



**NAVY PIER MARINA SUES CITY OF CHICAGO, CITY DEPARTMENT OF TRANSPORTATION & CDOT COMMISSIONER GIA BIAGI FOR DENYING A PERMIT FOR CONSTRUCTION OF THE MARINA**

*Complaint Alleges CDOT does not have the legal authority to block Marina approved unanimously by the Chicago City Council, State of Illinois and the Federal Government & Supported by Navy Pier Inc., the Chamber of Commerce and Others*

**Chicago September 8, 2021** NPM Venture LLC (“NPM”) ([www.navypiermarina.com](http://www.navypiermarina.com)) the developer of the long-anticipated Navy Pier Marina project filed a four-count lawsuit in Cook County Chancery Court Wednesday alleging the Chicago Department of Transportation has no legal authority to deny a harbor permit for construction of the project. Before CDOT’s denial, the privately funded, short-term docking marina to be built on the north end of Navy Pier had received permits and approvals from all other governmental agencies and widespread support from the business and recreation communities. It is part of the Centennial Vision plan to redevelop and enhance Navy Pier, Chicago’s most popular tourist attraction. The lawsuit alleges Chicago Department of Transportation (CDOT) Commissioner Gia Biagi’s denial of the harbor permit is “illegal, arbitrary, unreasonable, capricious and without any rational basis,” and is asking the court to order her to issue the permit so the marina can finally be built.

“Our legal case is simple. The Chicago City Council unanimously decided in September 2016, after months of hearings and study, to allow a marina on the north side of Navy Pier. The Chicago Department of Transportation has no legal authority to second-guess that decision,” said

Michael Levinson, the attorney representing NPM in the lawsuit. “CDOT also has no authority to overrule the State of Illinois and the federal government, both of which determined and agreed that a marina could be built and operated in the federal waters on the north side of Navy Pier.”

Navy Pier Marina will accommodate 100-150 boats and will be the first marina on Lake Michigan to exclusively offer short term, docking facilities with immediate access to Navy Pier’s dining, shopping and entertainment, and downtown Chicago. The marina will put Navy Pier on the map as the premier boating destination for Lake Michigan boaters. According to an independent economic impact study, the Marina will bring more than \$10 million to the city annually in economic revenue and create about 100 new jobs.

Navy Pier Inc (NPI) which manages Navy Pier on behalf of the city and state, selected NPM Venture LLC to construct and operate the marina and NPI and NPM signed a 25-year license agreement. Chicago Mayor Rahm Emanuel publicly announced the marina project in 2017. By late 2019, the marina project had received all necessary permits from the city, state and federal governments except the Chicago Department of Transportation.

When denying the permit, CDOT Commissioner Gia Biagi said the marina posed “unacceptable security risks due to its proximity to the Jardine Water Treatment Plant” but did not identify any such risks. The lawsuit alleges Commissioner Biagi and CDOT have no authority to deny the permit based on its location and that the US Army Corp of Engineers and the US Coast Guard, which are responsible for safety and security on Lake Michigan, have imposed only a limited security zone on the north side of the Jardine Water Treatment Plant, not the side facing Navy Pier where the marina was approved by the City of Chicago to be built. The lawsuit also contends that the Marina will provide safeguards that will actually enhance security.

According the to the complaint, Navy Pier Marina will provide safeguards that include:

- Establishing and clearly identifying a restricted area along the entire south edge of the Jardine Water Treatment Plant property.
- Placing buoys in restricted areas, providing signage warning that mooring is not allowed.
- Requiring all boaters mooring at the marina to provide boat registration or Coast Guard documentation numbers, credit card details and a photo ID, among other things.

- Requiring boaters who have not pre-registered to radio or telephone marina security in advance and wait in a separate “check-in” area until all registration materials are processed.
- Providing the Department of Water Management with two security cameras on Navy Pier with intrusion detection capabilities that tie into Jardine’s existing security.
- Inviting the Chicago Police Marine Unit, the Illinois Department of Natural Resources Police, the Chicago Fire Department and/or the US Coast Guard to moor vessels at the entrance to the marina for first responders.
- Adding additional security to the services already in place on Navy Pier.

“Navy Pier Marina will improve security around the Jardine Water Treatment Plant in numerous ways including monitoring what boats come in and out of the north pier area which is not being done now. That’s why CDOT’s actions make no sense. Security is our first priority and we have reached out to the Commissioner numerous times to discuss security concerns but have gotten no response,” said NPM project developer, Randy D. Podolsky.

The complaint points out the North Slip is located inside the Chicago Harbor breakwater near a larger area just north of the Jardine Water Treatment Plant known as the “Playpen.” During boating season, hundreds if not thousands of recreational boats transit or randomly moor in the Playpen. Large scale events such as Boat-A-Palooza and the Chicago Scene Boat Party also draw a large number of boats to the area. Except for a small Security Zone in the middle of the north side of the Jardine Water Treatment Plant which was established in 2011, when all other Security Zones around the plant were eliminated, boats are legally free to transit the north and east sides of the Plant without restriction or monitoring of any kind. Recreational and other boats frequently transit and dock in the North Slip itself during such events as the America’s Cup race.

“CDOT should realize what every other government body and civic organization has. Navy Pier Marina will improve the area both security wise and economically and add a new vibrancy to the Pier,” said Podolsky. “Since the project’s approval by Chicago’s City Council in 2016, we have worked non-stop and invested a great amount of money to bring the project to the people of Chicago, and the recreational boating community. Our goal is to move on with this project and have the marina open for the 2022 boating season.”

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