

IEPA Log No.: **C-0659-11**

CoE appl. #: **2012-842**

Public Notice Beginning Date: **April 29, 2013**

Public Notice Ending Date: **May 29, 2013**

Section 401 of the Federal Water Pollution Control Act  
Amendments of 1972

**Section 401 Water Quality Certification to Discharge into Waters of the State**

**Public Notice/Fact Sheet Issued By:**

Illinois Environmental Protection Agency  
Bureau of Water  
Division of Water Pollution Control  
Permit Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
217/782-3362

**Name and Address of Discharger:** City of Rock Island, 1528 3<sup>rd</sup> Avenue, Rock Island, IL 61201

**Discharge Location:** Section 35, T18N, R2W of the 4<sup>th</sup> PM in Rock Island County within Rock Island

**Name of Receiving Water:** Mississippi River Mile 482.4

**Project Description:** Construction of new marina, The Landing at Schwiebert Park

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Thaddeus Faught at 217/782-3362.

TJF:0659-11PN.docx

Fact Sheet for Antidegradation Assessment  
City of Rock Island – Mississippi River – Rock Island County  
IEPA Log # C-0659-11  
COE Log # 2012-0842  
Contact: Bob Mosher 217/558-2012  
April 29, 2013

---

The City of Rock Island (“applicant”) has applied for Section 401 water quality certification for impacts associated with their proposed Schwiebert Mississippi Riverfront Park Marina (“Marina”) project within the Mississippi River at the location where Sylvan Slough rejoins the Mississippi River. The Applicant proposes to build a new Marina that will measure approximately 300 feet by 190 feet and will have 23 different boat slips. The Marina is designed to stay approximately within the previously permitted casino boat complex area. The casino boat was removed from this location in 2009. The proposed Marina will be located just east of where the casino boat was located and north of the federal levee. Construction in the Mississippi River will only be required for installation of 19 different 12 inch diameter pilings. Holes for the piles will be drilled into the rock bottom of the Mississippi River from a construction barge. The excavated rock will be removed and disposed of in an upland location. The piles will then be lowered into the drilled holes and grouted into place. Pedestrian entry to the Marina is via an aluminum gangway extending into the Mississippi River over the level system in the north east corner of the project site. The Marina itself will be constructed with a floating concrete dock and wave attenuator system. The only features proposed for installation below the “Ordinary High Water Level” will be the 19 pilings. The site is located in Section 35, Township 18 North, Range 2 West, at Mississippi River mile #482.4.

#### **Identification and Characterization of the Affected Water Body.**

The Mississippi River and Sylvan Slough are General Use Waters with a 7Q10 flow rate of approximately 15,570 cfs at the project location. This section of the Mississippi River is identified as Waterbody Segment M-02. The Mississippi River is listed in the Illinois Integrated Water Quality Report and Section 303(d) List Draft -2010 as impaired for Public Water Supply and Fish Consumption uses. The cause of impairment for Public Water Supplies use is manganese and the causes of Fish Consumption use impairment are mercury and PCB’s.

The Mississippi River and Sylvan Slough at this location are not listed as a biologically significant water bodies in the Illinois Natural History Survey publication Biologically Significant Illinois Streams nor have they received an integrity rating. The Mississippi River and Sylvan Slough, at this location are not enhanced water bodies pursuant to the dissolved oxygen water quality standard.

A mussel survey was conducted at the previous location and at the new location, about 500 feet upstream of the previous. The survey for the current site was conducted in April, 2012 by Helms & Associates and the report is entitled Mussel Survey at the Rock Island Transient Boat Dock Site on the Mississippi River Mile 482.4 Rock Island County, Illinois. A generally sparse mussel population was found, a condition that is likely attributed to the soft mud bottom substrate found throughout the site. Thirteen species (169 individuals) of live mussels were found at densities of between 0 and 32 mussels per square meter (averaging 4.88 mussels per square meter). One Illinois threatened species was found (two individuals), the Black Sandshell mussel.

### **Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.**

The pollutant load increases that would occur from this project include some possible increases in suspended solids ("SS") during the construction of the project. There may be some temporary effect on aquatic life during construction due to SS. There will be no effect on the hydrology of the Mississippi River. The actual bottom disturbance, from the drilling of the piling holes, is less than 500 square feet. According to the Illinois Department of Natural Resources Incidental Take Permit, mussels will be removed from a five foot diameter area around each piling hole and relocated.

### **Fate and Effect of Parameters Proposed for Increased Loading.**

The increase in suspended solids will be local and temporary. No permanent adverse impacts will occur as the hydrology of the river will not be changed. Mussels will find the same habitat among the pilings as was found before. The shading effects of the dock will be only 0.136 acres and should not affect aquatic life.

### **Purpose and Social & Economic Benefits of the Proposed Activity.**

The docking facilities will open up the riverfront for additional recreational uses. More visitors will come to downtown Rock Island. Economic opportunities will be created for the local community.

### **Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.**

The construction of the proposed project will follow conditions set forth by the Agency and USACE. The applicant has downsized the project from the original proposal due to financial considerations. The selection of the anchoring devices and trash boom are thought to be those that cause the least impact to the river.

### **Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities**

The Applicant conducted a mussel survey in the project corridor and has found the state-listed Black Sandshell Mussel present. In a letter dated March 14, 2013, IDNR issued an Incidental Take Authorization. To address this issue the applicant has created a conservation plan to protect this and other mussels. The conservation plan includes conducting another mussel survey, just prior to construction, and removing any mussels from within the project area and transplanting them safely to another area.

### **Agency Conclusion.**

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time this antidegradation review summary was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving waters will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will provide recreational opportunities. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.