permit verification, the following special conditions also apply to this verification:

1. This permit does not authorize temporarily stockpiling material within wetlands or waters of the US, even in areas of proposed permanent or temporary impact.
2. If the work is scheduled to occur between April 1 and September 31 of any year, the bridge/culvert shall be inspected for the presence of Northern Long-Eared bat (*Myotis septentrionalis*) no more than 7 days prior to the start of construction activity to ensure bats have not started to use the area of the bridge proposed for work. If that species is found to be using the structure, the permittee shall immediately contact Shawn Cirton of the U.S. Fish and Wildlife Service, (847) 381-2253, and Patrick VerHalen of the U.S. Army Corps of Engineers, patrick.j.verhalen@usace.army.mil, to ask for further guidance. Work shall not commence until consultation with these two agencies has been satisfied.
3. This authorization is contingent upon implementing and maintaining soil erosion and sediment controls in a serviceable condition throughout the duration of the project. You shall comply with the project's soil erosion and sediment control (SESC) plans and the installation and maintenance requirements of the SESC practices on-site. You shall notify this office any changes or modifications to the approved plan set. Please be aware that field conditions during project construction may require the implementation of additional SESC measures for further protection of aquatic resources. If you fail to implement corrective measures, this office may require more frequent site inspections to ensure the installed SESC measures are acceptable. Please be aware that work authorized herein may not commence until you receive written notification from this office that your plans meet technical standards.

As part of the SESC process, you are required to retain a qualified Independent SESC Inspector (ISI) to review the project's SESC plans and provide a detailed narrative that explains the measures to be implemented at the project site. The ISI is also required to perform site inspections of the implemented SESC measures to ensure proper installation and regular maintenance of the approved methods.

- a. You shall contact this office and the ISI at least 10 calendar days prior to the preconstruction meeting so that a representative of this office may attend. The meeting agenda will include a discussion of the SESC plan and

the installation and maintenance requirements of the SESC practices on the site;

b. Prior to commencement of any in-stream work, you shall submit construction plans and a detailed narrative to this office that disclose the contractor's preferred method of cofferdam and dewatering method;

c. The ISI will perform weekly inspections of the implemented SESC measures to ensure proper installation and regular maintenance of the approved methods. The ISI contact information form shall be submitted to this office via e-mail and/or hard copy prior to commencement of the permitted work; and

d. The ISI shall submit to the Corps an inspection report with digital photographs of the SESC measures on a weekly basis during the active and non-active phases of construction. An inspection report shall also be submitted at the completion of the project once the SESC measures have been removed and final stabilization has been completed.

4. Prior to commencement of work, you shall submit constructions plans and a narrative of the contractor's preferred method of cofferdam. Work in the waterway shall not commence until this office notifies you, in writing, that the plans have been approved.

5. You shall provide written notification to this office at least ten (10) days prior to the commencement of work indicating the start date and estimated end date of construction. If possible, this notification should be provided by email to [patrick.j.verhalen@usace.army.mil](mailto:patrick.j.verhalen@usace.army.mil).

6. You are responsible for all work authorized herein and for ensuring that all contractors are aware of the terms and conditions of this authorization.

7. A copy of this authorization must be present at the project site during all phases of construction.

8. Work in the waterway should be timed to take place during low or no-flow conditions. Low flow conditions are flow at or below the normal water elevation.

9. The plan must be designed to allow for the conveyance of the 2-year peak flow past the work area without overtopping the cofferdam. The Corps has the discretion to reduce this requirement if documented by the applicant to be infeasible or unnecessary.

10. Water shall be isolated from the in-stream work area using a cofferdam constructed of non-erodible materials (steel sheets, aqua barriers, rip rap and geotextile liner, etc.). Earthen cofferdams are not permissible.

11. The cofferdam must be constructed from the upland area and no equipment may enter flowing water at any time. If the installation of the cofferdam cannot be completed from shore and access is needed to reach the area to be coffered, other measures, such as the construction of a causeway, will be necessary to ensure that equipment does not enter the water. Once the cofferdam is in place and the isolated area is dewatered, equipment may enter the coffered area to perform the required work.

12. If bypass pumping is necessary, the intake hose shall be placed on a stable surface or floated to prevent sediment from entering the hose. The bypass discharge shall be placed on a non-erodible, energy dissipating surface prior to rejoining the stream flow and shall not cause erosion. Filtering of bypass water is not necessary unless the bypass water has become sediment-laden as a result of the current construction activities.

13. During dewatering of the coffered work area, all sediment-laden water must be filtered to remove sediment. Possible options for sediment removal include baffle systems, anionic polymers systems, dewatering bags, or other appropriate methods. Water shall have sediment removed prior to being re-introduced to the downstream waterway. A stabilized conveyance from the dewatering device to the waterway must be identified in the plan. Discharge water is considered clean if it does not result in a visually identifiable degradation of water clarity.

14. The portion of the side slope that is above the observed water elevation shall be stabilized as specified in the plans prior to accepting flows. The substrate and toe of slope that has been disturbed due to construction activities shall be restored to proposed or pre-construction conditions and fully stabilized prior to accepting flows.

15. This permit will not be valid, and work may not commence, until this office receives a receipt from the Mill Creek Mitigation Bank indicating that the purchase of credits has been completed.

Please note that IEPA has issued Section 401 Water Quality Certification for this NWP. The conditions of this WQC are automatically conditions of this NWP verification and are included in the enclosed Fact Sheet. If you have any questions regarding Section 401 certification, please contact IEPA's Division of Water Pollution Control, Permit Section #15, by telephone at (217) 785-6939.

This verification is valid until March 14, 2026, when NWP 14 is scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you will have 12 months from the date of the modification, reissuance or revocation to complete the activity under the present terms and conditions. Failure to comply with the

general and regional conditions of this NWP, or any project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization.

This office is in receipt of a letter from the Mill Creek Wetland Mitigation Bank confirming your intent to purchase 0.3495 ac certified wetland mitigation credit. This requirement was calculated by multiplying 0.232 ac by a ratio of 1.5:1, which equals 0.348 ac.

Once you have completed the authorized activity, please sign and return the enclosed compliance certification as required by general condition 30. If you have any questions, please contact Patrick VerHalen of this office by telephone at (312) 846-5545, or email at Patrick.J.VerHalen@usace.army.mil.

Sincerely,

Soren G. Hall

Digitally signed by Soren  
G. Hall  
Date: 2024.03.29  
14:35:06 -05'00'

Soren G. Hall  
Team Leader  
Regulatory Branch

Enclosures

cc:

DuPage County Stormwater Management (Jenna Fahey)  
Engineering Resource Associates (Erin Pande)  
Thomas Engineering Group (James Yuratovac)



**PERMIT COMPLIANCE  
CERTIFICATION**

Permit Number: LRC-2021-00095  
Permittee: Sarang Lagvankar  
City of Wheaton  
Date: March 29, 2024

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of said permit and if applicable, compensatory wetland mitigation was completed in accordance with the approved mitigation plan.<sup>1</sup>

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PERMITTEE

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DATE

Within 30 days after completion of the activity authorized by this permit and any mitigation required by the permit, this certification must be signed and returned to the following address:

Email to: [ChicagoRequests@usace.army.mil](mailto:ChicagoRequests@usace.army.mil)  
Subject: Compliance Certification, LRC-2021-00095

Please note that your permitted activity is subject to compliance inspections by Corps of Engineers representatives. If you fail to comply with this permit, you may be subject to permit suspension, modification, or revocation.

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<sup>1</sup> If compensatory mitigation was required as part of your authorization, you are certifying that the mitigation area has been graded and planted in accordance with the approved plan. You are acknowledging that the maintenance and monitoring period will begin after a site inspection by a Corps of Engineers representative or after thirty days of the Corps' receipt of this certification. You agree to comply with all permit terms and conditions, including additional reporting requirements, for the duration of the maintenance and monitoring period.