

**From:** [Blackburn, Andrew J CIV USARMY CELRC \(USA\)](#)  
**To:** [Machalek, Michael J CIV USARMY CELRC \(USA\)](#)  
**Cc:** [MAUPIN, MARTY](#); [Chernich, Kathleen G CIV USARMY CELRC \(USA\)](#); [McLaurin, Diedra L CIV USARMY CELRC \(USA\)](#); [Leffler, Paul M CIV USARMY CELRC \(USA\)](#)  
**Subject:** RE: LRC-2022-294 - UAR - Porter - Gary-Michigan City Hwy  
**Date:** Wednesday, May 11, 2022 4:33:19 PM  
**Attachments:** [Furniturewerks violation.pdf](#)

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Hi Mike,

Thanks for getting out to this site. That helps us out in IN....

ESI could be Earth Source, Inc. ...they usually use pink and black striped flagging with no 'wetland delineation' text because they don't want to admit anything is wetland (presumably on behalf of their clients)- I have also seen them use yellow caution tape as delineation flagging. So it is conceivable that the red flag you saw could have been from them...

I just looked in ORM and no delineations have been submitted to our District for review for this property. There is an old LRE # from 1992 that lists 2 site visits with applicant as Acorn Realty. There is JD tab associated with that project with 2 JDs with end dates of 13 MAR 1993 and 1 JAN 2001 -->the one from 1 JAN 2001 (pre-SWANCC) says Corps has geographic authority but obviously both those JDs have long expired.

Marty - I have attached map for your reference/use.

Best Regards,

Andrew J. Blackburn, PWS  
Regulatory Specialist  
Chicago District U.S. Army Corps of Engineers  
231 South LaSalle Street, Suite 1500  
Chicago, Illinois 60604  
(312) 846-5543 Office  
(312) 353-4110 Facsimile  
<http://www.lrc.usace.army.mil/Missions/Regulatory.aspx>

-----Original Message-----

From: Machalek, Michael J CIV USARMY CELRC (USA) <Mike.J.Machalek@usace.army.mil>  
Sent: Wednesday, May 11, 2022 2:14 PM  
To: Chernich, Kathleen G CIV USARMY CELRC (USA) <Kathy.G.Chernich@usace.army.mil>; McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Cc: Leffler, Paul M CIV USARMY CELRC (USA) <Paul.M.Leffler@usace.army.mil>; Blackburn, Andrew J CIV USARMY CELRC (USA) <Andrew.J.Blackburn@usace.army.mil>; mmaupin@idem.in.gov  
Subject: RE: LRC-2022-294 - UAR - Porter - Gary-Michigan City Hwy

I took a look at this site on Monday...there is a concrete box culvert about 100 yards west, and the wetland on the north side of Rt. 20 drains south into this wetland, and then the water drains east (I checked multiple times in the ditch by disturbing the sediment), and goes into this site. If the water gets high enough, it overflows into a RR ditch at the SE corner, and that flows into a low area behind the business east of Furniture Werks, but it has no outlet, so the wetland is isolated. I did find a red flag, likely a wetland flag, with E.S.I. on it, so do any of you know if that is a wetland consultant?...as they may have had a wetland delineation done. Marty, this looks like it's your case now. Thx,

Michael J. Machalek  
Senior Enforcement Officer  
U.S. Army Corps of Engineers  
Regulatory Branch  
231 S LaSalle St, Suite 1500  
Chicago, Illinois 60604

-----Original Message-----

From: Chernich, Kathleen G CIV USARMY CELRC (USA) <Kathy.G.Chernich@usace.army.mil>  
Sent: Wednesday, May 04, 2022 7:56 PM  
To: Machalek, Michael J CIV USARMY CELRC (USA) <Mike.J.Machalek@usace.army.mil>; McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Cc: Leffler, Paul M CIV USARMY CELRC (USA) <Paul.M.Leffler@usace.army.mil>; Blackburn, Andrew J CIV USARMY CELRC (USA) <Andrew.J.Blackburn@usace.army.mil>; McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Subject: RE: LRC-2022-294 - UAR - Porter - Gary-Michigan City Hwy

Thank you!

Kathleen Chernich  
Assistant Chief, Regulatory Branch  
Permits and Enforcement  
U.S. Army Corps of Engineers, Chicago District  
231 S. LaSalle Street, Suite 1500  
Chicago, Illinois 60604  
Telephone (312) 846-5531  
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-----Original Message-----

From: Machalek, Michael J CIV USARMY CELRC (USA) <Mike.J.Machalek@usace.army.mil>  
Sent: Wednesday, May 4, 2022 8:02 AM  
To: Chernich, Kathleen G CIV USARMY CELRC (USA) <Kathy.G.Chernich@usace.army.mil>; McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Cc: Leffler, Paul M CIV USARMY CELRC (USA) <Paul.M.Leffler@usace.army.mil>; Blackburn, Andrew J CIV USARMY CELRC (USA) <Andrew.J.Blackburn@usace.army.mil>; McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Subject: RE: LRC-2022-294 - UAR - Porter - Gary-Michigan City Hwy

Yes

Michael J. Machalek  
Senior Enforcement Officer  
U.S. Army Corps of Engineers  
Regulatory Branch  
231 S LaSalle St, Suite 1500  
Chicago, Illinois 60604

-----Original Message-----

From: Chernich, Kathleen G CIV USARMY CELRC (USA) <Kathy.G.Chernich@usace.army.mil>  
Sent: Monday, May 02, 2022 7:21 PM  
To: McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Cc: Leffler, Paul M CIV USARMY CELRC (USA) <Paul.M.Leffler@usace.army.mil>; Machalek, Michael J CIV

USARMY CELRC (USA) <Mike.J.Machalek@usace.army.mil>; Blackburn, Andrew J CIV USARMY CELRC (USA) <Andrew.J.Blackburn@usace.army.mil>; McLaurin, Diedra L CIV USARMY CELRC (USA) <Diedra.L.Willis@usace.army.mil>  
Subject RE: LRC-2022-294 - UAR - Porter - Gary-Michigan City Hwy

Mike,

Can you take this one on please?

Kathleen Chernich  
Assistant Chief, Regulatory Branch  
Permits and Enforcement  
U.S. Army Corps of Engineers, Chicago District  
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-----Original Message-----

From: Chicago Requests <ChicagoRequests@usace.army.mil>  
Sent Monday, May 2, 2022 6:27 PM  
To: CELRC-Regulatory\_Permits\_JDs <CELRC-Regulatory\_Permits\_JDs@usace.army.mil>  
Cc: Chernich, Kathleen G CIV USARMY CELRC (USA) <Kathy.G.Chernich@usace.army.mil>  
Subject LRC-2022-294 - UAR - Porter - Gary-Michigan City Hwy

Please assign to a PM

-----Original Message-----

-----Original Message-----

From: Blackburn, Andrew J CIV USARMY CELRC (USA) <Andrew.J.Blackburn@usace.army.mil>  
Sent Tuesday, April 05, 2022 2:47 PM  
To: Leffler, Paul M CIV USARMY CELRC (USA) <Paul.M.Leffler@usace.army.mil>  
Cc: Machalek, Michael J CIV USARMY CELRC (USA) <Mike.J.Machalek@usace.army.mil>  
Subject new UA on south side of US 20 in Michigan City, LaPorte County, IN -->located at/west of Furniturewerks in Michigan City, LaPorte Co., IN

Paul/Mike:

FYI, last Friday 4/1/22 I was in Indiana on leave and I drove by what appeared to be brand-new UA in Michigan City, LaPorte County, IN (I actually drove by twice to get a good look). UA appears to be part of Furniturewerks property which is located across US 20/MC Highway from Palko Services.

I looked at Digital Globe maps we just got access to shows no work in wetland as recent as 11/22/21. Since then this site has been dug up and trees are sitting in piles of open water- it is a giant mess....I almost drove off the road trying to figure what had happened...but clearly site is super wet which correlates with adjacent area (this is right next to Indiana Dunes National Park)....

It looks like area is clearly regulated under Rapanos...wetland abuts RPW within property boundaries or extends off-site and abuts RPW. Or has sig. nex with wetland to south that is only separated by RR bed (wetland appears culverted under RR Tracks- they almost always are). This general area is full of wetland.

I checked in ORM and there appears to be a LRE # associated with this site (LRE-1992-1640190 (ACORN REALTY) - it only lists a 'site/field visit' from 1992 and 1993. Don Reinke is listed as PM and he is still with LRE so he may be of help with history....I am guessing he was called out for UA way back when.....

Anyway the work that has been done looks super recent/fresh so it would be nice if we could visit this UA sooner than later. I will not be able to get there anytime soon...I have not notified IDEM yet but we should....

Please let me know if you have questions.

Thanks for your help,

Andrew J. Blackburn, PWS

Regulatory Specialist

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