

THIS PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) This permit is granted in accordance with the Rivers, Lakes and Streams Act, "615 ILCS 5," and the Environmental Protection Act "415 ILCS 5/1."
- 2) This permit does not convey title to the permittee or recognize title of the permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the activity or any part thereof will be located, or otherwise grant to the permittee any right or interest in or to the property, whether the property is owned or possessed by the State of Illinois or by any private or public party or parties.
- 3) This permit does not release the permittee from liability for damage to persons or property resulting from the work covered by this permit, and does not authorize any injury to private property or invasion of private rights.
- 4) This permit does not relieve the permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approvals from any federal or other state agency to do the work, this permit is not effective until the federal and state approvals are obtained. . If construction does not begin within two years of the date of this permit, the permittee must submit the project to EcoCAT (<http://dnr.illinois.gov/EcoPublic/>) for an updated consultation under the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act.
- 5) The permittee shall, at the permittee's own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project from Lake Michigan. If the permittee fails to remove such structures or materials, the Department may have removal made at the expense of the permittee.
- 6) In public waters, if future need for public navigation or other public interest by the state or federal government necessitates changes in any part of the structure or structures, such changes shall be made by and at the expense of the permittee or the permittee's successors as required by the Department or other properly constituted agency, within sixty (60) days from receipt of written notice of the necessity from the Department or other agency, unless a longer period of time is specifically authorized.
- 7) The execution and details of the work authorized shall be subject to the review and approval of the Department and/or the Agency. Department and Agency personnel shall have the right of access to accomplish this purpose.
- 8) Starting work on the activity authorized will be considered full acceptance by the permittee of the terms and conditions of the permit.
- 9) The Department and Agency in issuing this permit have relied upon the statements and representations made by the permittee; if any substantive statement or representation made by the permittee is found to be false, this permit will be revoked and when revoked, all rights of the permittee under the permit are voided.
- 10) The permittee and the permittee's successors shall make no claim whatsoever to any interest in any accretions caused by the activity.
- 11) In issuing this permit, the Department and Agency do not ensure the adequacy of the design or structural strength of the structure or improvement.
- 12) Noncompliance with the conditions of this permit will be considered grounds for revocation.
- 13) If the construction activity here permitted is not completed on or before **December 31, 20__**, this permit shall cease and be null and void. When all work is constructed, the permittee shall notify the Department so that a final inspection can be completed.

THIS PERMIT IS SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. Any artificially created beach area is considered to be public property and the owner of the upland property may not do anything to impair or prohibit lawful public use of such created beach area. See the above referenced Permit Condition No. 2.
- B. Place _____ tons of clean beach nourishment as pre-mitigational fill.
- C. Special Conditions __-__ of the Illinois Environmental Protection Agency's, Final Determination Letter dated __/__/__.
- D. Contact the Department at (312) 793-5947 when construction is completed so that a final inspection can be scheduled.
- E. Complete a pre-construction hydrographic (i.e. water depth and location) survey, immediately prior to the beginning of construction.
- F. Complete a post-construction hydrographic survey (this should include the permitted structures), within one month of the completion of construction. Upon completion of the post-construction survey, the applicant should submit both the pre and post-construction survey data to the Department. The presentation should include a direct comparison of pre and post-construction profiles.
- G. Complete a second post-construction hydrographic survey, approximately one year after the date of the first post-construction survey. Upon completion of the second post-construction survey, the applicant should submit that survey, along with an updated comparison of all survey profiles (pre, and two post) to the Department.
- H. Complete a third post-construction hydrographic survey, approximately five years after the date of the first post-construction survey. Upon completion of the third post-construction survey, the applicant should submit that survey, along with an updated comparison of all survey profiles (pre and three post) to the Department.
- I. Hydrographic surveys should be performed by a licensed surveyor with experience working in coastal environments.
- J. Surveys should be performed only when wave conditions are less than one foot. Flat calm conditions are preferred.
- K. Surveys should begin at the Ordinary High Water Mark (581.5 ft. IGLD-85), and proceed 300 ft. lakeward of the lakeward end of the proposed project.
- L. For shoreline properties with less than 100 lineal feet of shoreline, the survey line spacing should not exceed 25 ft. For shoreline properties with more than 100 lineal feet of shoreline, the survey line spacing should not exceed 50 ft. A minimum of three survey lines is required, regardless of the length of the property.
- M. Survey cross-sections should have a graphic vertical scale of 1 in. = 5 ft. and a graphic horizontal scale of 1 in. = 50 ft.
- N. Survey lines should be parallel and their orientation should be perpendicular to the general trend of the shoreline.
- O. Survey should be submitted using IGLD-85 as the datum and may be referenced to the Low Water Datum (577.50 IGLD-85).
- P. If either the second or third post-construction surveys indicate that the project appears to be trapping littoral drift sand, the Department will determine, what additional action, if any, may be required. This could include a requirement to undertake additional surveys.