

JUL 28 2008

FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACTS

For

EASTERN IOWA INDUSTRIAL CENTER

RAILROAD EXTENSION

CITY OF DAVENPORT, IOWA

CITY OF ELDRIDGE, IOWA

SCOTT COUNTY, IOWA

IOWA DOT PROJECT NUMBER: RPD-FED06(010)—45--82

The Federal Highway Administration (FHWA) has determined that this project will not have any significant impact on the human and natural environment. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The FHWA takes full responsibility for the accuracy, scope and content of the attached Environmental Assessment.

Date

7/8/08

For FHWA

Michael Sebastian

**FEDERAL HIGHWAY ADMINISTRATION
Finding of No Significant Impact for
Eastern Iowa Industrial Center Railroad Extension Project
In Davenport and Eldridge, Iowa
Scott County**

DESCRIPTION OF PROPOSED ACTION

The proposed project consists of a new railroad extension, approximately 2.8 miles in length, located in southern Eldridge, northern Davenport, and an unincorporated area of Scott County Iowa and will provide freight rail service to the Eastern Iowa Industrial Center (EIIC). The proposed alignment begins on Eldridge Line of the Iowa Chicago & Eastern Railroad (IC&E) Blackhawk Road crossing, curves to the west through Eldridge Industrial Park and Commercial Development, across First Street into agricultural land, turns south through agricultural land, and ends at the EIIC. The proposed project will realign the existing Eldridge Line spur of the IC&E located between Blackhawk Road and Trails Road further to the south and will end approximately 1200 ft north of Research Parkway in the EIIC in Davenport Iowa.

COMMENTS AND COORDINATION

Notification of the availability of the Environmental Assessment was forwarded to federal, state and local agencies on March 28, 2008. Public availability of the document was published in the Quad City Times on March 31, 2008. The review period for the EA expired on April 30, 2008. A total of seven comment letters were received on the document. A copy of each letter is attached in Appendix A. A public hearing was held on this project on April 28, 2008, at the Blong Technology Center in the Eastern Iowa Industrial Center in Davenport, Iowa.

Approximately eight persons attended that April 28, 2008 Public Hearing and in Room 211 of the Blong Technology Center in Davenport, Iowa. The meeting was held in an Open Forum Format, allowing hearing attendees time to ask questions and make comments.

The major issues raised at the hearing and in letters included:

- Concern over loss of access to land due to the introduction of the railroad
- A question as to who is responsible for maintaining the Right of Way, in terms of mowing and maintaining the ditch profile.
- A question as to whether a filter strip is needed along the Right of Way in order to keep chemicals associated with farming from leaching into the drainage way.

A copy of the EA was available on the City of Davenport's website, and copies were also sent to Davenport Public Library's Main Street Branch, Davenport Public Library's Fairmount Branch, and the Eldridge Library. Letters were received from the U.S. Army Corps of Engineers, U.S. Department of Agriculture's Natural Resource Conservation Service in Des Moines and in Fairfield, Iowa, Surface Transportation Board, Federal Aviation Administration, and a group

letter from a group of property owners from which property will be acquired. A copy of each of these letters appears in Appendix A, along with its response, if warranted.

Comments received from the public and agencies will not affect the general location of the Preferred Alternative; however all comments will be considered and further evaluated during the design phase for feasibility of incorporation into the design.

This FONSI documents compliance with NEPA and all other applicable environmental laws, Executive Orders, and related requirements.

BASIS FOR FINDING OF NO SIGNIFICANT IMPACT

The following human and natural environmental resources were evaluated, in the EA, for effects they may incur as a result of the Project:

- | | |
|-------------------------------------|--|
| ▪ Community Cohesion | ▪ Recreation |
| ▪ Relation Potential | ▪ Temporary Impacts |
| ▪ Churches and Schools | ▪ Land Use |
| ▪ Utilities | ▪ Visual Resources and Aesthetics |
| ▪ Energy | ▪ Transportation |
| ▪ Emergency Routes | ▪ Public Services |
| ▪ Environmental Justice | ▪ Right of Way |
| ▪ Construction | ▪ Archeological and Historic Resources |
| ▪ Pedestrians and Bicyclists | ▪ Farmland |
| ▪ Wetlands | ▪ Water Quality |
| ▪ Surface Waters | ▪ Floodplain |
| ▪ Wild and Scenic Rivers | ▪ Noise |
| ▪ Wildlife and Habitat | ▪ Regulated Materials |
| ▪ Threatened and Endangered Species | ▪ Air Quality |
| ▪ Vegetation | |
| ▪ Ecosystem | |

The EA documented the absence of significant impacts associated with the implementation of the Preferred Alternative and there have been no changes to the environment in the project corridor since the publication of the EA and the time of the public hearing.

SPECIAL CONDITIONS ASSOCIATED WITH LOCATION APPROVAL

The Airport Layout Plan showing the rail alignment and the Agreement between the City of Davenport and the Davenport Airport Commission need to be amended and submitted to the Federal Aviation Administration. The City of Davenport is also required to submit and receive approval of a Notice of Proposed Construction or Alteration for Objects Affecting Navigable Airspace to the FAA. This is due to the railroad crossing safety zones for two runways at the Davenport Municipal Airport.

The City of Davenport will need to apply and receive approval for the National Pollutant Discharge Elimination System permit through the Iowa Department of Natural Resources for the disturbance of more than one acre of land.

The City of Davenport will need to file for the authority to construct a new rail line with the Surface Transportation Board. The Surface Transportation Board will need adopt the Environmental Assessment that has been prepared by the City of Davenport in conjunction with the Iowa Department of Transportation and the Federal Highway Administration.

New Right of Way for this project will be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

APPENDIX A
AGENCY COMMENT LETTERS
And
RESPONSES TO COMMENTS

Berkley, Laura M.

From: Berkley, Laura M.
Sent: Friday, April 11, 2008 9:31 AM
To: 'Parker, Lynn A MVR'
Cc: Jones, Donna M MVR; 'Hyer, Randy [DOT]'
Subject: RE: EIIC (UNCLASSIFIED)

Dear Ms. Parker:

Thank you for your comment. We have received approval of a Section 401 and 404 permit under Nationwide Permit No. 14 in a letter addressed to Greg Albansoder dated January 25, 2008. Please see the attached letter for your reference. If you have any other comments or questions, please let me know.

Thank you,

Laura Berkley
Planner I, Office of Planning & Land Use City of Davenport
226 W. 4th St.
Davenport, Iowa 52801
Ph. (563) 326-6174
Fax (563) 328-6714

-----Original Message-----

From: Parker, Lynn A MVR [mailto:Lynn.A.Parker@usace.army.mil]
Sent: Tuesday, April 01, 2008 7:25 AM
To: Berkley, Laura M.
Cc: Jones, Donna M MVR
Subject: EIIC (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Good morning, Ms. Berkley,

I have been tasked to review your Notice of Availability dated March 28, 2008, regarding a railroad extension for the EIIC in Scott County, Iowa.

As you were advised by Michael D. Hayes on March 26, 2007, a Section 404 permit will be required by the Corps of Engineers for the crossing of Crow Creek.

My initial review also indicates that the Southwest portion of the proposed project may cross Goose Creek, another area of interest for the Corps.

Please submit a completed joint application package for this project at your earliest convenience. A hard copy of the application form can be mailed to you, or you can access an electronic copy at www.usace.army.mil.

If you have any questions, please feel free to contact me at the following sites:

Lynn Parker
General Biologist
Work 309-794-5446
Email lynn.a.parker@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

United States Department of Agriculture



Natural Resources Conservation Service
210 Walnut Street, Room 693
Des Moines, IA 50309-2180

APR 7 2008

April 3, 2008

Ms. Laura Berkley
Office of Planning & Land Use
Department of Community & Economic Development
226 West 4th Street
Davenport, IA 52801

Dear Ms. Berkley:

Thank you for the opportunity to respond to your March 28, 2008, letter regarding the railroad extension project in Scott County.

At this time, the Natural Resources Conservation Service has no comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Al Garner".

Al Garner
Acting State Conservationist

cc: Bruce Trautman, Assistant State Conservationist (FO), NRCS, Fairfield, IA
Paul Viner, District Conservationist, NRCS, Davenport, IA

Berkley, Laura M.

From: Berkley, Laura M.
Sent: Wednesday, April 09, 2008 11:05 AM
To: 'LaVan, Mark - Fairfield, IA'
Cc: 'Hyler, Randy [DOT]'
Subject: RE: RR Extend Scott Co.



Form



early



EIIC Railroad

D-1006.jpg (1 M)ination letters_P&-T-R.pdf (6 MB).

Mark,

Federal Dollars will be used for this project and farmland will be permanently taken out of production. We have completed out AD-1006 form and received comment from the Des Moines NRCS office stating that there were no concerns at the time. Please see the attached documents for reference. Let me know if you have any additional questions or comments.

Thank you,

Laura Berkley
Planner I, Office of Planning & Land Use City of Davenport
226 W. 4th St.
Davenport, Iowa 52801
Ph. (563) 326-6174
Fax (563) 328-6714

-----Original Message-----

From: LaVan, Mark - Fairfield, IA [mailto:Mark.LaVan@ia.usda.gov]
Sent: Monday, March 31, 2008 4:40 PM
To: Berkley, Laura M.
Subject: RR Extend Scott Co.

Laura,

I have received your request for a environmental assessment for the Eastern Iowa Industrial Center Railroad Extension in Scott County, Iowa. For NRCS to need to complete a farmland conversion impact rating (our version of an EA) two requirements need to be met: 1) will federal dollars be used for this project and 2) will this project take farmland out of permanent production.

If the answer to either 1 or 2 is no, I can write you a letter stating that NRCS does not have an opinion on this project.

If the answer to 1 or 2 is yes, I will need to see a location map showing the exact location of the new railroad extension.

Please let me know how to proceed.

Mark R. La Van
Area Resource Soil Scientist
Natural Resources Conservation Service

Berkley, Laura M.

From: Berkley, Laura M.
Sent: Wednesday, April 16, 2008 10:14 AM
To: 'Christa.Dean@stb.dot.gov'
Cc: Miner, Pam; Heyer, Brian; Albansoder, Greg; 'Hyer, Randy [DOT]'
Subject: RE: Questions Re the Eastern Iowa Industrial Center Railroad Extension

Christa,

I have been working on gathering responses to your questions. I do not have answers for all of the questions, as agreements between the City of Davenport and the railroad have not yet commenced. Some of the answers given may change as discussions with the railroad progress.

The City of Davenport build, construct, own and control the proposed rail line. Iowa Chicago & Eastern/ Canadian Pacific will operate over the line, and would be compensated. The railroad's role in this project is to provide rail service to businesses who wish to use the rail for freight transportation. The relationship between the railroad, EIIC and the City of Davenport has yet to be determined concerning the operations on the proposed rail line. While the City of Davenport will own the line, the intention is to give the railroad trackage rights including the ability to serve companies along the line.

The City of Davenport has looked into the possibility of charging the railroad to operate over the line; however at this time I do not believe there is an intention to have an operation fee associated with the line. While no agreements have been finalized, there has been discussion as to who would be responsible to funding and performing maintenance. The City of Davenport may take the responsibility of funding and performing maintenance on the line; however an agreement may be made which would have the City of Davenport maintain and fund improvements to the Right of Way and crossings while the railroad maintain and fund repairs or improvements to the line.

No arrangements have been finalized as to who would perform dispatching and be liable for any losses or injuries arising from operations on the rail line.

I have also contact the IC&E regarding your question as to whether construction or acquisition has previously been approved by the Surface Transportation Board on the Eldridge Line; however I have not received a response yet.

Please let me know if you have any additional questions or comments.

Thank you,

Laura Berkley
Planner I, Office of Planning & Land Use City of Davenport
226 W. 4th St.
Davenport, Iowa 52801
Ph. (563) 326-6174
Fax (563) 328-6714

-----Original Message-----

From: Christa.Dean@stb.dot.gov [mailto:Christa.Dean@stb.dot.gov]
Sent: Monday, April 07, 2008 10:15 AM
To: Berkley, Laura M.
Subject: Questions Re the Eastern Iowa Industrial Center Railroad Extension

Ms. Berkley,
We spoke earlier today regarding the Eastern Iowa Industrial Center Railroad Extension. Below is a list of questions that we use to help in determining whether the Surface Transportation Board would have any licensing authority over the proposed rail construction:

Who would actually build and construct the proposed rail line?

Who would actually own and control the proposed rail line?

Who would actually operate over the proposed rail line? Would that entity be compensated?

What is the railroad's role in this project, specifically in relation to the proposed rail line? What would be the nature of the railroad's operations?

What would the relationship be between the railroad and EIIC or any related entity concerning operations on the proposed rail line?

Would the railroad have any property interest in the proposed rail line? (For example: ownership; easement; or trackage rights).

If the railroad operates over the proposed rail line, would it be paying to operate over the line?

Who would perform maintenance on the proposed rail line?

Who would fund maintenance of the proposed rail line?

Who would perform dispatching on the proposed rail line?

Who would be liable for any losses or injury arising from operations on the proposed rail line?

Thanks,
Christa Dean

Christa L. Dean, Attorney
Surface Transportation Board
Section of Environmental Analysis
202.245.0299

MAY 2 - 2008

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

April 28, 2008

Laura Berkley
City of Davenport
Department of Community and Economic Development
226 West Fourth Street
Davenport, Iowa 52801

RE: Eastern Iowa Industrial Center Railroad Extension in
Scott County, Iowa

Dear Ms. Berkley:

The Surface Transportation Board (Board) has been authorized by Congress to license both new rail line construction and abandonment of rail lines. Both rail line construction and abandonment are considered to be "major Federal actions," requiring environmental analysis under the National Environmental Policy Act (NEPA). The Board's Section of Environmental Analysis (SEA) is responsible for conducting the environmental review process to ensure the Board's compliance with NEPA and related environmental laws.

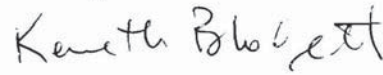
In a March 28, 2008 letter, the City of Davenport notified the Board about the proposed construction of an approximately 2.8-mile rail line that would be located in southern Eldridge, northern Davenport, and an unincorporated area of Scott County, Iowa. The proposed rail line would provide freight rail service to the Eastern Iowa Industrial Center, which is an industrial park located in Davenport. Based on additional information that we received from your office on April 16, 2008, we understand that the City of Davenport would build, construct, own and control the rail line while Iowa Chicago & Eastern/ Canadian Pacific would operate over the line and provide rail service to businesses located along the line.

Based on the project description, SEA and the Board's Office of Proceedings have determined that the proposed rail line appears to be subject to the Board's licensing authority under 49 U.S.C. 10901. Accordingly, the City of Davenport would need to file with the Board for authority to construct the new rail line and, at that time, SEA can go through the process of adopting the Environmental Assessment that has been prepared by the City of Davenport in conjunction with the Iowa Department of Transportation and the Federal Highway Administration.¹

¹ The Council on Environmental Quality's regulations specifically address adoption only in terms of preparing an Environmental Impact Statement; however, CEQ encourages agencies to adopt Environmental Assessments prepared by other agencies.

If you have any questions, please contact Christa Dean by phone at (202) 245-0299 or e-mail at christa.dean@stb.dot.gov.

Sincerely,

A handwritten signature in black ink that reads "Kenneth Blodgett". The signature is written in a cursive style with a large, stylized 'K' and 'B'.

Kenneth Blodgett
Acting Chief
Section of Environmental Analysis



City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
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www.cityofdavenportiowa.com

May 5, 2008

Kenneth Blodgett, Acting Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street SW, Room 1106
Washington, D.C. 20423-0001

RE: Eastern Iowa Industrial Center Railroad Extension in Scott County, Iowa

Dear Mr. Blodgett:

The City of Davenport has received your letter dated April 28, 2008 regarding the need to file with the Board for the authority to construct a rail line. I contacted Christa Dean on May 2, 2008 for more information and the City of Davenport will comply with these regulations and begin the process of adopting the Environmental Assessment that has been compared in conjunction with the Iowa Department of Transportation and the Federal Highway Administration.

Thank you,

Laura Berkley, Planner I
Office of Planning & Land Use
Department of Community & Economic Development
City of Davenport, Iowa



Working Together To Serve You



U.S. Department
Of Transportation

**Federal Aviation
Administration**

Central Region
Iowa, Kansas
Missouri, Nebraska

901 Locust
Kansas City, Missouri 64106-2325

APR 14 2008

April 8, 2008

Ms. Laura Berkley, Office of Planning & Land Use
Department of Community & Economic Development
City of Davenport
226 West Fourth Street
Davenport, IA 52801

Re: Notice of Environmental Assessment Availability
For the Proposed Eastern Iowa Industrial Center Railroad Extension Project
Cities of Eldridge, Davenport and unincorporated Scott County, Iowa

Dear Ms. Berkley:

The Federal Aviation Administration (FAA) reviews other federal agency environmental from the perspective of the FAA's area of responsibility; that is, whether the proposal will have effects on aviation and other FAA responsibilities. We generally do not provide comments from an environmental standpoint. Therefore, we have reviewed the material furnished with your letter dated March 28, 2008, concerning the above referenced project, and have no comments regarding environmental matters.

On November 8, 2007, the FAA approved a partial revision to the Davenport Municipal Airport Layout Plan depicting the addition of a proposed railroad spur off the end of Runway 15 and Runway 21. However, the FAA has not consented to the Railroad Extension Agreement between the City of Davenport and the Davenport Airport Commission. The FAA has not received a response to our concerns regarding the Railroad Extension Agreement as outlined in the letter to Mr. Byron L. Baxter (copy enclosed). Please respond to the comments and revise the Agreement as applicable, and once the revisions are completed, please resubmit the Agreement for our review to Scott Tener, FAA Iowa Airport Planning Engineer, at 816-329-2639.

We remind you that the project will require formal notice and review from an airspace standpoint. The requirements for this notice may be found in Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace. This regulation is contained under Subchapter E, Airspace of Title 14 of the Code of Federal Regulations. Persons failing to comply with the provisions of FAR Part 77 are subject to Civil Penalty under Section 902 of the Federal Aviation Act of 1958, as amended and pursuant to 49 U.S.C. Section 46301(a).

Airports that have received federal funds are obligated by grant assurance to identify and mitigate hazards to navigable airspace at their airport. Construction or alteration of objects on or around airports can have an adverse impact to operations at your airport:

- Construction of objects may result in an increase to approach minimums to your runways.
- The location of constructed objects may impact runway protection zones, safety areas, object free areas and obstacle free zones.
- The transmitting frequency of the proposed facility could impact the proper operation of navigational aid facilities at your airport.

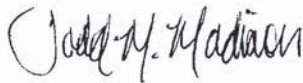
It is prudent for owners to protect the airspace around their airport to prevent loss of existing approaches or other negative impacts affecting utilization of their airport.

Advisory Circular 70/7460-2k states that notification is to be submitted 30 days prior construction. Given the time required to conduct an aeronautical study, we recommend a 60-day notification to accommodate the review process and issue our determination letter. On-airport proposals within the FAA Central Region may use e-file (Requires Registration) at <http://oeaaa.faa.gov> or mail the completed 7460-1 form to the following address:

FAA Airports Division
Attn: Angela Muder
901 Locust St.
Room 335
Kansas City, MO 64106

I would encourage you to submit a request for airspace study at your earliest convenience in order to determine if there are any potential effects to the airport from the proposed railroad.

Sincerely,



Todd M. Madison, P.E.
Environmental Specialist

Encl.: FAA Letter to Mr. Byron L. Baxter dated 7/13/07

cc: Ms. Nicoletta Oliver, FAA ACE-610C (w/encl.)
Mr. Scott Tener, FAA ACE-611C (w/encl.)
Ms. Kay Thede, IDOT Office of Aviation (w/encl.)
Mr. Byron Baxter, Davenport Municipal Airport (w/encl.)
Ms. Angela Muder, FAA ACE-620F (w/encl.)



City of Davenport

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www.cityofdavenportiowa.com

May 5, 2008

Todd Madison, Environmental Specialist
Federal Aviation Administration
U.S. Department of Transportation
901 Locust
Kansas City, MO 64106-2325

RE: Eastern Iowa Industrial Center Railroad Extension Project
Cities of Eldridge, Davenport, and unincorporated Scott County, Iowa

Dear Mr. Madison:

City of Davenport has received your letter dated April 8, 2008 with your comments regarding the above referenced project. Changes to the Railroad Extension Agreement between the City of Davenport and the Davenport Airport Commission dated May 21, 2007 following the release of funds for the railroad project. This is when an appraisal of the property can be done. We will also submit a formal notice of Objects Affecting Navigable Airspace, form 7460-1 after funds have been released for the railroad project in order to update the plans.

Thank you for your comments.

Sincerely,

Laura Berkley, Planner I
Office of Planning & Land Use
Department of Community & Economic Development
City of Davenport Iowa



Working Together To Serve You

Laura

4/28/08

Ms. Laura Berkley
City of Davenport
226 W. Fourth St.
Davenport, IA. 52801

Re: EIIC Railroad Extension Environmental Assessment

Dear Ms. Berkley,

The owners of Glendale Inc and Select Acres are glad to see the continued progress on the above project. We know the proximity of our farms have put our land in the preferred alternative alignment. We expect successful negotiations for you to obtain the ROW.

When we reviewed the Environmental Assessment -- Part I we noticed that our land is referred to as "agriculture land."

Our Glendale Inc land in the City of Eldridge is zoned industrial. Our

(2)

Select Acres land that is in the City of Davenport is referred to in the EIIC Environmental Assessment as "The Gateway to an industrial area with an ultimate build out of 1200 to 1300 acres."

Our dad has owned this farm and farmed it since the early-mid 1940's. Before our dad died in 2005 our family recognized there is a higher and better use of this farmground. Our family decision to list the farms was made before any RR discussion occurred.

We wanted to bring your attention to Part V PROJECT IMPACTS. The assessment states "The project will not sever any parcels diagonally, and impacts are expected to be minimal."

Project Impacts part V also refers to our land as future industrial area.

This designation was made by the ^(3.)
2003 Bi-State Regional Commission.

The introduction of the RR alignment
will change our original offering.

We have earlier voiced access
concerns to land which will be impeded
by the introduction of RR.

Our family is a willing seller to
help bring this project to reality.

Please accept this letter for
The review deadline of April 30, 2008.

Sincerely,

Glen Keppy
Dale Keppy
Annette Remsburg
Ila Jean Taylor



City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7711 TDD: 563-326-6145
www.cityofdavenportiowa.com

May 7, 2008

Select Acres, LP
c/o Glen L. Keppy
21316 155th Ave.
Davenport, IA 52804

RE: Eastern Iowa Industrial Center Railroad Extension Environmental Assessment Comments

Dear Mr. Keppy,

Thank you very much for your comments regarding the Environmental Assessment of the Eastern Iowa Industrial Center Railroad Extension project. The City of Davenport has appreciated your cooperation, patience and interest with the Environmental Review process. Your input and attendance at meetings has been very important and informational to the City.

I understand your concern about the railroad cutting off existing access to portions of your property. As stated in the Environmental Assessment document, properties where existing access would be inhibited by the introduction of the railroad will retain an access point to the remainder of the property. This is likely to be in the form of a private agricultural crossing. At the April 28, 2008 meeting you mentioned that some of your concerns about access is in regard to future development of the properties. At this time, it is difficult to say if access will be provided for future developments. As you are aware, there is a safety issue with railroads and the amount of crossings along rail lines. The City of Davenport is not opposed to allowing crossings to developments, but would need to review the development and receive input from the railroad company and in most cases the City of Eldridge before agreeing to allow a public road crossing to be installed. This is to avoid extraneous crossings and to facilitate functional development along the rail line.

At the April 28, 2008 public hearing on the EIIC Railroad Extension Environmental Assessment, a question was raised as to who would be responsible for maintaining the ditches in the Right of Way. The City of Davenport would be responsible to ensure that the ditches drain properly and would maintain them in that effect; however traditionally speaking, property owners adjacent to the Right of Way are responsible with general upkeep of the Right of Way. This would include mowing. This topic will most likely be discussed in more detail during the negotiation process.

Glen and Neal mentioned the need for a filter strip along the Right of Way to prevent chemicals from leaching into the drainage way. At this time, it is believe that the ditch profile will provide



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for the filtering of chemicals from drainage waters; however McClure Engineering will be taking a closer look at the need for a filter strip when they update their plans following the release of funds for the project. At that time they will also be looking into whether the temporary construction easements will need to be designated as either permanent easements or Right of Way.

Once again, thank you for your participation and comments regarding the EIIC Railroad Extension project. We will be notifying you when federal funds have been released for the project and informing you of the next steps for the negotiations and land acquisition.

Sincerely,

A handwritten signature in cursive script that reads "Laura Berkley".

Laura Berkley, Planner I
Planning Division
Department of Community & Economic Development
City of Davenport, Iowa