State of Indiana
Department of Natural Resources

CERTIFICATE OF APPROVAL

Application #: FW-30858-0

This Certificate of Approval is a Permit for Construction under the authority of the Indiana Flood Control Act, IC 14-28-1 with 312 IAC 10 as administered by the Department of Natural Resources.

Approval Issued To: City of Hammond, Dean Button, 5925 Calumet Avenue, Hammond, IN 46320

Approval Issued By: Jordan Smithers

Mail Date: 7/29/2021

Jordan Smithers, CFM, Division of Water

Permit Effective Date: 08/16/2021 **Permit Expiration Date: 07/29/2023**

Pursuant to IC 4-21.5-3-5(f), this Permit becomes Effective eighteen (18) days from the Mail Date to provide a stay period for a Petition for Administrative Review with the Indiana Natural Resources Commission, Division of Hearings. Initiating construction authorized in this Permit prior to the Permit Effective Date constitutes a violation. This Permit is only valid until the Permit Expiration Date.
This Permit may be renewed one (1) time if a written request is received at the DNR, Division of Water, prior to the Permit Expiration Date.

PROJECT INFORMATION:

Waterbody: Little Calumet River County: Lake

Project Description Narrative: The project involves constructing a new four-span prefabricated steel pedestrian bridge approximately 500' in length to carry the Little Calumet River Trail over Calumet Avenue. The bridge approaches will tie into the existing trail on top of the levee on the north bank of Little Calumet River. This project will be constructed adjacent to the north bank levee on the landward side.

Project Location: Immediately north of the Calumet Avenue stream crossing at Hammond

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PERMIT CONDITIONS:

This Certificate of Approval is valid only if the construction project is in compliance with all Conditions in this Permit.

DNR PROJECT SPECIFIC PERMIT CONDITIONS

1) Revegetate all bare and disturbed areas that are not currently mowed and maintained with a mixture of grasses, sedges, and wildflowers native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in currently mowed areas only. A native herbaceous seed mixture must include at least 5 species of grasses and sedges and 5 species of wildflowers.
2) Do not excavate in the waterway and minimize disturbance to bank vegetation and contain disturbance to within the project limits.
3) Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
4) Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
5) Submit as-built plans, signed, and stamped by a professional engineer, certifying that the bridge and trail within the levee area, was constructed in accordance with the approved plans and recommendations to the Division of Water, IDNR within 6 months of project completion.
6) The proposed work involving excavation, filling, compaction, tree removal, pile driving, within and near the existing levee should be directly supervised by a registered professional engineer experienced in geotechnical engineering.
7) Note: this approval is issued based on the typical review process pursuant in Indiana Code 14-28-1 and in no way implies that the proposed project meets any certification standards or complies with or is exempt from other State or Federal requirements.
8) Except for the material used as backfill as shown on the plans submitted for the permit application, place all excavated material landward of the floodway*.
9) All work must conform with the existing bank at the upstream and downstream limits of the project site.
10) Do not leave felled trees, brush, or other debris in the floodway*.
11) Upon completion of the project, remove all construction debris from the floodway*.
12) * Note: For regulatory purposes, the floodway is defined on the attached Floodway Map.

DNR PROJECT GENERAL PERMIT CONDITIONS

1) Any modifications or additional construction beyond what was shown on plans received at the Division of Water shall require an additional review and approval from the Department of Natural Resources.

2) This Permit must be posted and maintained at the project site until the project is completed.

3) This Permit shall not be assigned or transferred without the prior written approval of the Department of Natural Resources.

4) If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (IC 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days.

5) This Permit may be revoked by the Department of Natural Resources for violation of any condition or applicable statute or rule.

6) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the work authorized under this Permit.

Certificate of Approval Attachments: Floodplain Map FW-30858.pdf

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RIGHT TO ADMINISTRATIVE REVIEW:

A party may appeal this Department of Natural Resources Action through the administrative review procedures found in the Administrative Orders and Procedures Act, IC 4-21.5, and the rules promulgated thereunder 312 IAC 3-1. If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel at all stages of administrative review.

In order to obtain an administrative review, a written petition must be filed with the Division of Hearings within 18 days of the Mail Date of the Action. The petition must contain specific reasons for the appeal and indicate the portion or portions of the project to which the appeal pertains. The petition must be addressed to the Division of Hearings, Indiana Government Center North, Room N103, 100 North Senate Avenue, Indianapolis, Indiana 46204

SERVICE LIST:

Applicant(s):
City of Hammond, Dean Button, 5925 Calumet Avenue, Hammond, IN 46320

Agent(s):
Beam Longest and Neff LLC, Adam Clauss, 8320 Craig Street, Indianapolis, IN 46250

Adjacent Landowners and Interested Parties:
Little Calumet River Basin Development Commission, Dan Repay, 900 Ridge Road, Munster, IN 46321
City of Hammond Redevelopment Commission, 5925 Calumet Avenue, Hammond, IN 46320
National City Bank 972, PO Box 5036, Indianapolis, IN 46255
Unity Church of Christ Inc, 740 North River Drive, Indianapolis, IN 46234
KGM Development Corp, 8707 Jefferson Avenue, Munster, IN 46321
Richard and Mary A White, 731 River Drive, Munster, IN 46321
Patrick and Sara Noyce, 725 River Drive, Munster, IN 46321
Anthony and Joyce Collins, 721 River Drive, Munster, IN 46321
Mark Metzger and Ashley Carbajal, 715 River Drive, Munster, IN 46321
Peter Kuchinke and Michelle Van Vliet, 214 Oakdale Street, Laporte, TX 77571
Kenneth Sharp, 701 River Drive, Munster, IN 46321
Qin Fan, 3100 North Lake Shore Drive, Apt 1312, Chicago, IL 60657
Tony and Kathie Bednarowski, 643 River Drive, Munster, IN 46321
Heriberto and Sandra Alvarez, 637 River Drive, Munster, IN 46321

Courtesy Notification:
US Army Corps of Engineers, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604
Lake County SWCD, 2291 North Main Street, Crown Point, IN 46307
Don Novak, 5925 Calumet Avenue, Ground Floor, Hammond, IN 46320
Lake County Drainage Board, Dan Gossman, 2293 North Main Street, Crown Point, IN 46307
Indiana Department of Natural Resources, Steve Davis, 100 West Water Street, Michigan City, IN 46360
IDNR Law Enforcement District 10, 100 West Water Street, Michigan City, IN 46360

ADDITIONAL PERMITTING AGENCIES:

This is not a waiver of any local ordinance or other state or federal law and does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.

This does not relieve the permittee of the responsibility of obtaining permits, approvals, easements, etc. under other regulatory programs administered by, but not limited to, the U.S. Army Corps of Engineers, County Drainage Board, Indiana Department of Environmental Management and local, city, or county floodplain management, planning or zoning commissions.