

THIS IS NOT A PERMIT

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-24651

Request Received: April 19, 2022

Requestor: Town of Beverly Shores Park Board
Joan Crepeau
500 South Broadway
PO Box 38
Beverly Shores, IN 46301

Project: Restoration of the Lake Michigan public beach access along Lake Front Drive at Shore Avenue and Beach Avenue, Town of Beverly Shores; LMCP

County/Site info: Porter

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: The Department of Natural Resources (DNR) has permitting authority under The Navigable Waterways Act, IC 14-29-1 for placing, filling, or erecting a permanent structure in; water withdrawal from; or mineral extraction from below the ordinary high watermark (OHWM) of Lake Michigan. Therefore, any work proposed below the OHWM in or along the Lake Michigan shoreline may require a permit from the DNR. Please submit a copy of this letter with the permit application, if required.

Natural Heritage Database: The Natural Heritage Program's data have been checked. The species below have been documented within 1/2 mile of the project areas. The Division of Nature Preserves does not anticipate any impacts to the plant species as a result of this project.

A) PLANTS:

1. Hidden-fruited Bladderwort (*Utricularia geminiscapa*); state endangered
2. Blackseed Needlegrass (*Piptochaetium avenaceum*); state threatened
3. Silverweed (*Potentilla anserina*); state threatened
4. Fire Cherry (*Prunus pennsylvanica*); state threatened
5. Tall Beaked-rush (*Rhynchospora macrostachya*); state threatened
6. Long-beaked Baldrush (*Rhynchospora scirpoides*); state threatened
7. Reticulated Nutrush (*Scleria reticularis*); state threatened
8. Dwarf Ginseng (*Panax trifolius*); state watchlist

B) FISH (in Lake Michigan):

1. Lake Sturgeon (*Acipenser fulvescens*); state endangered
2. Longnose Dace (*Rhinichthys cataractae*); state special concern

C) BIRDS:

1. Sedge Wren (*Cistothorus platensis*); state endangered
2. Virginia Rail (*Rallus limicola*); state endangered
3. Golden-winged Warbler (*Vermivora chrysoptera*); state endangered
4. Hooded Warbler (*Setophaga citrina*); state special concern

Fish & Wildlife Comments: We do not foresee any impacts to the fish or bird species above as a result of this project.

The new structure, and any materials placed under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to

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the current conditions. If utilizing raised platforms or stairways, institute adequate clearances for unimpeded wildlife movement where applicable.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas within the project area using a mixture of grasses (excluding all varieties of tall fescue), sedges, and/or wildflowers native to Northern Indiana and specifically for dune stabilization purposes as soon as possible upon completion.
2. All excavated material must be properly spread or completely removed from the project site such that erosion and off-site sedimentation of the material is prevented.
3. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody 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.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

Christie L. Stanifer

Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife

Date: May 20, 2022