



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**Title:** Authority to grant to the United States Army Corps of Engineers an 11-month Right-of-Entry upon Main Channel Parcel 19.01 for use as a construction staging area to conduct surveys and soil borings, and to construct three parasitic structures in, across, and under the Chicago Sanitary & Ship Canal north of the 135th Street Bridge as part of the Aquatic Nuisance Species Barrier Project, consideration shall be a nominal fee of \$10.00

**Sponsors:**

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**Attachments:** 1. 08-12-10\_USACOE ROE 11 Map.pdf

Date	Ver.	Action By	Action	Result
8/12/2010	1	Committee of the Whole	Recommended	Pass
8/12/2010	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF AUGUST 12, 2010

#### COMMITTEE ON REAL ESTATE

Mr. Richard Lanyon, Executive Director

Authority to grant to the United States Army Corps of Engineers an 11-month Right-of-Entry upon Main Channel Parcel 19.01 for use as a construction staging area to conduct surveys and soil borings, and to construct three parasitic structures in, across, and under the Chicago Sanitary & Ship Canal north of the 135<sup>th</sup> Street Bridge as part of the Aquatic Nuisance Species Barrier Project, consideration shall be a nominal fee of \$10.00

Dear Sir:

The United States Army Corps of Engineers ("Corps") has submitted several Right-of-Entry ("ROE") requests to access District lands to conduct additional work and projects relating to the Aquatic Nuisance Species Barriers ("Barriers") located north of the 135<sup>th</sup> Street Bridge in the Chicago Sanitary & Ship Canal ("CSSC"). The additional work and projects are necessary to construct and operate a third Dispersal Barrier and to reduce the electrical charge readings created by the operation of the two current Barriers.

The Corps requests a ROE to construct three parasitic structures in conjunction with the operation of the Barriers. Through cables routed through the channel bed, the parasitic structures draw off electricity emitted into the water by the Barriers and reduce electrical current traveling through the water. Before installing the parasitic structures, the Corps must do a survey and conduct soil borings within a 90 ft. wide by 300 ft. long area along the west bank of the CSSC on Main Channel Parcel 19.01. The reason for the survey and soil borings is to determine the feasibility of placing a crane at this location that will install the parasitic structures into the bed of the Channel. After the surveys and borings are analyzed, the Corps requests to use the 150' x 1600' area on part of Parcel 19.01 for a construction staging area for the construction and installation of the

parasitic structures. The requested land area is vacant and unimproved.

It is anticipated that the proposed ROE will expire simultaneously with the current easement granted to the Corps to operate the Dispersal Barriers in May 31, 2011, at which time a long term or permanent agreement will be entered into with the Corps.

The District's technical departments are reviewing the request, and the Permit shall be subject to any terms and conditions recommended by the technical departments.

It is recommended that the permit be issued for a nominal fee of \$10.00 and that the indemnification provisions be waived as is customary with District Agreements with the Federal government or another governmental entity for public purposes.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of an 11-month Right-of-Entry to the United States Army Corps of Engineers upon Main Channel Parcel 19.01 for use as a construction staging area to conduct surveys and soil borings, and to construct three parasitic structures in, across, and under the Chicago Sanitary & Ship Canal north of the 135<sup>th</sup> Street Bridge as part of the Aquatic Nuisance Species Barrier Project. Consideration shall be a nominal fee of \$10.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that it authorize the Chairman of the Committee on Finance and the Clerk to execute said permit agreement after it is approved by the General Counsel as to form and legality.

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

Recommended, Richard Lanyon, Executive Director

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

Disposition of this agenda item will documented be in the official Regular Board Meeting Minutes of the Board of Commissioners for August 12, 2010

Attachment