

**FTA Findings
For
MetroLINK Ferryboat Terminal, Moline, Illinois**

FTA determines that the Ferryboat Terminal project located at the 3000 block of River Drive, Moline, Illinois meets the criteria for Categorical Exclusion (CE) in accordance with **23 CFR 771.118(d)**. The project is located at the left descending bank of the Mississippi River at river mile 486.7, adjacent to the Great River Trail in the Ben Butterworth Parkway. The proposed project includes constructing a 64'x 64' ferry terminal to accommodate the current Channel Cat fleet of three vessels and a 130' x 10' pedestrian bridge to provide ADA accessibility from an existing parking lot to the new terminal. The attached documented CE provides sufficient environmental analyses for the proposed project and no further environmental review is required.

Pursuant to Section 106 of the National Historic Preservation Act, 36 CFR Part 800, FTA determines a finding of **"no historic properties affected"** as a result of the project. SHPO concurred with this determination on November 14, 2014.

Pursuant to 23 CFR 774, FTA determines that the construction of the ferry terminal and pedestrian bridge within the City of Moline's Ben Butterworth Parkway, will not adversely affect the features, activities and attributes that qualify the park for protection under Section 4(f); therefore, the proposed project will result in a *de minimis* impact. FTA also determines that the construction work zone/ staging and temporary construction activities that occur within the park meets the conditions for **temporary occupancy** in accordance with 23 CFR 774.13(d), and thus, will not constitute a Section 4(f) use.

Section 7 of the Endangered Species Act- FTA determines that the proposed project **"may affect, not likely to adversely affect"** the Higgins eye pearlymussel (*Lampsilis higginsii*) and Sheepnose mussel (*Plethobasus cyphus*). USFWS concurred with this finding on May 12, 2015.

The following mitigation measures and commitments are not subject to change without prior written approval from the FTA. If there is any change in the scope of work or project footprint, MetroLINK must contact FTA to evaluate potential impacts.

- **No more than 30 days prior to the installation of steel piles, MetroLINK will conduct mussel relocation within the impacted area. MetroLINK will obtain an Incidental Take Authorization (ITA) for the Illinois state-threatened black Sandshell (*Ligumia recta*) and Butterfly (*Ellipsaria lineolate*) mussels from the Illinois Department of Natural Resources.**
- **MetroLINK and its contractor shall comply with all terms and conditions of Section 404 NWP No. 14 as established by the USACE and Section 401 Water Quality Certification conditions (as published in Fact Sheet No. 7-1L). MetroLINK will complete and returned the "Completed Work Certification" upon completion of the project in accordance with the General Condition No. 30 of the NWP.**
- **MetroLINK and its contractor shall comply with all terms, General, and Special conditions attached with the Letter of Permission, as authorized by USACE on June 4, 2015.**
- **Provisions will be made in the construction contract requiring the contractor to follow Article 107.35 (Construction Noise Restrictions) and Article 107.36 (Dust Control) of the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction Manual.**

Prepared By Dee Phan
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Environmental Protection Specialist- FTA Region VII

Date: 6/8/2015

Approved By Mokhtee Ahmad
Mokhtee Ahmad
Regional Administrator- FTA Region VII

Date: 6/8/2015

CATEGORICAL EXCLUSION (d-list)
FEDERAL TRANSIT ADMINISTRATION, REGION VII

MetroLINK Ferryboat Terminal, Moline, Illinois

STIP/TIP Item Number: ML-14-10

Approval Date: March 24, 2015

Proposed Action

MetroLINK is currently leasing dock space along the Moline riverfront for its Channel Cat passenger ferryboat operations. The dock space lacks ADA amenities and was only built to accommodate two (2) vessels. MetroLINK is proposing the construction of a new terminal to better maintain its vessels by providing additional passenger amenities and needed maintenance and storage functions for ferryboat operations.

The new terminal will be located in the 3000 block of River Drive in Moline, Illinois, which is approximately 1,000 feet upstream from the existing leased location. The project will include a new dock and a pedestrian bridge as described below:

- Dock and Fleeting Area: A 50' gangplank will connect to a 64' by 64' covered ferryboat terminal. The floating dock platform will consist of three 48' long by 16' wide bays facing downstream on the Mississippi River. The dock will extend a total of 114' into the Mississippi River. The dock will be anchored by up to 10 steel piles driven into the river bottom.
- Pedestrian Bridge: A 130-foot-long by 10-foot-wide pre-engineered steel truss bridge will be constructed adjacent to the Great River Trail over a cove of the Mississippi River for ADA accessibility from the existing parking lot to the new ferryboat terminal. Rip rap will be installed along the shoreline of the cove.

Categorical Exclusion Determination

The project is categorically excluded from further NEPA review under 23 CFR 771.118 (d):

activity category _____, or

general exclusion (no specific activity category applies, but the project is still exempt per the conditions of 23 CFR 771.118(a) and (b))

Environmental Evaluation Summary

Right-of Way/Easements: The proposed project would require 0.18 acre of easement (leased property) and 1.6 acres of temporary construction easement (TCE) from the City to accommodate the construction of a pedestrian bridge and a covered ferryboat terminal. The property lease will be in the form of an Intergovernmental Agreement, will provide MetroLINK with satisfactory continuing control over the federal improvement interest of the project property for a term of forty (40) years, and will be subject to FTA disposition requirements.

Floodplains: The project is located within a 100-year floodplain (FIRM # 17161C0140F; effective date: April 5, 2015). The structural elements of the pedestrian bridge will be designed to resist the anticipated hydrostatic forces in the project location.

MetroLINK has coordinated with and received a permit from the Illinois Department of Natural Resources (DNR) in accordance with Title 17 IL Administrative Code Part 3700 Floodway Construction and Part 3704 Public Waters rules. Illinois DNR has issued a permit in accordance with these rules with a finding 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. A copy of the permit is attached.

Navigable Waterway (Rivers and Harbors Act) and Waters of the United States (Clean Water Act): The project involves activities in the Mississippi River, a navigable waterway and jurisdictional "Waters of the United States," subject to compliance under Section 10 of the River and Harbor Act and Section 404 of the Clean Water Act permitting requirements, respectively.

The construction of the pedestrian bridge involves placing riprap (~162 square feet or 0.0037 acre) over an inlet on the bank of the Mississippi River at river mile 486.7. This activity is authorized under the terms and conditions of the Nationwide Permit No. 14 (Fact Sheet No. 7-IL) and the U.S. Army Corps of Engineers (USACE) has issued a verification letter for the use of this permit (attached). The construction of the ferry dock is authorized by USACE Letter

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of Permission (LOP) issued on June 4, 2015. MetroLINK will comply with all terms and conditions of NWP No. 14 and General and Specials conditions of the LOP.

Biological Resources/Threatened and Endangered Species: A fresh water 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. A total of 66 mussels representing 12 species were collected. State-threatened black sandshell mussels (*Ligumia recta*) were collected in all four sample locations. A single state-threatened butterfly mussel (*Ellipsaria lineolate*) individual was also collected (see USFWS mussel survey report dated May 8, 2015).

The survey did not find any federally listed species; however, the survey results indicate that the dock location could be a continuation of the mussel bed within the Sylvan Slough Higgings eye pearlymussel (*Lampsilis higginsii*) Essential Habitat Area and a suitable habitat for sheepsnose mussel (*Plethobasus cyphus*). As a result, the project “**may affect, not likely to adversely affect**” *Lampsilis higginsii* and *Plethobasus cyphus*. (USFWS concurrence is attached).

To minimize the effects on the mussels, no more than 30 days prior to the installation of steel piles, MetroLINK will relocate all mussels within the area of potential impact. MetroLINK will also obtain the *Incidental Take Authorization* (ITA) from IDNR prior to steel piles installation.

Cultural Resources: Consultation has taken place with the Illinois Historic Preservation Agency (IHPA) and the City of Moline on the proposed project. The FTA determined, and the IHPA concurred on November 14, 2014, that a finding of “no historic properties affected” is appropriate for this project.

Section 4(f): The project will occupy a portion (0.18 acre) of the Ben Butterworth Parkway, a 50-acre publicly owned park in the City of Moline that qualifies as a Section 4(f) property. The project will not substantially impair the recreational use or function of the park, but will improve access for both Channel Cat passengers and park users by providing an ADA compliant pedestrian bridge/pathway. There will not be a substantial change to the visual character of the park since the pedestrian pathway will be similar in scale and features to the existing paved trail. The proposed terminal will not be a new feature in the riverfront area since there is already an existing operating dock 1,000 feet downstream, larger nearby riverboats, and a sand/gravel storage facility on the banks for the river. The public was given the opportunity to comment on the project and no issues were identified. Following the public comment period, the FTA determined that the project would not adversely affect the features, activities, and attributes that qualify the resource for protection under Section 4(f), and that the project would result in a *de minimis* impact.

The construction of the project will require approximately 1.6 acres of TCE within the park area to accommodate a detour trail/route, temporary fences/barricades, and a staging area. An access point to the portion of the park where the project is located will be closed for the duration of the construction. However, the public can still access the park through other access points near the project area. Approximately 30 parking spaces will be unavailable to the public due to the construction staging area, but there are ample parking spaces available within walking distance. The parking lot and associated temporary work zone will be fully restored to pre-construction conditions. As a result, the temporary construction activities meet the conditions for *temporary occupancy* in accordance with 23 CFR 774.13(d) and will not constitute a Section 4(f) use. The City of Moline Parks and Recreation division concurred with FTA’s determination on February 2, 2015 (see attached).

Section 6(f) Resources: The City of Moline received grant funding in 1980 for Mississippi Riverfront Acquisition from the United States Department of Interior’s Land and Water Conservation Fund. However, the Land and Water Conservation Fund grant award was not used to acquire the location for which the passenger ferryboat terminal will be constructed. MetroLINK consulted with the City of Moline on this project, which they have identified as being consistent with and appropriate for the intended public use of the riverfront.

Construction Impacts: It is anticipated that the construction will take 3-4 months. MetroLINK will ensure that access to the park and adjacent properties are maintained throughout construction. To minimize or eliminate the effect of construction noise and dust generated by construction activities, provisions will be made in the construction contract

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requiring the contractor to follow Article 107.35 (Construction Noise Restrictions) and Article 107.36 (Dust Control) of the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction Manual.

Mitigation Measures/ Project Commitments

- No more than 30 days prior to the installation of steel piles, MetroLINK will conduct mussel relocation within the impacted area. MetroLINK will obtain an Incidental Take Authorization (ITA) for the Illinois state-threatened black Sandshell (*Ligumia recta*) and Butterfly (*Ellipsaria lineolate*) mussels from the Illinois Department of Natural Resources.
- MetroLINK and the contractor shall comply with all terms and conditions of Section 404 NWP No. 14 as established by the USACE and Section 401 Water Quality Certification conditions (as published in Fact Sheet No. 7-IL). MetroLINK will complete and returned the “Completed Work Certification” upon completion of the project in accordance with the General Condition No. 30 of the NWP.
- MetroLINK and its contractor shall comply with all terms, General, and Special conditions attached with the Letter of Permission, as issued by USACE on June 4, 2015.
- Provisions will be made in the construction contract requiring the contractor to follow Article 107.35 (Construction Noise Restrictions) and Article 107.36 (Dust Control) of the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction Manual.

Attachments

- Schematic Site Plan Map
- Project Area of Potential Effect Map
- FEMA FIRM Map
- IHPA Section 106 Concurrence Letter
- Section 4(f) Letter from FTA/City of Moline Parks and Recreation
- Section 6(f) Letter from the City of Moline
- USFWS Section 7 Concurrence
- IL-DNR Comment Letter
- IL-DNR Permit No. DS2015021 (Revised) – 04/15/15
- IL-DNR Permit No. DS2015021 (Original) – 03/31/15
- Section 10/404 Letter of Permission
- Section 404 NWP No. 14 Verification Letter and Fact Sheet No. 7 (IL)



Submitted By: _____ **Date:** 06/08/2015

Title: Jeff Nelson, General Manager

Project Sponsor/Grantee: MetroLINK