Jenny Skufca
Incidental Take Authorization Coordinator
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702

Re: **Application for an Incidental Take Authorization**
MetroLINK Ferryboat Terminal, Conservation Plan for the state-Threatened Black Sandshell (*Ligumia recta*) and Butterfly (*Ellipsaria lineolata*) Mussels

Project Applicant: Rock Island county Metropolitan Mass Transit District (MetroLINK)
Project Name: MetroLINK Ferryboat Terminal
County: Rock Island
Area of Impact: Mississippi River Mile 487.7

1. Description of the impact likely to result from the proposed taking

A. Legal description of the project area

The ferryboat terminal is located in the 3000 block of River Drive, Moline, Illinois. The project is located in the Northwest ¼ of Section 33, Township 18 North, Range 1 West of the 4th Principal Meridian in Rock Island County. The project lies within the Mississippi River - Moline Illinois Natural Areas Inventory Site (INAI #1295).

B. Biological Data

Black sandshell and butterfly are freshwater mussels that spend most of their lives buried in gravel, sand, or mud at the bottom of rivers, lakes, streams, and ponds. Many freshwater mussels have a life span of 20 to 100 years. Mussels serve as important food source for many aquatic and terrestrial animals. Since mussels are filter feeders, they improve water quality by filtering out contaminants, sediments, and nutrients from rivers and streams. Freshwater mussels are dependent on host fish to complete their complicated life cycle. Black sandshell and butterfly are listed as threatened species in Illinois due to the continuing decline in habitat conditions associated with management of the Mississippi River as a navigational canal, and with non-point and point source water and sediment pollutions. Dams, channelization, and dredging increase siltation, physically alter habitat conditions, and block the movement of fish hosts.

Black sandshell is widely distributed but uncommon in much of the Midwest. The black sandshell inhabits medium to large rivers in riffles or raceways in gravel or firm sand. It is known to occur in the Mississippi River in Rock Island County, Illinois. The black sandshell has an elongated shell, pointed on the posterior end. The smooth and shiny shell may be dark green, brown, or black with green rays visible on some individuals. Length to 8 inches (20.3 cm). Host fish species include rock bass, common carp, bluegill, largemouth bass, and white crappie. (Source: http://wwx.inhs.illinois.edu/collections/mollusk/publications/guide/index/136/)

Butterfly is widespread but only locally abundant. Disappearing from many areas where it formerly occurred. Butterfly is state-threatened species in Illinois. The butterfly inhabits large rivers in sand or gravel. The butterfly has somewhat triangular shell, sharply angled posterior ridge, and yellowish brown, with broken brown rays. Length to 4 inches (10.2 cm). Host fish species include drum, sunfish, and sauger.
(Source:
http://wwx.inhs.illinois.edu/collections/mollusk/publications/guide/index/106)

A mussel survey was conducted on May 5, 2015 by USFWS and IDNR staff. Four "spot dives" were conducted in and adjacent to the project footprint. Each spot dive covered approximately 10 square meters or a total of 40 square meters for all four dives. A total of 66 mussels representing 12 species were collected, indicating that the site could be a continuation of the Sylvan Slough Mussel Sanctuary. A total of seven (7) state-threatened black sandshell (*Ligumia recta*) were collected in all sample locations. A single state-threatened butterfly (*Ellipsaria lineolate*) individual was also collected. (See attached USFWS mussel survey report dated May 8, 2015 for additional information).

C. Description of activities that will result in take.

The project involves construction of a 64' x 64' terminal ferry dock that extends 114 feet long into the Mississippi river. The dock will be anchored using up to ten (10) steel piles. Each steel pile will be installed into a drilled hole 8 feet deep into bedrock and will stick out of the water approximately 11 feet from normal water level. A boring machine, which will be mounted on a barge, will be used to drill holes for the steel pile installations. One large cable from the upstream side, outer corner, will be tied to a landside anchoring system. The installation of steel piles will take approximately two months.
The total impact area associated with the installation of 10 steel piles is approximately 49 square feet (4.6 square meters). A total of seven (7) black sandshell and one (1) butterfly were collected. Based on the survey results, it is anticipated that the project would take one (1) or fewer black sandshell and one (1) or fewer butterfly.

D. Explanation of the anticipated adverse effects on the listed species.
Black sandshell and butterfly individuals present within the project area may be buried, crushed or killed by the installation of steel piles if not relocated prior to construction.

2. Measures to minimize and mitigate impacts

A. Plans to minimize the area affected by the proposed action, the number of individuals of an endangered or threatened species that will be taken, and the amount of habitat affected.

The area of instream work associated with the construction of the boat dock has been minimized to approximately 0.1 acre. There will be no temporary impacts to suitable habitat—or to the area within the footprint of the proposed improvement. The amount of permanent impact is approximately 49 square feet. Prior to the installation of steel piles, the mussels within the limits of the anchor footprint will be relocated, most likely upstream, to avoid or minimize any direct potential impacts to mussels.

B. Plans for management of the area affected by the proposed action that will allow continued use of the area by the species.

During construction, adjacent land areas will contain erosion and sediment control features. MetroLINK will comply with all terms and conditions within the U.S. Army Corps of Engineers Section 404 permit, Section 401 water quality certification issued by Illinois EPA, as well as the IDNR, Office of Water Resources permit.

C. Description of all measures to be implemented to minimize or mitigate the effects of the proposed action on the endangered or threatened species.

To minimize and mitigate the effects on the black sandshell and butterfly, no more than 30 days prior to project construction, MetroLINK's contractor will relocate all mussels within the area of potential impact. The relocation area will be to an area with suitable stable substrate, depth, flow, conditions, and low to no zebra mussel infestations. The relocation area(s) will be approved by IDNR prior to construction. The temporary holding of mussels will be in containers that allow the animals to remain moist and uncrowded. All mussel relocation protocols will be followed. The relocation will occur between May 1 and November 1 of any given year. A report of the relocation effort will be submitted to IDNR within 60 days of relocation completion.

D. Plans for monitoring the effects of the measures implemented.

MetroLINK's contractor will conduct one time survey, following IDNR protocol, at the project site and at the relocation site two (2) years following completion of the proposed project. Results of the survey will be coordinated with the IDNR.

E. Adaptive management practices that will be used to deal with changed or unforeseen circumstances that affect the effectiveness of measures instituted to minimize or mitigate the effects of the proposed action on endangered or threatened species.

Potential mussel relocation areas will be carefully screened to assure that habitat is suitable for transplanted mussels and that risks of external threats to the relocation beds (siltation, chemical spills) are minimized. The relocation will be done according to accepted standards to minimize mussel mortality. If erosion control measures fail to

minimize the project's effects on the listed mussels or if more listed mussels are found, MetroLINK and/or its contractor will contact IDNR Endangered Species Program to coordinate additional protection efforts.

F. Verification that funding to support mitigation activities will be available for the life of conservation plan.

MetroLINK, as the project sponsor, is responsible for the implementation and operation of the ferry boat terminal. In addition to receiving State of Illinois operating funds, MetroLINK is a federal recipient of U.S. DOT Federal Transit Administration funds which have been awarded for this project under the FTA Passenger Ferryboat Discretionary grant program. FTA grantees are required to carry out the responsibilities and obligations of the project, including but not limited to, conducting an environmental review per applicable state and federal guidelines, constructing the project pursuant to applicable state and federal guidelines, and maintaining continuing satisfactory control and a state of good repair throughout the project's useful life. MetroLINK is committed to fund the relocation and monitoring survey using available state and federal funds.

3. Alternative actions that would not result in the take.

A. Alternative 1: No build

The no build alternative would not result in the take of the state-listed mussels. However, this alternative would not meet the project's purpose and need, which is to construct a ferryboat terminal to accommodate the MetroLINK's ferry service, enhance multi-modal connections, and provide passenger amenities that comply with the Americans with Disabilities Act.

B. Alternative 2: Using anchoring system only from shore

This alternative was considered during the early engineering phase. However, potential stress levels placed upon the dock anchorage due to river and wind conditions, the land based "stiff arm" anchoring system was determined to be inadequate. This alternative would not result in the take of state-listed mussels. However, this alterative is not engineering sound.

Alternative 3: Using Steel Piles to anchor the dock (Preferred Alternative)

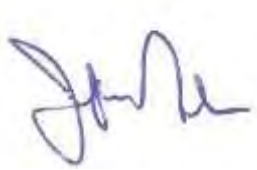
This alternative involves installing up to ten (10) 30-inches diameter steel piles driven in into the river bed to anchor the dock. This alternative would impact the mussels but impact would be minimized with the relocation of the mussels prior to this work.

4. Data and information to assure that the proposed taking will not reduce the likelihood of the survival of the species.

According to the Illinois Natural Heritage Database, black sandshell mussels are found in 29 Illinois counties. The Rock Island County contains 14 occurrence records. The butterfly mussels occur in 14 Illinois counties. The Rock Island County contains 10 occurrence records.
Suitable habitat for both mussels occurs near the project location. The May 2015 survey indicates that the project location could be a continuation of the mussel bed within the Sylvan Slough Mussel Sanctuary. Due to the small area affected by installation of the steel piles and the relocation of the mussels from affected areas by construction activities, it is expected that these two species will continue to exist in this area of the Mississippi River.

5. An implementing agreement

A. The <u>names and signatures</u> of all participants in the execution of the conservation plan



Jeff Nelson, General Manager
MetroLINK
1515 River Drive
Moline, Illinois 61265

B. The <u>obligations and responsibilities</u> of each of the identified participants with schedules and deadlines for completion of activities included in the conservation plan and <u>a schedule for preparation of progress reports</u> to be provided to the IDNR;

The Illinois Department of Natural resources is responsible for the review of the conservation plan and for the subsequent issuance of the Incidental Take Authorization.

MetroLINK is responsible for securing authorization for the incidental take and hire a qualified contractor to conduct mussel relocation and monitoring survey.

Project construction is anticipated to begin in Spring 2016 or once the ITA has been granted and mussel relocation is complete, and is expected to be completed in Fall

2016. Relocation will be conducted no more than 30 days prior to the start of the steel piles installation.

C. Certification that each participant in the execution of the conservation plan has the legal authority to carry out their respective obligations and responsibilities under the conservation plan;

MetroLINK (Rock Island County Metropolitan Mass Transit District) is a mass transit district created under the State of Illinois Local Mass Transit District Act (70 ILCS 3610) for the purpose of providing public transportation (buses, rail, ferryboat) to eight cities located in the Illinois Quad Cities. In addition to receiving State of Illinois operating funds, MetroLINK is a federal recipient of U.S. DOT Federal Transit Administration funds which have been awarded for this project under the FTA Passenger Ferryboat Discretionary grant program. FTA grantees are required to carry out the responsibilities and obligations of the project, including but not limited to, conducting an environmental review per applicable state and federal guidelines, constructing the project pursuant to applicable state and federal guidelines, and maintaining continuing satisfactory control and a state of good repair throughout the project's useful life.

D. <u>Assurance of compliance</u> with all other federal, State and local regulations pertinent to the proposed action and to execution of the conservation plan;

Section 404 permit and IDNR OWR permit are attached.

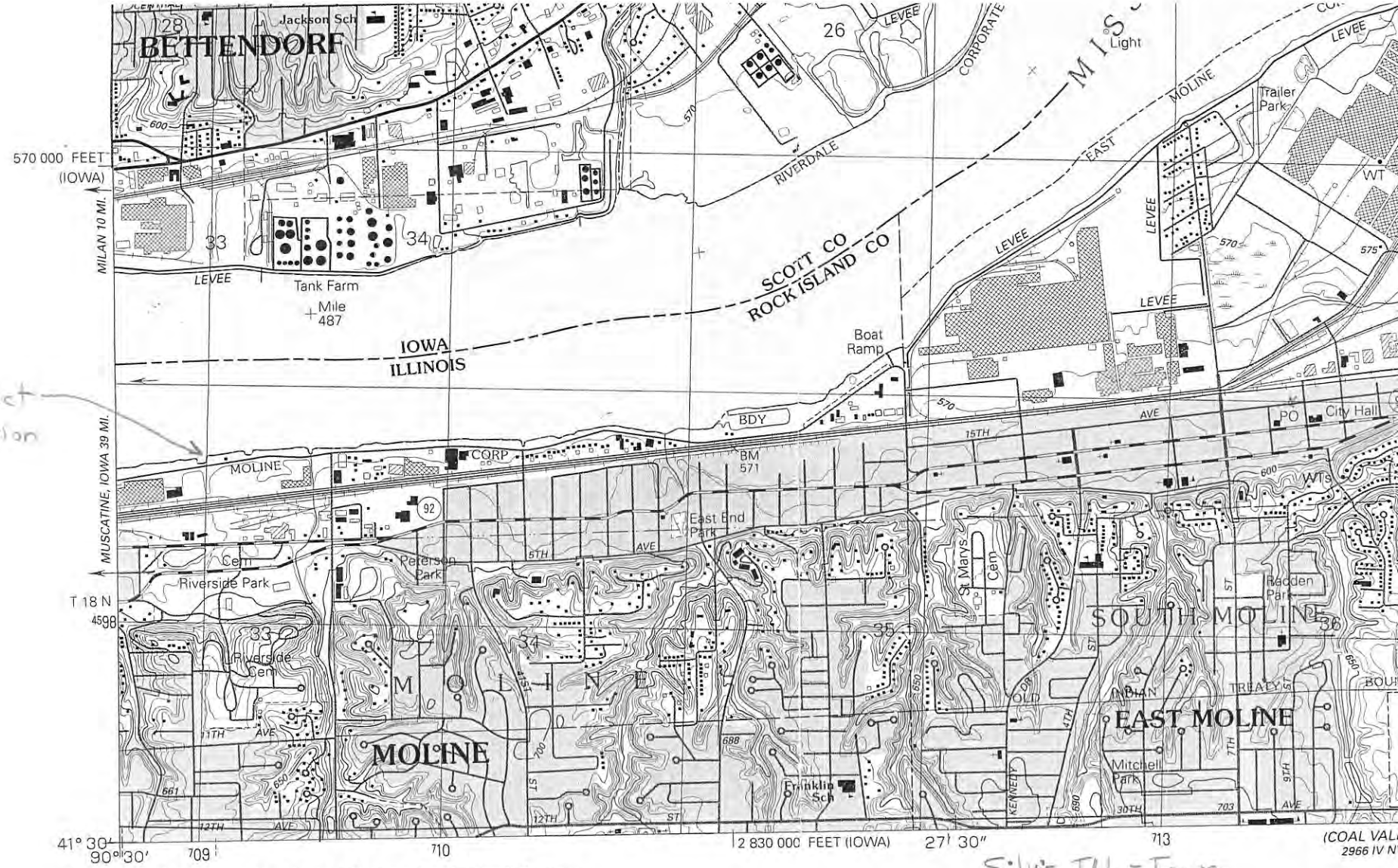
E. Copies of any final <u>federal authorizations for a taking</u> already issued to the applicant

N/A. Black sandshell and butterfly mussels are not federally-listed species.

6. Attachments

A. Location Map
B. Schematic Site Plan
C. Overall Plan
D. Freshwater Mussel Survey Report- Channel Cat Taxi, Moline, IL, May 8, 2015
E. IDNR, Office of Water Resources Permit No. DS2015021
F. US. Army Corps of Engineer Section 404 Permit No. 14 and Letter of Permission

Project Location
River Dr
Great River Trail
4th Ave
5th Ave
7th Ave
8th Ave
24th St
25th St
26th St
27th St
29th St
34th St
35th St
38th St
39th St
31st St
9th Ave Ct
36th St
Park Hill
© 2015 Google



Silvis, Ill. - Iowa
1991

(MILAN)
2866 I NE

Produced by the United States Geological Survey
Control by USGS and NOS/NOAA

Compiled from aerial photographs taken 1986
Field checked 1988. Map edited 1991

Projection: Iowa coordinate system
south zone (Lambert conformal conic)
10,000-foot grid ticks: Iowa coordinate system,
south zone and Illinois coordinate system, west zone
1000-meter Universal Transverse Mercator grid, zone 15
1927 North American Datum
The difference between 1927 North American Datum and North American Datum of 1983 (NAD 83) for 7.5-minute intersections is given in USGS Bulletin 1875. The NAD 83 is shown by dashed corner ticks

There may be private inholdings within the boundaries of the National or State reservations shown on this map

Gray tint indicates areas in which only landmark buildings are shown

MN
GN
1°
18 MILS
1°42'
30 MILS

UTM GRID AND 1991 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

SCALE 1:2

1 .5 0 KILOMETE
1000 0 METERS
1 .5 0 MILES
1000 0 1000 2000 3000 4000 FEET

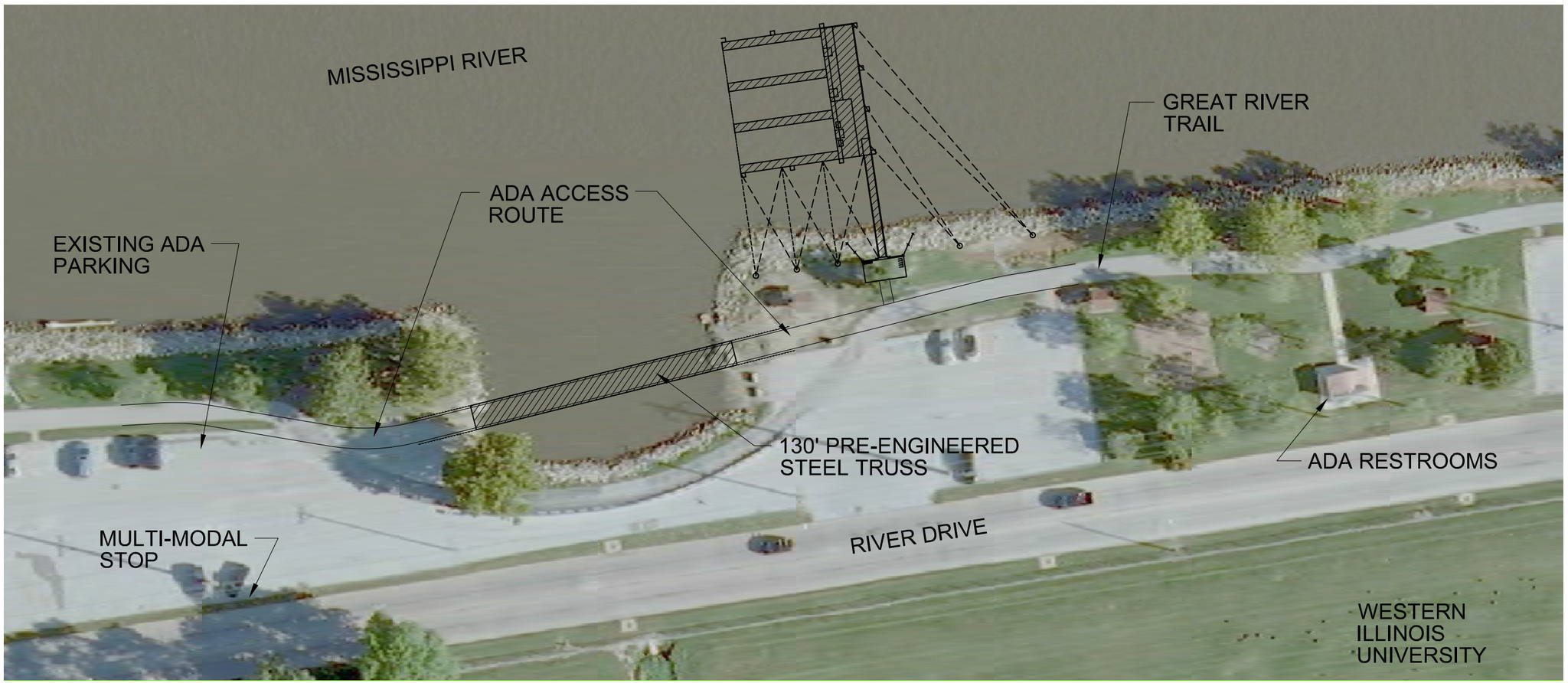
CONTOUR INTERV
NATIONAL GEODETIC VERTIC

THIS MAP COMPLIES WITH NATIONA
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, C
ILLINOIS GEOLOGICAL SURVEY, C
AND IOWA GEOLOGICAL SURVE
A FOLDER DESCRIBING TOPOGRAPHIC MAPS A

ROUTE MAP

CHANNEL CAT

N



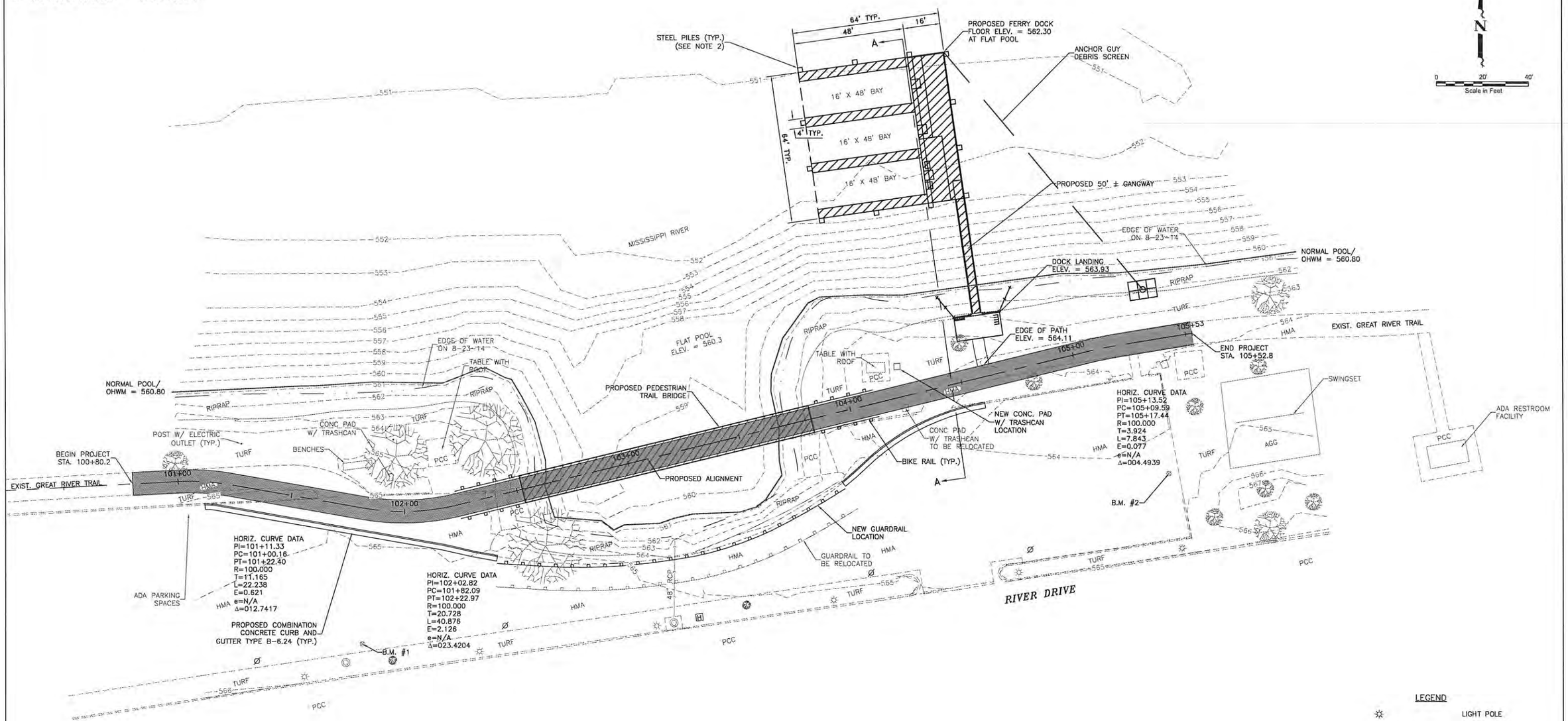
METRO
Rock Island County Metropolitan Mass Transit

CHANNEL CAT PASSENGER FERRY TERMINAL SCHEMATIC SITE PLAN

McClure Engineering Associates, Inc.

BENCHMARKS:

1. SURVEY MARKER IN LOT ELEV. = 565.66
2. MAG NAIL IN PAVEMENT ELEV. = 564.11



LEGEND

☼	LIGHT POLE
ø	POWER POLE
H	HANDHOLE
▭	STORM INLET
○	CATCH BASIN
◎	STORM MANHOLE
◎	SANITARY MANHOLE
✿	TREE
*565.00	SPOT ELEVATION
——564——	CONTOUR W/ ELEVATION
——x——	FENCE
—— – ——	CENTERLINE
——(——(——	STORM SEWER

NOTE:

1. FLOATING DOCK SYSTEM AND DEBRIS SCREEN TO BE DESIGNED BY DOCK MANUFACTURER.
2. ANCHOR SYSTEM FOR FLOATING DOCKS AND DEBRIS SCREEN SHALL BE DESIGNED BY THE CONTRACTOR, COORDINATING ATTACHMENT TO DOCKS WITH DOCK MANUFACTURER.
3. THESE DRAWINGS ARE SUBMITTED AS DRAFT/PRELIMINARY FOR THE PURPOSE OF PERMIT REVIEW PROCESS. TEN (10) PILE LOCATIONS FOR THE FLOATING DOCK AND ONE (1) LANDSIDE ANCHOR FOR THE DEBRIS BOOM HAVE BEEN ESTIMATED.

NOTE: SEE SHEET 3 OF 6 FOR SECTION A-A AT FLAT POOL WATER ELEVATION, SHEET 4 OF 6 FOR NORMAL POOL WATER ELEVATION 5 OF 6 FOR HIGH WATER OPERATION WATER ELEVATION AND 6 OF 6 FOR BASE FLOOD CONDITIONS.

MetroLINK
1515 RIVER DRIVE, MOLINE, IL 61265

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE:	1" = 20'
DRAWN BY:	JDU
CHECKED BY:	VAC/SAS
DATE:	MARCH, 2015

McClure Engineering Associates, Inc.
4700 Kennedy Drive East Moline, Illinois 61244
(309) 792-9350 Fax (309) 792-8974
Design Firm Licenses: Illinois#184-000816

Copyright 2015 By McClure Engineering Associates, Inc.

OVERALL PLAN
STA. 100+80.16 TO STA. 105+52.84

CHANNEL CAT FERRYBOAT TERMINAL *MOLINE, IL*

FILE NAME: T:\MO114.163\DWG\14-163-MDL-01.DWG JOB NUMBER: MO-01-35-14-163

SHEET NO. 1 OF 6

Freshwater Mussel survey

Channel Cat Taxi – Moline, Illinois

May 8, 2015

Prepared by

Jon Duyvejonck, US Fish and Wildlife Service

Rock Island Field Office

I Introduction – A new dock along the Ben Butterworth Parkway will be constructed to harbor the Channel Cat Water Taxi. The proposed site is located at approximately River Mile 487.7 LB. A 50 ft. gangway will extend from shore to a 54ft by 54 ft. dock. The dock will be supported by approximately 11 pilings sunk into the river bottom.

This location occurs just upstream (and possibly within) an Illinois Department of Natural Resources freshwater mussel sanctuary. The upstream boundary of the sanctuary is uncertain. Three federally listed species (*Cumberlandia monodonta, Plethobasus cyphyus,* and *Lampsilis higginsii*) are known to occur in the vicinity in addition to several state endangered species. The project area overlaps the Sylvan Slough *L. higginsii* Essential Habitat Area (EHA) on the Illinois bank. EHAs are areas considered capable of supporting reproducing populations of *L. higginsii,* and are defined as areas where L. *higginsii* constitute at least 0.25% of the mussel community and the mussel habitat appears to be stable and supports a dense and diverse mussel community."

II. Methods" – Four "spot dives" were conducted in and adjacent to the project footprint. Each dive consisted of 2 five minute collection efforts. Divers collected any mussels they could feel. Visibility was very poor and visual collection was not possible. Due to high current velocity quantitative data was not collected. GPS coordinates for each location were recorded, along with shell length, substrate composition, depth, and zebra mussel density. The survey was conducted on May 8, 2015. The river stage was 18.3 ft. at Lock and Dam 15.

III Results – A total of 66 mussels of 12 species were collected in the project area (See Figure 1). Table 1 shows the number of species and individuals collected at each sampling location. Sampling depths were approximately 10 ft. at location 1, 2, and 3. Site 4, which was just 5 yards off-shore, was 6 ft. deep. Divers reported that all locations substrate consisted primarily of dead shell, dead zebra mussels, gravel, and occasionally cobble. All live mussels collected had dense infestations of zebra mussels (See figure 2).

No federally listed species were collected, but Illinois State listed species were collected in each of the four samples. The state listed black sandshell (*Ligumia recta*) was collected in all four samples and one butterfly (*Plagiola lineolata*) was collected. The black sandshell was the fourth most numerous species collected.

IV. Summary/Conclusion

Although only 4 locations were sampled, results indicate that the proposed project location could be a continuation of the mussel bed within the Sylvan Slough Mussel Sanctuary. There is no survey information for the area between the proposed project and the sanctuary. At a minimum, the sampled locaiton represents a mussel community of moderate significance. It is likely that further sampling would increase the number of documented species similar to Sylvan Slough. Substrate, depth, and flow conditions are very similar to Sylvan Slough. There is a high likelihood that installation of dock pilings would impact a number of mussels. It is recommended that a mussel re-location be conducted prior to project construction.

Table 1. - Channel Cat Dock Mussel Survey-5/6/2015

Species	**Site 1**	**Site 2**	**Site 3**	**Site 4**	**total**	
Three Ridge *Amblema plicata*	7	5	7	5	24	
Washboard *Megalonaias nervosa*		1	4	5	10	
Pimpleback *Quadrula pustulosa*	1	4	7	1	13	
Black sandshell *Ligumia recta*	1	1	2	3	7	
Deer toe *Truncilla truncata*			1		1	
paper pondshell *Utterbackia imbecillus*				1	1	
Butterfly *Plagiola lineolata*			1		1	
Plain pocketbook *Lampsilis cardium*				1	1	
Mapleleaf *Quadrula quadrula*			1	1	2	
three horn WB *Obliquaria reflexa*	1	1		1	3	
Fragile papershell *Leptodea fragillis*	1				1	
Hickory Nut *Obovaria Olivaria*		2			2	
total spp. =12	11	12	23	18	66	

Figure 1-Channel Cat "Spot dive" Locations

Figure 2- Zebra mussel infestation

Acknowledgements – Illinois DNR biologists Rich Lewis and Nathan Grider participated in this survey. Thanks to Robert Schanzle (retired DNR) for his invaluable diving assistance and mussel identification.

Jon Duyvejonck

LOCATION: Rock Island Co. - Moline, IL

Sample No. 1	Project: Channel Cat Dock		Date 5/5/18
River Mile 482.7	Crew: Robert Schanzle - Diver	Start time 11:47 am	Dive 1
Coordinates UTM 15T 0709001, 4599960		End time 11:54 pm	11:55 pm Dive 2
Collection method: Scoot Dive			12 o 2
	Substrate type: gravel/shell	Water temp.	
Species	depth 10.0	River Stage	

Species	Length													
Three ridge (A.p)	90	83	70	63	55	81	53	D						
3 horn wartyback (O.r.)	62													
Pimpleback (Q.p.)	55	D												
Wartyback (Q.n.)														
Plain pocketbook (L.c.)														
Mapleleaf (Q.q.)														
Monkeyface (Q.m.)														
Mucket (A.l.)														
Spike (E.d.)														
Washboard (M.n.)	D	D												
Fragile papershell (L.f.)	59													
Pink papershell (P.o.)														
White heelsplitter (L.c.)														
Pink heelsplitter (P.a.)														
Rock pocketbook A.c.)														
Black sandshell (L.r.)	125													
Yellow sandshell (L.t.a.)														
Higgins eye (L.h.)														
Hickory nut (O.o.)														
Butterfly (P.l.)														
Deer toe (T.t.)														
Fawn's foot (T.d.)														
Creeper (S.u.)														
Fat mucket (L.s.)														
Wabash pig toe (F.f)														
Round pig toe (P.s)														
Spectacle case (C.m.)														
Sheepnose (P.c.)														
Lilliput (T.p.)														
Paper pondshell (U.i.)														
Giant floater (P.g.)														
Pistol grip (T.v.)														
Fluted shell (L.c.)														
Ellipse (V.e.)														
Creek heelsplitter (L.c.)														
Ebony shell (F.e.)														

Zebra mussel abundance: 6-12 on mussel

Comments: 38 yds from Shore upstream of bow ~ 5 yds

Crew on Boat
Jon Duyvejonck - USFWS
Nathan Grider - IDNR
Rich Lewis - IDNR
Robt Schanzle - IDNR

Sample No. 2	Project: Channel Cat Dock		Date 5-5-15
River Mile 487.7	Crew: [illegible]	Start time 12:19	
Coordinates 15 T-070 8973, 4598961		End time 2:44	
Collection method: [illegible] 415150			
	Substrate type: Dead shell-gravel	Water temp. [illegible]	
Species	depth 10.0 ft	River Stage	

Species	Length													
Three ridge *(A.p)*	75	75	74	71	60									
3 horn wartyback *(O.r.)*	[illegible]	D												
Pimpleback *(Q.p.)*	[illegible]	[illegible]	59	55										
Wartyback *(Q.n.)*														
Plain pocketbook *(L.c.)*														
Mapleleaf *(Q.q.)*														
Monkeyface *(Q.m.)*														
Mucket *(A.l.)*														
Spike *(E.d.)*														
Washboard *(M.n.)*	[illegible]	D	D	D										
Fragile papershell *(L.f.)*														
Pink papershell *(P.o.)*														
White heelsplitter *(L.c.)*														
Pink heelsplitter *(P.a.)*														
Rock pocketbook *A.c.)*														
Black sandshell *(L.r.)*	102													
Yellow sandshell *(L.t.a.)*														
Higgins eye *(L.h.)*														
Hickory nut *(O.o.)*	53	51												
Butterfly *(P.l.)*														
Deer toe *(T.t.)*														
Fawn's foot *(T.d.)*														
Creeper *(S.u.)*														
Fat mucket *(L.s.)*														
Wabash pig toe *(F.f)*														
Round pig toe *(P.s)*														
Spectacle case *(C.m.)*														
Sheepnose *(P.c.)*														
Lilliput *(T.p.)*														
Paper pondshell *(U.i.)*														
Giant floater *(P.g.)*														
Pistol grip *(T.v.)*														
Fluted shell *(L.c.)*														
Ellipse *(V.e.)*														
Creek heelsplitter *(L.c.)*														
Ebony shell *(F.e.)*														
Zebra mussel abundance														

Comments: 47 yds from shore
lots of dead shell

Sample No. 3	Project: Channel cut Dock	Date 5-5-15
River Mile 487.7	Crew: Bob Shanzle Diver	Start time 12:50 p.m.
Coordinates 15 T 0708995, 4598945		End time
Collection method: Spot Dive -90.49542 41.51485		
	Substrate type: Dark shell-gravel	Water temp.
Species	depth 9 ft	River Stage

Species	Length mm													
Three ridge *(A.p)*	61	75	D	65	60	62	87	76						
3 horn wartyback *(O.r.)*														
Pimpleback *(Q.p.)*	D	45	52	42	D	53	114	45	31					
Wartyback *(Q.n.)*														
Plain pocketbook *(L.c.)*														
Mapleleaf *(Q.q.)*	55													
Monkeyface *(Q.m.)*														
Mucket *(A.l.)*														
Spike *(E.d.)*														
Washboard *(M.n.)*	132	D	126	114	115									
Fragile papershell *(L.f.)*														
Pink papershell *(P.o.)*														
White heelsplitter *(L.c.)*														
Pink heelsplitter *(P.a.)*														
Rock pocketbook *A.c.)*														
Black sandshell *(L.r.)*	114	110												
Yellow sandshell *(L.t.a.)*														
Higgins eye *(L.h.)*														
Hickory nut *(O.o.)*														
Butterfly *(P.l.)*	60	D												
Deer toe *(T.t.)*	46													
Fawn's foot *(T.d.)*														
Creeper *(S.u.)*														
Fat mucket *(L.s.)*														
Wabash pig toe *(F.f)*														
Round pig toe *(P.s)*														
Spectacle case *(C.m.)*														
Sheepnose *(P.c.)*														
Lilliput *(T.p.)*														
Paper pondshell *(U.i.)*														
Giant floater *(P.g.)*														
Pistol grip *(T.v.)*														
Fluted shell *(L.c.)*														
Ellipse *(V.e.)*														
Creek heelsplitter *(L.c.)*														
Ebony shell *(F.e.)*														
Zebra mussel abundance	[illegible]													

Comments: 15 yards from shore

Sample No. 4	Project: Channel Cat		Date 8-5-15
River Mile 487.2	Crew: Bob Schanzle - Diver		Start time 1:45pm
Coordinates 15T 0708984 4598938			End time 1:55 pm
Collection method: SCUBA Dive -90.49561 41.514231			
	Substrate type: hardshell - gravel		Water temp. 64
Species	depth 6-	River Stage	
	Length mm		

Species														
Three ridge *(A.p)*	76	78	99	66	55									
3 horn wartyback *(O.r.)*	38													
Pimpleback *(Q.p.)*	17													
Wartyback *(Q.n.)*														
Plain pocketbook *(L.c.)*	65													
Mapleleaf *(Q.q.)*	62													
Monkeyface *(Q.m.)*														
Mucket *(A.l.)*														
Spike *(E.d.)*														
Washboard *(M.n.)*	130	132	130	126	131									
Fragile papershell *(L.f.)*														
Pink papershell *(P.o.)*														
White heelsplitter *(L.c.)*														
Pink heelsplitter *(P.a.)*														
Rock pocketbook *A.c.)*														
Black sandshell *(L.r.)*	123	117	103											
Yellow sandshell *(L.t.a.)*														
Higgins eye *(L.h.)*														
Hickory nut *(O.o.)*														
Butterfly *(P.l.)*														
Deer toe *(T.t.)*														
Fawn's foot *(T.d.)*														
Creeper *(S.u.)*														
Fat mucket *(L.s.)*														
Wabash pig toe *(F.f)*														
Round pig toe *(P.s)*														
Spectacle case *(C.m.)*														
Sheepnose *(P.c.)*														
Lilliput *(T.p.)*														
Paper pondshell *(U.i.)*	38													
Giant floater *(P.g.)*														
Pistol grip *(T.v.)*														
Fluted shell *(L.c.)*														
Ellipse *(V.e.)*														
Creek heelsplitter *(L.c.)*														
Ebony shell *(F.e.)*														
Zebra mussel abundance														

Comments: just off shore - 5 adults

ILLINOIS
DEPARTMENT OF
NATURAL
RESOURCES

Illinois Department of
Natural Resources

Bruce Rauner, Governor

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

Wayne A. Rosenthal, Director

April 15, 2015

SUBJECT: Permit Revision, Permit No. DS2015021
Bike Trail Bridge & Ferry Terminal
Mississippi River, Mile 487
City of Moline, Rock Island County

MetroLINK
ATTN: Jeff Nelson
1515 River Drive
Moline, Illinois 61265

Dear Mr. Nelson:

In accordance with an April 9, 2015 e-mail from Jennifer Garrity, revised plans for the work authorized by the subject permit are hereby approved. The revised plans are entitled:

METROLINK; CHANNEL CAT FERRYBOAT TERMINAL
MOLINE, IL; (Sheet 1 of 6, dated March 2015).

The revised plans, which supersede previously approved sheet 1 of 6 dated January 2015, show additional pilings at the dock and the elimination of the previously approved shore anchoring system. This approval is based on our determination that the revised plans will not result in any appreciable increase in flood heights or velocities, nor will they impair the public's rights, interests, and uses of the Mississippi River and, therefore comply with our floodway construction and public waters rules.

The conditions of the permit remain in full force and effect. This authorization does not supersede any other federal, state or local authorizations that may be required for the revision.

Ms. Garrity asked in her email whether the permit authorizes a covered dock as stated in our public notice. It does not. The reference to a *covered* ferry terminal in the public notice was an error on our part. The permit authorizes a non-covered ferry terminal as described in the revised permit application and plans transmitted by McClure Engineering Associates on February 19, 2015. Copies of that transmittal, application form and approved plans are enclosed for your information.

Please feel free to contact Jerry Bishoff at 217/558-6617 if you have any questions or comments concerning this permit.

RECOMMENDED:

Michael L. Diedrichsen, Acting Manager
Downstate Regulatory Programs

APPROVAL RECOMMENDED:

Daniel Injerd, Director
Office of Water Resources

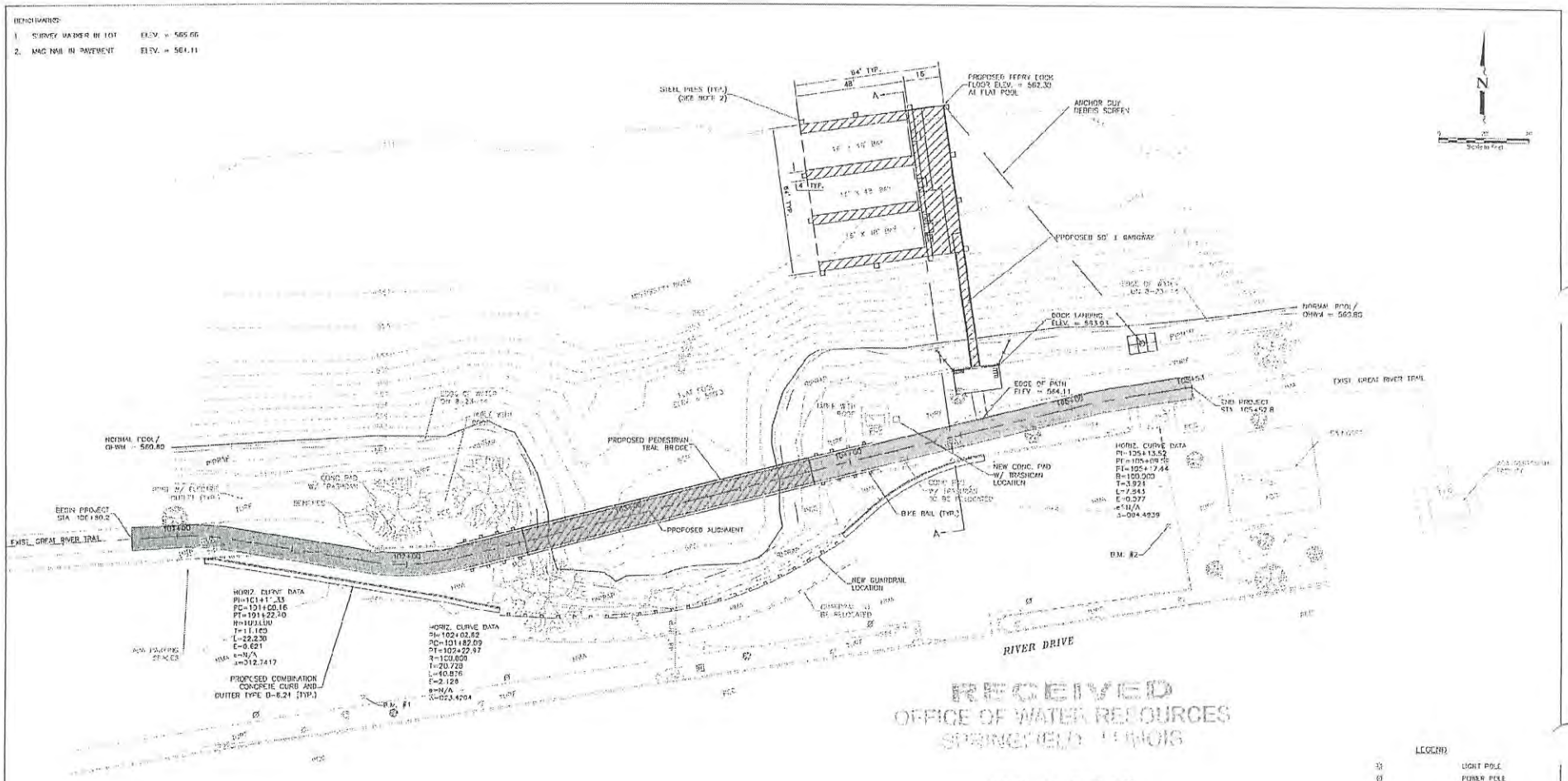
APPROVED:

Wayne A. Rosenthal, Director
Department of Natural Resources

WAR:DI:MLD:JMB:crw
Enclosures
cc: U.S. Army COE, Rock Island Dist. (OD-P-2015-116) w/rev. plans
IEPA, BOW, Div of Water Pollution Control w/plans
McClure Engineering Associates (Valerie Chambers, P.E.) w/revised plans
City of Moline w/revised plans

BENCHMARKS:

1. SURVEY MARKER IN LOT ELEV. = 565.66
2. MAG NAIL IN PAVEMENT ELEV. = 564.11



RECEIVED
OFFICE OF WATER RESOURCES
SPRINGFIELD, ILLINOIS
APR 09 2015
A/E ..... DIR .....
PGMD ..... M .....
PLNG ..... RM .....

LEGEND

	LIGHT POLE
	POWER POLE
	HANDHOLE
	STORM INLET
	CATCH BASIN
	STORM MANHOLE
	SANITARY MANHOLE
	BOLLE
585.00	SPOT ELEVATION
514	CONTOUR W/ ELEVATION
	FENCE
	CENTERLINE
	SANITARY SEWER

NOTE:

1. FLOATING DOCK SYSTEM AND DEBRIS SCREEN TO BE DESIGNED BY DOCK MANUFACTURER.
2. ANCHOR SYSTEM FOR FLOATING DOCKS AND DEBRIS SCREEN SHALL BE DESIGNED BY THE CONTRACTOR, COORDINATING ATTACHMENT TO DOCKS WITH DOCK MANUFACTURER.
3. THESE DRAWINGS ARE SUBMITTED AS DRAFT/PRELIMINARY FOR THE PURPOSE OF PERMIT REVIEW PROCESS. TEN (10) PILE LOCATIONS FOR THE FLOATING DOCK AND ONE (1) LANDSIDE ANCHOR FOR THE DEBRIS BOOM HAVE BEEN ESTIMATED.

NOTE: SEE SHEET 3 OF 6 FOR SECTION A-A AT FLAT POOL WATER ELEVATION, SHEET 4 OF 6 FOR NORMAL POOL WATER ELEVATION 5 OF 6 FOR HIGH WATER OPERATION WATER ELEVATION AND 6 OF 6 FOR BASE FLOOD CONDITIONS

REVISED PLANS APPROVED 4/1/2015

MetroLINK
1515 RIVER DRIVE, MOLINE, IL 61265

REVISIONS		
NO.	ITEM	DATE

McClure Engineering Associates
4703 Rosendale Drive, Fort Wayne, Illinois 61264
(309) 797-8750 Fax (309) 797-8574
Design / Info Source: CINCAPS®-DOS®
Copyright 2004 by McClure Engineering Associates, Inc.

OVERALL PLAN
STA. 100+80.16 TO STA. 105+52.84
CHANNEL CAT FERRYBOAT TERMINAL *MOLINE, IL*

SHEET NO. 1 OF 6

McCLURE ENGINEERING

ILLINOIS
DEPARTMENT OF
NATURAL RESOURCES

Illinois Department of Natural Resources

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

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

RECEIVED
APR - 3 2015
QUAD CITY DIV.

March 31, 2015

SUBJECT: Permit No. DS2015021
Bike Trail Bridge & Ferry Terminal
Mississippi River, Mile 487
City of Moline, Rock Island County

MetroLINK
ATTN: Jeff Nelson
1515 River Drive
Moline, Illinois 61265

Dear Mr. Nelson:

Enclosed is Illinois Department of Natural Resources, Office of Water Resources Permit No. DS2015021 authorizing the subject project. This approval is based on our determination that the project will neither appreciably restrict the river's flood carrying capacity nor adversely impact the public's interests in the public body of water and therefore complies with our Part 3700 Floodway Construction and Part 3704 Public Waters rules. This permit does not supersede any other federal, state or local authorizations that may be required for the project.

If any changes of the permitted work are found necessary, revised plans should be submitted promptly to this office for review and approval. Also, this permit expires on the date indicated in Condition (13). If unable to complete the work by that date, the permittee may make a written request for a time extension.

Upon receipt and review of this permit and all of its conditions, please properly execute and return the attached acceptance blank within sixty (60) days from the date of the permit. Please feel free to contact Jerry Bishoff of my staff at 217/558-6617 if you have any questions concerning this authorization.

Sincerely,

Michael L. Diedrichsen

Michael L. Diedrichsen, P.E.
Acting Manager, Downstate Regulatory Programs

MLD:JMB:crw
Enclosure:
cc: U.S. Army Corps of Engineers, Rock Island District (Regulatory Branch)
Illinois Environmental Protection Agency, BOW, Div. of Water Pollution Control
McClure Engineering Associates (Valerie Chambers, P.E.)
City of Moline w/appl. & plans

PERMIT NO. DS2015021
DATE: March 31, 2015

State of Illinois
Department of Natural Resources, Office of Water Resources

Permission is hereby granted to:

METROLINK
1515 RIVER DRIVE
MOLINE, ILLINOIS 61265

to construct a bike trail bridge, ferry terminal, and associated access and anchorage in the Mississippi River at Mile 487 in the Northwest ¼ of Section 33, Township 18 North, Range 1 West of the 3rd Principal Meridian in Rock Island County,

in accordance with a revised application transmitted on February 23, 2015, and the plans and specifications entitled:

METROLINK
CHANNEL CAT FERRYBOAT TERMINAL
MOLINE, IL
(Sheets 1 – 2 of 6, dated January 2015; Sheets 3 - 6 of 6, dated February 2015).

Examined and Recommended:

Michael L. Diedrichsen

Michael L. Diedrichsen, Acting Manager
Downstate Regulatory Programs

Approval Recommended:

Loren A. Wobig, Acting Director
Office of Water Resources

Approved:

Wayne A. Rosenthal by

Wayne A. Rosenthal, Director
Department of Natural Resources

This PERMIT is subject to the terms and special conditions contained herein.

PERMIT NO. DS2015021

THIS PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1) This permit is granted in accordance with the Rivers, Lakes and Streams Act "615 ILCS 5."

2) This permit does not convey title to the permittee or recognize title of the permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the activity or any part thereof will be located, or otherwise grant to the permittee any right or interest in or to the property, whether the property is owned or possessed by the State of Illinois or by any private or public party or parties.

3) This permit does not release the permittee from liability for damage to persons or property resulting from the work covered by this permit, and does not authorize any injury to private property or invasion of private rights.

4) This permit does not relieve the permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approvals from any federal or other state agency to do the work, this permit is not effective until the federal and state approvals are obtained. If construction does not begin within two years of the date of this permit, the permittee must submit the project to EcoCAT (http://dnr.illinois.gov/EcoPublic/) for an updated consultation under the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act.

5) The permittee shall, at the permittee's own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project. If the permittee fails to remove such structures or materials, the Department may have removal made at the expense of the permittee.

6) In public waters, if future need for public navigation or other public interest by the state or federal government necessitates changes in any part of the structure or structures, such changes shall be made by and at the expense of the permittee or the permittee's successors as required by the Department or other properly constituted agency, within sixty (60) days from receipt of written notice of the necessity from the Department or other agency, unless a longer period of time is specifically authorized.

7) The execution and details of the work authorized shall be subject to the review and approval of the Department. Department personnel shall have the right of access to accomplish this purpose.

8) Starting work on the activity authorized will be considered full acceptance by the permittee of the terms and conditions of the permit.

9) The Department in issuing this permit has relied upon the statements and representations made by the permittee; if any substantive statement or representation made by the permittee is found to be false, this permit will be revoked; and when revoked, all rights of the permittee under the permit are voided.

10) In public waters, the permittee and the permittee's successors shall make no claim whatsoever to any interest in any accretions caused by the activity.

11) In issuing this permit, the Department does not ensure the adequacy of the design or structural strength of the structure or improvement.

12) Noncompliance with the conditions of this permit will be considered grounds for revocation.

13) If the construction activity permitted is not completed on or before December 31, 2018, this permit shall cease and be null and void.

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

REPLY TO ATTENTION OF

June 4, 2015

Operations Division

CEMVR-OD-P-2014-1523B

MetroLINK
Attn: Jeff Nelson
1515 River Drive
Moline, Illinois 61265

Dear Mr. Nelson:

Our office reviewed the application received, October 1, 2014 and the updated application received March 31, 2015, concerning the proposed construction of a 130' x 10' pedestrian bridge with riprap. The bridge will be located over an inlet on the left descending bank of the Mississippi River at river mile 486.7, in the 3000 block of River Drive, and adjacent to the Great River Trail. This project is located in Section 33, Township 18 North, Range 1 West, Rock Island County, Illinois.

Your project is covered under Nationwide Permit No. 14, as published in the enclosed Fact Sheet No. 7 (IL), provided you meet the permit conditions for the nationwide permits, which are also included in the Fact Sheet. The Federal Transit Administration is responsible for the NEPA process for this project which includes compliance with the Endangered Species Act and the National Historic Preservation Act. The Illinois Environmental Protection Agency (IEPA) also issued Section 401 Water Quality Certification with conditions for this nationwide permit. Please note these additional conditions included in the Fact Sheet. The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision.

This verification is valid until March 18, 2017, unless the nationwide permit is modified, reissued or revoked. It is your responsibility to remain informed of changes to the nationwide permit program. We will issue a public notice announcing any changes if and when they occur. Furthermore, if you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have twelve months from this date to complete your activity under the present terms and conditions of this nationwide permit. If your project plans change, you should contact our office for another determination.

This authorization does not eliminate the requirement that you must still acquire other applicable Federal, state, and local permits. If you have not already coordinated your project with the Illinois Department of Natural Resources – Office of Water Resources, please contact them at 217/782-3863 to determine if a floodplain development permit is required for your project. You may contact the IEPA Facility Evaluation Unit at 217/782-3362 to determine whether additional authorizations are required from the IEPA. Please send any electronic correspondence to EPA.401.bow@illinois.gov.

This letter also contains an approved jurisdictional determination for your proposed project**.** If you object to this jurisdictional determination you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this jurisdictional determination you must submit a completed RFA form to the Mississippi Valley Division Office at the following address:

Administrative Appeals Review Officer
U.S. Army Corps of Engineers
Mississippi Valley Division
ATTN: CEMVD-PD-KM
Post Office Box 80
Vicksburg, Mississippi 39181-0080
Telephone 601/634-5821
Fax: 601/634-5816

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above Mississippi Valley Division address by **August 3, 2015**.

It is not necessary to submit an RFA form to the Division office if you do not object to the jurisdictional determination in this letter.

You are required to complete and return the enclosed "Completed Work Certification" upon completion of your project in accordance with General Condition No. 30 of the nationwide permits.

The Rock Island District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the attached postcard and return it or go to our Customer Service Survey found on our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. (Be sure to select "Rock Island District" under the area entitled: Which Corps office did you deal with?

Should you have any questions, please contact our Regulatory Branch by letter, telephone or email Mrs. Kirsten Brown at 309/794-5104 or Kirsten.L.Brown@usace.army.mil

Sincerely,

Donna M. Jones, P.E.
Chief, Illinois/Missouri Section
Regulatory Branch

When the structure(s) or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s), of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____ _____
Transferee Date

Enclosures

Copies Furnished: (w/o enclosures)

Mr. Mike Diedrichsen, P.E.
Office of Water Resources
IL Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62701-1271
Mike.Diedrichsen@illinois.gov (email copy)

Mr. Dan Heacock
Illinois Environmental Protection Agency
Watershed Management Section, Permit Sec. 15
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
Epa.401.bow@illinois.gov (email copy)

Mr. Kraig McPeek
Field Supervisor
U.S. Department of the Interior
Fish and Wildlife Service
Rock Island Field Office (ES)
1511 47th Avenue
Moline, Illinois 61265

Jon Duyvejonck
U.S. Fish and Wildlife Service
Rock Island Ecological Services Field Office
jon_duyvejonck@fws.gov (email copy)

Nathan Grider
Illinois Department of Natural Resources
Nathan.Grider@illinois.gov (email copy)

Ms. Dee Phan
Environmental Protection Specialist
FTA Region VII
901 Locust Street, Suite 404
Kansas City, Missouri 64106

COMPLETED WORK CERTIFICATION

Permit Number: CEMVR-OD-P-2014-1523B

Name of Permittee: MetroLINK (Pedestrian Bridge)

Date of Issuance: June 4, 2015

County/State: Rock Island/Illinois

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Engineer District,
Rock Island
ATTN: Regulatory Branch
Clock Tower Building
Post Office Box 2004
Rock Island, Illinois 61204-2004

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above reference permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

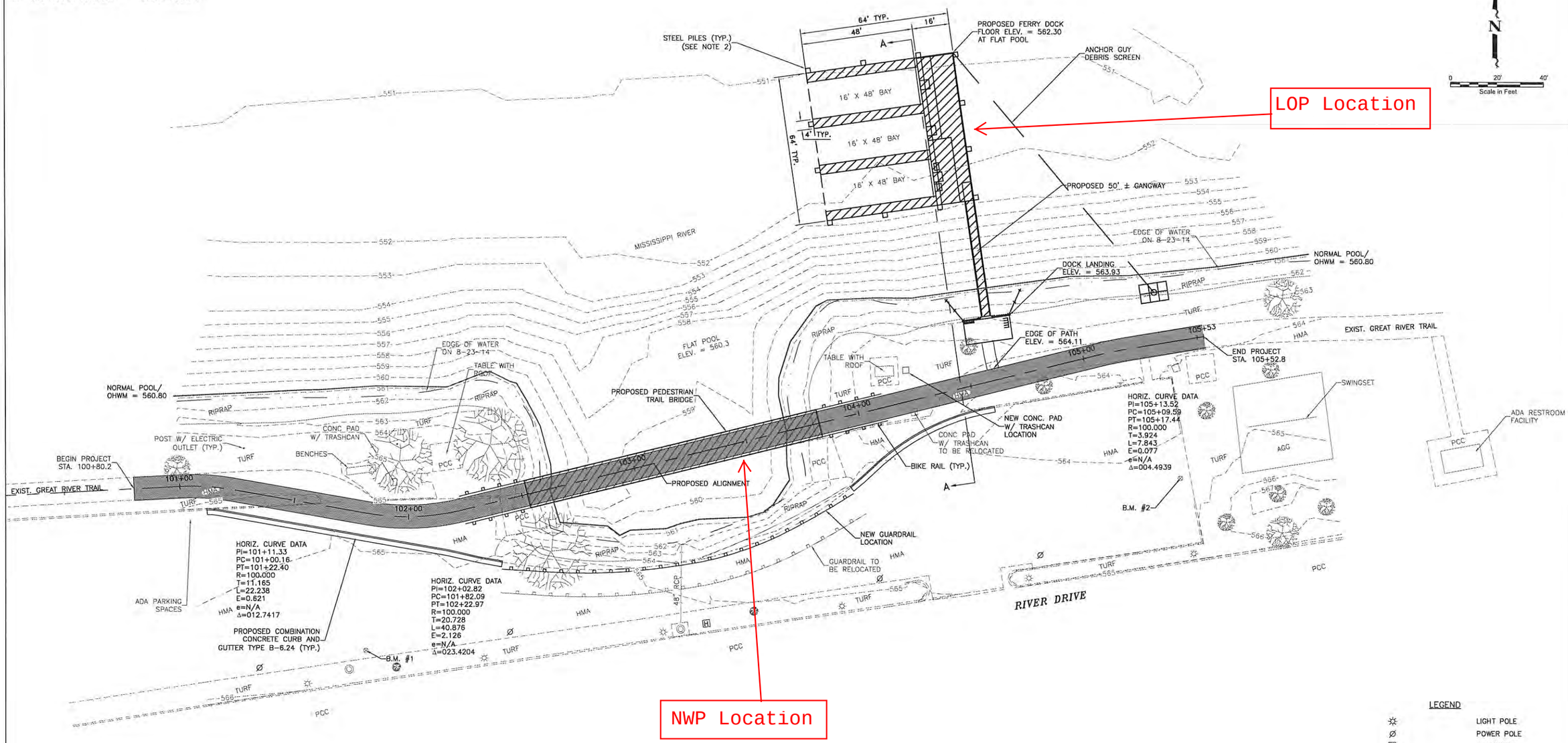
_____ _____

Signature of Permittee Date

KB

BENCHMARKS:

1. SURVEY MARKER IN LOT ELEV. = 565.66
2. MAG NAIL IN PAVEMENT ELEV. = 564.11



NOTE:

1. FLOATING DOCK SYSTEM AND DEBRIS SCREEN TO BE DESIGNED BY DOCK MANUFACTURER.
2. ANCHOR SYSTEM FOR FLOATING DOCKS AND DEBRIS SCREEN SHALL BE DESIGNED BY THE CONTRACTOR, COORDINATING ATTACHMENT TO DOCKS WITH DOCK MANUFACTURER.
3. THESE DRAWINGS ARE SUBMITTED AS DRAFT/PRELIMINARY FOR THE PURPOSE OF PERMIT REVIEW PROCESS. TEN (10) PILE LOCATIONS FOR THE FLOATING DOCK AND ONE (1) LANDSIDE ANCHOR FOR THE DEBRIS BOOM HAVE BEEN ESTIMATED.

LEGEND

☼	LIGHT POLE
Ø	POWER POLE
H	HANDHOLE
▭	STORM INLET
○	CATCH BASIN
◎	STORM MANHOLE
◎	SANITARY MANHOLE
✿	TREE
*565.00	SPOT ELEVATION
——564——	CONTOUR W/ ELEVATION
——x——	FENCE
—— – ——	CENTERLINE
——(——(——	STORM SEWER

NOTE: SEE SHEET 3 OF 6 FOR SECTION A-A AT FLAT POOL WATER ELEVATION, SHEET 4 OF 6 FOR NORMAL POOL WATER ELEVATION 5 OF 6 FOR HIGH WATER OPERATION WATER ELEVATION AND 6 OF 6 FOR BASE FLOOD CONDITIONS.

MetroLINK
1515 RIVER DRIVE, MOLINE, IL 61265

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE:	1" = 20'
DRAWN BY:	JDU
CHECKED BY:	VAC/SAS
DATE:	MARCH, 2015

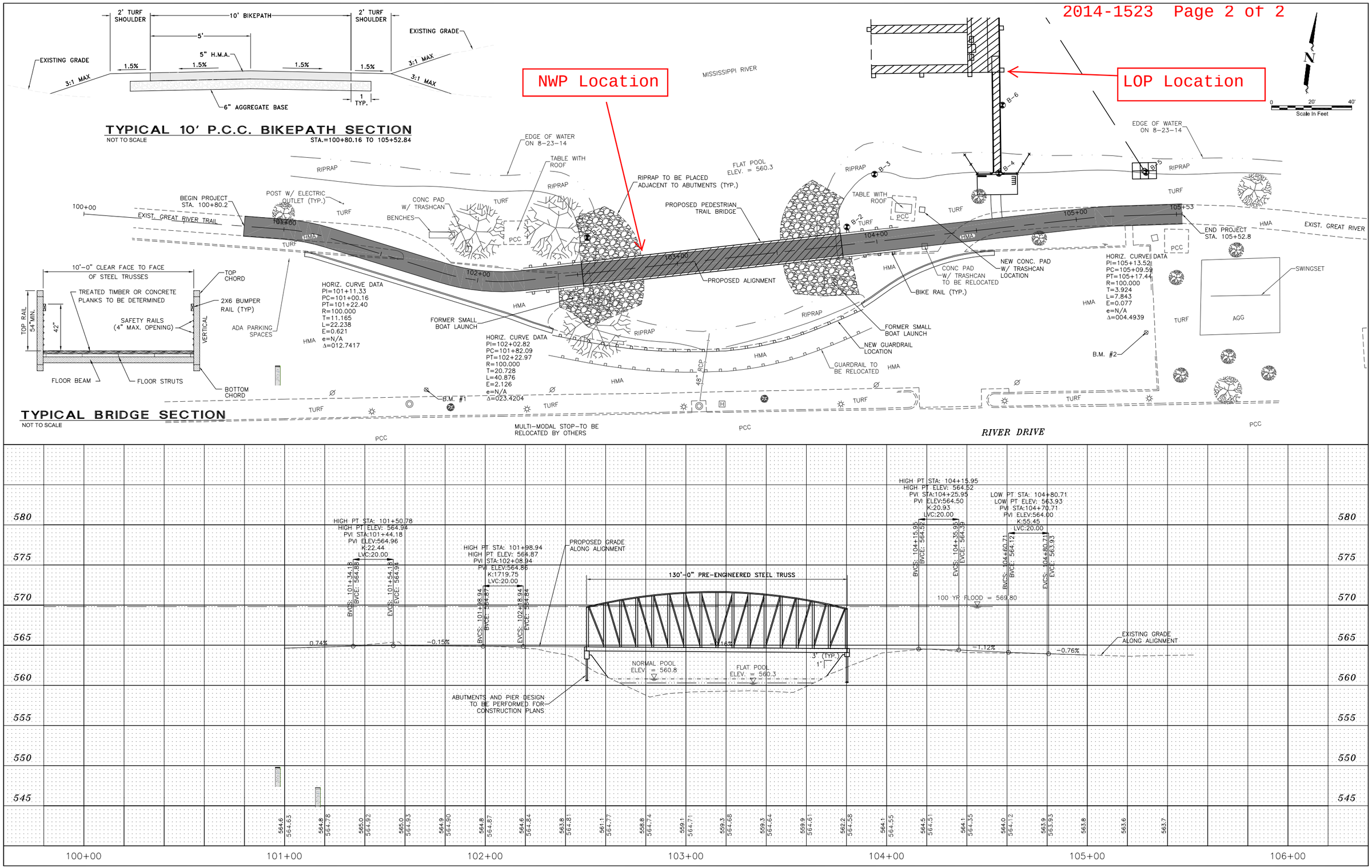
McClure Engineering Associates, Inc.
4700 Kennedy Drive East Moline, Illinois 61244
(309) 792-9350 Fax (309) 792-8974
Design Firm Licenses: Illinois#184-000816
Copyright 2015 By McClure Engineering Associates, Inc.

OVERALL PLAN
STA. 100+80.16 TO STA. 105+52.84

CHANNEL CAT FERRYBOAT TERMINAL *MOLINE, IL*

FILE NAME: T:\MO114.163\DWG\14-163-MDL-01.DWG JOB NUMBER: MO-01-35-14-163

SHEET NO. 1 OF 6



MetroLINK
1515 RIVER DRIVE, MOLINE, IL 61265

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE:	1" = 20'
DRAWN BY:	JDU
CHECKED BY:	VAC/SAS
DATE:	JANUARY, 2015

McClure Engineering Associates, Inc.
4700 Kennedy Drive
(309) 792-9350
East Moline, Illinois 61244
Fax (309) 792-8974
Design Firm License: Illinois#184-000816
Copyright 2015 By McClure Engineering Associates, Inc.

PLAN & PROFILE
STA. 100+80.16 TO STA. 105+52.84
CHANNEL CAT FERRYBOAT TERMINAL — MOLINE, IL
FILE NAME: T:\MO114.163\DWG\14-163-MDL-01.DWG
JOB NUMBER: MO-01-35-14-163

SHEET NO. 2 OF 6

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

REPLY TO
ATTENTION OF

June 4, 2015

Operations Division

SUBJECT: CEMVR-OD-P-2014-1523A

MetroLINK
Attn: Jeff Nelson
1515 River Drive
Moline, Illinois 61265

Dear Mr. Nelson:

You are authorized by this LETTER OF PERMISSION to perform work in accordance with the terms, conditions, plans, and attachments specified below.

Project Description: Construct a boat dock on the left descending bank of the Mississippi River, river mile 486.7, in the 3000 block of River Drive, Moline, Illinois. A 50 foot long gangway will connect to a 64 foot long by 64 foot wide ferryboat terminal. The floating dock platform will consist of three 16 foot long by 48 foot wide bays for the ferry terminals to dock. The bays will face the downstream end of the Mississippi River. The dock will extend a total of 114 feet into the Mississippi River. The dock will be anchored by up to 10 steel piles driven into the river bottom.

Project Location:

Section 33, Township 18 North, Range 1 West, 4th PM
Rock Island County, Illinois, Mississippi River, River Mile 486.7
USGS Quad: IA-Silvis
LAT 41.51466, LON -90.49571
UTM Zone 15, X 708975.62180, Y 4598920.87930

This LETTER OF PERMISSION is subject to the attached plans and General and Special conditions. The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision.

You may accept this Letter of Permission and initiate work in accordance with the terms and conditions contained herein.

If you do not accept the terms and conditions of this Letter of Permission, you may decline and request that this Letter of Permission be modified by following procedures outlined in Section I.A. of the attached Notification of Appeals Process. If you decline, however, you are not authorized to commence work until you receive the appropriate Department of the Army authorization. Your request must be received by the Rock Island District Engineer by **August 3, 2015,** at the following address:

Permittee: MetroLINK
Permit No. CEMVR-OD-P-2014-1523A

District Engineer
U.S. Army Corps of Engineers, Rock Island District
ATTN: Regulatory Branch
Clock Tower Building
P.O. Box 2004
Rock Island, Illinois 61204-2004

This letter also contains an approved jurisdictional determination for your proposed project**.** If you object to this jurisdictional determination you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this jurisdictional determination you must submit a completed RFA form to the Mississippi Valley Division Office at the following address:

Administrative Appeals Review Officer
U.S. Army Corps of Engineers
Mississippi Valley Division
ATTN: CEMVD-PD-KM
Post Office Box 80
Vicksburg, Mississippi 39181-0080
Telephone 601/634-5821
Fax: 601/634-5816

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above Mississippi Valley Division address by **August 3, 2015**.

It is not necessary to submit an RFA form to the Division office if you do not object to the jurisdictional determination in this letter.

If you find that a material change in the authorized plans or work is necessary, you must submit revised plans and receive approval from this office before beginning such work.

Please notify this office prior to starting and completion of work. You are required to complete and return the enclosed "Complete Work Certification" upon completion of your project. A representative of this office will make periodic inspections of the work.

We appreciate your cooperation in the processing of your application as well as the future compliance with your permit.

Permittee: MetroLINK
Permit No. CEMVR-OD-P-2014-1523A

The Rock Island District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the attached postcard and return it or go to our Customer Service Survey found on our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. (Be sure to select "Rock Island District" under the area entitled: Which Corps office did you deal with?)

Should you have any questions, please contact our Regulatory Branch by letter, telephone or email Mrs. Kirsten Brown at 309/794-5104 or Kirsten.L.Brown@usace.army.mil.

The issuing officer for this Letter of Permission is Mark J. Deschenes, Colonel, U.S. Army, Commander and District Engineer, Rock Island District.

BY AUTHORITY OF THE SECRETARY OF THE ARMY and in accordance with CEMVR-OD-P appointment order dated 15 January 2008:

Donna M. Jones, P.E.
Chief, Illinois/Missouri Section
Regulatory Branch

Permittee: MetroLINK
Permit No. CEMVR-OD-P-2014-1523A

Enclosures

Copies Furnished: (w/enclosures)

Kraig McPeek, Field Supervisor
U.S. Fish and Wildlife Service
Rock Island Ecological Services Field Office
1511 47th Avenue
Moline, Illinois 61265

Jon Duyvejonck
U.S. Fish and Wildlife Service
Rock Island Ecological Services Field Office jon_duyvejonck@fws.gov

Mr. Kevin Pierard, Chief WW-16J
Water Quality Branch, U.S. EPA, Region 5
melgin.wendy@epa.gov

Mr. Pat Malone, Permit Program Mgr.
Illinois Department of Natural Resources
Office of Realty/Environmental Planning
One Natural Resources Way
Springfield, Illinois 62706

Mr. Mike Diedrichsen, P.E.
Illinois Department of Natural Resources
mike.diedrichsen@illinois.gov

Dr. Rachel Leibowitz,
Deputy State Historic Officer
Illinois Historic Preservation Agency
HPA.Projectsbox@illinois.gov

Nathan Grider
Illinois Department of Natural Resources
Nathan.Grider@illinois.gov (email copy)

Ms. Dee Phan
Environmental Protection Specialist
FTA Region VII
901 Locust Street, Suite 404
Kansas City, Missouri 64106

OD-PE (Wassenhove)

ATTACHMENT TO DEPARTMENT OF THE ARMY PERMIT

Permittee: MetroLINK POC: Dee Phan

Permit No: CEMVR-OD-P-2014-1523A Tel: 816-329-3934

Effective Date: June 4, 2015

Expiration Date: **December 31, 2018**

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

General Conditions:

1. The time limit for completing the work authorized ends on **December 31, 2018**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before that date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions. (Condition is not applicable for Section 10 Permits.)

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structures or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. The permittee is responsible to undertake all reasonable and prudent measures to insure the proper disposition of the dock at all times, and the safety of vessels, recreational craft, and people utilizing or traversing near the dock. This includes, but is not limited to, proper maintenance, marking and lighting, and disposition during periods of non-use. During the non-boating season, removal of the dock from the waterway or measures adequate to protect the dock from ice, fluctuating river stages, debris, and other river conditions are required.

3. The dock may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve you from taking all proper steps to insure the integrity of the dock and the safety of boats moored to the dock from damage by wave wash. You shall not hold the United States liable for any such damage.

4. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

5. Boat mooring buoys and dock flotation units shall be constructed of materials that are clean and free of pollutants and will not become waterlogged or sink when punctured. Flotation units and devices must be composed of low density, closed cell, rigid plastic foam. Foam bead flotation will not be allowed unless commercially encapsulated and designed specifically for floatation purposes. Reconditioned plastic drums and metal barrels are allowed if they are first cleaned and filled with flotation foam. Barrels, drum, or containers that previously contained pesticide, herbicide, or other hazardous substances are not allowed.

6. The operation must conform to all US Coast Guard requirements.

7. All mussels within the project footprint must be re-located prior to construction.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____ _____
Transferee Date

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: MetroLINK	File Number: CEMVR-OD-P-2014-1523A	Date: June 4, 2015

Attached is:		See Section below
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Donna M. Jones, P.E.,
Chief, Illinois/Missouri Section
US Army Corps of Engineers District, Rock Island
ATTN: Regulatory Branch
Clock Tower Building
Post Office Box 2004
Rock Island, Illinois 61204-2004

Telephone: 309/794-5371

If you only have questions regarding the appeal process you may also contact:

Attn: Mr. Thomas McCabe
U.S. Army Corps of Engineers
Mississippi Valley Division
Post Office Box 80
Vicksburg, Mississippi 39181-0080
Telephone 601/634-5821
Fax: 601/634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:

Approved: 30 September 1998
OMB No.: 0710-0012
Expires: 30 September 2001

COMPLETED WORK CERTIFICATION

Permit Number: CEMVR-OD-P-2014-1523A

Name of Permittee: MetroLINK (Dock)

Date of Issuance: June 4, 2015

County/State: Rock Island/Illinois

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Engineer District, Rock Island
ATTN: Regulatory Branch
Clock Tower Building
Post Office Box 2004
Rock Island, Illinois 61204-2004

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above reference permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

_____ _____
Signature of Permittee Date

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(d) The activity does not involve discharges of dredged or fill material into special aquatic sites, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in minimal adverse effects;

(e) No material is of a type, or is placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the United States;

(f) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored trees and treetops may be used in low energy areas); and,

(g) The activity is not a stream channelization activity.

This NWP also authorizes temporary structures, fills, and work necessary to construct the bank stabilization activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

Invasive plant species shall not be used for bioengineering or vegetative bank stabilization.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the bank stabilization activity: (1) Involves discharges into special aquatic sites; or (2) is in excess of 500 feet in length; or (3) will involve the discharge of greater than an average of one cubic yard per running foot along the bank below the plane of the ordinary high water mark or the high tide line. (See general Condition 31.) (Sections 10 and 404)

NOTE: THE IEPA HAS CONDITIONED SECTION 401 WATER QUALITY CERTIFICATION APPLICABLE TO NATIONWIDE PERMIT 13. DEPARTMENT OF THE ARMY AUTHORIZATION PURSUANT TO SECTION 404 OF THE CLEAN WATER ACT (33 U.S.C. 1344) UNDER NATIONWIDE PERMIT 13 WILL BE SUBJECT TO THE THREE GENERAL IEPA CONDITIONS, THESE NATIONWIDE SPECIFIC CONDITIONS, AND THE CONDITIONS PUBLISHED IN SECTION C.

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.

14. Linear Transportation Projects. Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 31.) (Sections 10 and 404)

Note: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

NOTE: THE IEPA HAS CONDITIONED SECTION 401 WATER QUALITY CERTIFICATION APPLICABLE TO NATIONWIDE PERMIT 14. DEPARTMENT OF THE ARMY AUTHORIZATION PURSUANT TO SECTION 404 OF THE CLEAN WATER ACT

(33 U.S.C. 1344) UNDER NATIONWIDE PERMIT 14 WILL BE SUBJECT TO THE THREE GENERAL IEPA CONDITIONS, THESE NATIONWIDE SPECIFIC CONDITIONS, AND THE CONDITIONS PUBLISHED IN SECTION C.

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 shall implement erosion control measures consistent with the “Illinois Urban Manual” (IEPA/USDA, NRCS; 2011).
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.

15. U.S. Coast Guard Approved Bridges. Discharges of dredged or fill material incidental to the construction of a bridge across navigable waters of the United States, including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills, provided the construction of the bridge structure has been authorized by the U.S. Coast Guard under Section 9 of the Rivers and Harbors Act of 1899 and other applicable laws. Causeways and approach fills are not included in this NWP and will require a separate section 404 permit. (Section 404)

NOTE: THE IEPA HAS CONDITIONED SECTION 401 WATER QUALITY CERTIFICATION APPLICABLE TO NATIONWIDE PERMIT 15. DEPARTMENT OF THE ARMY AUTHORIZATION PURSUANT TO SECTION 404 OF THE CLEAN WATER ACT (33 U.S.C. 1344) UNDER NATIONWIDE PERMIT 15 WILL BE SUBJECT TO THE THREE GENERAL IEPA CONDITIONS, THESE NATIONWIDE SPECIFIC CONDITIONS, AND THE CONDITIONS PUBLISHED IN SECTION C.

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 implement erosion control measures consistent with the “Illinois Urban Manual” (IEPA/USDA, NRCS; 2011).
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.

16. Return Water From Upland Contained Disposal Areas. Return water from an upland contained dredged material disposal area. The return water from a contained disposal area is administratively defined as a discharge of dredged material by 33 CFR 323.2(d), even though the disposal itself occurs in an area that has no waters of the United States and does not require a section 404 permit. This NWP satisfies the technical requirement for a section 404 permit for the return water where the quality of the return water is controlled by the state through the section 401 certification procedures. The dredging activity may require a section 404 permit (33 CFR