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ALERT TOP STORY

ROCK ISLAND | MILAN BOTTOMS-ADJACENT DEVELOPMENT

Rock Island officials respond to concerns about development near wetlands

Daniel Bethers
Mar 24, 2025



Rock Island Mayor Mike Thoms is joined at a news conference by Aldermen Randy Hurt, 2nd Ward; Jenni Swanson, 4th Ward; Mark Poulos, 6th Ward, and Bill Healy 7th Ward.
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The city of Rock Island hosted a news conference Friday explaining the nuances of development plans in response to concerns brought forth by protestors against a 10-acre **development adjacent to the Milan Bottoms wetlands.**

During the news conference, Rock Island Community Development Director Miles Brainard said the development will include a protective 12-by-20-foot berm and downward-facing lighting to protect **night-roosting eagles nearby.**

Jeff Hughbanks, with the developer A Hana Illowa LLC, told The Quad-City Times/Dispatch Argus that plans called for landscaping on top of and around the berms, including prairie grass, evergreen trees and oak trees, further supplementing existing light and sound insulation.

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Mayor Mike Thoms reaffirmed the city's commitment to form a task force of activists and city officials and create a conservation easement over the remaining 528 acres of city property, which is on wetland.



Rock Island Mayor Mike Thoms is joined at a news conference by Aldermen Randy Hurt, 2nd Ward; Jenni Swanson, 4th Ward; Mark Poulos, 6th Ward, and Bill Healy, 7th Ward.

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He said the task force would decide the fate of the easement but not that of the ongoing development.

Brainard said tax increment financing and business district funds were “100% eligible” for creating recreational improvements to the wetlands, decided on by the task force. Those improvements may include walkways for bird-viewing and a kayak launch site.

Thoms said a conservation easement was about six months out, significantly behind the timeline for approval of a TIF and business district package of ordinances, which has already seen the first of two required City Council readings.

The process for creating the easement will begin with a resolution at Monday's Rock Island City Council meeting. A wetlands management plan will be in place within a year, Thoms said.

Combined, the two development incentive districts will provide A Hana Illowa with up to \$6 million in development incentives over the course of several years. A large portion of the TIF funds, \$3 million, are pre-existing, generated by Bally's Casino just across Illinois 92 from the development site.

Since TIF-generated funds are confined to the district in which they're generated, the city would have little to no opportunity to spend the funds without projects liked the planned development, which includes a gas station and a cannabis dispensary.

In response to activists claiming no one will stop at the gas station because of cheaper fuel prices in Iowa, Brainard said distribution businesses “all along Andalusia Road” have been coming to the city with interest in placing a fuel station nearby. He said the city had long

planned to add development in the area.

Thoms was joined at the news conference by Aldermen Randy Hurt, 2nd Ward; Jenni Swanson, 4th Ward; Mark Poulos, 6th Ward, and Bill Healy, 7th Ward.

The mayor told the media that aldermen were “100% behind” the development and the conservation district as dual portions of the same plan for the area.

After the news conference, 5th Ward Alderman Dylan Parker told The Quad-City Times/Dispatch-Argus he believes the development process should continue until final plans can be presented to the Illinois Department of Natural Resources and the U.S. Fish and Wildlife Service.

Parker said he didn’t necessarily believe an eagle study was necessary, as long as FWS was satisfied there was no risk to the nearby eagles.

In an interview with The Quad-City Times/Dispatch-Argus, Moline-based FWS Field Office Supervisor Kraig McPeck said the FWS is responsible for enforcement of the federal Bald and Golden Eagle Protection Act but does not get involved in cases where developers or other federal agencies do not explicitly request the FWS’s involvement in permitting.



An overhead view of the planned Milan Bottoms-adjacent development, as shown during a press conference on Friday, March 21, 2025.

Daniel Bethers

Protestors have mainly targeted the development for potential violation of the portion of the act prohibiting “disturbing” eagle nesting sites.

Official recommendations of the U.S. Fish and Wildlife Office from 2007 identify night-roosting territory as protected by the clause defining "disturbing" and recommend developers reach out to their local office for tips on avoiding disruption to nests.

The guidelines say there is significant variation in appropriate advice for limiting disruption but generally recommend “retaining a landscape buffer and observing seasonal restrictions” to avoid disrupting night roosting.

McPeck said generally, developments within 660 feet were within potentially disruptive distance.

He otherwise refused to comment on the current development specifically other than that it's "under my radar" and that he has no interest in investigating it at present.

Thoms has said the city will consult with the FWS but told the Quad-City Times/Dispatch-Argus the service told him it does not have the staff to investigate something that isn't directly located on the wetlands.

Exceptions to the distance recommendations exist if similar human activity is ongoing within 1 mile of nesting sites. Bald eagles in local areas adapt to the level of human activity there over decades.

This can reduce the restriction to 330 feet, with construction within 660 recommended only outside of roosting season.

Regardless of sensitivity, the point is moot without current knowledge of nest locations.

Directly above its developer best practice recommendations, **the U.S. Fish and Wildlife Services website states**, "it is the responsibility of anyone conducting activities that may disturb eagles ... to survey the vicinity for any breeding eagle activity and eagle nests before conducting these activities."

If disruption occurs

The FWS treats organizations like law treats those who fish or hunt. Permits are required for those who signal their intention to do so, but little is done before that point unless someone is "caught in the act" without one.

McPeck said a development that did not seek a preemptive permit with the Fish and Wildlife Service and resulted in the death or disruption of eagles could open potential for legal repercussions, up to the full \$200,000 fine and imprisonment of one year referenced in the Bald and Golden Eagle Protection Act.

How disruption could be proved without study and survey of nests beforehand is unclear.


Former FWS employee Jon Duyvejonck said proving disruption without developer cooperation was very difficult because of other factors and development locations that could also cause nest disruption.

Damage to protected species would ordinarily be proven by federal conservation agents, but many activists have expressed doubt the current federal government will prioritize the issue.

Duyvejonck thinks otherwise but says public outcry will be unlikely to trigger an investigation at any stage. Federal officials or agencies must request FWS involvement in most cases.

Hughbanks said he had no intention of reaching out to FWS but that he had been in contact with the Illinois Department of Natural Resources, which Duyvejonck said is sometimes involved in enforcing federal measures.

Hughbanks said IDNR had only requested A Hana Illowa do an archeological survey because of the artifact-dense region. Wapsi Valley Archaeology, Inc., was contracted for a survey, which found no Native American remains.

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ARCHAEOLOGICAL SURVEY/TESTING SHORT REPORT

Illinois State Historic Preservation Office
One Natural Resources Way, Springfield, IL 62702
(217) 785-4997

SHPO Log #: 003110424

LOCATIONAL INFORMATION AND SURVEY CONDITIONS

County: Rock Island

Quadrangle: Milan, IL (2000)

Project type/title: Phase I Survey of Approximately 9.33 Acres for Proposed New Construction in the City of Rock Island, Blackhawk Township, Rock Island County, Illinois

Funding and/or permitting Federal/State agencies: IEPA

Legal location: **Township:** 17N **Range:** 2W **Section(s):** 16

Natural Division: Illinois River and Mississippi River Sand Areas

Project description: The proposed project includes the construction of a large gas station, cannabis dispensary, and attached restaurant within the project area parcel across from Bally's Casino in Rock Island, Illinois. A Phase I archaeological survey was conducted by Wapsi Valley Archaeology, Inc. in order to locate any potentially significant archaeological resources within the project area boundaries.

Topography: Terrace.

Soils: Dickinson sandy loam, 0 to 2 percent slopes (87A), 56.5%; Sparta loamy sand, Illinois till plain, 0 to 2 percent slopes (88A), 34.9%; Sawmill silty clay loam, undrained, 0 to 2 percent slopes, frequently flooded (1107A), 7.5%; Waukee loam, 0 to 2 percent slopes (727A), 0.6%; Orthents, loamy, undulating (802B), 0.4%.

Drainage: Kickapoo Slu/Slough, to the Mississippi River.

Land use/ground cover (include % visibility): Grassy field, with some bare patches, as well as paved walkways, gravel drives, and concrete pads. Surface visibility varied greatly, from 0 to 90 percent, with the majority of the project area featuring visibility below 25 percent.

Survey limitations: Marked and unmarked utility corridors in portions of the project area, as well as extensive construction disturbance across the entire parcel, including construction debris and extremely compacted soils, which impeded subsurface survey.

Hughbanks added IDNR is still awaiting receipt of final plans for the development before it gives final clearance. He added the IDNR typically requests endangered species surveys by this point in the process if it has environmental concerns.

Wapsi Valley Archaeology's historical analysis of the site showed it served as a staging ground for RiverStone Group Inc. sand, gravel and concrete batch plant mines as far back as the 1950s.

This usage of the development continued until the early 1980s, at which point the land began to be used as a Bobcat dealership and storage lot. The dealership was demolished sometime between 2004 and 2005, and the land remained unused until it was given to the city by the RiverStone group in 2022.

The study theorizes the fill that raises the development site above the flood-plain is leftover from the mining operations or the construction of the nearby interstate.

Hughbanks argued this demonstrated a precedent of commercial use that had not destroyed the environment.

City officials and A Hana Illowa have made it clear they intend to proceed with development. There are plans to break ground in April.

Protestor perspective

Duyvejonck feels proceeding with development is premature given no recent studies or surveys have been done on the eagle population.

"I don't think anything substantial changed," Duyvejonck said after the news conference. "The city still intends to proceed with the development and most of us are still objecting to it as proposed.

Although I will be on the mayor's advisory task force, I still oppose the development."

He said the FWS's process in this instance is reactive rather than proactive. Any damage done to eagles will not be fixed even if developers are punished.

"The federal agencies have dropped the ball on this," eagle expert Kelly McKay said. "My opinion is that (the modifications to the site) cannot mitigate this unless they can guarantee no truck horns or lights. There will 100% be an extremely negative impact ... The city says I'm wrong. Who's more likely to be right: the people who didn't know what a night-roost was a month ago, or someone with half a century of experience studying eagles, including in this area?"

Correction: An earlier version of this article listed the incorrect job title for Miles Brainard and an incorrect number of City Council readings needed.

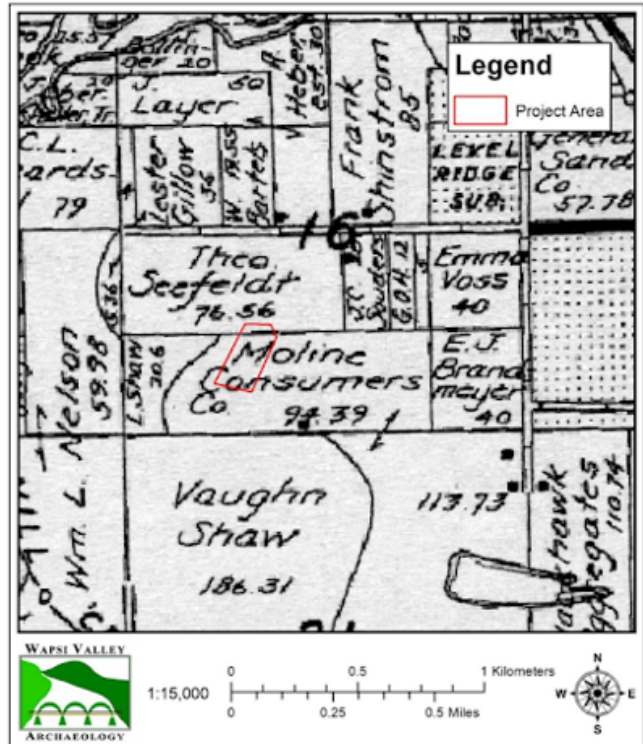


Figure 10. 1959 plat map showing the project area. Source: Rockford Map Publishers (1959).

The RiverStone Group was formerly the Moline Consumers Company (MCC), founded in 1917. The company used the plot to mine for materials to use in gravel, concrete or as fill.

CONTRIBUTED



Figure 11: 1975 aerial photograph showing the project area. Source: *Historic Aerials (2025)*.

An aerial photo from 1975 showing past use of the proposed development site.

CONTRIBUTED



The eagles find themselves in a sort of environmental updraft since the early 2000's when the federal government took the thriving birds off its endangered species list, with more states following suit, and culturally, too, they're soaring.

27 photos of bald eagles along the Mississippi River