DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

LOCK AND DAM 14 MOORING CELL
MISSISSIPPI RIVER POOL 15

ROCK ISLAND COUNTY, ILLINOIS

OCTOBER 2021

US Army Corps
of Engineers®
Rock Island District

DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

LOCK AND DAM 14 MOORING CELL

SUMMARY

This document reviews the likely environmental impact from the Lock and Dam No. 14 Downstream Mooring Cell Construction Project (Project); therefore, the public is entitled to take part in its review. If you have concerns about the environmental impact of this Project, we encourage your input in this decision-making process.

The U.S. Army Corps of Engineers, Rock Island District (District), must consider construction of a mooring cell within Pool 15, Upper Mississippi River ,and the potential impacts to the surrounding environment.

When the District commits Federal funds for a Federal action (mooring cell construction), the District must inform public officials and citizens before these decisions are made and actions are taken.

This Supplemental Environmental Assessment documents the District's decision making and their consideration of the environment. This document is in compliance with the National Environmental Policy Act (Code of Federal Regulations, Title 40 §§1500-1508).

If you have any questions, concerns, or comments, contact the Regional Planning and Environmental Division – North, (290) 290-5595, or by email at: PublicInvolvement@usace.army.mil by November 15, 2021. Comments may also be sent to:

District Engineer
US Army Corps of Engineers, Rock Island District
Attn: Hoffman (RPEDN)
Clock Tower Building
P. O. Box 2004
Rock Island IL 61204

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Lock and Dam 14 Mooring Cell

1. INTRODUCTION

1.1. Background

This project is part of the Navigation and Ecosystem Sustainability Program (NESP), a long-term program of navigation improvements and ecological restoration for the Upper Mississippi River System (UMRS). The goal of NESP is to reduce commercial traffic delays while restoring, protecting, and enhancing the environment to ensure the economic and environmental sustainability of the UMRS. This project was formulated to reduce commercial traffic delays at Lock and Dam 14.

The U.S. Army Corps of Engineers (Corps), Rock Island District (District) prepared the NESP *Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the UMR-IWW System Navigation Feasibility Study* (System Study) in 2004 and a Record of Decision was signed in June 2008. This Supplemental Environmental Assessment (SEA) tiers off the NESP System Study to evaluate the site-specific impacts of construction of a new mooring cell near Hampton, Illinois.

Currently, the District is proposing to construct a mooring cell within an area that tows currently use to wait for upbound passage through Mississippi River Lock 14. The site under consideration is approximately one mile below Lock and Dam 14 at River Mile (RM) 491.9, near the left descending bank (LDB) below Illiniwek State Park and adjacent to Hampton, Illinois (Figure 1). Under current conditions, towboats awaiting passage through Lock 14 must move in close to shore and ground their barges or maintain engine power within the area to hold position.

This Supplemental Environmental Assessment (SEA) documents the District's decision making and their consideration of the environment. The document is tiered from the *Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the UMR-IWW System Navigation Feasibility Study*, 2004. This SEA addresses unique project features and site-specific characteristics (e.g., footprint area, topography and hydraulic conditions, associated biota, etc.) that were not addressed in the original report with its accompanying Record of Decision in 2008. This document is in compliance with the National Environmental Policy Act (Code of Federal Regulations, Title 40 §§1500-1508).

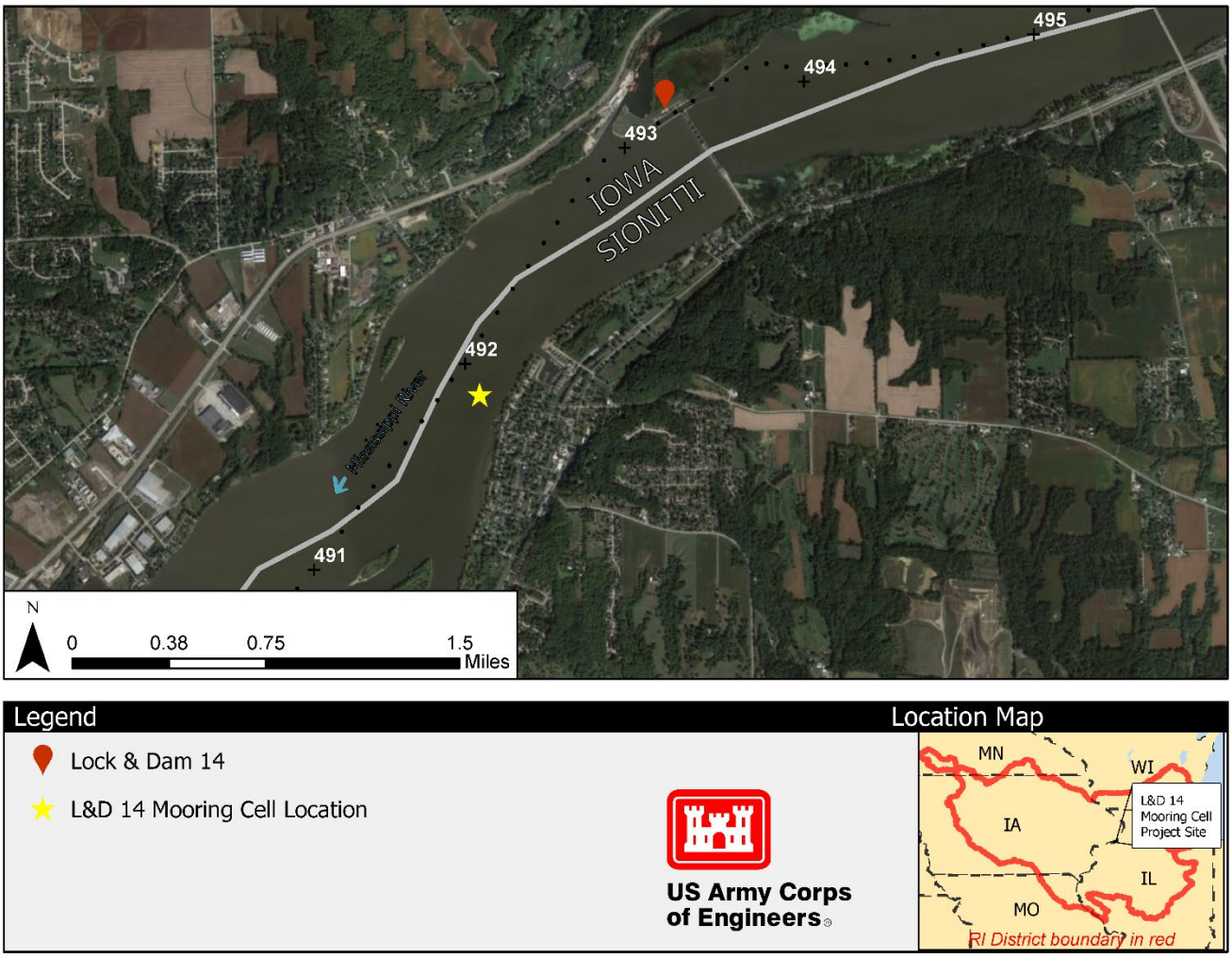


Figure 3. Location of Proposed Mooring Facility

1.2. Purpose and Need

The purpose of the project is to construct a mooring cell on the Mississippi River downstream of Lock and Dam 14 for tows to tie off to while awaiting passage through Lock 14. Under present conditions, towboats must move in close to shore and ground their barges or maintain engine power within the area to hold position. With a mooring cell at the proposed location, towboats could tie off to the structure and minimize sediment re-suspension by allowing their engines to run at idling speed or off.

1.3. Authority

On November 8, 2007, the United States Congress passed the Water Resources Development Act (WRDA) 2007, Title VIII - Upper Mississippi and Illinois Waterway System, Section 8003 – Authorization of Construction of Navigation Improvements, which authorized the first increment of navigation improvements in accordance with Chief of Engineers Report, dated 15 December 2004. This authorization is more commonly referred to as the Navigation and Ecosystem Sustainability Program (NESP),

which is a unique dual-purpose authorization for both navigation efficiency improvements and ecosystem restoration.

1.4. Related National Environmental Policy Act (NEPA) Documentation

- U.S. Army Corps of Engineers (USACE). 2001. Environmental Assessment, Mooring Cell Construction Pool 15, Mississippi River Mile 491.9, Scott County, Iowa, Rock Island Illinois, 2001. U.S. Army Corps of Engineers, Rock Island District. 137 pages.

- U.S. Army Corps of Engineers (USACE). 2004. Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the Upper Mississippi River-Illinois Waterway (UMR-IWW) System Navigation Feasibility Study dated 24 September 2004. U.S. Army Corps of Engineers, Rock Island, St. Louis, and St. Paul Districts. 626 pages plus appendices.

- U.S. Army Corps of Engineers (USACE). 2008. Record of Decision, Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the Upper Mississippi River-Illinois Waterway (UMR-IWW) System Navigation Feasibility Study dated 4 June 2008. U.S. Army Corps of Engineers, Washington D.C. 6 pages.

2. ALTERNATIVES

2.1. No-Action Alternative

Under the No-Action Alternative, no mooring cell would be constructed below Lock and Dam 14. Waiting towboats would continue to ground their barges or to run engines to maintain position, burning fuel and increasing the potential for sediment resuspension and erosion caused from prop wash.

2.2. Proposed Alternative

Construction of a mooring cell at RM 491.9 LDB is the preferred alternative (Site 2 on Figure 2). Construction of a mooring cell at this site would leave upbound tows slightly farther downstream while waiting to lock through Lock 14. However, with this location, no channel marker buoys would need to be relocated. This location would not adversely impact the entrance to the Safe Harbor marina adjacent to the Illiniwek Forest Preserve. This location appears to best accommodate commercial navigation while minimizing potential adverse environmental effects.

The District would construct the mooring cell approximately 31 feet in diameter made of steel sheet piling with concrete fill and foundation. The riverbed is predominantly shale in this area; therefore, the construction of a berm around the base of the cell to enhance stability is not anticipated. The base of the mooring cell would be placed at a depth of approximately 14 feet and cover an area of approximately 963 square feet (0.02 acres). The mooring cell would displace approximately 500 cubic yards of river water.

2.3. Other Alternative Considered

Construction of a mooring cell at RM 492.5 LDB (Site 1 on Figure 2) would require four red channel marker buoys be relocated closer to the LDB, effectively widening the channel and potentially increasing channel maintenance needs and associated environmental effects. This location for a mooring cell would also cause potential blockages at the Safe Harbor inlet in Hampton, Illinois. For these reasons, this alternative is not practicable and not carried forward for further evaluation.

Figure 4. Location of Mooring Cell Alternatives

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The affected environment is the area and resources that might be affected by the Proposed Alternative. The affected environment includes the project footprint (specific area covered by proposed features) and project area (area for effects that varies by resource in the vicinity of the project). Construction is expected to occur over one month. The duration of temporary impacts would last throughout the entire construction timeframe. Short-term effects include those impacts that would occur during implementation of the project, as well as transient ecological effects that can be expected to occur during the first one to three years. Long-term effects might be expected to persist for up to 10 years and beyond.

The adverse effects of the Proposed Alternative appear minor and would likely be less than the other alternative (construction of a mooring cell at RM 492.5 LDB) screened earlier in the analysis. The alternative mooring cell location would have greater effects to the navigation channel location and the adjacent marina. There would also be a risk for potential effects to mussel beds which are avoided with the Proposed Alternative.

Pool 15 of the UMRS extends 8 miles from Lock and Dam 15 in Rock Island, Illinois, to Lock and Dam 14 in Le Claire, Iowa. Pool 15 contains 3,627 acres of aquatic habitat and is in the heart of the Quad Cities. Industrial and urban development dominates the landscape of Pool 15. Pool 15 sits atop the former Rock Island rapids that were deepened by blasting and flooding to facilitate navigation. The substrate in Pool 15 is primarily gravel, rock and bedrock making it difficult to sustain aquatic vegetation. Pool 15 consists primarily of open water with a few rock and urbanized islands. There is a lack of lentic area in the Pool and only a small amount of natural floodplain land cover (McCain et al., 2018). These conditions are likely to persist into the reasonably foreseeable future and will not be affected by the project.

3.1. Natural Resources

3.1.1 Air Quality

The U.S. Environmental Protection Agency (USEPA) is required by the Clean Air Act to establish air quality standards that primarily protect human health. These National Ambient Air Quality Standards (NAAQS) regulate six criteria pollutants across the United States. When an area meets the standard for each of the six pollutants, it is called an "attainment area" for that contaminant. Areas that do not meet the standards are called "nonattainment areas". Rock Island County, Illinois, is classified as an attainment area for each of the six contaminants and therefore, is not a region of impaired ambient air quality. This designation means that the project area has relatively few air pollution sources of concern (USEPA 2021).

No-Action Alternative – Under the No-Action Alternative, towboats would continue to either move in close to shore and ground their barges or maintain engine power within the area to hold position which continuously produces exhaust.

Proposed Alternative – Minor, temporary increases in noise levels and airborne particulates are anticipated to occur because of mobilization and use of construction equipment. To lower air emissions, the District would require contractors to meet or exceed all Federal, state and local air resource requirements. Overall, the proposed project would have a minor beneficial effect on air quality by allowing waiting towboats to shut off their engines.

3.1.2. Water Quality

The reach of the UMRS through the project area is listed as a 303(d) impaired water. Pollutants and stressors include mercury in fish tissue, polychlorinated biphenyls (PCB) in fish tissue, and fecal coliform (IEPA 2021).

No-Action Alternative – The No-Action Alternative would continue to have a minor, adverse effect on water quality due to towboats continuing to ground barges along the shoreline which increasing the potential for sediment resuspension and erosion caused from prop wash.

Proposed Alternative – The Proposed Alternative would have a temporary and minor effect on water quality during construction of the mooring cell due to a localized increase in turbidity; however, turbidity levels would return to normal soon after work is completed. Section 401 water quality certification has been issued for Nationwide Permit (NWP) 25 – Structural Discharges and therefore would apply to the proposed action.

The nearest community is the Village of Hampton which receives its drinking water from the City of East Moline. The drinking water intake for East Moline is approximately 2.5 miles downstream of the project location.

3.1.3. Wetlands

There are no wetlands within the project area; therefore, the No-Action and Proposed Alternatives would have no effect on wetlands.

3.1.4. Aquatic Habitat

According to McCain et al. (2018), aquatic habitat in Pool 15 consists primarily of open water with a few rock and urbanized islands. There is a lack of lentic area in the Pool and only a small amount of natural floodplain. The substrate is primarily gravel, rock and bedrock making it difficult to sustain aquatic vegetation.

No-Action Alternative – The No-Action Alternative would result in towboats continuing to either ground barges along the shoreline or run engines to maintain position. Sediment resuspension and erosion caused from prop wash would continue to be an issue. Sediment resuspension and erosion would result in a localized increase in turbidity which would locally suppress phytoplankton productivity; however, this effect would be short-term.

Proposed Alternative – Fish and wildlife species would be disrupted temporarily due to construction, but impacts are expected to be minimal. The proposed project would result in the permanent loss of approximately 963 square feet of river bottom habitat by the addition of a mooring cell. This area would no longer be available for use by mussels and other bottom-dwelling and benthic organisms which currently use the area for feeding, reproduction, and other life requisites. The formation of new flow patterns around the structure may also impact the environment by creating altered sediment or erosion patterns in the surrounding area as well as attracting fish such as small mouth bass and walleye.

As portions of this stretch of the Mississippi River are currently utilized by waiting towboats, it is already subject to a number of physical changes associated with tow movement. These changes include drawdown, increased wave energies, changes in water velocities, and increased turbulence. The presence of a mooring cell in an area just upstream of where towboats currently wait for lockage would reduce the need for towboats to run close to shore or maintain engine power to hold position. Additionally, as towboat traffic is already using the general area to wait, traffic in the area is not expected to increase because of this action. The project would result in minor benefits to natural resources, largely through reducing or eliminating the need for towboats to run engines continuously. This would reduce the potential for sediment resuspension, fuel leakage, erosion by prop wash, or damage to trees, which might be used for tie-off under current conditions. The need for towboats running up onto shore (grounding), which can be very destructive to shoreline habitat, would also be eliminated with the addition of a mooring cell for tie-off.

The proposed work would be authorized under NWP 25 – Structural Discharges. Therefore, an individual Clean Water Act Section 404(b)(1) evaluation will not be prepared.

3.1.5. Floodplain

A mooring structure that is 30 feet in diameter placed in the Mississippi River is a very small fraction of the cross-sectional area of the river. Although the structure is proposed to be placed in the regulatory floodway, impacts to conveyance are assumed to be insignificant with regards to increasing hydraulic profiles. The No-Action and Proposed Alternatives would have no effect on the floodplain.

3.1.6. Fish and Wildlife

Typical riverine wildlife, riverine and backwater aquatic communities are common throughout the project area. Despite human activity in the project area, bald eagles (*Haliaeetus leucocephalus),* heron rookeries, waterfowl, and neotropical migratory birds are some bird species that nest in this area.

No-Action Alternative – Under the No-Action Alternative conditions for fish and wildlife species should not change significantly. Minor degradation of the shoreline due to grounding to towboats would likely continue.

Proposed Alternative – Fish species would avoid the area during construction but would return to the area once construction is complete. Bald eagles feed in open tailwater areas of Mississippi River dams during winter. The mooring cell would be a little more than a mile downstream of the dam and should not disrupt eagle feeding habits; therefore, no impact to this species is anticipated as a result of the project.

3.1.6.1 Mussels

The UMRS supports 48 known species of native freshwater mussels. Freshwater mussels are important food items for some mammals like raccoon and muskrat, as well as for some species of fish. They also play a role in maintaining water quality by filtering contaminants and feeding on algae and other small floating particles. A known mussel bed is located along the LDB, adjacent to Illiniwek State Park in Illinois. A previous mussel survey of the area was conducted in 2000. Due to the length of time since the last mussel survey, a new survey of the area was completed in July 2021 to determine the potential impact of the project on mussels.

Divers conducted semi-quantitative sampling using five-minute timed searches spaced at 10-meter intervals along four 100-m transects. At each 10-meter interval the diver collected all mussels within 1 meter of the transect line. An additional timed dive was completed in and around the proposed footprint of the mooring cell. A series of diver transects was also conducted at 200-meter intervals within the site.

The 2021 mussel survey found 20 species (Table 1). No Federally listed species were identified. Fourteen live mussels were found during the qualitative sampling efforts. Quantitative sampling results found 34 live mussels and a density of 1.33 mussels per square meter. The final data report for the 2021 mussel survey is pending.

No-Action Alternative – The No-Action Alternative would have no effect on mussel species.

Proposed Alternative – The Proposed Alternative would have no significant effect on mussel resources within the project area as no significant mussel resources were observed during the 2021 survey. Any mussels located in the footprint of the proposed mooring cell would be destroyed but would not result in a significant effect to the Pool 15 mussel population. During mooring cell construction, a localized increase in turbidity is expected and would cause mussels outside of the mooring cell footprint to close their shells; however, turbidity levels would return to normal soon after work is completed.

Table 6. Preliminary Results of Mussels Collected from the Lock and Dam 14 Proposed Mooring Cell Study Area (ESII 2021)

Species		Qualitative[1] A	Quantitative A	Quantitative J	Quantitative Density	Transects A	Total	Rel. Ab.
Amblema plicata	Threeridge	1	1		0.04	5	7	10.3
Arcidens confragosus	Rock Pocketbook						SF	-
Cyclonaias nodulata	Wartyback						SF	-
Cyclonaias pustulosa	Pimpleback	1	3	2	0.20	2	8	11.8
Ellipsaria lineolata	Butterfly			2	0.08		2	2.9
Fusconaia flava	Wabash Pigtoe						SF	-
Lampsilis cardium	Plain Pocketbook	2				7	9	13.2
Lampsilis teres	Yellow Sandshell						SF	-
Leptodea fragilis	Fragile Papershell			4	0.16		4	5.9
Ligumia recta	Black Sandshell	2	1		0.04	3	6	8.8
Megalonaias nervosa	Washboard	1				2	3	4.4
Obliquaria reflexa	Threehorn Wartyback	4	3	2	0.20		9	13.2
Obovaria olivaria	Hickorynut	2		4	0.16	1	7	10.3
Pleurobema sintoxia	Round Pigtoe						SF	-
Potamilus alatus	Pink Heelsplitter			2	0.08		2	2.9
Potamilus ohiensis	Pink Papershell			2	0.08		2	2.9
Quadrula quadrula	Mapleleaf		1		0.04		1	1.5
Theliderma metanevra	Monkeyface						SF	-
Truncilla donaciformis	Fawnsfoot			3	0.12		3	4.4
Truncilla truncata	Deertoe	1		4	0.16		5	7.4
Total Live		14	9	25	1.33	20	68	
Total Species (live)		8	6	10	13	7	14	
Total Species (live and shell)							21	
Effort (m^2 or min)		60 min.			25.5 m^2	400 m^2		
CPUE (no. live / hour)		14						
Abundance (no. live / 10m^2)						0.5		

[1] Two 30-min spot dives with one performed at the proposed mooring cell location and one near T2-0m.

3.1.6.2 Threatened and Endangered Species

3.1.6.2.1 Federally Listed Species

The District consulted the USFWS Information for Planning and Consultation (IPac) website on August 17, 2021 to identify potential Federally-listed threatened and endangered species within the action area (Consultation Code 03E18000-2021-SLI-1468; Appendix A). Eight species are listed for the action area (Table 2).

Table 7. Federally-listed Species

	Common Name	Scientific Name	Status
Mammals	Indiana bat	*Myotis sodalis*	Endangered
	Northern long-eared bat	*Myotis septentrionalis*	Threatened
Mussels	Higgins eye	*Lampsilis higginsii*	Endangered
	Sheepnose	*Plethobasus cyphyus*	Endangered
	Spectaclecase	*Cumberlandia monodonta*	Endangered
Insects	Monarch butterfly	*Danaus plexippus*	Candidate
	Rusty patched bumble bee	*Bombus affinis*	Endangered
Plant	Eastern Prairie Fringed Orchid	*Platanthera leucophaea*	Threatened

No-Action Alternative – The No-Action Alternative would have no effect on listed species.

Proposed Alternative – The Proposed Alternative would have no effect on any of the bat, insect, and plant species as the action area is the Mississippi River and does not contain habitat for any of these species. The project would have no effect on Federally listed mussel species as none were identified during the 2021 mussel survey. The project would also have no effect to critical habitat of listed species.

3.1.6.2.2. Illinois State Listed Species

State-listed species in Rock Island County, Illinois, are presented in Table 3.

Table 8. Illinois State-listed Species in Rock Island County

	Scientific Name	Common Name	State Status*
Birds	*Nyctanassa violacea*	Yellow-crowned Night-	LE
	Nycticorax nycticorax	Black-crowned Night-Heron	LE
	Setophaga cerulea	Cerulean Warbler	LT
	Xanthocephalus	Yellow-headed Blackbird	LE
Fish	*Acipenser fulvescens*	Lake Sturgeon	LE
	Ammocrypta clara	Western Sand Darter	LE
	Crystallaria asprella	Crystal Darter	LE
	Erimystax x-punctatus	Gravel Chub	LT
	Hybopsis amnis	Pallid Shiner	LE
	Moxostoma carinatum	River Redhorse	LT
	Necturus maculosus	Mudpuppy	LT
	Notropis anogenus	Pugnose Shiner	LE
Mussels	*Cyclonaias tuberculata*	Purple Wartyback	LT
	Ellipsaria lineolata	Butterfly	LT
	Eurynia dilatata	Spike	LE
	Lampsilis higginsii	Higgins Eye	LE
	Margaritifera monodonta	Spectaclecase	LE
	Plethobasus cyphyus	Sheepnose	LE
	Quadrula metanevra	Monkeyface	LT
	Reginaia ebenus	Ebonyshell	LE
Reptiles	*Emydoidea blandingii*	Blanding's Turtle	LE
Amphibians	*Hemidactylium scutatum*	Four-toed Salamander	LT
Insects	*Bombus affinis*	Rusty Patched Bumble Bee	LE
Plants	*Castilleja sessiliflora*	Downy Yellow Painted Cup	LE
	Corallorhiza maculata	Spotted Coral-root Orchid	LE
	Lycopodium clavatum	Running Pine	LE

*LE - listed as endangered LT - listed as threatened

No-Action Alternative – The No-Action Alternative would have no effect on Illinois state-listed species.

Proposed Alternative – The Proposed Alternative would have no effect on any state listed bird, reptile, amphibian, insect or plant species as the Mississippi River does not provide suitable habitat for these species. State listed fish species would avoid the project area during construction but would return to the area once construction is complete. Any state-listed mussel species located in the footprint of the proposed mooring cell would be destroyed but given the low number of state-listed species found, would not result in a significant effect to the mussel population.

Although impacts to state-listed species are less than significant without mitigation, the Corps considered the feasibility and effectiveness of mussel relocation within the proposed mooring cell footprint. The Corps determined it would not be feasible due to cost and logistics, nor would it be effective, given the extremely low density of mussels.

Complete coverage by divers and removal of a small number of state-listed species would be difficult and ineffective, as well as dangerous given navigation traffic and current velocity. As a Federal agency, the Corps does not request or obtain state endangered species permits for taking individuals of state listed species. However, as part of its NEPA analysis, the Corps evaluates effects to state listed species for all its UMRS navigation related activities. The Corps seeks to avoid and minimize impacts to the extent practicable.

3.2. Socio-Economic Resources

The project is in Rock County, Illinois, and the nearest city center is Hampton, Illinois. According to the 2019 American Community Survey, the population of Rock Island County was 143,873 and the population of Hampton, Illinois, was 2,118. There were 66,160 household units in Rock Island County and 910 households in Hampton, Illinois. The racial makeup of Rock Island County was 80.2% White, 10.4% African American, 2.5% Asian, 3.7% of two or more races. The racial makeup of Hampton was 93.5% White, 3.7% African American and 2.7% of two or more races. The median household income in Rock Island County is $54,858 and the median household income in Hampton, Illinois, is $70,081. The median age is 40.1 in Rock Island and 40.5 in Hampton, Illinois. Hampton, Illinois, has various local amenities like schools, churches, and community centers that help create a sense of community.

3.2.1. Recreation

Recreational use of Pool 15 includes fishing and boating. There are several public boat accesses and marinas in Pool 15. Private docks and accesses are also scattered throughout the region.

No-Action Alternative – Recreational use of the area would be unchanged from the current condition.

Proposed Alternative – The location of the mooring cell is approximately 0.1 mile downstream from the entrance to a private marina. Access to the marina is not currently hindered or interrupted by tows moving through the area and should remain unchanged under the Proposed Alternative. The mooring cell is also approximately 0.8 mile downstream from the Illiniwek Forest Preserve. No significant impacts to this public recreation and camping area are anticipated.

3.2.2. Aesthetic Values

Pool 15 is in the heart of the Quad Cities where industrial and urban development dominates the landscape.

No-Action Alternative – The aesthetic impacts of tows waiting in the viewshed of riverfront residences would be unchanged from the current condition.

Proposed Alternative – Aesthetic impacts due to construction activities in the vicinity of the site would be temporary. The surrounding area is expected to recover quickly after

project completion. Construction of the mooring cell would provide a place for tows to tie-off. This would eliminate the current practice of waiting near the shoreline, which negatively impacts the aesthetics of the area by causing habitat destruction. The mooring cell would present an additional visual impact to the viewshed. The distance from the shore should tend to make this less of an intrusion. The Village of Hampton protested the construction of a mooring cell in this location in 2001 when it was initially proposed. The District discussed aesthetic impacts with the Village in 2001. The Village's was concerned the mooring cell area would become a fleeting area. The District maintained and still does, the area would not be used as a fleeting area.

3.2.3. Noise

Noise levels within the proposed cuts are similar to other UMRS reaches. These reaches typically have occasional to frequent commercial and recreational traffic through the navigational channel. Noise levels would increase as commercial and recreational watercraft move through the area and decrease as watercraft leave the area. The area would experience higher noise levels during daylight hours when boat traffic is typically higher.

No-Action Alternative – Under the No Action Alternative, tows waiting in this area would continue to keep the engines running to maintain position. There would be no change in noise from the current condition.

Proposed Alternative – The temporary increase in noise levels created during project construction would impact the surrounding residential area. Since tows are already waiting in the vicinity of the proposed mooring cell, no additional long-term impacts are expected. Construction of the mooring cell would also allow tows to reduce engine usage while waiting and thus reduce the level of noise impacts

3.2.4. Commercial Navigation

Pool 15 serves as a link between the upstream ports of Minneapolis and St. Paul, and the remaining Mississippi River navigation system downstream. Between 1998 and 2017 barge freight through Lock and Dam 14 ranged from 13.5 to 30.8 million tons with an average of 21.3 million tons. More than 580 facilities ship and receive commodities within the Mississippi River 9-foot Channel Navigation Project. Grains (corn and soybeans) dominate traffic; cement and concrete products are the second largest commodity. A modern 15-barge tow transports the equivalent of 1,050 semi-trucks (26,250 tons, 937,387 bushels of corn, or 240 rail cars). In 2016, the 9-foot channel project generated an estimated $2 billion of transportation cost savings compared to its approximately $246 million operation and maintenance cost (USACE 2018).

No-Action Alternative – The No-Action Alternative would result in the mooring cell not being constructed and tows would continue to moor along the shoreline.

Proposed Alternative – The Proposed Alternative would provide adequate mooring for towboats. The purpose of the mooring cell is to allow tows to wait closer to the lock, thereby shortening overall lockage time. Overall, the proposed project would have a

beneficial effect on commercial navigation by allowing navigation traffic a place to wait prior to moving through the lock.

3.2.5. Environmental Justice

Environmental Justice is institutionally significant because of Executive Order 12898 of 1994 (E.O. 12898) and Department of Defense's Strategy on Environmental Justice of 1995, which directs Federal agencies to identify and address any disproportionately high adverse human health or environmental effects of Federal actions to minority and/or low-income populations. Within a one-mile ring surrounding the project area, minorities account for 26 percent of the population and low-income populations account for 22 percent compared to 28 and 33 percent respectively for the Rock Island County, Illinois (USEPA 2019).

The project would not have any adverse impacts related to environmental justice. The only adverse impacts identified in other resource categories are minor, and the action would not have disproportionally high or adverse impact any minority or low-income populations. There are no concerns with environmental justice for the No-Action or Proposed Alternatives.

3.3. Cultural Resources

The area of potential effect (APE) includes the underwater location of the proposed work as shown on Figure 1 and potential visual affects to the nearby Lock and Dam 14 historic district. The construction footprint is more than a mile downstream from the boundary of the Lock and Dam 14 Historic District. No underwater historic properties have been identified for the APE (Custer and Custer 1997). In addition, Benn and Anderson (1997) found no historic properties in the APE in their review entitled "Historic Properties Potential and Geomorphological Assessment at Locks and Dams 11-22, 24, and 25, Upper Mississippi River System, Illinois, Iowa, Missouri, and Wisconsin."

The District has determined that no historic properties will be affected by this project in accordance with 36CFR800.4(d)(1) and that further consultation is not warranted. The project APE is confined to disturbed riverbed with no recorded shipwrecks and has limited potential for any intact cultural resources. The Lock and Dam 14 National Register Historic District is located outside of the APE and will not be physically or visually impacted by the project due to the limited size and scope of the undertaking. This determination was provided to relevant Federally recognized tribes and both the Illinois and Iowa historic preservation officers for review and comment by letter dated September 10, 2021. The Illinois Historic Preservation Agency concurred with this determination by letter dated September 30, 2021. No other interested parties have responded but the review is ongoing and will be finalized prior to execution of the FONSI. If this project uncovers an item or items which might be of archaeological, historical, or architectural interest, or if important data come to light in the project area, the Corps will ensure that reasonable efforts to avoid or minimize harm to the property are made until the significance of the discovery can be determined as required in 36CFR800.13.

Table 9. Environmental Assessment Matrix for Proposed Project

	No Action Alternative							Proposed Alternative						
	BENEFICIAL				ADVERSE			BENEFICIAL				ADVERSE		
PARAMETER	SIGNIFICANT	SUBSTANTIAL	MINOR	NO EFFECT	MINOR	SUBSTANTIAL	SIGNIFICANT	SIGNIFICANT	SUBSTANTIAL	MINOR	NO EFFECT	MINOR	SUBSTANTIAL	SIGNIFICANT
A. Social Effects														
1. Noise Levels				X								ST		
2. Aesthetic Values				X								X		
3. Recreational Opportunities				X								ST		
4. Transportation				X							X			
5. Public Health and Safety				X							X			
6. Community Cohesion (Sense of Unity)				X							X			
7. Community Growth and Development				X							X			
8. Business and Home Relocations				X							X			
9. Existing/Potential Land Use				X							X			
10. Controversy				X							X			
B. Economic Effects														
1. Property Values				X							X			
2. Tax Revenue				X							X			
3. Public Facilities and Services				X							X			
4. Regional Growth				X							X			
5. Employment				X							X			
6. Business Activity				X							X			
7. Farmland/Food Supply				X							X			
8. Commercial Navigation					X					X				
9. Flooding Effects				X							X			
10. Energy Needs and Resources				X							X			
C. Natural Resource Effects														
1. Air Quality				X								ST		
2. Terrestrial Habitat				X							X			
3. Wetlands				X							X			
4. Aquatic Habitat				X								X		
5. Habitat Diversity and Interspersion				X							X			
6. Biological Productivity				X							X			
7. Surface Water Quality				X								ST		
8. Water Supply				X							X			
9. Groundwater				X							X			
10. Soils				X							X			
11. Threatened or				X							X			

Endangered Species														
D. Cultural Resource Effects														
1. Historic Architectural Values				X							X			
2. Precontact & Historic Archeological Values				X							X			

X = Long-term effects; ST = Short-term recurring effects.

4. ENVIRONMENTAL COMPLIANCE

4.1. National Environmental Policy Act

The National Environmental Policy Act (NEPA; 42 USC § 4321 et seq.) establishes the broad national framework for protecting our environment. NEPA's basic policy is to assure proper consideration to the environment prior to undertaking any major Federal action. This document has integrated the content required of a NEPA environmental compliance document. Two alternatives were considered, and the significance of the project impacts have been evaluated. The document will be distributed to agencies, the public and other interested parties to gather any comments or concerns. If no significant effects to the environment are found during the comment period, a FONSI would be signed.

4.2. Bald and Golden Eagle Act

The Bald and Golden Eagle Protection Act prohibits anyone from taking, possessing or transporting an eagle, or the parts, nests or eggs of such birds without prior authorization. Disturbing an eagle to a degree that causes, or is likely to cause injury to an eagle, decrease productivity or cause nest abandonment are considered forms of take. Activities that directly or indirectly lead to take are prohibited without a permit. There are no eagle nests within 660 feet of the project area and no take is anticipated for the Proposed Alternative.

4.3. Clean Water Act

The Clean Water Act (CWA; 33 USC §1251 *et seq.*) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

Section 404 of the CWA regulates the discharge of dredged or fill material into waters of the United States and is administered by USACE. The proposed work would be authorized under Nationwide Permit (NWP) 25 – Structural Discharges. An individual Clean Water Act Section 404(b)(1) evaluation will not be prepared.

Section 401 water quality certification is required for actions that may result in a discharge of a pollutant into waters of the United States to ensure that the discharge complies with applicable water quality standards. The Illinois Environmental Protection Agency is the agency responsible for issuing Clean Water Act Section 401 water quality certification. Section 401 water quality certification has been issued without conditions for NWP 25 and therefore would apply to the proposed action. Iowa Department of

Natural Resources (neighboring jurisdiction) had no objection to the use of NWP 25 and the associated Section 401 water quality certification (Appendix A).

4.4. Endangered Species Act

The Endangered Species Act (16 USC § 1531 et seq.) provides for the conservation of threatened and endangered plants and animals and the habitats in which they are found. There are five Federally listed species that may occur within the action area (see Section 3.1.7.1). A no effect determination was made for all listed species.

4.5. Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA; 16 USC 661–667e) requires Federal agencies to coordinate with the USFWS and applicable state agencies when a stream or body of water is proposed to be modified. The proposed project was coordinated with U.S. Fish and Wildlife Service, Illinois Department of Natural Resources and Iowa Department of Natural Resources on May 26, 2021 (Appendix A).

4.6. National Historic Preservation Act

As amended by Public Law 96-515 (94 Statute 2987), this act established national policy for historic preservation, authorized the Secretary of the Interior to expand and maintain a National Register of Historic Places, and created the Advisory Council on Historic Preservation. Section 106 specifies that Federal agencies, before approval of any expenditure or before issuance of any license, must consider the effect of the action on any property included in or eligible for the National Register of Historic Places and must afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on this action. The District has determined that no historic properties will be affected by this project.

Table 10. Compliance with Environmental Protection Statutes and Other Environmental Requirements

Environmental Requirement	Compliance[1]
Federal Statutes	
Archaeological and Historic Preservation Act	Full
Bald and Golden Eagle Protection Act of 1940, as amended	Full
Clean Air Act, as amended	Full
Clean Water Act, as amended	Full
Coastal Zone Management Act, as amended	Na
Endangered Species Act of 1973, as amended	Full
Farmland Protection Policy Act of 1981	Na
Federal Water Project Recreation Act, as amended	Full
Fish and Wildlife Coordination Act, as amended	Full
Land and Water Conservation Fund Act of 1965, as amended	Full
Migratory Bird Treaty Act of 1918, as amended	Full
National Environmental Policy Act of 1969, as amended	Partial
National Historic Preservation Act of 1966, as amended	Partial
National Wildlife Refuge Administration Act of 1966	Full
Noise Pollution and Abatement Act of 1972	Full
Watershed Protection and Flood Prevention Act	Full
Wild and Scenic Rivers Act of 1968, as amended	NA
Executive Orders, Memoranda	
Floodplain Management (E.O. 11988)	Full
Safeguarding the Nation from the Impacts of Invasive Species (E.O. 13112)	Full
Protection and Enhancement of Environmental Quality (E.O. 11514)	Full
Protection and Enhancement of Cultural Environment (E.O. 11593)	Full
Protection of Wetlands (E.O. 11990)	Full
Analysis of Impacts on Prime and Unique Farmland (CEQ Memorandum, 30 August 1976)	NA
Environmental Justice (E.O. 12898)	Full

[1] The compliance categories used in this table were assigned according to the following definitions:

a. Full – All requirements of the statute, EO, or other policy and related regulations have been met for the current stage of planning.

b. Partial – Some requirements of the statute, EO, or other policy and related regulations remain to be met for the current stage of planning.

d. Not Applicable (N/A) – Statute, EO, or other policy and related regulations not applicable.

5. COORDINATION

The proposed project was coordinated with the following agencies on May 26, 2021:

U.S. Environmental Protection Agency (USEPA)
U.S. Fish and Wildlife Service (USFWS)
Illinois Environmental Protection Agency
Illinois Department of Natural Resources
Iowa Department of Natural Resources
Illinois Office of Realty & Environmental Planning

Comments were received from USFWS, USEPA, Iowa Department of Natural Resources, and Illinois Department of Natural Resources (Appendix A).

The proposed project was coordinated with the following tribes and agencies on September 10, 2021:

Citizen Potawatomi Nation
Forest County Potawatomi Community
Ho-Chunk Nation
Iowa Tribe of Kansas and Nebraska
Iowa Tribe of Oklahoma
Kaw Nation
Kickapoo Tribe in Kansas
Kickapoo Tribe of Oklahoma
Menominee Indian Tribe of Wisconsin
Meskwaki Nation
Miami Tribe of Oklahoma
Omaha Tribe of Nebraska
Osage Nation
Otoe-Missouria Tribe
Peoria Tribe of Indians of Oklahoma
Ponca Nation
Ponca Tribe of Nebraska
Prairie Band Potawatomi Nation
Prairie Island Indian Community
Sac & Fox Nation of Missouri in Kansas & Nebraska
Sac and Fox Nation of Oklahoma
Upper Sioux Community, Minnesota
Winnebago Tribe of Nebraska
Illinois State Historic Preservation Officer
Iowa State Historic Preservation Office

Review is ongoing and all comments will be documented in Appendix A in the final supplemental environmental assessment. A copy of the distribution list can be found in Appendix C.

6. DISTRIBUTION AND REVIEW OF THE DRAFT ENVIRONMENTAL ASSESSMENT

This draft SEA is being made available for a 30-day public review and comment period. The document can be viewed at: https://www.mvr.usace.army.mil/About/Offices/Programs-and-Project-Management/Civil-Works-Public-Notices/. Questions on the project or comments on the Environmental Assessment can be directed to PublicInvolvement@usace.army.mil. Written comments can be addressed to:

District Engineer
US Army Corps of Engineers, Rock Island District
Attn: Hoffman (RPEDN)
Clock Tower Building
P. O. Box 2004
Rock Island IL 61204

7. REFERENCES

Benn, D. W. and J. D. Anderson. 1997. Historic Properties Potential and Geomorphological Assessment at Locks and Dams 11-22, 24, and 25, Upper Mississippi River System, Illinois, Iowa, Missouri, and Wisconsin (BCA #490).

Report submitted to the U.S. Army Engineer District, Rock Island, Illinois, under Contract No. DACW25-92-D-0008, Work Order No. 26. Report submitted by Bear Creek Archeology, Inc, Cresco, Iowa.

Custer, J. E. and S. M. Custer. 1997. An Investigation of Submerged Historic Properties in the Upper Mississippi River and the Illinois Waterway. Report submitted to the U.S. Army Engineer District, Rock Island, Illinois, under Contract No. DACW25-93-D-0012, Work Order No. 37. Report prepared by Steamboat Masters & Associates, Louisville, Kentucky, as subcontractor to American Resources Group, Ltd., Carbondale, Illinois (Cultural Resources Management Report No. 306).

Environmental Solutions & Innovations, Inc. (ESII). 2021. Preliminary Data Summary Mussel Survey for the Evaluation of Unionid Mussels for the Lock and Dam 14 Proposed Mooring Cell, Upper Pool 15, Mississippi River, Rock Island County, Illinois.

Illinois Environmental Protection Agency (IEPA). 2018. Illinois Integrated Water Quality Report and Section 303(d) List, 2018. https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx. Accessed May 3, 2021.

McCain, K.N.S., S. Schmuecker, and N.R. De Jager. 2018. Habitat Needs Assessment-II for the Upper Mississippi River Restoration Program: Linking Science to Management Perspectives. U.S. Army Corps of Engineers, Rock Island District, Rock Island, IL.

U.S. Army Corps of Engineers (USACE). 2001. Environmental Assessment, Mooring Cell Construction Pool 15, Mississippi River Mile 491.9, Scott County, Iowa, Rock Island Illinois, 2001. U.S. Army Corps of Engineers, Rock Island District. 137 pages.

2004. Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the Upper Mississippi River-Illinois Waterway (UMR-IWW) System Navigation Feasibility Study dated 24 September 2004. U.S. Army Corps of Engineers, Rock Island, St. Louis, and St. Paul Districts. 626 pages plus appendices.

2008. Record of Decision, Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the Upper Mississippi River-Illinois Waterway (UMR-IWW) System Navigation Feasibility Study dated 4 June 2008. U.S. Army Corps of Engineers, Washington D.C. 6 pages.

2018. Lock and Dam 14 Fact Sheet. https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll11/id/3022. Accessed on May 21, 2021.

U.S. Environmental Protection Agency (USEPA). 2019. EJSCREEN. Retrieved May 3,

2021, from https://www.epa.gov/ejscreen.

2021. Green Book National Area and County-Level Multi-Pollutant Information. Retrieved May 3, 2021, from https://www.epa.gov/green-book/green-book-national-area-and-county-level-multi-pollutant-information.

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
PO BOX 2004 CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

DRAFT FINDING OF NO SIGNIFICANT IMPACT

LOCK AND DAM 14 MOORING CELL
MISSISSIPPI RIVER POOL 15
ROCK ISLAND COUNTY, ILLINOIS

The U.S. Army Corps of Engineers, Rock Island District (Corps) conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The final Lock and Dam 14 Mooring Cell Environmental Assessment (EA) dated **DATE OF IFR/EA**, addresses construction of a mooring cell downstream of Lock and Dam 14 in Pool 15 of the Mississippi River, Rock Island County, Illinois.

In addition to a "no action" plan, one alternative mooring cell location was evaluated.

For all alternatives, the potential effects were evaluated, as appropriate. Table 1 is a summary assessment of the preferred alternative's potential effects of the.

Table 1: Summary of Potential Effects of the Preferred Alternative

	Insignificant Effects	Insignificant Effects as a Result of Mitigation*	Resource Unaffected by Action
Aesthetics	☒	☐	☐
Air Quality	☒	☐	☐
Aquatic Resources/Wetlands	☒	☐	☐
Invasive Species	☐	☐	☒
Fish and Wildlife Habitat	☒	☐	☐
Threatened/Endangered Species/Critical Habitat	☐	☐	☒
Historic Properties	☐	☐	☒
Other Cultural Resources	☐	☐	☒
Floodplains	☐	☐	☒
Hazardous, Toxic & Radioactive Waste	☐	☐	☒
Hydrology	☒	☐	☐
Land Use	☐	☐	☒
Navigation	☒	☐	☐
Noise Levels	☒	☐	☐
Public Infrastructure	☒	☐	☐
Socio-Economics	☒	☐	☐
Environmental Justice	☐	☐	☒
Soils	☒	☐	☐
Tribal Trust Resources	☐	☐	☒
Water Quality	☒	☒	☐
Climate Change	☐	☐	☒

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the proposed alternative. Best management practices as detailed in the IFR/EA will be implemented, if appropriate, to minimize impacts.

No compensatory mitigation is required as part of the proposed alternative.

Public review of the draft EA and FONSI was completed on **DATE DRAFT EA AND FONSI REVIEW PERIOD ENDED**. All comments submitted during the public review period were responded to in the Final EA and FONSI.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the Corps determined the Recommended Plan will have no effect on Federally listed species or their designated critical habitat.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the Corps determined the Recommended Plan has no potential to cause adverse effects on historic properties.

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the proposed alternative would be authorized under NWP 25 – Structural Discharges. Therefore, a Clean Water Act Section 404(b)(1) evaluation was not prepared.

The Illinois Department of Environmental Protection issued a Section 401 water quality certification for Nationwide Permit (NWP) 25 – Structural Discharges, and therefore would apply to the proposed action.

All applicable laws, executive orders, regulations, and local government plans were considered in evaluating alternatives. Based on this report, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination the Recommended Plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

_____ _____

Date

Jesse T. Curry
Colonel, US Army
Commander & District Engineer

DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

LOCK AND DAM 14 MOORING CELL

APPENDIX A
CORRESPONDENCE

From: Glomski, Lee Ann M CIV USARMY CEMVP (USA)
To: [redacted]
Subject: Lock and Dam 14 mooring cell
Date: Wednesday, May 26, 2021 7:44:00 AM
Attachments: LD14_MooringCell_Coordination_25May21.pdf

All,

Please find the attached coordination letter for the proposed Lock and Dam 14 mooring cell in pool 15 of the Mississippi River. The letter contains information about the project as well as Section 401 water quality certification. If you have any comments or concerns, please let me know by June 28.

Thanks,
LeeAnn Glomski
Biologist
USACE - St. Paul District
[redacted]

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
PO BOX 2004 CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

May 25, 2021

SEE DISTRIBUTION LIST

The U.S. Army Corps of Engineers, Rock Island District (District) is preparing an environmental assessment (EA) to address a proposed project entitled, *Lock and Dam 14 Mooring Cell* (Project). The District is requesting your comments regarding the proposed action and its potential to impact any significant natural or manmade resources. Your comments will contribute to the project's thorough environmental evaluation.

Congress authorized the Project in 2007 under the Water Resources Development Act (WRDA) 2007, Title VIII – Upper Mississippi and Illinois Waterway System, Section 8003 – Authorization of construction of Navigation Improvements. This authorization is more commonly referred to as the Navigation and Ecosystem Sustainability Program (NESP).

The proposed Project is located along the left descending bank of the Mississippi River in Pool 15, downstream of Lock and Dam 14 at approximate river mile 491.9 in Rock Island County, Illinois (Enclosure 1). Enclosure 2 depicts a typical mooring cell on the Mississippi River. The Project's primary purpose is to increase efficiency of traffic through the lock and limit erosion and habitat destruction caused by towboats grounding on the shoreline. The project would also reduce sediment resuspension by allowing towboat engines to run at idle speed while waiting to lock through Lock and Dam 14.

The mooring cell would be approximately 31 feet in diameter and would be constructed of steel sheet piling with concrete fill and foundation (Enclosure 3). The riverbed is predominantly mixed unconsolidated sediment in this area. The District would place the cell at a location with approximately 14 feet of water. The mooring cell's footprint is 963 square feet (0.02 acres) and would displace approximately 500 cubic yards of river water.

The District completed an EA for this project and the District Commander signed a Finding of No Significant Impact in 2001. Subsequently, the NESP program's funding was suspended until this year. The District determined an updated EA is warranted based on the Project's 20-year delay.

This summer, the District is conducting a mussel survey in the proposed mooring cell location and approach area. In a similar survey in 2000, a low number of common species was collected. That survey indicated the area was comprised of sand, silt, boulders, and some cobble.

The District has determined the proposed work would be authorized under Nationwide Permit (NWP) 25 – Structural Discharges. Therefore, a Clean Water Act Section 404(b)(1) evaluation will not be prepared. Section 401 water quality certification has been issued for NWP 25 by the Illinois Department of Environmental Protection and therefore would apply to the proposed action (Enclosure 4).

The information provided should allow you to make preliminary comments within your agency's area of expertise on the proposed project. The District would greatly appreciate a timely review of this information and a written response for inclusion into the EA. Please provide your written recommendations, comments, and concerns relative to resources in your area of expertise no later than 30 days from the date of this letter.

If you have any questions, please call Ms. LeeAnn Glomski of our Environmental Planning Branch [redacted]

Sincerely,

CRESWELL.JODI.K.1231223858 Digitally signed by [redacted]

Jodi Creswell
Chief, Environmental Planning Branch
RPEDN

Enclosures

1. Proposed Mooring Cell Location
2. Mooring Cell Example
3. Typical Section
4. Section 401 Water Quality Certification

DISTRIBUTION LIST

Mr. Kraig McPeek, Field Supervisor
U.S. Fish and Wildlife Service
1511 47th Avenue
Moline, IL 61265

Ms. Sara Schmuecker
U.S. Fish and Wildlife Service
1511 47th Avenue
Moline, IL 61265

Mr. Kenneth Westlake
Deputy Director, Office of Multimedia Programs
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, IL 60604

Ms. Melissa Blankenship
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, IL 60604

Ms. Kayla Lyon, Director
Iowa Department of Natural Resources
Wallace State Office Building
502 East 9th Street, 4th floor
Des Moines, IA 50319-0034

Kirk Hansen
Iowa Department of Natural Resources
24143 Hwy 52
Bellevue, IA 52031

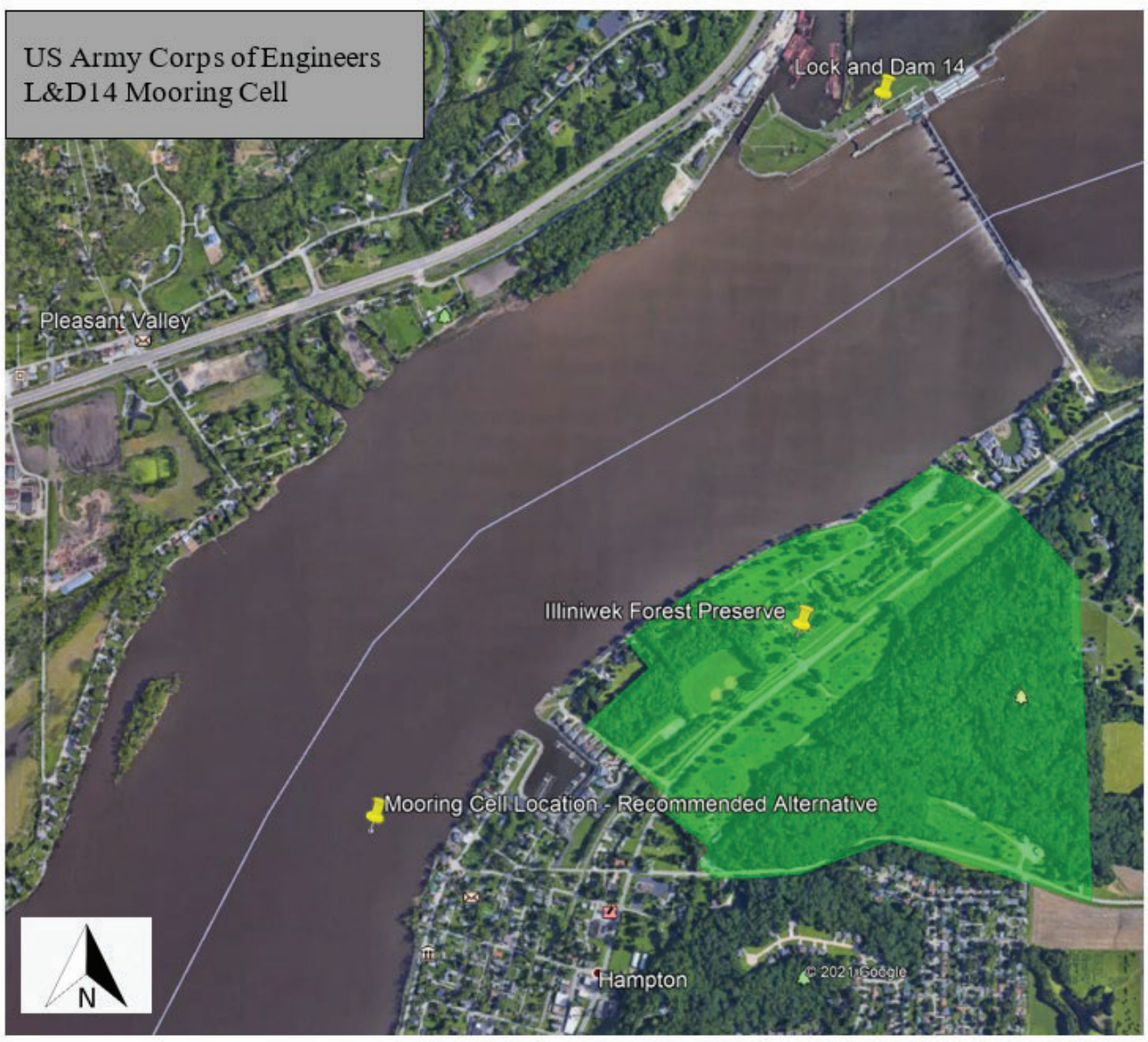
Christine Schwake
Iowa Department of Natural Resources
Wallace Building
502 East 9th St
Des Moines, Iowa, 50319

Colleen Callahan, Director
Illinois Department of Natural Resources
1 Natural Resources Way
Springfield, IL 62702

Mr. Darren Gove
Illinois Environmental Protection Agency
Franklin Creek State Natural Area
1872 Twist Rd, Franklin Grove, IL 61031

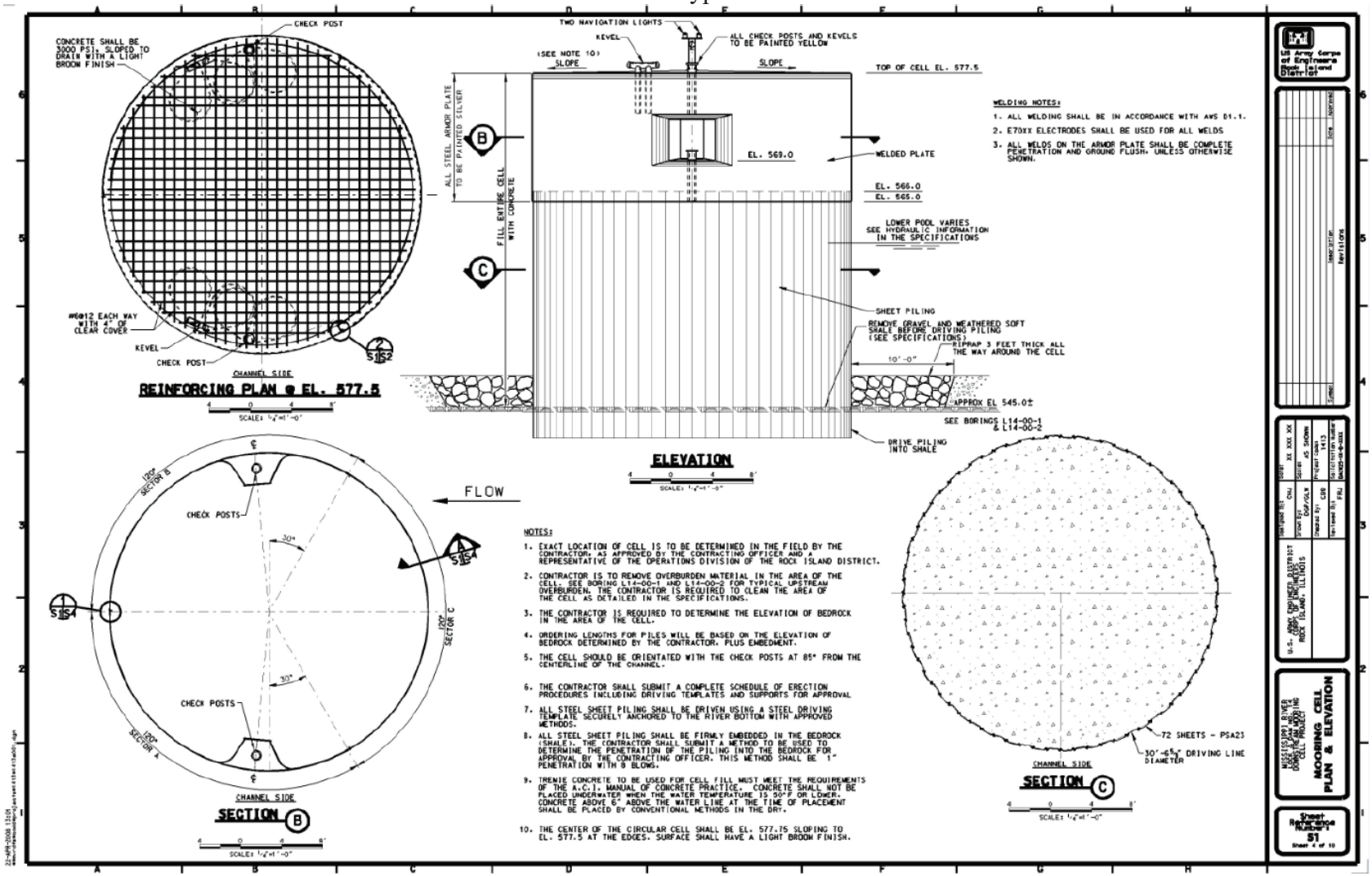
Mr. Brad Hayes
Office of Realty & Environmental Planning
1 Natural Resources Way
Springfield, IL 62702

Enclosure 1: Proposed Mooring Cell Location



Enclosure 2: Mooring Cell Example

Enclosure 3: Typical Section



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

217/782-3362

FEB 27 2017

Ms. Donna Jones
U.S. Army Corps of Engineers, Rock Island
ATTN: Regulatory Branch
Post Office Box 2004
Clock Tower Building
Rock Island, IL 61204-2004

Re: Final Notice of Issuance of Nationwide Permits, January 6, 2017
Section 401 Certifications, Denials, General and Regional Conditions

Dear Ms. Jones:

On January 6, 2017 the Corps of Engineers issued the final notice concerning the disposition of the expiring Nationwide Permits (NWPs) under Section 10 of the 1899 Rivers and Harbors Act and Section 404 of the Clean Water Act.

Based on our review of the final rules, Section 401 certifications are hereby issued for the following NWPs subject to the General Conditions 1, 2 and 3 below:

NWP 4 – Fish and Wildlife Harvesting, Enhancement, and Attraction Device and Activities
NWP 5 – Scientific Measurement Devices
NWP 7 – Outfall Structures and Associated Intake Structures
NWP 20 – Response Operations for Oil or Hazardous Substances
NWP 22 – Removal of Vessels
NWP 30 – Moist Soil Management for Wildlife
NWP 45 – Repair of Uplands Damaged by Discrete Events

In addition, the following NWPs are hereby issued Section 401 certifications subject to General Conditions 1, 2 and 3 below and to the indicated Regional Conditions:

NWP 3 – Maintenance. Refer to Regional Conditions contained in Attachment 1
NWP 6 – Survey Activities. Refer to Regional Conditions contained in Attachment 2
NWP 12 – Utility Line Activities. Refer to Regional Conditions contained in Attachment 3
NWP 13 – Bank Stabilization. Refer to Regional Conditions contained in Attachment 4
NWP 14 – Linear Transportation Projects. Refer to Regional Conditions contained in Attachment 5
NWP 15 – U.S. Coast Guard Approved Bridges. Refer to Regional Conditions contained in Attachment 6
NWP 16 – Return Water from Upland Contained Disposal Areas. Refer to Regional Conditions in Attachment 7
NWP 17 – Hydropower Projects. Refer to Regional Conditions in Attachment 8
NWP 18 – Minor Discharges. Refer to Regional Conditions in Attachment 9
NWP 19 – Minor Dredging. Refer to Regional Conditions in Attachment 10
NWP 25 – Structural Discharges. Refer to Regional Conditions in Attachment 11
NWP 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities. Refer to Regional Conditions in Attachment 12
NWP 29 – Residential Developments. Refer to Regional Conditions in Attachment 13
NWP 32 – Completed Enforcement Actions. Refer to Regional Conditions contained in Attachment 14

NWP 33 – Temporary Construction, Access and Dewatering. Refer to Regional Conditions contained in Attachment 15
NWP 36 – Boat Ramps. Refer to Regional Conditions contained in Attachment 16
NWP 38 – Cleanup of Hazardous and Toxic Waste. Refer to Regional Conditions contained in Attachment 17
NWP 39 – Commercial and Institutional Developments. Refer to Regional Conditions contained in Attachment 18
NWP 40 – Agricultural Activities. Refer to Regional Conditions contained in Attachment 19
NWP 41 – Reshaping Existing Drainage Ditches. Refer to Regional Conditions contained in Attachment 20
NWP 42 – Recreational Facilities. Refer to Regional Conditions contained in Attachment 21
NWP 43 – Stormwater Management Facilities. Refer to Regional Conditions contained in Attachment 22
NWP 44 – Mining Activities. Refer to Regional Conditions contained in Attachment 23
NWP 46 – Discharges into Ditches. Refer to Regional Conditions contained in Attachment 24
NWP 51 – Land-Based Renewable Energy Generation Facilities. Refer to Regional Conditions contained in Attachment 25
NWP 52 – Water-Based Renewable Energy Generation Pilot Projects. Refer to Regional Conditions contained in Attachment 26
NWP 53 – Removal of Low-Head Dams. Refer to Regional Conditions contained in Attachment 27
NWP 54 – Living Shorelines. Refer to Regional Conditions contained in Attachment 28

Section 401 Certification is denied for the following NWPs:
NWP 21 – Surface Coal Mining Activities
NWP 23 – Approved Categorical Exclusions
NWP 31 – Maintenance of Existing Flood Control Facilities
NWP 34 – Cranberry Production Activities
NWP 37 – Emergency Watershed Protection and Rehabilitation
NWP 48 – Commercial Shellfish Aquaculture Activities
NWP 49 – Coal Remining Activities
NWP 50 – Underground Coal Mining Activities

General Condition 1: An individual 401 water quality certification will be required for any activities permitted under these Nationwide Permits for discharges to waters designated by the State of Illinois as Outstanding Resource Waters under 35 Ill. Adm. Code 302.105(b).

General Condition 2: Projects requiring authorization under Section 404 of the Clean Water Act must implement Best Management Practices (BMPs) to protect water quality, preserve natural hydrology and minimize the overall impacts to aquatic resources during and after construction. Projects that include a discharge of pollutants to waters that have impaired water quality according to the Illinois Environmental Protection Agency's Section 303(d) list or for which there is an approved Total Maximum Daily Load (TMDL) allocation for any parameter, additional planning will be necessary to ensure that no further degradation of water quality will occur. The TMDL program information and the Agency's 303(d) list of impaired waters are available at http://www.epa.illinois.gov/topics/water-quality/watershed-management/tmdls/index. For waters that include an approved TMDL the applicant shall incorporate into their plans and BMPs any measures that ensure consistency with the assumptions and requirements of the TMDL within any timeframes established in the TMDL. The applicant must carefully document the justifications for all plans and BMPs, and install, implement and maintain BMPs that are consistent with all relevant pollutant load allocations and conditions in the TMDL implementation plan. If a TMDL has not yet been approved to address water quality impairments that are documented in the Agency's 303(d)

List, the applicant shall carefully document the plans and measures that will be implemented to ensure that the proposed activity will not cause additional loading of those pollutants which are the cause of water quality impairment. If the project involves an impaired water listed on the Agency's Section 303(d) list for suspended solids, turbidity, or siltation, measures designed for at least a 25-year, 24-hour rainfall event shall be incorporated.

General Condition 3: Prior to proceeding with any work in accordance with any Nationwide Permit, potential impacts to threatened or endangered species shall be identified through use of the State's Ecological Compliance Assessment Tool (EcoCAT) at http://dnrecocat.state.il.us/ecopublic/. If potential impacts to State threatened or endangered species are identified, the Illinois Department of Natural Resources shall be consulted with.

Should you have any questions or comments regarding the content of this letter, please contact Darren Gove at [redacted]

Sincerely,

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:DRG:C-0192-16.docx

Attachments (28 Regional Condition Attachments for Illinois EPA's 401 Water Quality Certification of the 2017 Nationwide Permits)

cc: Records Unit
CoE, Chicago District
CoE, Louisville District (Indianapolis Office)
CoE, Louisville District (Newburgh Regulatory Office)
CoE, Memphis District
CoE, St. Louis District
IDNR, Bartlett
IDNR, OWR, Chicago
IDNR, OWR, Springfield
USEPA, Region 5
USFWS, Rock Island, Barrington and Marion

ATTACHMENT 1

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 3

Maintenance

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, as determined by the Illinois EPA.

3. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. The applicant for Nationwide Permit 3 shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

5. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant for Nationwide Permit 3 shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant for Nationwide Permit 3 shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

6. The applicant for Nationwide Permit 3 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

7. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

8. The applicant for Nationwide Permit 3 that uses temporary work pads, cofferdams, access roads and other temporary fills in order to perform work in creeks, streams, or rivers shall maintain flow in these waters by utilizing dam and pumping, fluming, culverts or other such techniques.

ATTACHMENT 2

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 6

Survey Activities

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 6 shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

3. Material resulting from trench excavation within surface waters of the State may be temporarily sidecast adjacent to the trench excavation provided that:
   A. Sidecast material is not placed within a creek, stream, river or other flowing water body such that material dispersion could occur;
   B. Sidecast material is not placed within ponds or other water bodies other than wetlands; and
   C. Sidecast material is not placed within a wetland for a period longer than twenty (20) calendar days. Such sidecast material shall either be removed from the site, or used as backfill (refer to Condition 4 and 5).

4. Backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean course aggregate, gravel or other material which will not cause siltation. Excavated material may be used only if:
   A. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or
   B. Excavation and backfilling are done under dry conditions.

5. Backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.

6. Temporary work pads shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

7. The applicant for Nationwide Permit 6 that uses temporary work pads in order to perform work in creeks, streams, or rivers shall maintain flow in the these waters by utilizing dam and pumping, fluming, culverts or other such techniques.

ATTACHMENT 3

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 12

Utility Line Activities

1. Case-specific water quality certification from the Illinois EPA will be required for:
   A. activities in the following waters:
      i. Lake Calumet
      ii. Fox River (including the Fox Chain of Lakes)
      iii. Lake Michigan
      iv. Chicago Sanitary and Ship Canal
      v. Calumet-Sag Channel
      vi. Little Calumet River
      vii. Grand Calumet River
      viii. Calumet River
      ix. Pettibone Creek (in Lake County)
      x. South Branch of the Chicago River (including the South Fork)
      xi. North Branch of the Chicago River (including the East and West Forks and the Skokie Lagoons)
      xii. Chicago River (Main Stem)
      xiii. Des Plaines River
      xiv. Kankakee
      xv. All Public and Food Processing Water Supplies with surface intake facilities. The Illinois EPA's Division of Public Water Supply at 217/782-1020 may be contacted for information on these water supplies.
   B. activities in the following waters if material is sidecast into waters of the State or wetlands:
      i. Saline River (in Hardin County)
      ii. Richland Creek (in St. Clair and Monroe Counties)
      iii. Rock River (in Winnebago County)
      iv. Illinois River upstream of mile 229.6 (Illinois Route 178 bridge)
      v. Illinois River between mile 140.0 and 182.0
      vi. DuPage River (including the East and West Branches)
      vii. Salt Creek (Des Plaines River Watershed)
      viii. Waukegan River (including the South Branch)

2. Section 401 water quality certification is hereby issued for all other waters, with the following conditions:

   A. The applicant for Nationwide Permit 12 shall not cause:
      i. violation of applicable provisions of the Illinois Environmental Protection Act;
      ii. water pollution defined and prohibited by the Illinois Environmental Protection Act;
      iii. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
      iv. interference with water use practices near public recreation areas or water supply intakes.

B. The applicant for Nationwide Permit 12 shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

C. Material resulting from trench excavation within surface waters of the State may be temporarily sidecast adjacent to the trench excavation provided that:

i. Sidecast material is not placed within a creek, stream, river or other flowing water body such that material dispersion could occur;

ii. Side cast material is not placed within ponds or other water bodies other than wetlands; and

iii. Sidecast material is not placed within a wetland for a period longer than twenty (20) calendar days. Such sidecast material shall either be removed from the site (refer to Condition 2.F), or used as backfill (refer to Condition 2.D and 2.E).

D. Backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean course aggregate, gravel or other material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material may be used only if:

i. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or

ii. Excavation and backfilling are done under dry conditions.

E. Backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.

F. All material excavated which is not being used as backfill as stipulated in Condition 2.D and 2.E shall be stored or disposed in self-contained areas with no discharge to waters of the State. Material shall be disposed of appropriately under the regulations at 35 Il. Adm. Code Subtitle G.

G. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant for Nationwide Permit 12 shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant for Nationwide Permit 12 shall be responsible for obtaining an NPDES Storm Water Permit required by the federal Clean Water Act prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

H. The applicant for Nationwide Permit 12 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

I. The use of directional drilling to install utility pipelines below surface waters of the State is hereby certified provided that:
   i. All pits and other construction necessary for the directional drilling process are located outside of surface waters of the State;
   ii. All drilling fluids shall be adequately contained such that they cannot cause a discharge to surface waters of the State. Such fluids shall be treated as stipulated in Condition 2.F; and
   iii. Erosion and sediment control is provided in accordance with Conditions 2.B, 2.G, and 2.H.

J. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Material excavated or dredged from the surface water or wetland shall not be used to construct the temporary facility. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

K. The applicant for Nationwide Permit 12 that uses temporary work pads, cofferdams, access roads or other temporary fills in order to perform work in creeks, streams, or rivers for construction activities shall maintain flow in the these waters during such construction activity by utilizing dam and pumping, fluming, culverts or other such techniques.

L. Permanent access roads shall be constructed of clean coarse aggregate or non-erodible nonearthen fill material that will not cause siltation. Material excavated or dredged from the surface water or wetland shall not be used to construct the access road in waters of the state. The applicant for Nationwide Permit 12 that constructs access roads shall maintain flow in creeks, streams and rivers by installing culverts, bridges or other such techniques.

ATTACHMENT 4

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 13

Bank Stabilization

1. The bank stabilization activities shall not exceed 1000 linear feet.

2. Asphalt, bituminous material and concrete with protruding material such as reinforcing bars or mesh shall not be:
   A. used for backfill;
   B. placed on shorelines/streambanks; or
   C. placed in waters of the State.

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, as determined by the Illinois EPA.

4. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

5. The applicant shall consider installing bioengineering practices in lieu of structural practices of bank stabilization to minimize impacts to the lake, pond, river or stream and enhance aquatic habitat. The applicant shall document the selection process for the bank stabilization technique(s) and the basis for the selection of the bank stabilization practices. Bioengineering techniques may include, but are not limited to:
   A. adequately sized riprap or A-Jack structures keyed into the toe of the slope with native plantings on the banks above;
   B. vegetated geogrids;
   C. coconut fiber (coir) logs;
   D. live, woody vegetative cuttings, fascines or stumps;
   E. brush layering; and
   F. soil lifts.

ATTACHMENT 5

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 14
Linear Transportation Projects

1. The affected area of the stream channel shall not exceed 300 linear feet, as measured along the stream corridor.

2. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, as determined by the Illinois EPA.

3. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

5. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

6. The applicant for Nationwide Permit 14 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

7. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

8. The applicant for Nationwide Permit 14 that uses temporary work pads, cofferdams, access roads and other temporary fills in order to perform work in creeks, streams, or rivers shall maintain flow in these waters by utilizing dam and pumping, fluming, culverts or other such techniques.

ATTACHMENT 6

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 15
U.S. Coast Guard Approved Bridges

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 15 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

ATTACHMENT 7

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 16

Return Water from Upland Contained Disposal Areas

1. Applicants shall obtain a Subtitle C State Construction and Operating Permit for construction and operation of any dredge material disposal facility or upland contained disposal facility.

2. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

3. The applicant for Nationwide Permit 16 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

4. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

ATTACHMENT 8

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 17

Hydropower Projects

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 17 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. An individual Section 401 water quality certification will be required for any project that is not previously approved by a Section 401 water quality certification issued by the Illinois EPA for a Federal Energy Regulatory Commission license or permit.

ATTACHMENT 9

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 18

Minor Discharges

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

3. The applicant for Nationwide Permit 18 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

ATTACHMENT 10

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 19
Minor Dredging

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 19 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. Dredging shall be done by mechanical means and material shall not be discharged to Waters of the State.

ATTACHMENT 11

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 25

Structural Discharges

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 25 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

ATTACHMENT 12

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 27
Aquatic Habitat Restoration, Establishment, and Enhancement Activities

1. All activities conducted under NWP 27 shall be in accordance with the provisions of 35 Ill. Adm. Code 405.108. Work in reclaimed surface coal mine areas are required to obtain prior authorization from the Illinois EPA for any activities that result in the use of acid-producing mine refuse.

2. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

3. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

ATTACHMENT 13

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 29

Residential Developments

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 29 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

6. An individual Section 401 water quality certification will be required for any project where the District Engineer waives the stream length limitation of NWP 29.

ATTACHMENT 14

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 32
Completed Enforcement Actions

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

3. Except as allowed under condition 9, any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by the Illinois EPA. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant for Nationwide Permit 32 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

6. The applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, and related facilities prior to construction.

7. Backfill used in the stream-crossing trench shall be predominantly sand or larger size material, with <20% passing a #230 U.S. sieve.

8. Any channel relocation shall be constructed under dry conditions and stabilized to prevent erosion prior to the diversion of flow.

9. Backfill used within trenches passing through surface water of the State, except wetland areas, shall be clean course aggregate, gravel or other material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material may be used only if:
   A. Particle size analysis is conducted and demonstrates the material to be at least 80% sand or larger size material, using a #230 U.S. sieve; or
   B. Excavation and backfilling are done under dry conditions.

10 Backfill used within trenches passing through wetland areas shall consist of clean material which will not cause siltation, pipe damage during placement, or chemical corrosion in place. Excavated material shall be used to the extent practicable, with the upper six (6) to twelve (12) inches backfilled with the topsoil obtained during trench excavation.

11. Any applicant proposing activities in a mined area or previously mined area shall provide to the IEPA a written determination regarding whether the sediment and materials that will be used are considered "acid-producing material" as defined in 35 Il. Adm. Code, Subtitle D. If considered "acid-producing material," the applicant shall obtain a permit to construct pursuant to 35 Il. Adm. Code 404.101.

12. Asphalt, bituminous material and concrete with protruding material such as reinforcing bar or mesh shall not be 1) used for backfill, 2) placed on shorelines/stream banks, or 3) placed in waters of the State.

ATTACHMENT 15

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 33
Temporary Construction, Access and Dewatering

1. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, as determined by the Illinois EPA.

2. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

3. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant for Nationwide Permit 33 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

6. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities.

7. The applicant for Nationwide Permit 33 who uses temporary work pads, cofferdams, access roads and other temporary fills in order to perform work in creeks, streams, or rivers shall maintain flow in these waters by utilizing dam and pumping, fluming, culverts or other such techniques.

8. During dewatering of the coffered work area, all sediment-laden water shall have adequate sediment removed such that water quality standards, including preventing unnatural turbidity, are met in the receiving stream.

ATTACHMENT 16

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 36

Boat Ramps

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 36 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

ATTACHMENT 17

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 38
Cleanup of Hazardous and Toxic Waste

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. In addition to any actions required of the NWP applicant with respect to the "Notification" General Condition 32, the applicant shall notify the Illinois EPA, Bureau of Water, of the specific activity. This notification shall include information concerning the orders and approvals that have been or will be obtained from the Illinois EPA Bureau of Land (BOL), for all cleanup activities under BOL jurisdiction or for which authorization or approval is sought from BOL for no further remedial action.

3. An individual Section 401 water quality certification will be required for activities that do not require or will not receive authorization or approval from the BOL.

ATTACHMENT 18

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 39

Commercial and Institutional Developments

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 39 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant is advised that the following permit(s) must be obtained from the Illinois EPA: The applicant must obtain permits to construct sanitary sewers, water mains, water treatment plants, wastewater treatment plants and related facilities prior to construction.

6. An individual Section 401 water quality certification will be required for any project where the District Engineer waives the stream length limitation of NWP 39.

7. For construction of oil and gas wells, the impacted waters of the State shall be restored to pre-construction conditions within six months after construction is started. For purposes of this condition, restoration includes stabilization and seeding or planting of vegetation on the disturbed areas that were vegetated prior to construction.

ATTACHMENT 19

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 40

Agricultural Activities

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 40 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

ATTACHMENT 20

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 41

Reshaping Existing Drainage Ditches

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 41 shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by the Illinois EPA. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant for Nationwide Permit 41 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

6. The applicant is advised that the following permit(s) must be obtained from the Agency: permits to construct sanitary sewers, water mains and related facilities prior to construction.

7. The proposed work shall be constructed with adequate erosion control measures (i.e., silt fences, etc.) to prevent transport of sediment and materials to the adjoining wetlands and/or streams.

ATTACHMENT 21

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 42

Recreational Facilities

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 42 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. An individual Section 401 water quality certification will be required for any project where the District Engineer waives the stream length limitation of NWP 42.

ATTACHMENT 22

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 43

Stormwater Management Facilities

1. The Agency hereby issues Section 401 water quality certification of Nationwide Permit 43 exclusively for the construction and maintenance of pollutant reduction green infrastructure features designed to reduce inputs of sediments, nutrients, and other pollutants into waters to meet reduction targets established under Total Daily Maximum Loads set under the Clean Water Act. All other activities authorized under this Nationwide Permit are denied Section 401 water quality certification. For purposes of this water quality certification green infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels and cisterns and protection and enhancement of riparian buffers and floodplains. Material excavated, dredged or produced from the maintenance of green infrastructure features shall not be discharged to waters of the State.

2. The applicant for Nationwide Permit 43 shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

3. The applicant for Nationwide Permit 43 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

4. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

5. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

ATTACHMENT 23

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 44

Mining Activities

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 44 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. The facility shall be covered by either a Subtitle D NPDES mining permit or a Subtitle D State Construction and Operating Permit for mining activities.

5. An individual Section 401 water quality certification will be required for any project where the District Engineer waives the stream length limitation of NWP 44.

ATTACHMENT 24

ILLINOIS EPA WATER QUALITY CERTIFICATION
REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 46
Discharges into Ditches

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by the Illinois EPA. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. The applicant for Nationwide Permit 46 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

6. The applicant is advised that the following permit(s) must be obtained from the Agency: permits to construct sanitary sewers, water mains and related facilities prior to construction.

7. The proposed work shall be constructed with adequate erosion control measures (i.e., silt fences, etc.) to prevent transport of sediment and materials to the adjoining wetlands and/or streams.

8. The applicant shall not sever the connection between upstream and downstream surface waters of the State by the discharge of dredged or fill material into ditches.

ATTACHMENT 25

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 51

Land-Based Renewable Energy Generation Facilities

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 51 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. An individual Section 401 water quality certification will be required for any project where the District Engineer waives the stream length limitation of NWP 51.

ATTACHMENT 26

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 52

Water-Based Renewable Energy Generation Pilot Projects

1. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

2. The applicant for Nationwide Permit 52 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

4. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

5. An individual Section 401 water quality certification will be required for any project where the District Engineer waives the stream length limitation of NWP 52.

6. An individual Section 401 water quality certification will be required for any hydrokinetic project that is not previously approved by a Section 401 water quality certification issued by the Illinois EPA for a Federal Energy Regulatory Commission license or permit.

ATTACHMENT 27

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 53

Removal of Low-Head Dams

1. The applicant shall implement the following Best Management Practices and Material Testing:
   A. Sediments and river bottom material are excavated and removed to upland areas to minimize sediment transport downstream, minimize downcutting and protect water quality; or
   B. measures shall be implemented to minimize sediment transport downstream; or
   C. the sediments and river bottom materials that will be transported downstream are determined to have less than 20 percent passing a #230 U.S. Sieve based on representative sampling and analysis of the sediments and river bottom materials; or
   D. a combination of the above practices to protect water quality; and
   E. sediments and river bottom materials shall not be pollutional if released to downstream waters.

2. Best Management Practices shall be implemented to minimize sediment transport downstream, minimize downcutting of sediment and river bottom materials and protect water quality.

3. The project shall be required to obtain individual 401 water quality certification if a public or food processing surface water intake is located within the upstream pool of the dam to be removed.

4. The applicant shall notify downstream surface water supplies of the proposed dam removal. The applicant shall implement practices to prevent interference with Public and Food Processing Water Supply intakes. The Illinois EPA's Division of Public Water Supply may be contacted at 217/782-1020 for information on the Public and Food Processing Water Supplies.

5. The applicant for Nationwide Permit 53 shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

6. The applicant for Nationwide Permit 53 shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

7. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

8. All areas affected by construction shall be stabilized or mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion

during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

ATTACHMENT 28

ILLINOIS EPA WATER QUALITY CERTIFICATION REGIONAL CONDITIONS FOR NATIONWIDE PERMIT 54

Living Shorelines

1. An individual Section 401 water quality certification shall be required for any project that exceeds 1000 feet as measured along the bank and or when the District Engineer waives the limitation of 30 feet as measured from the mean high water line.

2. The applicant shall not cause:
   A. violation of applicable provisions of the Illinois Environmental Protection Act;
   B. water pollution defined and prohibited by the Illinois Environmental Protection Act;
   C. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
   D. interference with water use practices near public recreation areas or water supply intakes.

3. The applicant for Nationwide Permit B shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2016).

4. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State unless a permit has been issued by this Agency. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

5. All areas affected by construction shall be stabilized or mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control, Permit Section.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Illinois-Iowa Ecological Services Field Office
1511 47th Avenue
Moline, Illinois 61265
Phone: (309) 757-5800 Fax: (309) 757-5807

IN REPLY REFER TO:
FWS/ILIAFO
TAILS: 03E18000-2021-TA-1747

Jodi Creswell
Chief, Environmental Planning Branch
Attn: LeeAnn Glomski
U.S. Army Corps of Engineers
Rock Island District
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004
LeeAnn.M.Glomski@usace.army mil

Electronic Mail
June 11, 2021

Dear Ms. Creswell,

This responds to your request for U.S. Fish and Wildlife Service (Service) comments regarding re-initiation of the Lock and Dam 14 mooring cell project (Project) under the Navigation and Ecosystem Sustainability Program (NESP), dated May 25, 2021. The Project is located along the left descending bankline within Pool 15 of the Upper Mississippi River (UMR), approximate River Mile (RM) 491.9, near Hampton, Rock Island County, Illinois. The Project consists of one mooring cell with a footprint of approximately 963 square feet (0.02 acres). The cell would be constructed of sheetpile with concrete fill and foundation and placed in approximately 14 feet of water. The purpose of the Project is to increase navigation traffic efficiencies at Lock and Dam 14, while reducing erosion, habitat destruction, and sediment resuspension resulting from shore-based mooring practices. We have reviewed your letter and are providing information concerning threatened and endangered species.

Threatened and Endangered Species

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat.

In order for you to evaluate the potential effects of the project on federally listed species, you can download a list of species for Rock Island County from the Service's Region 3 Technical Assistance website at http://www.fws.gov/midwest/endangered/section7/sppranges/index html. Habitat descriptions for these species can also be found on our website. You may use these descriptions to help you determine if there is suitable habitat within your project area. If no suitable habitat exists within your project area or its area of impact, and no species or critical habitat is present, it is appropriate to determine the project will have "no effect" on listed species. If you determine the action will have "no effect" on listed species or critical habitat, concurrence with that determination from the Service is not required. The Illinois-Iowa Ecological Services Field Office has no regulatory or statutory authority for concurring with "no effect" determinations. However, we recommend you maintain a written record of your "no effect" determination and include it in your decision record. An example "no effect" memo can be found on our website at http://www fws.gov/midwest/endangered/section7/s7process/letters.html.

If suitable habitat is found in the area of your project, the appropriate determination is that the project "may affect" listed species. In some instances surveys may be recommended to help make this determination. Additional information on how to make accurate effect determinations and how to document your determination can be found on our website at http://www fws.gov/midwest/endangered/section7/s7process/step1.html.

Freshwater Mussel Resources

Three federally endangered freshwater mussel species are known to occur within Pool 15 of the UMR, including Higgins eye pearlymussel (*Lampsilis higginsii*), sheepnose mussel (*Plethobasus cyphyus*), and spectaclecase mussel (*Cumberlandia monodonta*). Ideal habitats for these species include:

> Higgins eye pearlymussels are typically found in deep water habitats with moderate currents over sand or gravel substrate.
>
> Sheepnose mussels are typically found in shallow areas within large rivers and streams, with moderate to swift currents over coarse sand and gravel substrate. On occasion, sheepnose mussels have been found in areas of mud, cobble, and boulders. In large rivers, sheepnose may also be found in deep run habitats.
>
> Spectaclecase mussels are typically found in sheltered areas of large rivers, away from the main current. Individuals are typically found beneath rock slabs or between boulders or tree roots. Documented populations tend to be highly fragmented and restricted to short stream reaches.

As described in your letter, a mussel survey conducted as part of the original planning for the Project in 2000, identified "…a low number of common species…" with substrates consisting of "…sand, silt, boulders, and some cobble." Since 2000, significant freshwater mussel resources have been identified within the vicinity of the Project area, including the recent relocation of Higgins eye pearlymussel and sheepnose to a site located less than one RM upstream from the Project area. As stated in your letter, the Corps is planning to conduct a mussel survey within the Project area, including the mooring cell location and approach area during the summer of 2021. Due to the known presence of mussel resources within the Project vicinity, we recommend coordination with the Service in development of the survey protocol. Further, we recommend the survey follow the "Level II" methodologies, as described in the *draft* Upper Mississippi River Mussel Sampling Guidelines (USFWS 2013), including a combination of qualitative and quantitative sampling.

Migratory Birds and Eagles

The Service removed bald eagles from protection under the Endangered Species Act on August 8, 2007. However, they remain protected today under the Migratory Birds Treaty Act and the Bald and Golden Eagle Protection Act (Eagle Act). The Eagle Act prohibits take, which is defined as, "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb" (50 CFR 22.3). Disturb is defined in regulations as, "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, or 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior." Please contact the Region 3 Migratory Bird Office (https://www fws.gov/midwest/eagle/contactus.html) should proposed activities have the potential to result in take or disturbance of eagles or their nests.

Conclusion

Thank you for the opportunity to provide comments. These comments provide technical assistance only and do not constitute the report of the Secretary of the Interior on the project within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act, do not fulfill the requirements under Section 7 of the Endangered Species Act, nor do they represent the review comments of the U.S. Department of the Interior on any forthcoming environmental statement. If you have any questions, please contact Sara Schmuecker of my staff at [redacted] or [redacted]

Sincerely,

Kraig McPeek
Field Supervisor
Illinois and Iowa Field Office

References

Duyvejonck, J. (editor; January 15, 2013). Draft guidelines, Upper Mississippi River mussel sampling guidelines for activities requiring federal permits. Moline; U.S. Fish and Wildlife Service, Rock Island Field Office.

Illinois Department of
Natural Resources
One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

22 June 2021

LeeAnn Glomski
Biologist
USACE - St. Paul District
180 5th St. East, Ste. 700
St. Paul, MN 55101-1678

RE: Lock and Dam 14 Mooring Cell Project
Consultation Program
EcoCAT Reviews #2114711
Rock Island County

Dear Ms. Glomski:

The Department has received your submission of this project for the purposes of coordination pursuant *Fish and Wildlife Coordination Act*. This project was reviewed for compliance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], *Title 17 Illinois Administrative Code* Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herptiles-Herps Act* [510 ILCS 69].

The proposed action being reviewed in this letter consists of construction of a mooring cell approximately 31 feet in diameter and would be constructed of steel sheet piling with concrete fill and foundation along the left descending bank of the Mississippi River in Pool 15, downstream of Lock and Dam 14 at approximate river mile 491.9 in Rock Island County, Illinois.

The natural resource review provided by EcoCAT indicated that the following state-listed mussels may be in the vicinity of the proposed action: butterfly (*Ellipsaria lineolata*), Higgins' eye (*Lampsilis higginsii*), purple wartyback (C*yclonaias tuberculata*), sheepnose (*Plethobasus cyphyus*), and spectaclecase (*Margaritifera monodonta*).

Documents reviewed by the Department indicated the District is conducting a mussel survey in the proposed mooring cell location and approach area in the summer of 2021. The Department requests the opportunity to review the methodology of the proposed survey. The Department also recommends those conducting the survey obtain a Scientific Collectors Permit and T&E Permit from the Department as per 17 *Illinois Administrative Code* Part 1070. Results of the survey effort

should be shared with the Department upon completion. Visit the link below for information on obtaining the appropriate permits:

https://www2.illinois.gov/dnr/conservation/NaturalHeritage/Pages/ResearchPermits.aspx

Coordination on the part of the Department is closed, unless the applicant desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

Please contact me with any questions about this review.

Sincerely,

Bradley Hayes
Resource Planner
Office of Realty & Capital Planning
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271
[redacted]
[redacted]

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

June 11, 2021

REPLY TO THE ATTENTION OF:
Mail Code RM-19J

LeeAnn Glomski
U.S. Army Corps of Engineers
P.O. Box 2004 Clock Tower Building
Rock Island, Illinois 61204

Re: Project Scoping for Construction of a Mooring Cell in the Mississippi River at Lock and Dam 14, Rock Island County, Illinois

Dear Ms. Glomski:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced project scoping document, which was prepared by the U.S. Army Corps of Engineers (USACE). We are providing comments pursuant to our authorities under the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The proposed project involves constructing a mooring cell in the Mississippi River at river mile 491.9. The Project's primary purpose is to increase efficiency of traffic through the lock and limit erosion and habitat destruction caused by towboats grounding on the shoreline. The project would also reduce sediment resuspension by allowing towboat engines to run at idle speed while waiting to pass through Lock and Dam 14. The mooring cell would be approximately 31 feet in diameter and would be constructed of steel sheet piling with concrete fill and foundation. The riverbed is predominantly mixed unconsolidated sediments. The mooring cell would be constructed in approximately 14 feet of water. The mooring cell's footprint is 963 square feet (0.02 acres) and would displace approximately 500 cubic yards of river water. Based on information provided in the scoping document, we have comments on water quality, aquatic resources, air quality strategies, dredging, and consultation records, as stated below.

Water Quality
The forthcoming environmental assessment (EA) should describe how the proposed action may affect water bodies listed as impaired under Section 303(d) of the Clean Water Act and their listing status as impaired. We recommend this section of the document discuss current impairments, and how the proposed action may affect, either positively or detrimentally, any impairments.

Aquatic Resources
The EA should describe any anticipated impacts to aquatic resources, including mussels and other aquatic life, and if necessary, identify and commit to appropriate mitigation measures.

Air Quality Strategies
Temporary fugitive dust and diesel exhaust emissions from construction activities, such as use of heavy machinery and material hauling, would occur. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Diesel exhaust can also lead to other serious health conditions and can worsen heart and lung disease. We recommend implementing air quality best management practices (BMPs) during the construction phase of this project and discuss plans in the forthcoming EA. Several recommendations are included in an enclosure entitled, *U.S. Environmental Protection Agency Construction Emission Control Checklist*.

Dredging
If applicable, any dredged sediments should be tested for contamination before being reused elsewhere or before being stockpiled at an appropriate upland location.

Consultation Records
EPA recommends attaching to the EA inter-agency consultation documents regarding historic resources (Illinois State Historic Preservation Office), wetlands and streams (U.S. Army Corps of Engineers), and Federal and state threatened and endangered species (U.S. Fish and Wildlife Service and the Illinois Department of Natural Resources). We also recommend including a list of agency contacts in the EA.

Please send us the EA when it becomes available. We are available to discuss these comments at your convenience. Please feel free to contact Mike Sedlacek of my staff at [redacted] by email at [redacted]

Sincerely,

Kenneth A. Westlake
Deputy Director, Tribal and Multi-media Programs Office
Office of the Regional Administrator

Encl: U.S. Environmental Protection Agency Construction Emission Control Checklist

U.S. Environmental Protection Agency
Construction Emission Control Checklist

Diesel emissions and fugitive dust from project construction may pose environmental and human health risks and should be minimized. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Acute exposures can lead to other health problems, such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Longer term exposure may worsen heart and lung disease.[1] We recommend USACE consider the following protective measures and commit to applicable measures in the EA.

Mobile and Stationary Source Diesel Controls

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).[2]
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).[3]
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.

Consider requiring the following best practices through the construction contracting or oversight process:

- Establish and enforce a clear anti-idling policy for the construction site.
- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).
- Where possible, retrofit older-tier or Tier 0 nonroad engines with an exhaust filtration device before it enters the construction site to capture diesel particulate matter.
- Replace the engines of older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.), or with zero emissions electric systems. Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest EPA exhaust emissions standards, or with zero emissions electric vehicles and/or equipment.

[1] Carcinogenicity of diesel-engine and gasoline-engine exhausts and some nitroarenes. *The Lancet.* June 15, 2012
[2] http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm
[3] http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm

Fugitive Dust Source Controls

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Occupational Health

- Reduce exposure through work practices and training, such as maintaining filtration devices and training diesel-equipment operators to perform routine inspections.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.

NEPA Documentation

- Per Executive Order 13045 on Children's Health[4], EPA recommends the lead agency and project proponent pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to be protective of children's health. Specify how impacts to sensitive receptors, such as children, elderly, and the infirm will be minimized. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings

[4] Children may be more highly exposed to contaminants because they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Also, children's normal activities, such as putting their hands in their mouths or playing on the ground, can result in higher exposures to contaminants as compared with adults. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. EPA views childhood as a sequence of life stages, from conception through fetal development, infancy, and adolescence.

May 26, 2021

Ms. LeeAnn Glomski
U.S. Army Corps of Engineers, Rock Island District
Environmental Planning Branch
PO Box 2004 Clock Tower Building
Rock Island, IL 61204-2004
[redacted]

RE: Lock and Dam 14 Mooring Cell

Dear Ms. Glomski:

Thank you for the opportunity to comment on the Lock and Dam 14 Mooring Cell project. I have no concerns or comments to make at this time.

If you have any questions, please contact me at the address shown below or call [redacted]

Sincerely,

Christine Schwake
Environmental Specialist

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Illinois-Iowa Ecological Services Field Office
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
Phone: (309) 757-5800 Fax: (309) 757-5807

In Reply Refer To:
Consultation Code: 03E18000-2021-SLI-1468
Event Code: 03E18000-2021-E-05641
Project Name: LD14 mooring cell

August 17, 2021

Subject: Updated list of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website http://ecos.fws.gov/ipac/ at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all wind energy projects, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Illinois-Iowa Ecological Services Field Office
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
(309) 757-5800

Project Summary

Consultation Code: 03E18000-2021-SLI-1468
Event Code: 03E18000-2021-E-05641
Project Name: LD14 mooring cell
Project Type: STREAM / WATERBODY / CANALS / LEVEES / DIKES
Project Description: mooring cell
Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.55760385,-90.4160448537647,14z

Counties: Rock Island County, Illinois

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat *Myotis sodalis* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

NAME	STATUS
Higgins Eye (pearlymussel) *Lampsilis higginsii* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5428	Endangered
Sheepnose Mussel *Plethobasus cyphyus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6903	Endangered
Spectaclecase (mussel) *Cumberlandia monodonta* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7867	Endangered

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Rusty Patched Bumble Bee *Bombus affinis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383	Endangered

Flowering Plants

NAME	STATUS
Eastern Prairie Fringed Orchid *Platanthera leucophaea* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/601	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

LAKE

- L1UBHh

Regional Planning and Environmental
Division North (RPEDN)

SEE DISTRIBUTION LIST (Enclosure 1)

The U.S. Army Corps of Engineers, Rock Island District (District) is preparing an environmental assessment (EA) to address a proposed project entitled, Lock and Dam 14 Mooring Cell (Project). The District requests your comment on the District's historic property effects determination, pursuant to Section 106 of the National Historic Preservation Act (NHPA). Your comments will contribute to the project's thorough environmental evaluation.

The proposed Project is located along the left descending bank of the Mississippi River in Pool 15, downstream of Lock and Dam 14 at approximate river mile 491.9 in Rock Island County, Illinois (Enclosure 2). Enclosure 3 depicts a typical mooring cell on the Mississippi River. The Project's primary purpose is to increase efficiency of traffic through the lock and limit erosion and habitat destruction caused by towboats grounding on the shoreline. The project will also reduce sediment resuspension by allowing towboat engines to run at idle speed while waiting to lock through Lock and Dam 14.

The mooring cell will be approximately 31 feet in diameter and will be constructed of steel sheet piling with concrete fill and foundation (Enclosure 4). The riverbed is predominantly mixed unconsolidated sediment in this area. The District will place the cell at a location with approximately 14 feet of water. The mooring cell's footprint is 963 square feet (0.02 acre) and will displace approximately 500 cubic yards of river water.

Federal Undertaking

The District has determined that this Project is an Undertaking with potential to cause effects to historic properties and will require a determination of effect within the Area of Potential Effect (APE).

APE

The Project's APE is the footprint of the proposed mooring cell construction area located in the fractional NW ¼, NW ¼, NW ¼, of Section 17, Township 180N, Range 10E, Rock Island County, Illinois (Enclosure 2). The mooring cell's footprint is 963 square feet (0.02 acre) and would be placed in 14 feet of water with sheet piling driven below the riverbed into bedrock. The mooring cell will be visible above the water surface and look like the example provided in Enclosure 3.

Historic Properties Identification

The District queried the most updated Illinois and Iowa Geographic Information Systems site file database and reviewed the report entitled *An Investigation of the Submerged Historic Properties in the*

Upper Mississippi River and Illinois Waterway, dated October 1997 (Contract Number DACW25-93-D-0-012, Order No. 27). No submerged historic properties were identified in the APE for this Project.

No previous archeological investigations overlap the APE (Enclosure 5). There are 5 recorded archaeological sites located on elevated Kingston terrace landforms within a mile of the APE on the Illinois side of the river. These sites include 11RI231, 11RI230, 11RI229, 11RI232, and 11RI85. The sites are well outside of the APE on a topographically distinct terrace and are not threatened by the proposed undertaking. The southwestern edge of the Lock and Dam 14 National Register Historic District is located approximately one mile upstream of the APE and outside of any potential physical impacts from the undertaking. Potential visual impacts would be limited to that portion of the mooring facility located above water (see Enclosure 3) and any associated temporary construction traffic. The visual impact is deemed to be minimal and temporary in nature.

Historic Properties Determination

The District has determined that no historic properties will be affected by this Project in accordance with 36CFR800.4(d)(1) and that further consultation is not warranted. The Project APE is confined to disturbed riverbed with no recorded shipwrecks and has limited potential for any intact cultural resources. The Lock and Dam 14 National Register Historic District is located outside of the APE and will not be physically or visually impacted by the Project due to the limited size and scope of the undertaking.

Consulting Parties Invitation and Request for Comment

The District invites consulting parties to:

- comment on or contribute to identification efforts including definition of the APE and the District's determination of effect, all as per 36 CFR 800.5(a-b).
- provide information regarding concerns with issues relating to the potential effects of this undertaking on historic properties and, particularly, the tribes' concerns with identifying properties that may be of religious and cultural significance to them and may be eligible for the NRHP [36 CFR 800.4(a)(3-4)].

Concerns about confidentiality [36 CFR 800.11(c)] regarding locations of properties can be addressed under Section 304 of the NHPA which provides withholding from public disclosure the location of properties under several circumstances, including in cases where it would cause a significant invasion of privacy, impede the use of a traditional religious site by practitioners, endanger the site, etc.

Please respond within 30 days of receipt of this letter. The point of contact for this project is Mr. James Ross of our Environmental Compliance Branch at [redacted], by e-mail: [redacted], or in writing to our address, ATTN: Environmental Compliance Branch (James Ross).

Sincerely,

Jodi K. Creswell
Chief, Environmental Planning Branch (RPEDN)

Enclosures (5)

Citizen Potawatomi Nation
Dr. Kelli Mosteller, THPO
1601 S Gordon Cooper Drive
Shawnee OK 74801

Forest County Potawatomi Community
Mr. Michael LaRonge, THPO
5320 Wensaut Ln.
P.O. Box 340
Crandon, WI 54520

Ho-Chunk Nation
Mr. Bill Quackenbush, THPO
PO Box 667
Black River Falls, WI 54615

Iowa Tribe of Kansas and Nebraska
Mr. Lance Foster, THPO
3345 B Thrasher Rd.
White Cloud, KS 66094

Iowa Tribe of Oklahoma
Mr. Eagle McClellan, Cultural Preservation Director
335588 E. 750 Rd.
Perkins, OK 74059

Kaw Nation
Ms. Crystal Douglas, THPO
Drawer 50
Kaw City, OK 74641

Kickapoo Tribe in Kansas
Mr. Lester Randall, Chairman
1107 Goldfinch Rd
Horton, KS 66439

Kickapoo Tribe of Oklahoma
Mr. Kent Collier, NAGPRA Coordinator
PO Box 70
Mcloud, OK 74851

Menominee Indian Tribe of Wisconsin
Mr. David J. Grignon, THPO
W2908 Tribal Office Loop Road
P.O. Box 910
Keshena, WI 54135-0910

Meskwaki Nation
Mr. Johnathan Buffalo
Director, Historic Preservation Department
303 Meskwaki Road
Tama, IA 52339

Miami Tribe of Oklahoma
Ms. Diane Hunter, THPO
P.O. Box 1326
Miami, OK 74355

Omaha Tribe of Nebraska
Mr. Thomas Parker, THPO
PO Box 368
Macy, NE 68039

Osage Nation
Ms. Colleen Bell, Archaeologist
627 Grandview
Pawhuska, OK 74056

Otoe-Missouria Tribe
Ms. Elsie Whitehorn, THPO
8151 Hwy 177
Red Rock OK 74651

Peoria Tribe of Indians of Oklahoma
Ms. Karen Stand, THPO
P.O. Box 1527
Miami, OK 74355

Ponca Nation
Ms. Liana Hesler, THPO
20 White Eagle Dr.
Ponca City, OK 74601

Ponca Tribe of Nebraska
Mr. Nicholas Mauro, THPO
PO Box 288
Niobrara, NE 68760

Prairie Band Potawatomi Nation
Ms. Hattie Mitchell, NAGPRA Representative
16281 Q Road
Mayetta, KS 66509

Prairie Island Indian Community
Mr. Noah White, THPO
5636 Sturgeon Lake Road
Welch, MN 55089

Sac & Fox Nation of Missouri in Kansas & Nebraska
The Honorable Tiauna Carnes, Chairperson
305 North Main Street
Reserve, KS 66434

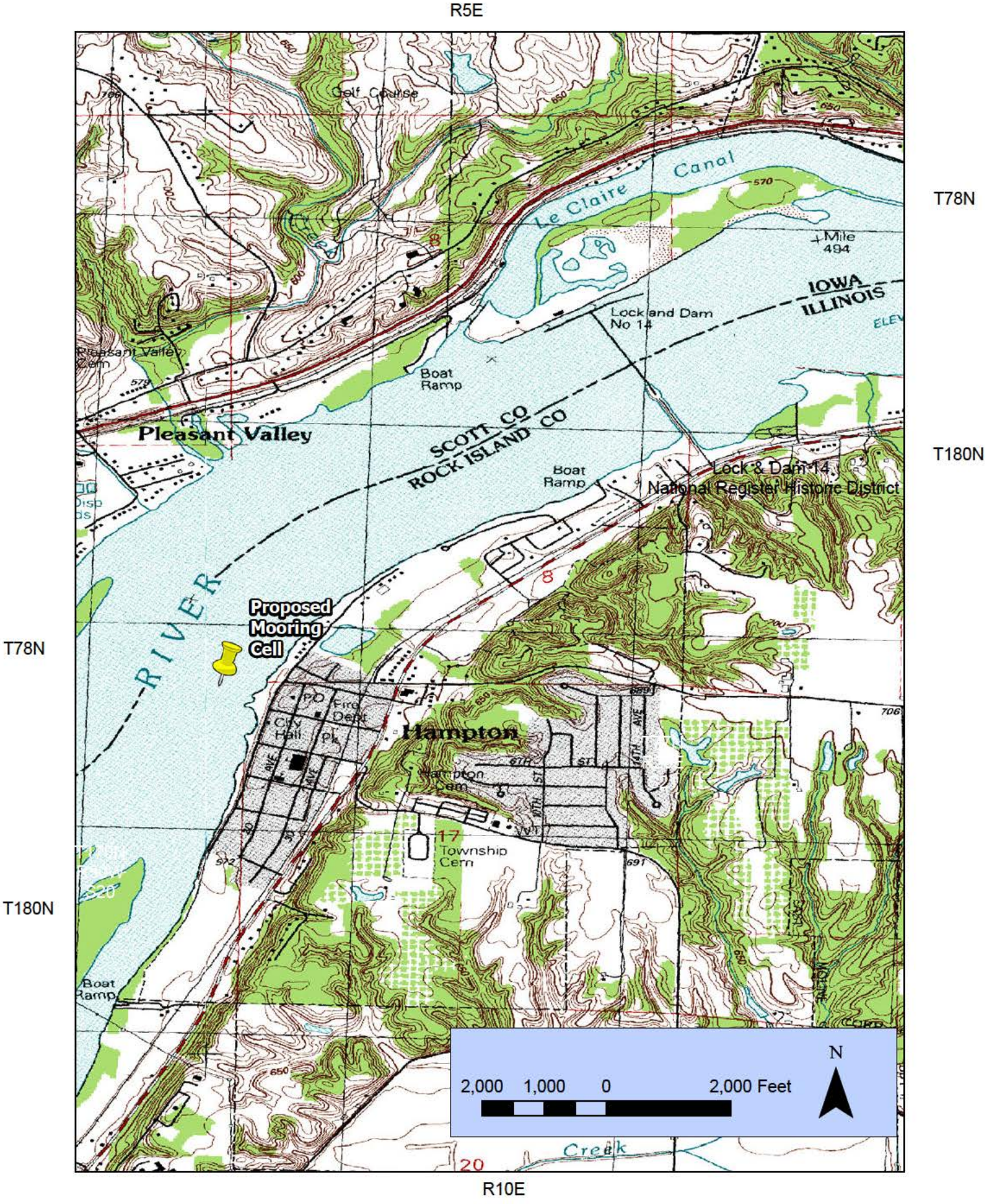
Sac and Fox Nation of Oklahoma
Chris Boyd, NAGPRA Coordinator
920883 S Hwy 99, Admin Bldg A
Stroud, OK 74079

Upper Sioux Community, Minnesota
Ms. Samantha Odegard, THPO
P.O. Box 147
Granite Falls, MN 56241

Winnebago Tribe of Nebraska
Sunshine Thomas-Bear, THPO
PO Box 687
Winnebago, NE 68071

Illinois State Historic Preservation Officer
Attn: Review and Compliance
1 Old State Capitol Plaza
Springfield, Illinois 62701

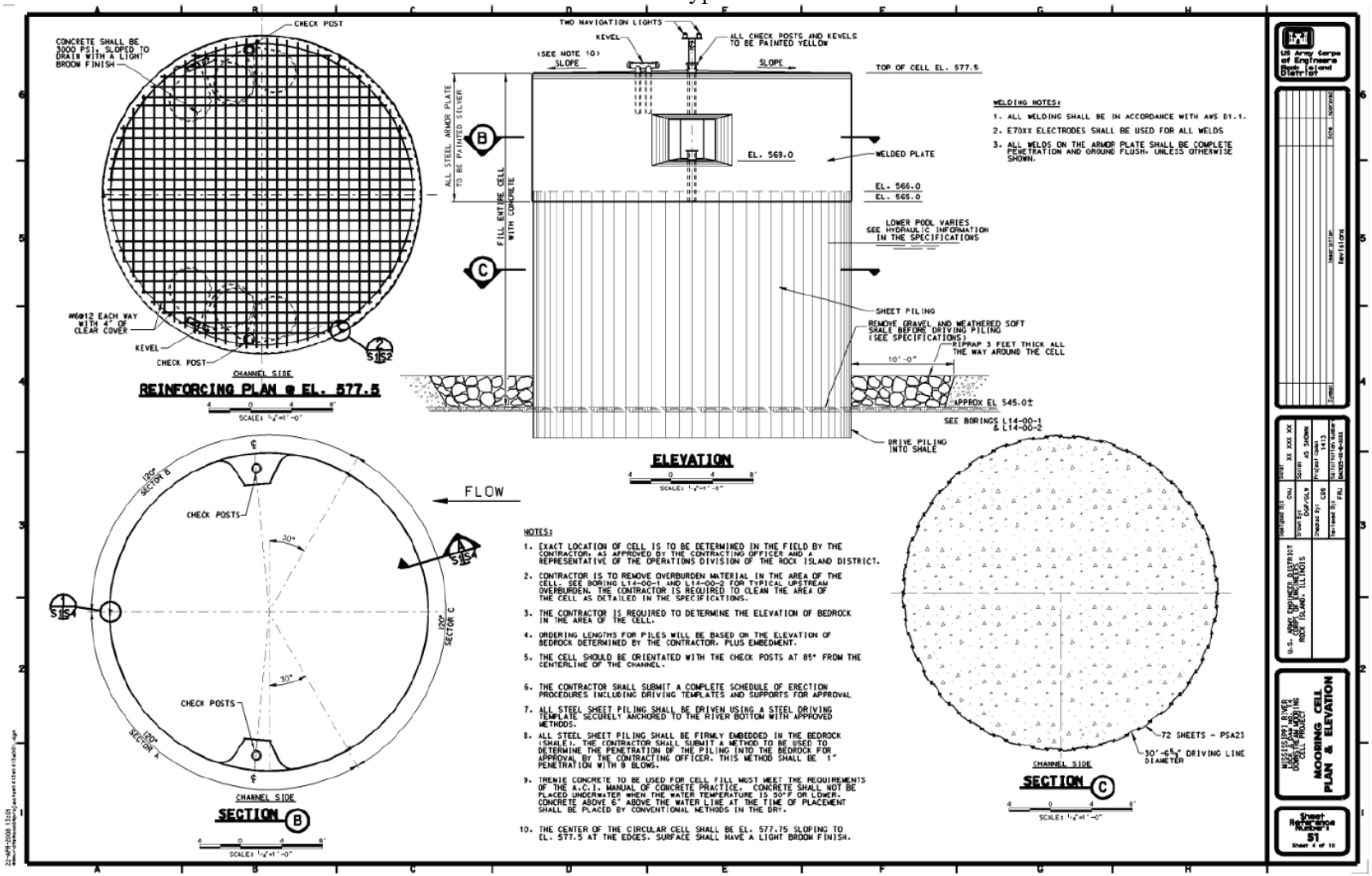
Iowa State Historic Preservation Office
Review & Compliance Coordinator
600 E. Locust St.
Des Moines, Iowa 50319-0290



Enclosure 2. Proposed Mooring Cell in Relation to Lock and Dam 14 Complex.

Enclosure 3 Mooring Cell Example

Enclosure 4. Typical Section



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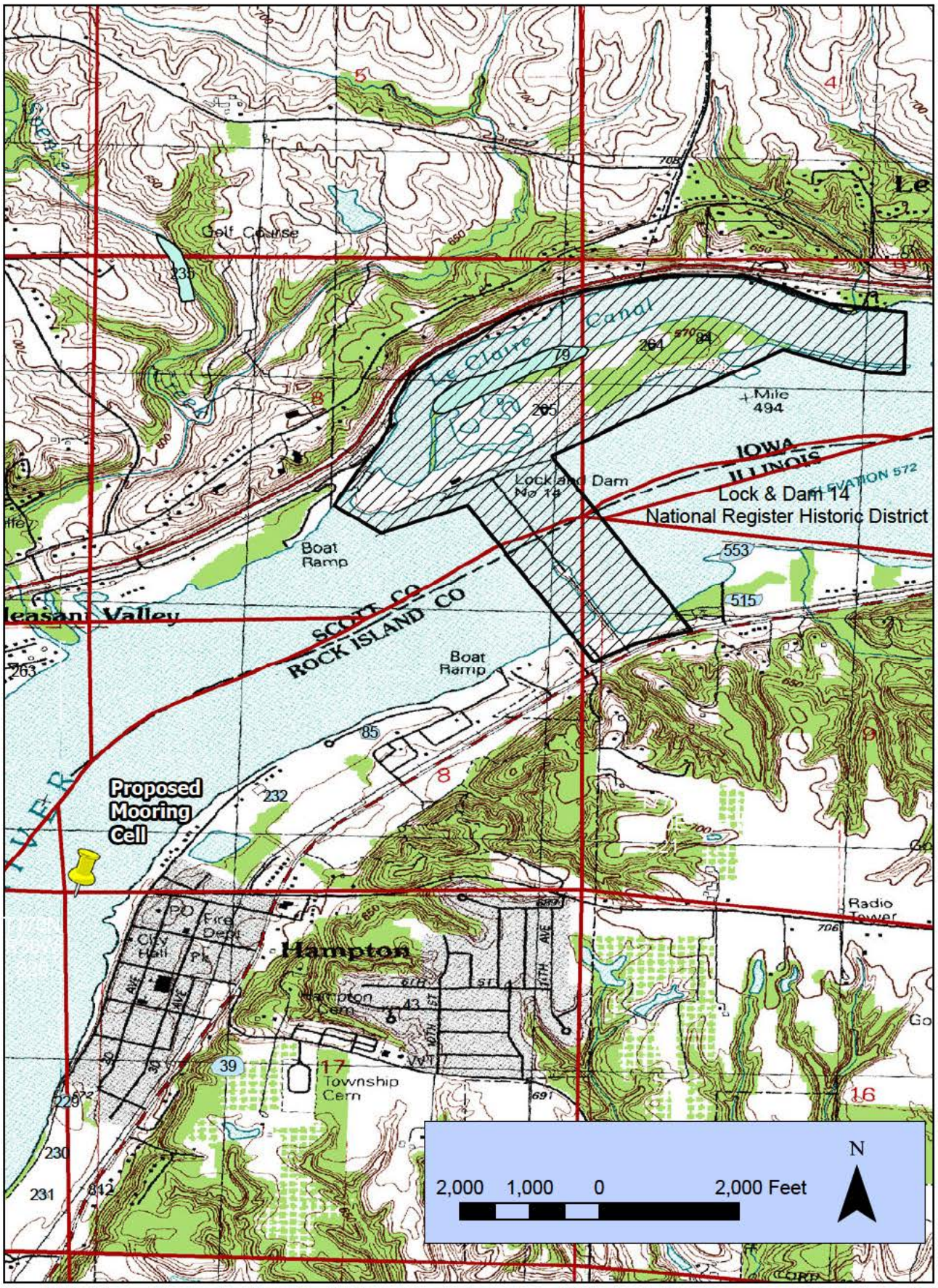

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T180N

R10E

Enclosure 5. Proposed Mooring Cell in Relation to Lock & Dam 14 Historic District and Previously Recorded Archeological Sites.

ILLINOIS
DEPARTMENT OF NATURAL RESOURCES

Illinois Department of **Natural Resources**

JB Pritzker, Governor
Colleen Callahan, Director

www.dnr.illinois.gov

Mailing address: State Historic Preservation Office, 1 Old State Capitol Plaza, Springfield, IL 62701

Rock Island County
Hampton
Mississippi River Pool 15 @ river mile 491.9
COERI
New construction, mooring cell - Lock and Dam 14

PLEASE REFER TO: SHPO LOG #009091021

September 30, 2021

Jodi Creswell
Department of the Army
Corps of Engineers, Rock Island District
Clock Tower Building, P.O. Box 2004
Rock Island, IL 61204-2004

Dear Ms. Creswell:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance. If further assistance is needed contact Jeff Kruchten, Chief Archaeologist at [redacted] or [redacted]

Sincerely,

Carey L. Mayer

Carey L. Mayer, AIA
Deputy State Historic
Preservation Officer

DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

LOCK AND DAM 14 MOORING CELL

APPENDIX B
PROJECT PLANS

MISSISSIPPI RIVER

LOCK & DAM NO. 14
DOWNSTREAM
MOORING CELL
PROJECT

US Army Corps of Engineers Rock Island District

Symbol	Description	Date	Appr.
	Revisions		

Reviewed by:

Chief, Design Branch — Date

Chief, Hydraulics Branch — Date

Chief, Geotechnical Branch — Date

THIS PROJECT WAS DESIGNED BY THE ROCK ISLAND DISTRICT OF THE U.S. ARMY CORPS OF ENGINEERS. THE INITIALS OR SIGNATURES AND REGISTRATION DESIGNATIONS OF INDIVIDUALS APPEAR ON THESE PROJECT DOCUMENTS WITHIN THE SCOPE OF THEIR EMPLOYMENT AS REQUIRED BY ER 1110 - 1 - 8152. [illegible]

Recommended by:

Chief, Engineering Division — Date

Approved by:

Col., Corps of Engineers — Date

U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
ROCK ISLAND, ILLINOIS

Designed By: CHJ	Date: XX XXX XX
Drawn By: DPG/GLW	Scale: AS SHOWN
Checked By: CDD	Project Code: 1413
Reviewed By: FRJ	Solicitation Number: DACW25-XX-B-XXXX

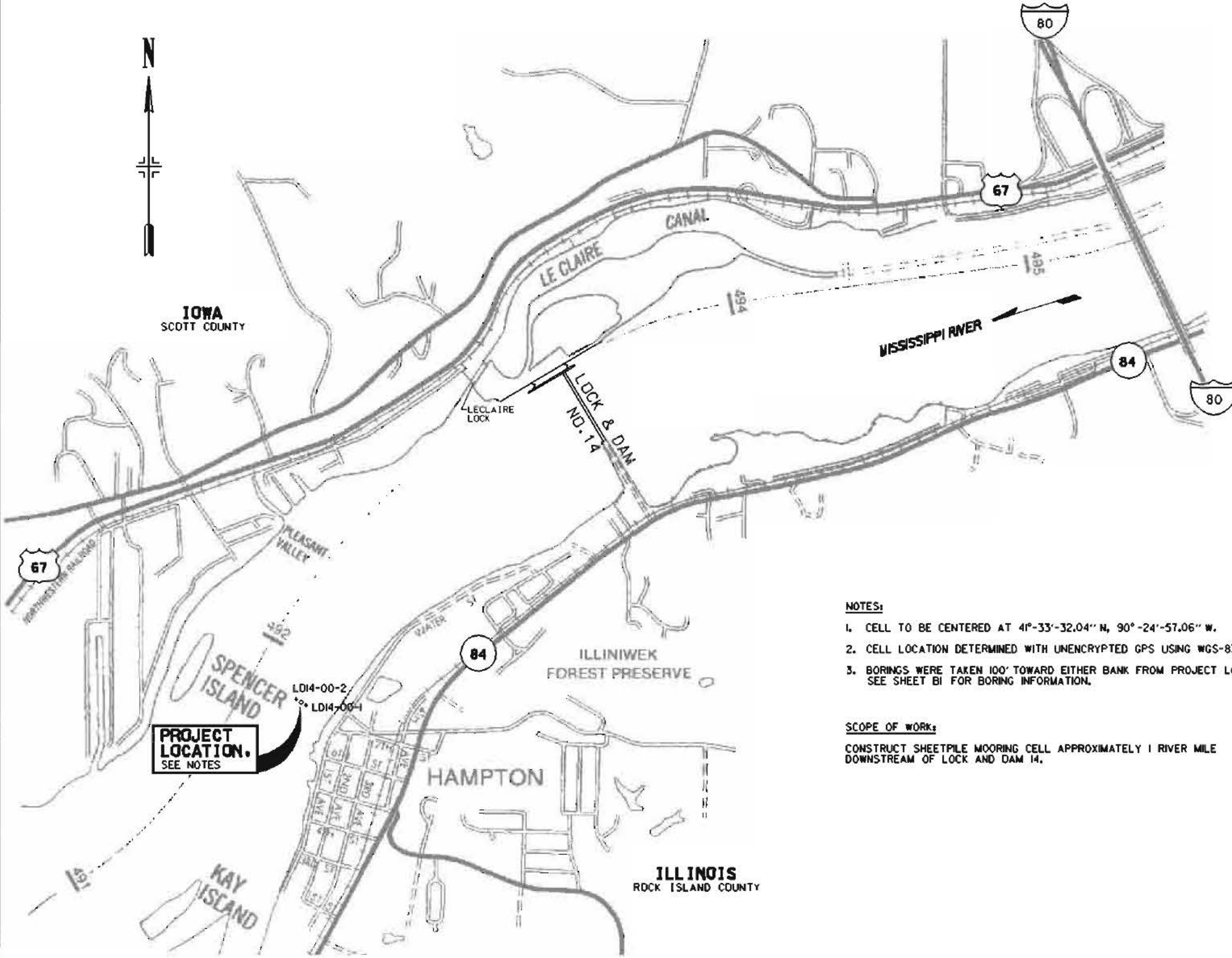
MISSISSIPPI RIVER
LOCK & DAM NO. 14
DOWNSTREAM MOORING
CELL PROJECT

COVER SHEET

Sheet Reference Number: X1

Sheet 1 of 10

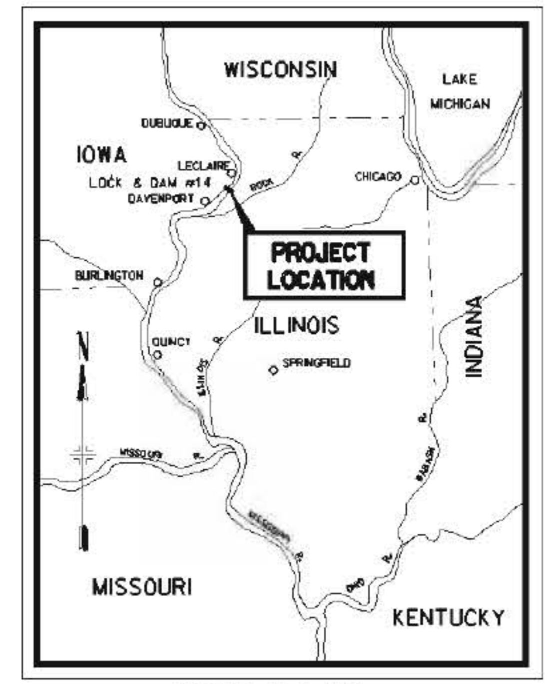
22-APR-2008 11:16



LOCATION MAP

1000 500 0 1000 2000 3000

SCALE IN FEET



VICINITY MAP

25 0 25 50 75

SCALE IN MILES

NOTES:

1. CELL TO BE CENTERED AT 41°-33'-32.04" N, 90°-24'-57.06" W.
2. CELL LOCATION DETERMINED WITH UNENCRYPTED GPS USING WGS-83 DATUM.
3. BORINGS WERE TAKEN 100' TOWARD EITHER BANK FROM PROJECT LOCATION, SEE SHEET B1 FOR BORING INFORMATION.

SCOPE OF WORK:

CONSTRUCT SHEETPILE MOORING CELL APPROXIMATELY 1 RIVER MILE DOWNSTREAM OF LOCK AND DAM 14.

INDEX

LEGEND

INDICATES SECTION

SECTION IDENTIFICATION

NUMBER OF SHEET ON WHICH SECTION IS TAKEN

NUMBER OF SHEET ON WHICH SECTION IS DRAWN

INDICATES DETAIL

DETAIL IDENTIFICATION

NUMBER OF SHEET ON WHICH DETAIL IS TAKEN

NUMBER OF SHEET ON WHICH DETAIL IS DRAWN

US Army Corps of Engineers Rock Island District

Symbol	Description	Date	Approved

Revisions

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS	Designed By: TDH	Date: XX XXX XX
	Drawn By: RLC	Scale: AS SHOWN
	Checked By: CDD	Project Code: 1413
	Reviewed By: FRJ	Solicitation Number: DACW25-XX-B-XXXX

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

VICINITY MAP, LOCATION MAP & INDEX

Sheet Reference Number: **X2**

Sheet 2 of 10

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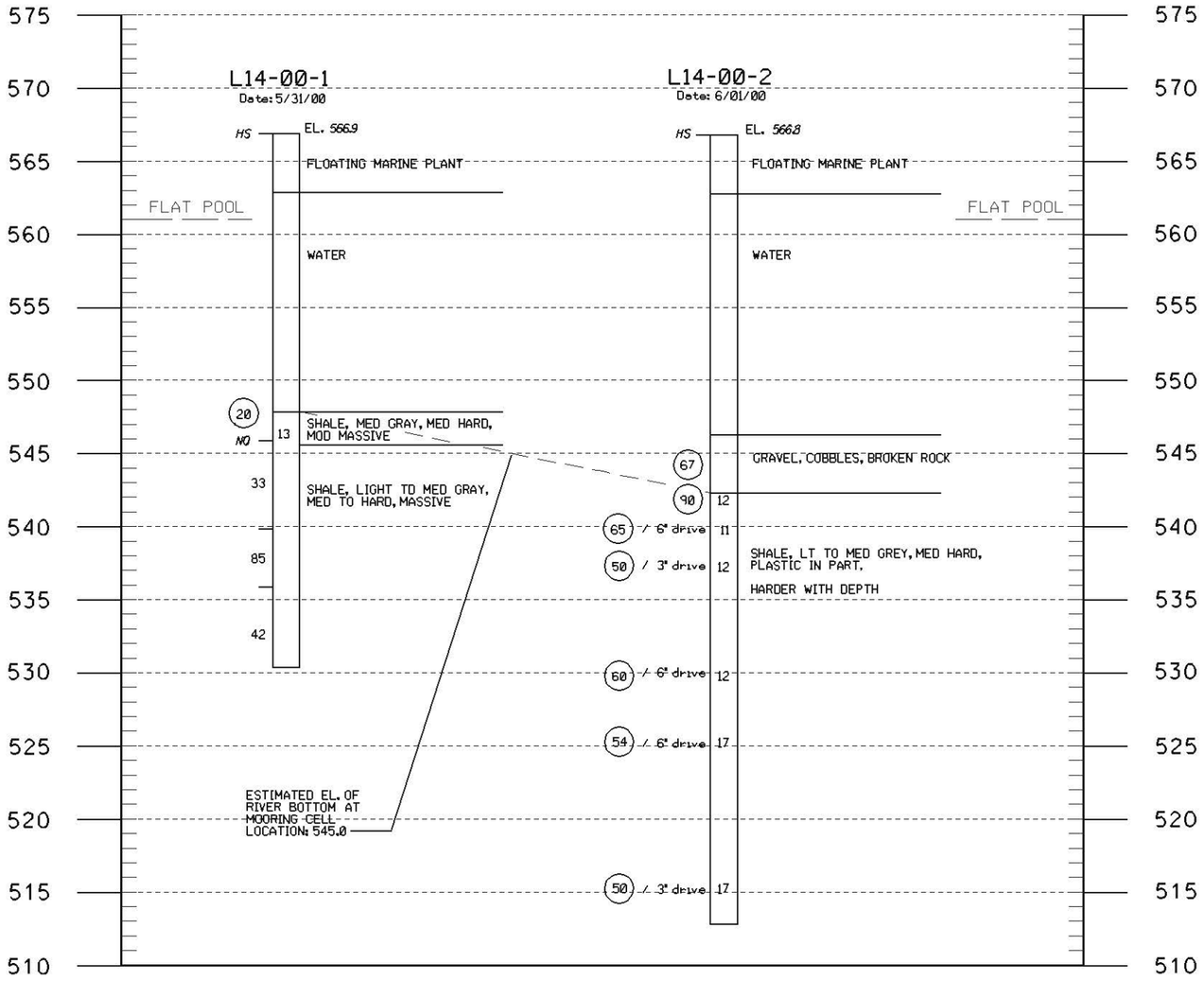

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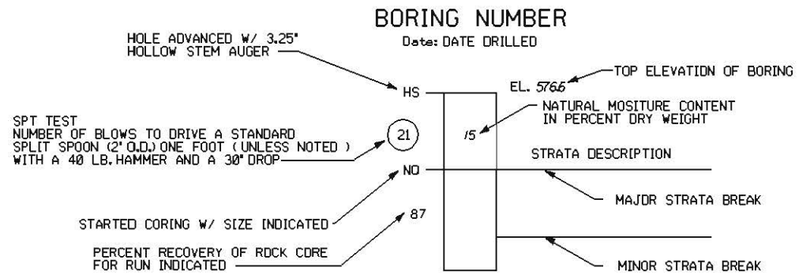


NOTES:

1. SEE PLAN SHEET FOR LOCATION OF BORINGS ELEVATIONS MSL 1912
2. BLOW COUNT DATA OBTAINED USING CME AUTO HAMMER, REFER TO ETL 1110-1-138.

US Army Corps of Engineers Rock Island District

Revisions

Symbol	Description	Date	Approved

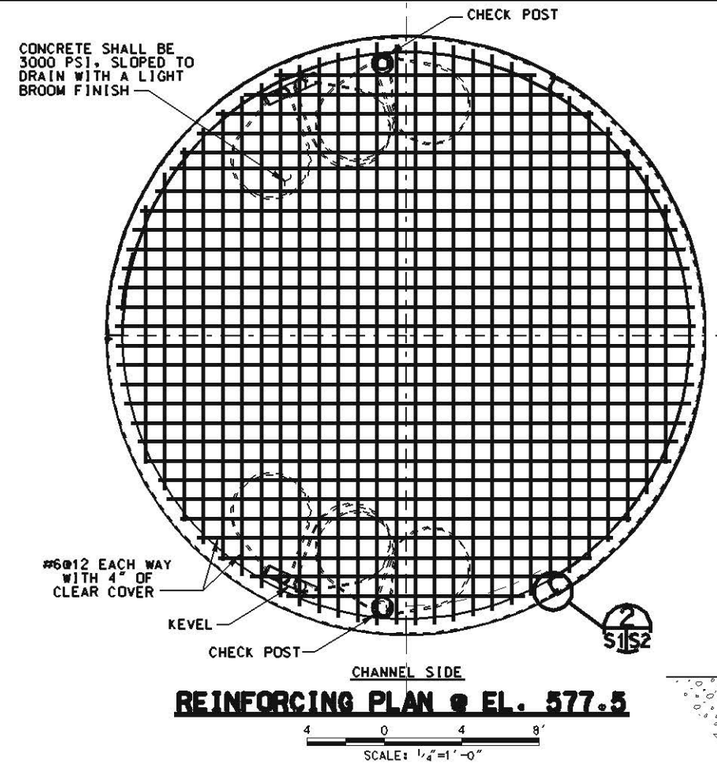
Designed By: EGR	Date: XX XXX XX		
Drawn By: EGR	Scale: AS SHOWN		
Checked By: CDD	Project Code: 1413		
Reviewed By: FRJ	Solicitation Number: DACW25-XX-B-XXXX		

U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER
LOCK & DAM NO. 14
DOWNSTREAM MOORING
CELL PROJECT

BORING LOGS

Sheet Reference Number
B1
Sheet 3 of 10

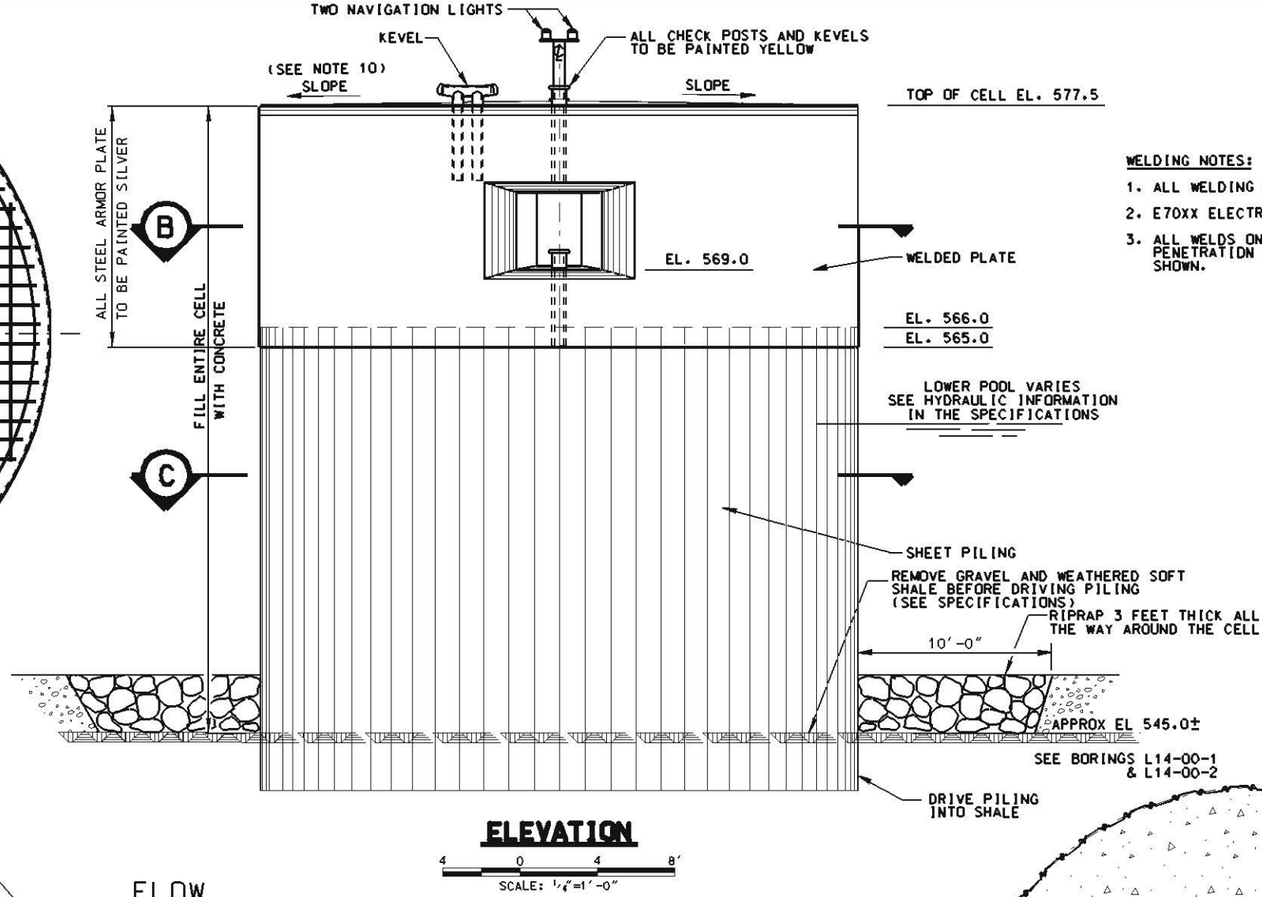


CHANNEL SIDE

REINFORCING PLAN @ EL. 577.5

4 0 4 8'

SCALE: 1/4"=1'-0"



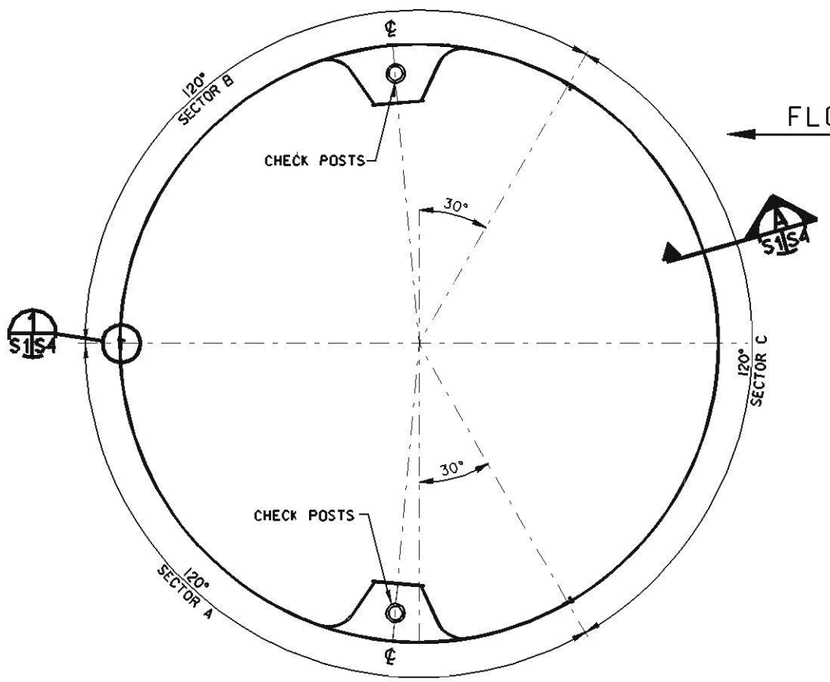
ELEVATION

4 0 4 8'

SCALE: 1/4"=1'-0"

WELDING NOTES:

1. ALL WELDING SHALL BE IN ACCORDANCE WITH AWS D1.1.
2. E70XX ELECTRODES SHALL BE USED FOR ALL WELDS
3. ALL WELDS ON THE ARMOR PLATE SHALL BE COMPLETE PENETRATION AND GROUND FLUSH. UNLESS OTHERWISE SHOWN.



FLOW

CHANNEL SIDE

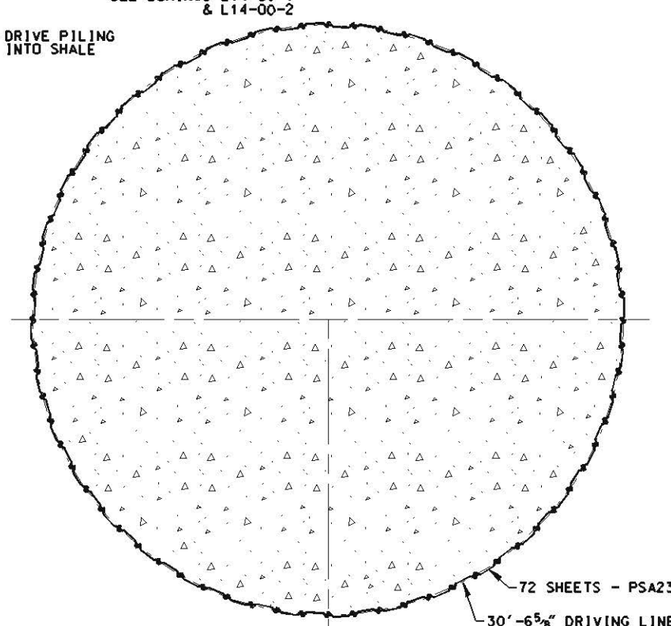
SECTION B

4 0 4 8'

SCALE: 1/4"=1'-0"

NOTES:

1. EXACT LOCATION OF CELL IS TO BE DETERMINED IN THE FIELD BY THE CONTRACTOR, AS APPROVED BY THE CONTRACTING OFFICER AND A REPRESENTATIVE OF THE OPERATIONS DIVISION OF THE ROCK ISLAND DISTRICT.
2. CONTRACTOR IS TO REMOVE OVERBURDEN MATERIAL IN THE AREA OF THE CELL. SEE BORING L14-00-1 AND L14-00-2 FOR TYPICAL UPSTREAM OVERBURDEN. THE CONTRACTOR IS REQUIRED TO CLEAN THE AREA OF THE CELL AS DETAILED IN THE SPECIFICATIONS.
3. THE CONTRACTOR IS REQUIRED TO DETERMINE THE ELEVATION OF BEDROCK IN THE AREA OF THE CELL.
4. ORDERING LENGTHS FOR PILES WILL BE BASED ON THE ELEVATION OF BEDROCK DETERMINED BY THE CONTRACTOR. PLUS EMBEDMENT.
5. THE CELL SHOULD BE ORIENTATED WITH THE CHECK POSTS AT 85° FROM THE CENTERLINE OF THE CHANNEL.
6. THE CONTRACTOR SHALL SUBMIT A COMPLETE SCHEDULE OF ERECTION PROCEDURES INCLUDING DRIVING TEMPLATES AND SUPPORTS FOR APPROVAL
7. ALL STEEL SHEET PILING SHALL BE DRIVEN USING A STEEL DRIVING TEMPLATE SECURELY ANCHORED TO THE RIVER BOTTOM WITH APPROVED METHODS.
8. ALL STEEL SHEET PILING SHALL BE FIRMLY EMBEDDED IN THE BEDROCK (SHALE). THE CONTRACTOR SHALL SUBMIT A METHOD TO BE USED TO DETERMINE THE PENETRATION OF THE PILING INTO THE BEDROCK FOR APPROVAL BY THE CONTRACTING OFFICER. THIS METHOD SHALL BE 1" PENETRATION WITH 8 BLOWS.
9. TREMIE CONCRETE TO BE USED FOR CELL FILL MUST MEET THE REQUIREMENTS OF THE A.C.I. MANUAL OF CONCRETE PRACTICE. CONCRETE SHALL NOT BE PLACED UNDERWATER WHEN THE WATER TEMPERATURE IS 50°F OR LOWER. CONCRETE ABOVE 6" ABOVE THE WATER LINE AT THE TIME OF PLACEMENT SHALL BE PLACED BY CONVENTIONAL METHODS IN THE DRY.
10. THE CENTER OF THE CIRCULAR CELL SHALL BE EL. 577.75 SLOPING TO EL. 577.5 AT THE EDGES. SURFACE SHALL HAVE A LIGHT BROOM FINISH.



CHANNEL SIDE

SECTION C

4 0 4 8'

SCALE: 1/4"=1'-0"

US Army Corps of Engineers Rock Island District

Revisions

Symbol	Description	Date	Approved

Designed By: CHJ	Dated: XX XXX XX		
Drawn By: DGP/CLW	Scales: AS SHOWN	Project Code: 1413	Solicitation Number: DACW25-XX-B-XXXX
Checked By: CDD			
Reviewed By: FRJ			

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

MOORING CELL PLAN & ELEVATION

Sheet Reference Number: S1

Sheet 4 of 10

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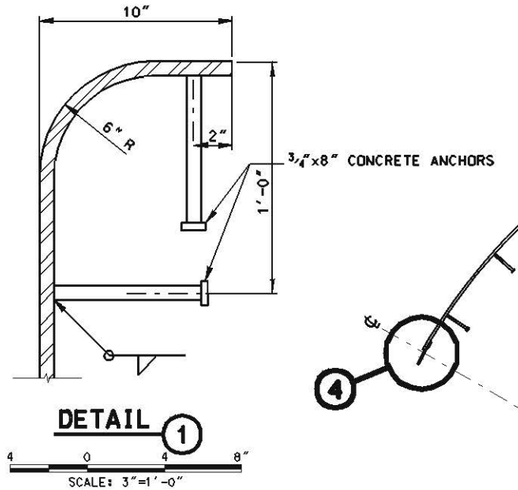
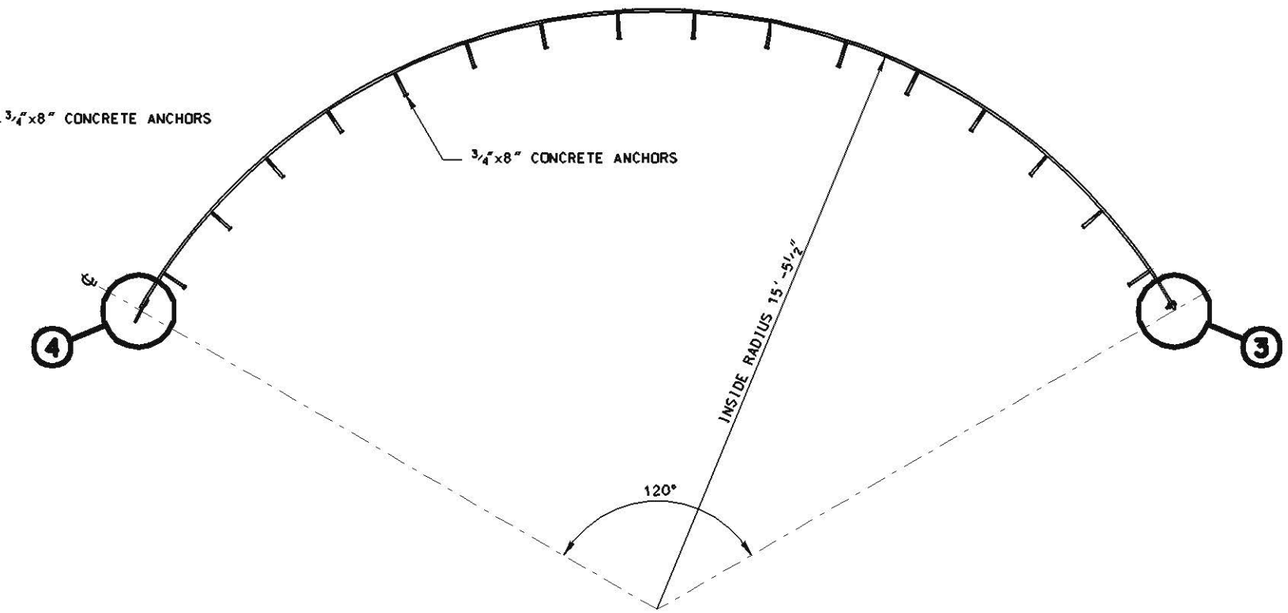


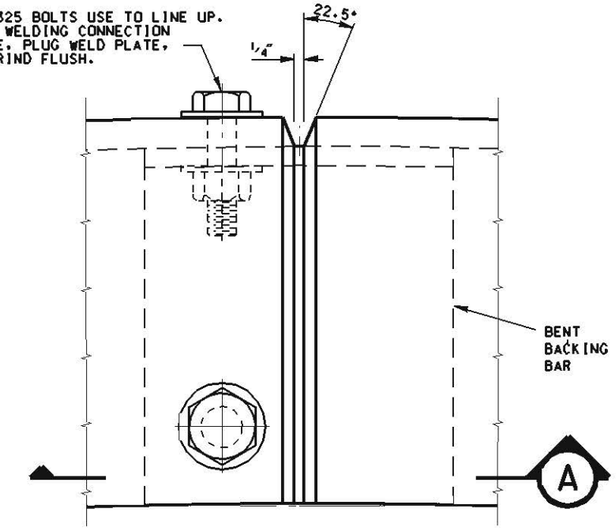
DETAIL (1)

4 0 4 8"

SCALE: 3"=1'-0"



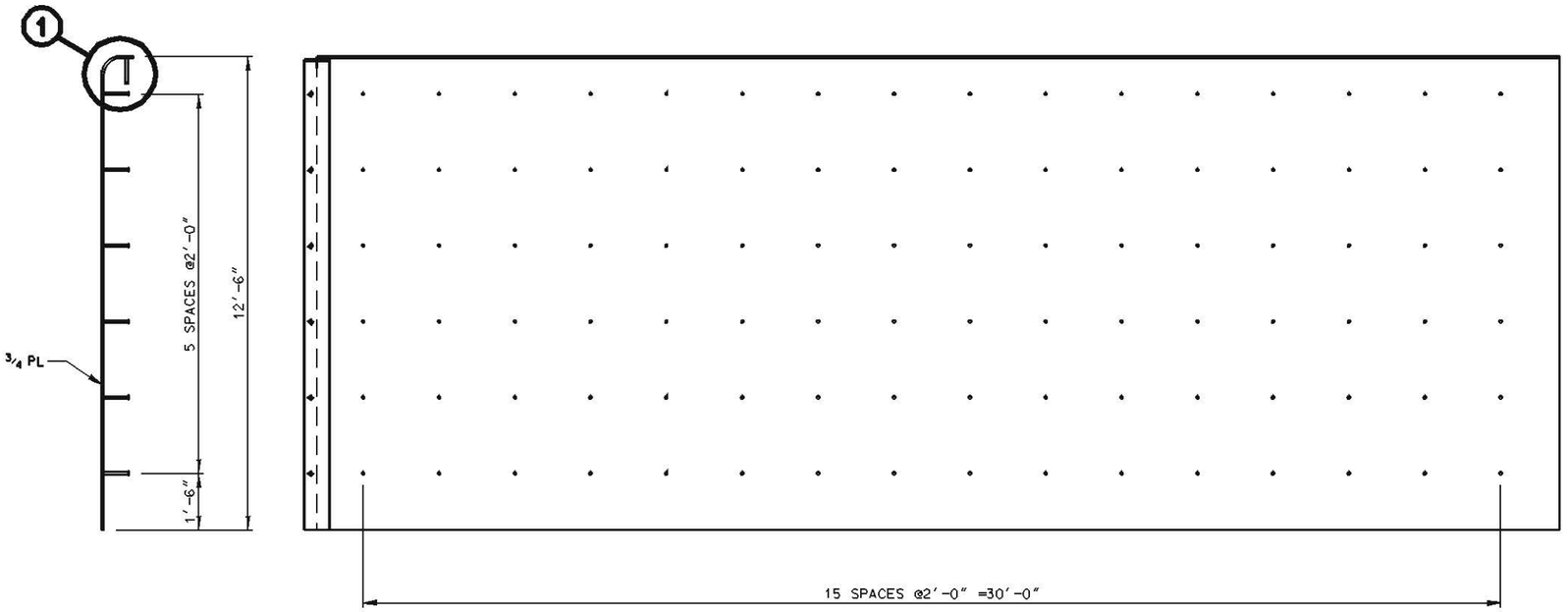
PLAN PLATE ANCHOR



DETAIL (2) S1|S2

2 0 2 4"

SCALE: 6"=1'-0"



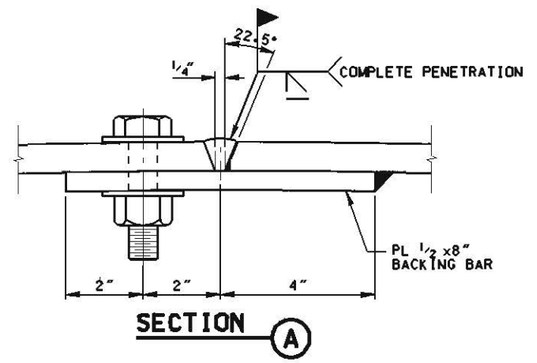
WELDED PLATE ANCHOR LAYOUT

SECTOR C

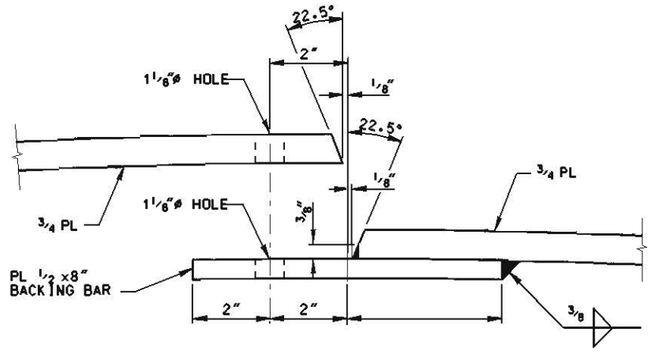
(1 REQ'D. ASTM A36 STEEL)

2 0 2 4'

SCALE: 1/2"=1'-0"



SECTION (A)



DETAIL (3)

4 0 4 8"

SCALE: 3"=1'-0"

DETAIL (4)

4 0 4 8"

SCALE: 3"=1'-0"

US Army Corps of Engineers Rock Island District

Symbol	Description	Date	Approved
	Revisions		

Designed By: CHJ	Drawn By: DGP/GLW	Checked By: CDD	Reviewed By: FRJ
Date: XX XXX XX	Scale: AS SHOWN	Project Code: 1413	Satisfaction Number: DACW25-XX-R-XXXX

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

MOORING CELL SECTOR C

Sheet Reference Number: S2

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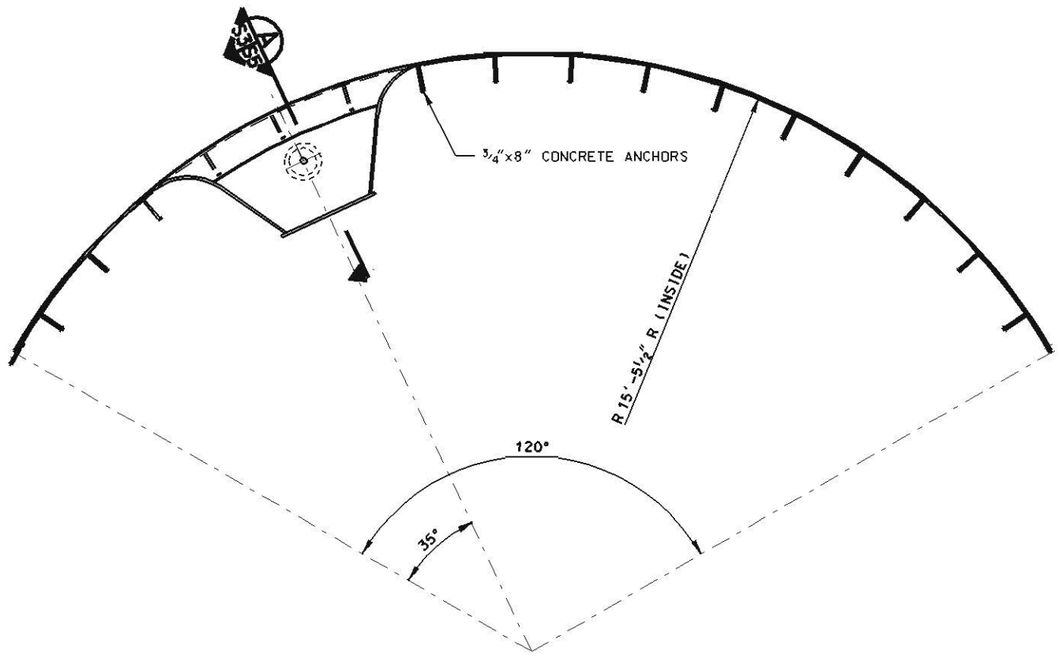
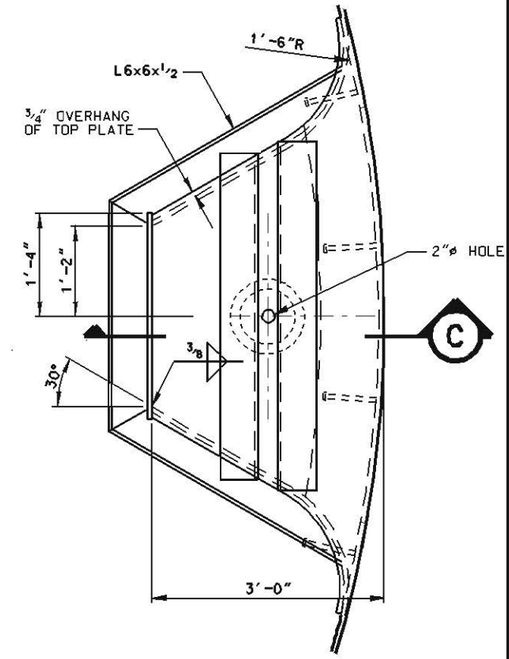


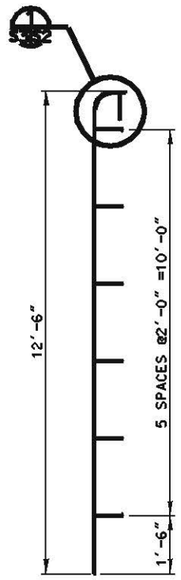
SECTOR A @ EL. 570.0

SCALE: 1/2"=1'-0"

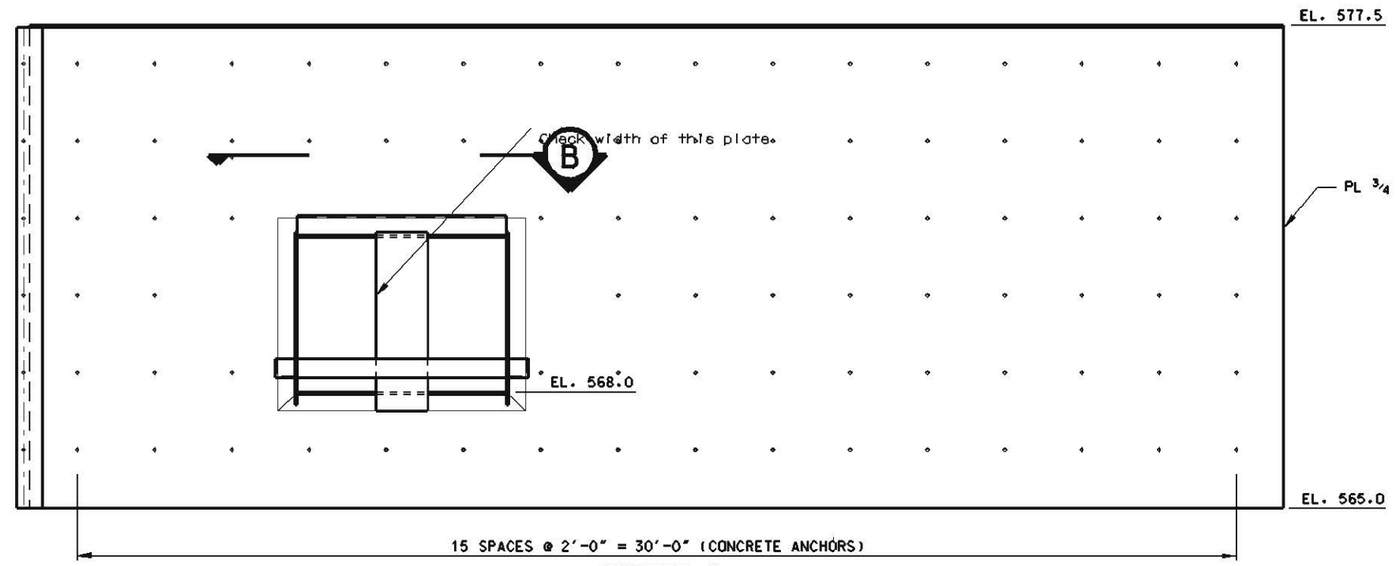


SECTION B

SCALE: 1"=1'-0"



END VIEW



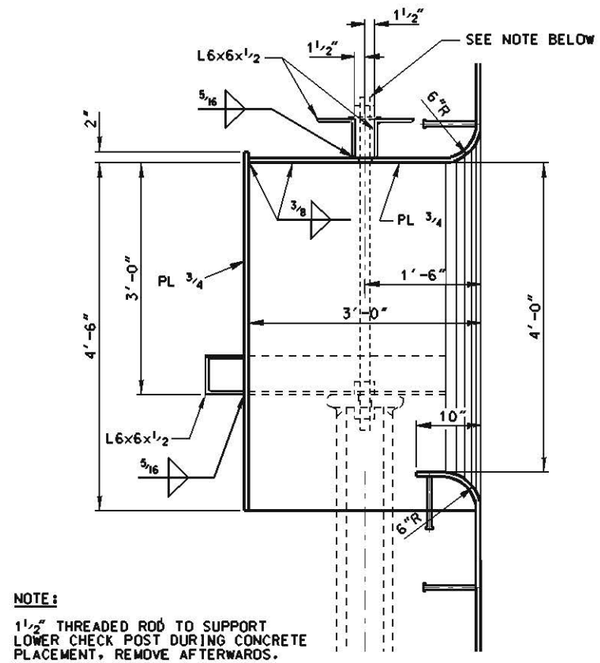
SECTOR A

(1 REQ'D. ASTM A36 STEEL)

SECTOR B (OPPOSITE HAND)

(1 REQ'D. ASTM A36 STEEL)

SCALE: 1/2"=1'-0"



NOTE:

1 1/2" THREADED ROD TO SUPPORT LOWER CHECK POST DURING CONCRETE PLACEMENT, REMOVE AFTERWARDS.

SECTION C

SCALE: 1"=1'-0"

US Army Corps of Engineers Rock Island District

Symbol	Description	Date	Approved
	Revisions		

Designed By: CHJ	Date: XX XXX XX		
Drawn By: DGP/GLW	Scale: AS SHOWN	Project Code: 1413	Solicitation Number: DACW25-XX-B-XXXX
Checked By: CDD	Reviewed By: FRJ		

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

MOORING CELL SECTORS A & B

Sheet Reference Number: 53

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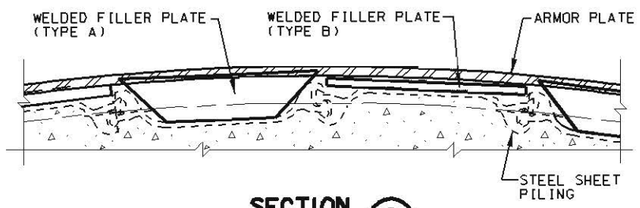
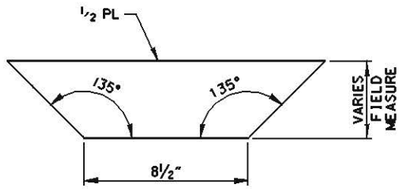
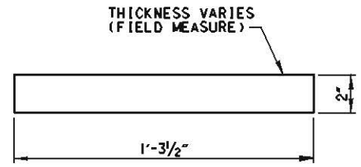


SECTION C



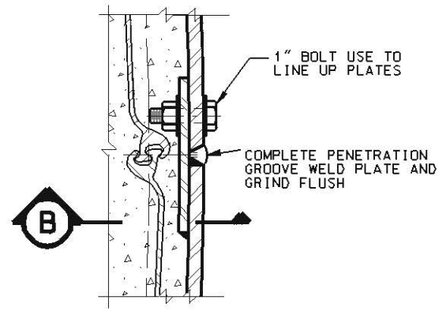
FILLER PLATE (TYPE A)
(ASTM A36 STEEL 36 REQ'D.)

4 0 4 8"
SCALE: 3"=1'-0"



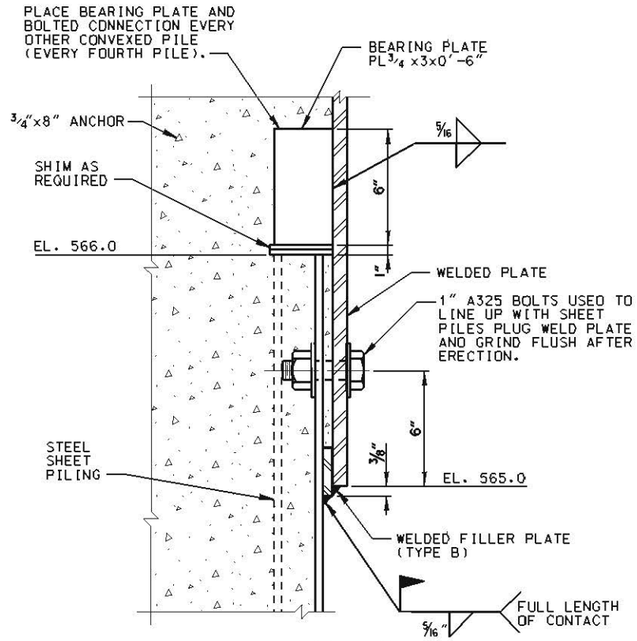
FILLER PLATE (TYPE B)
(ASTM A36 STEEL 36 REQ'D.)

4 0 4 8"
SCALE: 3"=1'-0"



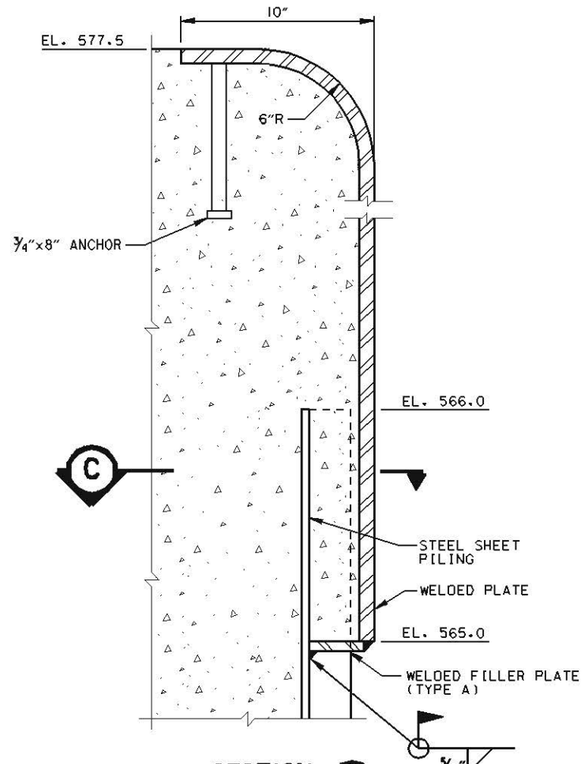
DETAIL 1 S1S4

4 0 4 8"
SCALE: 3"=1'-0"



SECTION B

4 0 4 8"
SCALE: 3"=1'-0"



SECTION A S1S4

4 0 4 8"
SCALE: 3"=1'-0"

US Army Corps of Engineers Rock Island District

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	Revisions		

U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
ROCK ISLAND, ILLINOIS

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MISSISSIPPI RIVER
LOCK & DAM NO. 14
DOWNSTREAM MOORING
CELL PROJECT

MOORING CELL DETAILS

Sheet Reference Number: S4
Sheet 7 of 10

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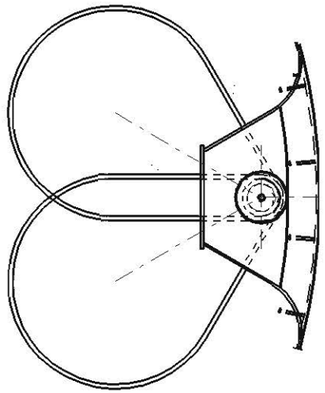

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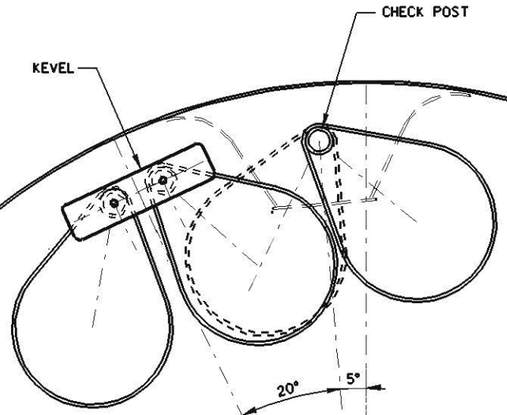
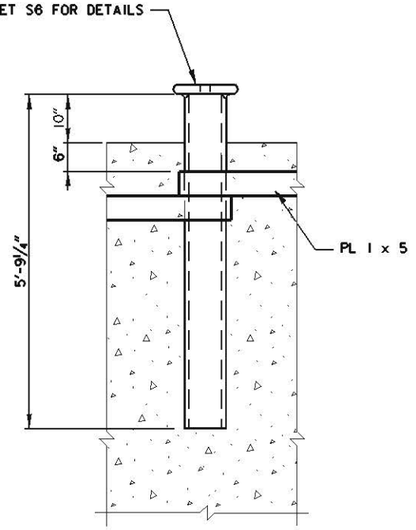
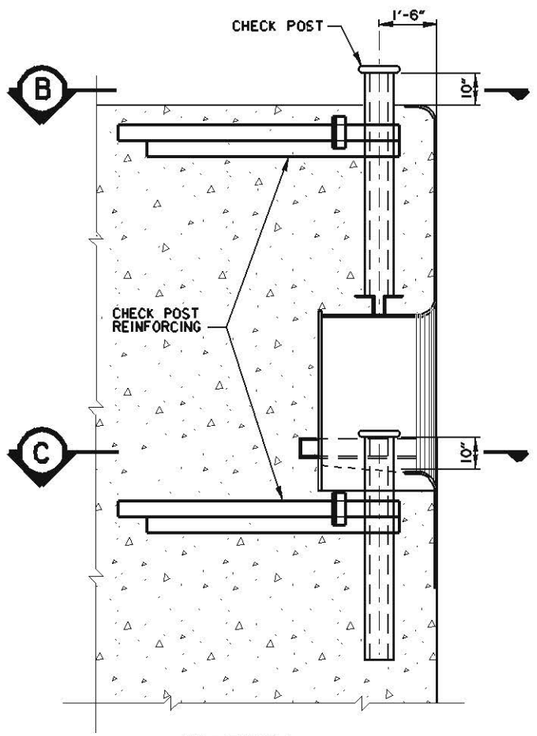




CHECK POST DETAIL

2 0 2 4'

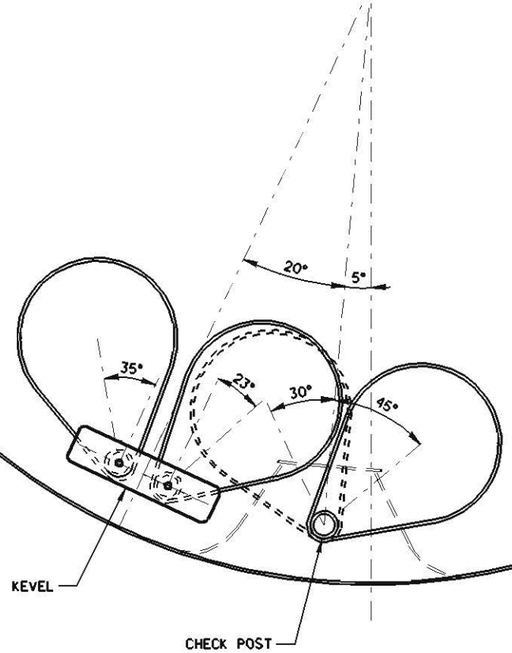
SCALE: 3/4"=1'-0"



SECTION A S3|S5

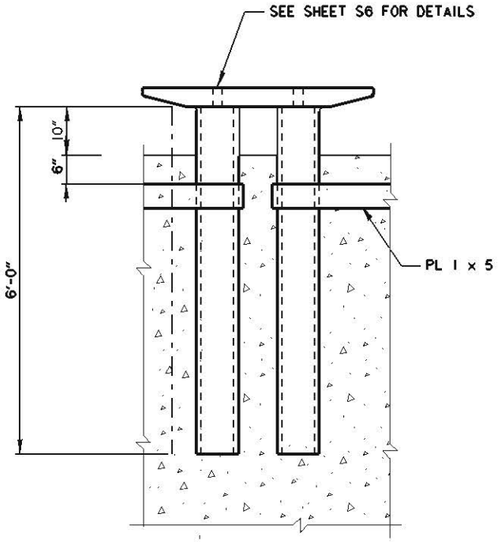
2 0 2 4'

SCALE: 1/2"=1'-0"



CHANNEL SIDE

SECTION B



KEVEL DETAIL

2 0 2 4'

SCALE: 3/4"=1'-0"

US Army Corps of Engineers Rock Island District

Symbol	Description	Date	Approved
	Revisions		

Designed By: CHJ	Date: XX XXX XX		
Drawn By: DGP/GLW	Scale: AS SHOWN		
Checked By: CDD	Project Code: 1413		
Reviewed By: FRJ	Solicitation Number: DACW25-XX-B-XXXX		

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

MOORING CELL CHECK POST DETAILS

Sheet Reference Number: 55

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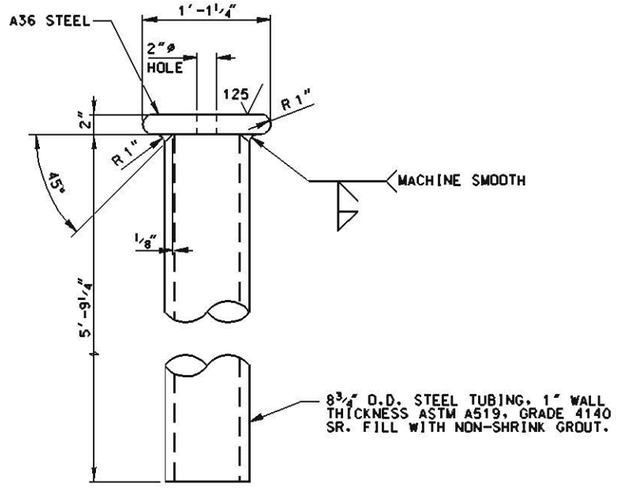
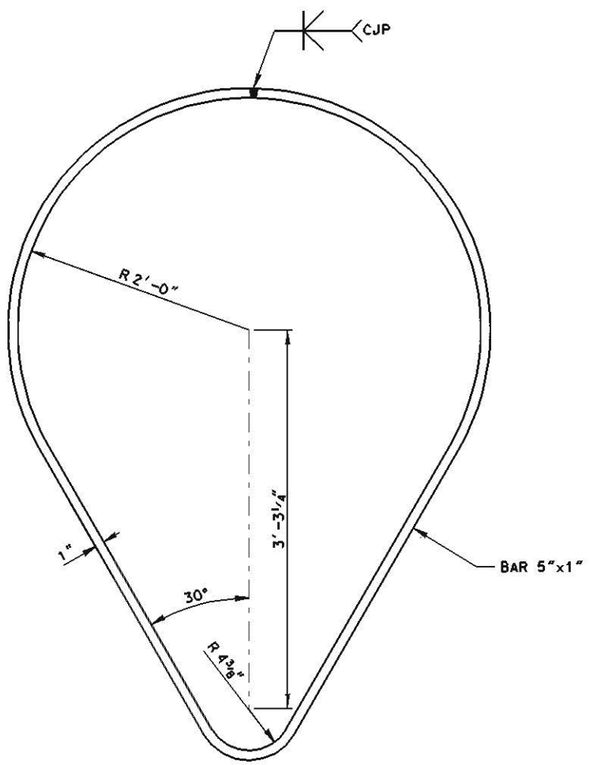


4 REQ'D

CHECK POST DETAIL

SCALE IN INCHES 12 6 0 12

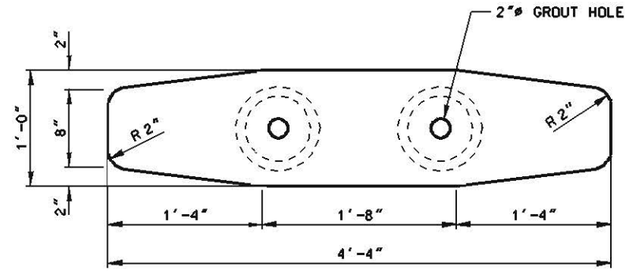


A709 STEEL, GRADE 50

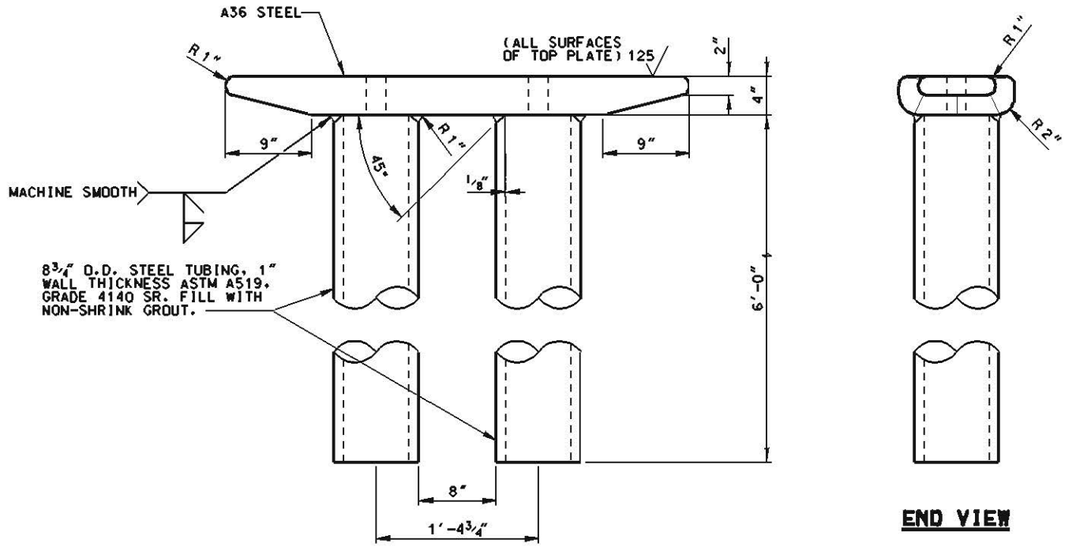
2 REQ'D. PER CHECK POST
2 REQ. PER'D PER KEVEL
(12 TOTAL)

CHECK POST & KEVEL ANCHORAGE

SCALE IN INCHES 12 6 0 12



PLAN



ELEVATION

2 REQ'D

END VIEW

KEVEL DETAILS

SCALE IN INCHES 12 6 0 12

US Army Corps of Engineers Rock Island District

Revisions

Symbol	Description	Date	Approved

Designed By: CHJ	Date: XX XXX XX		
Drawn By: DGP	Scale: AS SHOWN		
Checked By: CDD	Project Code: 1413		
Reviewed By: FRJ	Solicitation Number: DACW25-XX-B-XXXX		

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

MOORING CELL CHECK POST & KEVEL DETAILS

Sheet Reference Number: 56

Sheet 9 of 10

22-APR-2008 12:45
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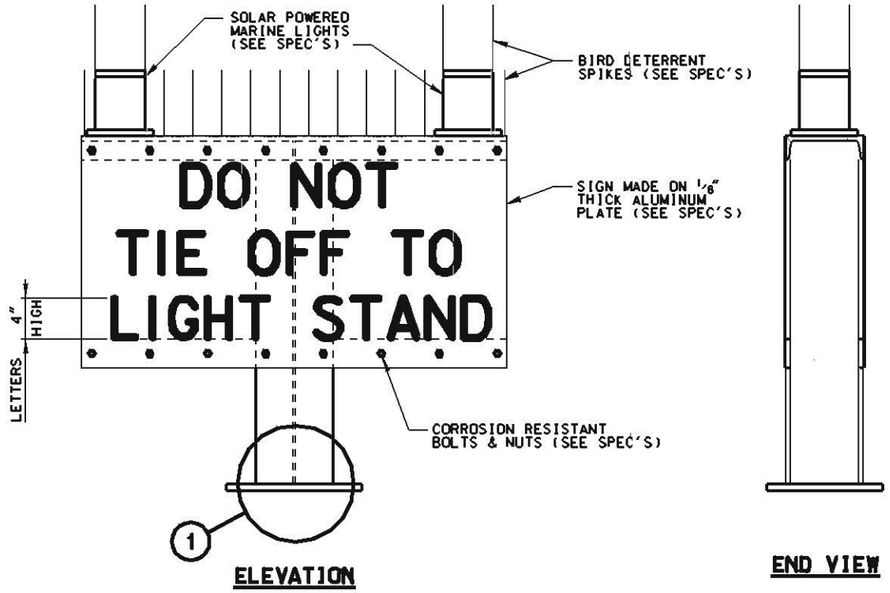


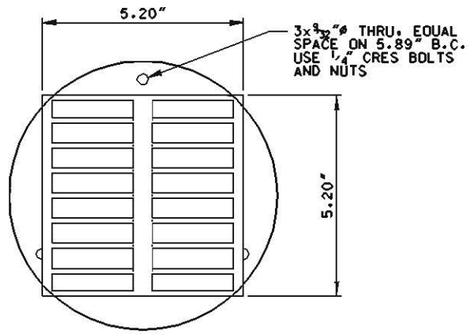
ELEVATION

END VIEW

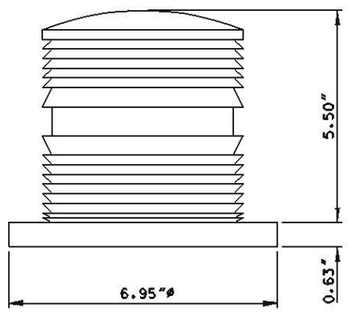
SIGN PLATE & LIGHT

A36 STEEL 1 REQ'D

SCALE IN INCHES 12 6 0 12

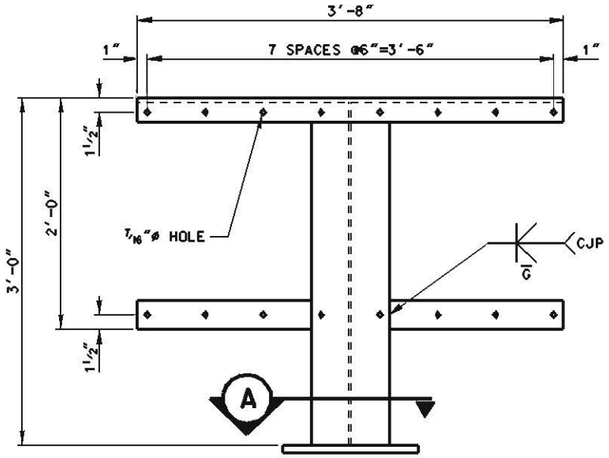


PLAN

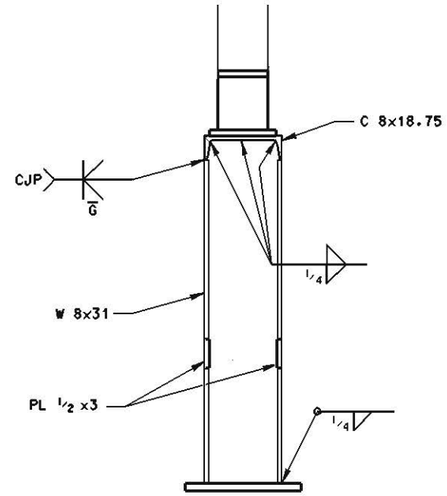


ELEVATION

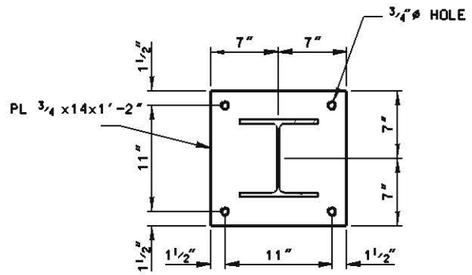
MODEL 601 LIGHT (OR APPROVED EQUAL)



ELEVATION



END VIEW



SECTION A

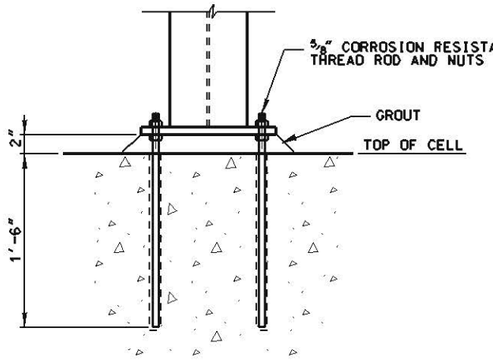
NOTE:

ALL STEEL SHALL BE ASTM A36 UNLESS OTHERWISE NOTED.

LIGHT STAND

A36 STEEL 1 REQ'D

SCALE IN INCHES 12 6 0 12



DETAIL 1

SCALE IN INCHES 12 6 0 12

US Army Corps of Engineers Rock Island District

Symbol	Description	Date	Approved
	Revisions		

Designed by: CHJ	Date: XX XXX XX		
Drawn by: DGP	Scale: AS SHOWN	Project Code: 1413	Solicitation Number: DACW25-XX-B-XXXX
Checked by: CDO			
Reviewed by: FRJ			

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS ROCK ISLAND, ILLINOIS

MISSISSIPPI RIVER LOCK & DAM NO. 14 DOWNSTREAM MOORING CELL PROJECT

MOORING CELL LIGHT STAND DETAILS

Sheet Reference Number: S7

Sheet 10 of 10

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DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

LOCK AND DAM 14 MOORING CELL

APPENDIX C
DISTRIBUTION LIST

Note: The District sent a Press Release to media outlets throughout the Project Area.

LEGISLATIVE

Federal

Charles Grassley	US Senator for Iowa
Joni Ernst	US Senator for Iowa
Marianette Miller-Meeks	US Representative, Iowa 2nd District
Richard Durbin	US Senator for Illinois
Tammy Duckworth	US Senator for Illinois
Cheri Bustos	US Representative, Illinois 17th District

Iowa

Kim Reynolds	Governor of the State of Iowa
Roby Smith	Senator Iowa Senate District 47
Gary Mohr	Representative District 94

Illinois

J.B. Pritzker	Governor of the State of Illinois
Neil Anderson	Senator District 36
Tony McCombie	Representative District 71

SHPO/TRIBES

Kelli Mosteller	Citizen Potawatomi Nation
Michael LaRonge	Forest County Potawatomi Community
Bill Quackenbush	Ho-Chunk Nation
Mr. Lance Foster	Iowa Tribe of Kansas and Nebraska
Eagle McClellan	Iowa Tribe of Oklahoma
Crystal Douglas	Kaw Nation
Lester Randall	Kickapoo Tribe in Kansas
Kent Collier	Kickapoo Tribe of Oklahoma
David J. Grignon	Menominee Indian Tribe of Wisconsin
Johnathan Buffalo	Meskwaki Nation
Diane Hunter	Miami Tribe of Oklahoma
Thomas Parker	Omaha Tribe of Nebraska
Colleen Bell	Osage Nation
Elsie Whitehorn	Otoe-Missouria Tribe
Karen Stand	Peoria Tribe of Indians of Oklahoma
Liana Hesler	Ponca Nation
Nicholas Mauro	Ponca Tribe of Nebraska
Hattie Mitchell	Prairie Band Potawatomi Nation
Noah White	Prairie Island Indian Community
Honorable Tiauna Carnes	Sac & Fox Nation of Missouri in Kansas & Nebraska
Chris Boyd	Sac and Fox Nation of Oklahoma
Samantha Odegard	Upper Sioux Community, Minnesota
Sunshine Thomas-Bear	Winnebago Tribe of Nebraska

Illinois State Historic Preservation Officer
Iowa State Historic Preservation Office

FEDERAL

Kraig McPeek	Field Supervisor, U.S. Fish and Wildlife Service
Sara Schmuecker	U.S. Fish and Wildlife Service
Kenneth Westlake	U.S. Environmental Protection Agency
Melissa Blankenship	U.S. Environmental Protection Agency
Laura McDonald	U.S. Coast Guard

STATE

Ms. Kayla Lyon	Director, Iowa Department of Natural Resources
Kirk Hanson	Iowa Department of Natural Resources
Christine Schwake	Iowa Department of Natural Resources
Colleen Callahan	Director, Illinois Department of Natural Resources
Darren Gove	Illinois Environmental Protection Agency
Brad Hayes	Office of Realty & Environmental Planning

LOCAL

Matt King	Mayor, Village of Hampton
Mike Bawden	Mayor of Riverdale, Iowa
Mindy Meyers	Rock Island County, Illinois, Emergency Management
Dave Donovan	Scott County, Iowa, Emergency Management