



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**On agenda:** 10/7/2010      **Final action:** 10/7/2010

**Title:** Authority to ratify the Executive Director's issuance of a Permit Amendment Agreement to ComEd and Nicor to enter 18-acres of District real estate located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie, Illinois, to conduct wetland delineation work and any other activities related thereto, consideration shall be \$10.00

**Sponsors:**

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**Attachments:** 1. 10-07-10\_ComEd Nicor.pdf

Date	Ver.	Action By	Action	Result
10/7/2010	1	Committee of the Whole	Recommended	Pass
10/7/2010	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF OCTOBER 7, 2010

#### COMMITTEE ON REAL ESTATE

Mr. Richard Lanyon, Executive Director

Authority to ratify the Executive Director's issuance of a Permit Amendment Agreement to ComEd and Nicor to enter 18-acres of District real estate located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie, Illinois, to conduct wetland delineation work and any other activities related thereto, consideration shall be \$10.00

Dear Sir:

On April 15, 2010, the Board of Commissioners ("Board") authorized the issuance of a 6-month permit to ComEd and Nicor to enter 18-acres of District real estate located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie to conduct air monitoring and staging for off-site investigatory work. The permit is set to expire December 31, 2010.

The permit was issued to ComEd and Nicor as part of the District's ongoing effort to work with the two utilities in an effort to have the utilities perform environmental remediation work on the site. The site contains contaminants from the utilities' prior manufactured gas plant operations on the site prior to the 1960s. Staff is vigorously working out the final terms of a settlement agreement to present to the Board for consideration and approval prior to year end.

In anticipation of allowing the utilities to enter the site to perform environmental remediation work, the utilities requested to perform certain pre-remediation work and site preparation work which resulted in the issuance of this permit. The utilities have now requested an amendment to the permit for the purpose of performing wetland delineation work onsite. The southwest corner of the site contains a marshy area that must be analyzed in order for the U.S. Army Corps of Engineers ("Corps") to determine whether it qualifies as a

wetland. The utilities have requested to perform this work on an expedited basis because all work must be completed prior to October 15, 2010. The utilities have indicated that the Corps has required that the delineation work be completed by that date as any work completed subsequent thereto will not be considered a valid assessment as not enough species are likely to be present at the site in this area of country after that date.

The Site Remediation Section has reviewed this proposed work and has no objection thereto.

A nominal fee of \$10.00 is recommended since the utilities are performing the work in anticipation of settling the lawsuit filed by the District.

At the time the Executive Director issued the Permit Amendment Agreement, he polled the Board and found that it was amenable to its issuance.

It is requested that the Board of Commissioners ratify the Executive Director's action of issuing a Permit Amendment Agreement to ComEd and Nicor to enter 18-acres of District real estate located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie to conduct wetland delineation work and any other activities related thereto. Consideration shall be a nominal fee of \$10.00.

Requested, Frederick M. Feldman, General Counsel, FMF:CL:SM:rg

Recommended, Richard Lanyon, Executive Director

Respectfully Submitted, Terrence J. O'Brien, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for October 7, 2010

Attachment