
TIER 1 DRAFT EIS COMMENTS AND RESPONSES

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Table 1. Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study Tier 1 Draft EIS Comments and Responses

Comment Number	Draft EIS Topic	Commenter	Affiliation	Comment	Response
5267	Public Involvement	Scott Koch	Greater Des Moines Convention & Visitors Bureau	Do you have a twitter account or anything I can tweet out? What about Facebook?	Hello, Thank you for your interest in the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Information about the project can be found by following the Iowa DOT Twitter at https://twitter.com/iowadot . In addition, Share Links built into the project website at www.iowadot.gov/chicagotoomaha/ will have updated information you can share through Facebook and Twitter. Thank you for your comment.
5263	Noise – Loud Rail Traffic; Safety – Grade Crossings	Frank Salomon	Greater Des Moines Convention & Visitors Bureau	Greetings. In reading the new draft EIS, part 7, I was pleased to find awareness that grade-crossing and noise are concerns. SAFETY GATES: I ask you to make sure in particular that four-part gates and other safety measures are written firmly into the project core, and not left as expensive loose ends for municipalities to cover. A few feet from my house, on Greenwood Ave. (IA 52246), rails with NO gates at all run across the access way to a children's day care center. This is already frightening, with freight trains, and with high-speed traffic it would become deadly. NOISE: As I understand it, four-part gates would obviate the requirement that locomotives sound their horns at the crossing. Horns, and not motor noise, are the main noise impact here. The rails apparently also need an additional improvement to mitigate screeching wheels. Please understand that I am generally pro-rail, but only if HSR in undertaken with FULL concern for environmental needs. Highways already compromise a lot of real estate; let's not let rails add to the problem. Thanks for your attention. Frank Salomon	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Grade Crossings: Based on criteria developed by the FRA (Federal Railroad Administration) as part of implementation of a new intercity passenger rail service, gates and flashing lights will be required for every public crossing along the entire route, including crossings that now only have flashing lights and/or passive signage. For speeds of 79 mph or less, gates are installed on 2 quadrants rather than 4. If the speeds are ultimately higher than 79 mph, there will be a requirement to install additional safety mechanisms at the crossings. Noise: A locomotive is required to sound their horn for safety purposes, unless a community has established a Quiet Zone status. For a community to become a Quiet Zone community, the local jurisdiction must work with the Federal Railroad Administration (FRA) as well as the host railroad to determine eligibility for a community becoming a Quiet Zone designee. Typically, additional safety improvements are required at crossings and the cost is the responsibility of the local community. Since that initial request must come directly from the city officials, we recommend that you continue to work with your local officials to discuss options for establishing Quiet Zone(s).
5379	Safety – Public; Transportation – Highway Congestion	Paul Weihe	Students Concerned About the Environment	Thank you for posting the EIS document, for the proposed high-speed rail line between Chicago & Omaha. I am unsure if it contains answers to two questions. Would you please respond either with answers by email, or direct me to the relevant page(s) of the document on which such answers can be found? 1. Assuming the proposed line is built, fewer people will be driving the route by personal vehicle (automobile). Would there be a difference (based on established statistics) in resultant deaths, due to fewer automobile fatalities? I would assume that more people riding the rails would lead to fewer dying in automobiles on the route. 2. Assuming the line is not built, would it be safe to assume that more people would be driving more highway miles? If so, would more highway routes/lanes/wider highways result? More highway interchanges? More parking lots built? And, have those impacts been quantified and included in your EIS? I appreciate your attention to this matter.	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Based on the study criteria we did not research how a proposed new regional passenger rail service would affect highway fatality rates on the current highway system. It would make sense that statistically as you decrease ADT (Average Daily Traffic) on a roadway, you are likely to increase safety. When we go through the exercise of determining a benefit-cost ratio for this route, which will occur over the next few months, we will take into consideration the values for human life, human injury, and property damage. My thoughts are that the volume of passenger rail are so low compared with over all traffic that we'll need to address capacity and growth regardless of whether we have passenger rail or not. Our major highways and interstates are seeing more annual traffic each year and so it is likely that if we don't have alternative transportation options, the traveling public will use what exists. The benefit-cost ratio does include a monetized value for avoided highway congestion on a per-passenger-mile basis, which incorporates broad measures for avoided highway maintenance, avoided highway construction, and avoided travel time delay. It does not measure for avoided parking lot construction. If other options don't exist, it is likely that the Iowa Department of

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					Transportation will have to plan for improvements necessary for the additional traffic, which could lead to additional lanes, more interchanges, etc.
5405	Safety - Public	Brian Recker	Individual	Will this system have security? All the conveniences and cost savings that can be attained by travelling by rail are negated if people are afraid to ride it. Thank you for your time.	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Amtrak, who would likely be the operations provider for this service, is under the jurisdiction of the Transportation Security Administration (TSA). Amtrak also maintains a police force that works with TSA on various protocols to insure safety of travelers. Amtrak and the TSA employ various methods including pre-trip screening of passenger manifests and random surveillance aboard trains and at stations, often in cooperation with local law enforcement. Amtrak trains are also subject to the laws and regulations of other authorities like the Drug Enforcement Agency and U.S. Border Patrol, who may also act to protect trains and passengers.
5408	Tier 2 Study	Rodney Wurgler	US Coast Guard	Ms. Amanda Martin, My office is trying to determine if any new bridge will be built for this proposed project or are you planning to rehabilitate any bridges for this project?	Thank you for taking the time to provide comments as part of the Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study (the Study). Iowa DOT has conducted analyses of Route Alternative 4-A concerning bridge crossings of navigable rivers that could require USCG permits. Based on the information prepared for the 2010 Chicago to Iowa City Passenger Rail Service application submitted to FRA, and the preliminary analysis completed thus far on the Study, we do not anticipate replacing or conducting any major rehabilitation to the Government Bridge in Moline, Illinois, which crosses the Mississippi River. At this time in the Study, we do not know specific infrastructure requirements for crossing the Missouri River and have identified two potential locations for crossing the river between Council Bluffs, Iowa, and Omaha, Nebraska (see the Draft EIS, Figure 2-4): either at the non-operational CN Railway (former Illinois Central) crossing or at or adjacent to the operational Union Pacific Railroad crossing. Since this Study is being evaluated under NEPA through a Tier I EIS, it does not involve detailed engineering to specifically identify a Missouri River bridge crossing location and what would need to be done with rail bridges over navigable waters. We are deferring the detailed analysis until Tier 2, when we can obtain the necessary funding to perform the planning and engineering analyses to determine the specific location of the Missouri River bridge, and whether a new bridge or reconstruction of an existing bridge would be required. After acquiring funding for Tier 2, we would be conducting Tier 2 environmental analyses concerning the environmental impacts associated with the alignment (including the crossing of navigable waters), as well as determining permitting needs with the USCG.
5486	Corrections to the Document	Corey Hlavacek	Individual	Iowa DOT Staff, In browsing the PDF document "Chapter 2 Alternatives," (http://www.iowadot.gov/chicagotoomaha/pdfs/draftEIS/Chapter%202%20Alternatives.pdf) I noticed that the map "Figure 2-1" was plotted incorrectly or in a way that may cause confusion for unfamiliar reviewers. Galesburg, IOWA is correctly plotted in its approximate location, however no rail lines, especially the IAIS, run through the town. In addition, the map has the city of Osceola, Illinois plotted correctly in its location. Again, neither IAIS nor BNSF pass through Osceola, Illinois. Osceola, Iowa is significant because the California Zephyr runs through it on BNSF Railway Company's Tracks, while Galesburg, Illinois is a big hub for BNSF Railway Company and a pass-through location for two State of Illinois sponsored AMTRAK routes and two long distance Amtrak routes. Also see Figure ES-3	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Figures ES-3 and 2-1 in the Final EIS were revised to remove Galesburg, Iowa, and Osceola, Illinois. When these figures were updated, Des Moines, Iowa, was added to both figures.</p> <ul style="list-style-type: none"> • Yes, the state of Iowa does have the ability to potentially enter into a private-public partnership or alternative funding option, but the Iowa Department of Transportation has not explored these options for the Chicago to Council Bluffs-Omaha passenger rail service. • Iowa cannot enter into a design build arrangement. • Iowa would probably consider it, if it is shown to be feasible, desirable, and legal. • Food and beverage service will be offered. The service design is too conceptual to determine whether there are two classes of service, and since contract negotiations with Amtrak haven't even begun on the Illinois side, it's unknown what they will

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				<p>http://www.iowadot.gov/chicagotoomaha/pdfs/draftEIS/ExecutiveSummary.pdf. I thought you might like to consider this as you prepare for public meetings and a future tier II EIS. I also, have a few questions for you: • Does the Iowa Department of Transportation hold the power to enter into public-private partnerships or alternative financing facilities, or would that power need to be granted by the legislature? Understanding that the Chicago – Omaha route is significantly rural which would reduce investor interest, will there be any investigation into private interests that may be willing to enter into a design, finance, build, operate arrangement (or some combination thereof)? • Also, would the operation of the route be put out for bid? I know that the state of Illinois contracts for service with Amtrak due to a number of labor and host railroad considerations. However, as proven in other states Amtrak may not be the most competitive operator of passenger services depending on the circumstances (i.e. MARC - Bombardier Transportation, VRE – Keolis, New Mexico Rail Runner Express and TRE – Herzog, etc.). • Finally, will consideration be given to the offering food and beverage service and two classes of service (business vs. coach)? Respectfully, Corey Hlavacek</p>	determine to establish.
5433	Public Involvement	Anonymous	Individual	You state that there will be 3 public meetings but there are no times listed for the meetings. What would the proposed start and stop times be? Would these be 'open house' meetings or a formal structured meeting?	The dates, times, and locations were listed on the website and noted on meeting announcements. The meetings are a combination of open house style, including a formal presentation with a question and answer session.
5443	Routes – Route Alternative 1	Arthur Roche	Individual	I live near Dubuque, and am disappointed that the more northerly alternative was dropped. With a 90 minute commute to Iowa City from Dubuque, the train from there to Chicago would not be a big improvement over driving.	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Due to the fact that the majority of the service to get from Chicago to Dubuque is in the State of Illinois, the Illinois Department of Transportation (ILDOT) is the lead agency for that effort. The ILDOT has recently discussed providing a service from Chicago to Dubuque and is currently analyzing the feasibility of providing the improvements necessary for future service. The City of Dubuque is also working with the State of Illinois and Iowa to determine the necessary steps to be ready for a potential station stop in the City of Dubuque.</p> <p>As part of the Alternatives Analysis portion of our study, we performed a thorough analysis of the CN (Canadian National) route from Chicago to Dubuque, through Waterloo, Fort Dodge and on to Council Bluffs. Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>All of the analysis performed was reviewed and completed in cooperation with the FRA (Federal Railroad Administration) and the ILDOT (Illinois Department of Transportation).</p>

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5478	Support the Project; Routes – Location Specific Comment	Mark Moore	Friends of the Depot	<p>Dear Sirs; I am past chairman of Friends of the Depot in Burlington, Iowa. We are very interested in the Chicago-Omaha route going through here and using the BNSF mainline to Omaha. The California Zephyr serves us, and is being patronized heavily now. Its on time performance is improving and is a strong ridership going both directions. A dedicated Chicago Omaha train through here is a must. It would be patronized heavily, and is necessary to provide a commuter type service that would have strong on time performance and convenient boarding times both directions. We are planning to re-open our large waiting room, restart the restaurant here, and make our depot a community center. This will become a key stop on this Amtrak route. I work with Derrick James heavily and am forwarding this to him as well. Brian Perkins is our district manager in Galesburg and works with us as well. We also would like to see a Burlington / St. Louis train again, which is a route of high potential. Now it has no service, and would be a heavily patronized route if restarted. The Mark Twain Zephyr used to travel this route daily. We are hoping to renovate it and bring it here for display.</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. We understand and agree the importance of the existing California Zephyr service that currently runs through Burlington, Iowa. That service is considered long distance service and is not funded by the Iowa Department of Transportation (Iowa DOT). As part of long-distance service, the California Zephyr is funded by Amtrak and Amtrak is responsible for all decisions associated with that service. Recently, Iowa DOT partnered with BNSF and Amtrak to apply for federal funding to provide upgrades to track infrastructure to provide better on-time performance of that service and better serve the customers who want to utilize long distance service.</p> <p>The Chicago to Omaha route which Iowa DOT is proposing would expand service in Iowa and provide a passenger rail service referred to as Intercity Passenger Rail Service (500 miles or less in length and provides daily round trip travel options). This service is in addition to the long-distance service provided by Amtrak and is not intended to replace the current California Zephyr. Expanded intercity service could ultimately provide seven round-trip trains per day to Des Moines, IA and five round-trip trains per day to Council Bluffs, IA/Omaha, NE. Based on many years of planning the Midwest Regional Rail Initiative, with eight other Midwest states, it was determined that a regional route from Chicago to Omaha would meet the needs of intercity passenger rail service for the State of Iowa. As part of the Chicago to Council Bluffs-Omaha study, we were required by the FRA (Federal Railroad Administration) to analyze all of the existing or previously established passenger rail routes from Chicago to Omaha. Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>We also note your comments regarding additional passenger rail service to St. Louis. In closing, the California Zephyr provides a very important transportation service to the state of Iowa. Any new intercity service being introduced from Chicago to Council Bluffs/Omaha would ultimately allow even more citizens the option to use passenger rail as an alternative mode and provide an additional efficient and cost effective travel option.</p>
5484	Routes – Routing Process	Leroy Perkins	Individual	<p>Good Morning!! Thanks for the note. However, you still didn't give any answer as to the present thought - Is it planned to leave the South route in place if there becomes a North route?? Leroy</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. We understand and agree the importance of the existing California Zephyr service that currently runs through Burlington, Iowa. That service is considered long distance service and is not funded by the Iowa Department of Transportation (Iowa DOT). As part of long-distance service, the California Zephyr is funded by Amtrak and Amtrak is responsible for all decisions associated with that service. Recently, Iowa DOT partnered with BNSF and Amtrak to apply for federal funding to provide upgrades to track infrastructure to provide better on-time performance of that service and better serve the customers who want to utilize long distance service.</p>

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					<p>The Chicago to Omaha route which Iowa DOT is proposing would expand service in Iowa and provide a passenger rail service referred to as Intercity Passenger Rail Service (500 miles or less in length and provides daily round trip travel options). This service is in addition to the long-distance service provided by Amtrak and is not intended to replace the current California Zephyr. Expanded intercity service could ultimately provide seven round-trip trains per day to Des Moines, IA and five round-trip trains per day to Council Bluffs, IA/Omaha, NE. Based on many years of planning the Midwest Regional Rail Initiative, with eight other Midwest states, it was determined that a regional route from Chicago to Omaha would meet the needs of intercity passenger rail service for the State of Iowa. As part of the Chicago to Council Bluffs-Omaha study, we were required by the FRA (Federal Railroad Administration) to analyze all of the existing or previously established passenger rail routes from Chicago to Omaha. Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>In closing, the California Zephyr provides a very important transportation service to the state of Iowa. Any new intercity service being introduced from Chicago to Council Bluffs/Omaha would ultimately allow even more citizens the option to use passenger rail as an alternative mode and provide an additional efficient and cost effective travel option.</p>
5485	Routes – Routing Process	Leroy Perkins	Individual	<p>Good Morning!! A while back I e-mailed a question but to date have not heard back as to the thoughts on the question. I'll send it along again and see if you folks are really reading these - Question = If a new route is decided upon in the North part of the state or mid-central, will that do away with the present South route,... OR will it remain and we will then have two (2) routes through the state??</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. We understand and agree the importance of the existing California Zephyr service that currently runs through Burlington, Iowa. That service is considered long distance service and is not funded by the Iowa Department of Transportation (Iowa DOT). As part of long-distance service, the California Zephyr is funded by Amtrak and Amtrak is responsible for all decisions associated with that service. Recently, Iowa DOT partnered with BNSF and Amtrak to apply for federal funding to provide upgrades to track infrastructure to provide better on-time performance of that service and better serve the customers who want to utilize long distance service.</p> <p>The Chicago to Omaha route which Iowa DOT is proposing would expand service in Iowa and provide a passenger rail service referred to as Intercity Passenger Rail Service (500 miles or less in length and provides daily round trip travel options). This service is in addition to the long-distance service provided by Amtrak and is not intended to replace the current California Zephyr. Expanded intercity service could ultimately provide seven round-trip trains per day to Des Moines, IA and five round-trip trains per day to Council Bluffs, IA/Omaha, NE. Based on many years of planning the Midwest Regional Rail Initiative, with eight other Midwest states, it was determined that a regional route from Chicago to Omaha would meet the needs of intercity passenger rail service for the State of Iowa. As part of the Chicago to Council Bluffs-Omaha study, we were required by the FRA (Federal Railroad Administration) to analyze all of the existing or previously established passenger</p>

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					<p>rail routes from Chicago to Omaha. Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>In closing, the California Zephyr provides a very important transportation service to the state of Iowa. Any new intercity service being introduced from Chicago to Council Bluffs/Omaha would ultimately allow even more citizens the option to use passenger rail as an alternative mode and provide an additional efficient and cost effective travel option.</p>
5560	Cultural Resources; Routes – Route Alternative 4A; Cumulative Impacts; Public Involvement	Carol Preston	Homestead Iowa	<p>Amanda, I reviewed some of the material of Tier 1 study and it appears that the route 4A is the most favored at this point. I live in Homestead and would be affected significantly by this choice.</p> <ol style="list-style-type: none"> (1)First I would like to request/suggest that meetings with the communities involved would be implemented soon. Often many of us can't make it to the meetings in Chicago, Des Moines or Council Bluffs, nor do many have access to internet for the online meetings. (2)Looking at the map, our village of Homestead would be quite severely impacted by passenger trains, 14 trips a day, running 80-110 mph. This would impact our quality of life, generating much more noise and impact our properties with regards to values, and potential for structural damage due to vibration. Approximately 3/4 of the village would be very strongly impacted. Many homes in the village are historic and on the National Register of Historic Properties. No external changes to the historic properties can be made without permitting and approval by the Amana Colonies Land Use District. Please tell me how you plan to address those issues and if property owners would be compensated. (3)Please provide a map of the current right of way and in comparison, the future right of way if this route is chosen? What are the effects affecting property owners, if this routes puts a home in the vibration contour and severe-moderate noise zone? (4)One more question about the map. I was looking at this map showing the potential passenger train routes, one that would go through Homestead. http://www.iowadot.gov/chicagotoomaha/pdfs/draftEIS/Appendix%20B%20-%20Chapter%203%20Figures_pt%202%20of%203.pdf The area to the north and west of Homestead is marked on this map as USFWS land. I thought it was Amana owned land. Can you tell me where this information was acquired? <p>Again, I would like to encourage this project to reach out to the impacted communities for one on one conversations about the impact of a passenger trains.</p>	<p>Responses below are keyed to numbered paragraphs above only for the purpose of showing/tracking the responses.</p> <ol style="list-style-type: none"> (1) Iowa DOT has held meetings with communities upon request. Please contact us to arrange a meeting. (2) Iowa DOT realizes that communities along the proposed rail corridor would experience increased noise and vibration levels. Based on a review of modeled noise and vibration contours shown on Appendix B Figure 82 that includes Homestead, there is potential for increased noise and vibration impacts from the full implementation of the Build Alternative. The majority of Homestead properties appear to be outside the severe noise impact contour and vibration impact contour. The Tier 1 Final EIS includes information in Appendix P on the interim implementation phase where four round trip passenger trains would be scheduled to pass through this portion of the project area at speeds of up to 79 mph; consequently, the noise contours would be narrower in the Homestead area according to Noise Condition 15. This would be the last phase of the Project that would be implemented within a 20-year planning horizon. <p>During Tier 2 NEPA review, detailed design information would be generated to facilitate development of a Tier 2 noise and vibration study identifying the specific projected impacts. Where severe noise impacts (as defined by FTA/FRA methods) are predicted to occur, a noise mitigation analysis may be performed. There is some potential that noise mitigation measures will be evaluated using Iowa DOT cost effectiveness metrics, similar to how highway traffic noise mitigation is evaluated. This process compares the estimated noise reduction of a noise abatement measure (typically a noise wall) and its construction cost. Results of that evaluation are compared with a cost effectiveness threshold. If the modeled noise wall does not provide the minimum noise reduction, or exceeds the cost thresholds, it is not considered eligible for implementation. In those circumstances, noise mitigation measures would have been considered to be not reasonable and feasible. Typically, acquisition and direct compensation are not noise or vibration impact mitigation strategies.</p> <p>The Tier 1 process involved a desktop review of databases of properties listed on, or eligible for listing on, the National Register of Historic Places. During Tier 2, cultural resource studies would also be conducted to review all properties not previously evaluated for listing on the NRHP. The potential for adverse impacts to NRHP eligible and listed properties would be evaluated during Tier 2. If adverse</p>

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					<p>effects would be projected to occur, these impacts would be addressed through the National Historic Preservation Act Section 106 consultation process.</p> <p>(3) Detailed maps of right-of-way (ROW) boundaries were not acquired for the approximately 500-mile corridor during Tier 1, but would be acquired during the Tier 2 process. Boundaries of needed ROW would be estimated during Tier 2 as detailed design information is developed. Refer to the FRA guidance entitled, "Compliance with the National Environmental Policy Act in Implementing the High-Speed Intercity Passenger Rail Program", dated August 13, 2009. This guidance document provides an overview of the environmental review process for Tiered NEPA reviews for high-speed intercity passenger rail projects. Because of the speed regimes proposed for this project, FRA approved the use of FTA noise and vibration impact assessment methods (FTA, May 2006); Section 3.8.1 of the Tier 1 Draft EIS provides additional information on the methods used for characterizing the noise and vibration environment and predicting impacts.</p> <p>(4) The area you refer to was identified as the Mark Twain National Wildlife Refuge Complex and the shape file was acquired through Iowa Department of Natural Resources (Iowa DNR). This complex includes Port Louisa National Wildlife Refuge along the Mississippi River Flyway that also includes the Iowa River Study Corridor of 50,000 acres along 45 river miles within Tama, Benton, and Iowa counties. Of the 50,000 acres, only 10,000 are owned by the U.S. Fish and Wildlife Service, and managed by Iowa DNR, who also owns and manages land in the Corridor for Wildlife Management Areas and other purposes. Much of the land in the corridor is privately owned. The boundary shown in the figure you referenced is representative of the Study Corridor boundary. Iowa DNR is developing a management plan for the corridor that will delineate the specific boundaries of Federally owned and state owned lands by category. According to Iowa DNR, the actual federal wildlife refuge and state lands were reported to be outside the area of the rail corridor. The management plan and boundary information will be used during Tier 2 to address potential impacts to federal, state, and local owned conservation lands.</p>
5535	Cultural Resources	Joe Cory	City of West Des Moines	<p>Under Appendix B - Chapter 3 Figures - Part 3 Figure 117, The map shows several pink dots representing Historic Sites and I'm just curious if there is more explanation of these? Phone is 515-222-3492 or email is fine. Thanks!! Joe</p>	<p>The introduction to Chapter 3 referenced the Appendix B figures, but lacked a discussion of the various items in the legend. Section 3.11.2 referenced the Appendix B figures and noted that they showed historic sites, but none that were archaeological because of confidentiality requirements. To clarify, geographic information system (GIS) databases of sites listed on the National Register of Historic Places (NRHP), or that were evaluated and determined to be eligible for listing on the NRHP, were acquired from the State Historic Preservation Offices of Illinois, Iowa, and Nebraska. These sites were plotted in a GIS developed for the project and plotted on aerial photographs along with the Potential Impact Area (an area that includes existing ROW and estimated additional ROW that would be necessary for track and siding construction and improvements at station locations). The locations were represented as a pink dot on the Appendix B figures, but were not field verified. Those sites within the Potential Impact Area were identified and included in Table 3.11-1. The future Tier 2 studies would include field verification of the historic site locations and surveys for previously unevaluated properties. Sections 3.11.4 and 3.11.5 provided additional information on how the historic sites would be addressed in Tier 2.</p>
5569	Routes – Location Specific Comment	Coleman Weidenbusch	Individual	<p>Why would you terminate at Omaha when the state capitol is less than 50 miles further? Omaha - Lincoln is a potential commuter market.</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. At this time, the State of Nebraska has not shown an interest in partnering with the state of Iowa to study service beyond the state line. Based on many years of planning the Midwest</p>

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					Regional Rail Initiative, with eight other Midwest states, it was determined that a regional route from Chicago to Omaha would meet the needs of intercity passenger rail service for the State of Iowa. When Iowa applied for the funds to support this study, we contacted the State of Nebraska, but they requested not to be a partner on the effort nor provide any support for the study. We know there is some interest by some communities in Nebraska to continue to service, but there has been no discussion of state support at this time.
5663	Oppose the Project; General; Funding of the Project; Safety – Grade Crossings	Anonymous	Individual	For the cost of studying this boondoggle the IDOT could probably invest the cost and give everyone a free ride on the Mega Bus forever. On top of that it would be much quicker, safer(including those grade crossing accidents) and fuel and time efficient to run several bus trips a day when people want to go rather than running a mostly empty train once a day. My children ride the Express Busses on the Baltimore - New York corridor rather than AMTRAK. The bus is faster than the regular train and a small fraction of the fare of the faster train. Of course Amtrak in general -- like your proposal -- is a large capital cost to the tax payer and a permanent drain on the taxpayer to operate. Possibly a hundred years from now, or maybe a few decades sooner if the East stops using coal, someone might convince the UP that passenger service on their medium speed double track line would be profitable. Until then forget about wasting money on passenger train service in Iowa.	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. As a transportation agency, we look at all modes of transportation and the future modal needs of the citizens and traveling public. Based on many years of planning the Midwest Regional Rail Initiative, with eight other Midwest states, it was determined that a regional intercity passenger rail route from Chicago to Omaha would meet a need of the increasing demand on our congested highways and airports. Although the Mega Bus (which is a private entity) is an option for folks traveling from Chicago to Council Bluffs-Omaha, it is not always the most viable option. As transportation planners, we must consider all options and the future demands on our entire transportation system. Passenger rail does provide an economical service as well as being ADA (American Disabilities Act) compliant, with Wi-Fi capabilities and reliable during inclement weather.
5590	Routes – Location Specific – Des Moines	Ryan Galloway	Hatch Development Group	Iowa DOT: Please consider the feasibility of moving the California Zephyr Route to the Route 4A as this will increase the overall ridership since it will allow Des Moines area residents to access both Chicago and Colorado via Amtrak. The distance and hassle of driving to Osceola in order to take Amtrak to either Chicago or westward to Colorado is prohibitive for most Central Iowans. Thank you, Ryan Galloway Hatch Development Group	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. The California Zephyr service is considered long distance service and is not funded by the Iowa Department of Transportation (Iowa DOT). As part of long-distance service, the California Zephyr is funded by Amtrak and Amtrak is responsible for all decisions associated with that service. Recently, Iowa DOT partnered with BNSF and Amtrak to apply for federal funding to provide upgrades to track infrastructure to provide better on-time performance of that service and better serve the customers who want to utilize long distance service. The Chicago to Omaha route which Iowa DOT is proposing would expand service in Iowa and provide a passenger rail service referred to as Intercity Passenger Rail Service (500 miles or less in length and provides daily round trip travel options). This service is in addition to the long-distance service provided by Amtrak and is not intended to replace the current California Zephyr. Expanded intercity service could ultimately provide seven round-trip trains per day to Des Moines, IA and five round-trip trains per day to Council Bluffs, IA/Omaha, NE. The California Zephyr is only a one round trip per day service and runs at different times of the day than what we anticipate for the new Intercity Passenger Rail service. As well, we plan to phase the new Intercity service over many years due to the costs associated with the additional capital needs to implement the service, so it will take many years to fully implement the service along the full corridor. The existing BNSF line (which hosts the California Zephyr) has the necessary infrastructure right now for the one trip per day the California Zephyr requires.
5666	Support the Project; Routes – Location Specific Comment; Funding of the	Alex Nagel	Canadian Pacific Railway	To All Concerned: As a native Iowan, it is vitally important to me (and incredibly great to see) that IDOT is taking the lead in supporting new passenger rail service in the Chicago - Omaha corridor to supplement the service already provided via the current BNSF mainline route. I think this is something that Iowa has NEEDED for decades since that fulcrum day of May 1, 1971 (which	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. As part of the Alternatives Analysis portion of our study, we performed a thorough analysis of all the other potential routes from Chicago to Council Bluffs-Omaha (CN, UP, Old Milwaukee line, IAIS and BNSF). Based on the Alternative Analysis exercise and additional

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	Project			<p>I remember all too well as an 11-year old). That said, I can understand IDOT's position that it believes that the best route across Iowa to supplement the current service via BNSF would be to utilize the Iowa Interstate (IAIS) mainline route as it serves the Quad Cities, Iowa City, and Des Moines. Certainly, from a sheer population standpoint, this is the way you would have to go if using those parameters in the decision-making process. However, at the same time, I would strongly URGE IDOT not to make a hasty decision on this. The reason being is that the monumental cost that will be incurred in upgrading the IAIS mainline from Wyandot, Illinois (where the future connection will be built to connect IAIS with BNSF) to Council Bluffs to F.R.A. Class IV standards that would allow 79 mph passenger operation. You are not only talking about new rail, ties, and ballast but also new signaling AND quite possibly PTC (positive train control) that will be mandated after 2015. These are huge undertakings to raise this mainline from Class III to Class IV and the cost could be prohibitive I fear. Towards that end, I would strongly encourage IDOT to take another look at Union Pacific's ex-CNW "Overland Route" mainline across Iowa and Illinois. This is a mainline that already has the infrastructure in place to handle 79 mph (or faster) passenger trains. The problem here, of course, is that UP has historically had a hostile relationship with Amtrak and the "Overland Route" mainline can see anywhere from 60-80 trains a day in the Chicago - Missouri Valley segment (most trains now use the "cutoff" from Missouri Valley via Blair to Fremont which means less traffic on the old CNW passenger main from Missouri Valley to Council Bluffs). But you still do serve very strong population centers such as Clinton, Cedar Rapids, Ames, Boone, and Carroll. I would also not entirely discount the CN (ex-IC/ICG/CC/IC) Iowa Division mainline either as the CN has done considerable work on the Iowa Division after the former ICG let the Iowa Division go to hell in the early 1980's. You do not have nearly the amount of freight traffic on the CN's Iowa Division save for 337/338 between Kirk Yard in Gary, Indiana and Waterloo and the Waterloo - Ft. Dodge (567/568) trains plus the unit grain and ethanol trains that originate in various locations. The problem here, of course, is the "dark" segment from Tara to Council Bluffs; currently limited to 49 mph for freight. Considerable work would have to be done on this segment to get it passenger-ready. Ironically, however, it is the stretch from Denison to Council Bluffs where the CN and UP mainlines run basically side-by-side where a paired track arrangement could be worked out that would vastly enhance capacity for UP and tip the scales in favor of UP's route across Iowa. Again, I STRONGLY urge IDOT to look at the options here. Let's not also forget either that the proposed Amtrak service from Chicago to Dubuque NEEDS to be extended to Waterloo! In the final analysis, however, the bottom line is that Iowa NEEDS passenger rail service in the Chicago - Omaha corridor to supplement the service already provided on BNSF's mainline across Iowa. My home state has basically been living in the dark ages as far as passenger rail service is concerned since May 1, 1971 and it's high time that situation changes. Please feel free to contact me anytime if you have any questions or concerns....</p>	<p>analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>All of the analysis performed was reviewed and completed in cooperation with the FRA (Federal Railroad Administration) and the ILDOT (Illinois Department of Transportation).</p> <p>You can view this document at the following link: http://www.iowadot.gov/chicagotoomaha/pdfs/draftEIS/Appendix%20A%20-%20AAlternatives%20Analysis%20Report%20(FOR%20Print).pdf</p>

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5669	Support the Project	Kelly Hingtgen	Individual	I am wondering if you have any information on the proposed railway to Dubuque? Is this still an option or from what I am reading; there is only one alternative route? Council Bluffs to Omaha as you have listed. Thank you for your help	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Due to the fact that the majority of the service to get from Chicago to Dubuque is in the State of Illinois, the Illinois Department of Transportation (ILDOT) is the lead agency for that effort. The ILDOT has recently discussed providing a service from Chicago to Dubuque and is currently analyzing the feasibility of providing the improvements necessary for future service. The City of Dubuque is also working with the State of Illinois and Iowa to determine the necessary steps to be ready for a potential station stop in the City of Dubuque.</p> <p>As part of the Alternatives Analysis portion of our study, we performed a thorough analysis of the CN (Canadian National) route from Chicago to Dubuque, through Waterloo, Fort Dodge and on to Council Bluffs. Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>All of the analysis performed was reviewed and completed in cooperation with the FRA (Federal Railroad Administration) and the ILDOT (Illinois Department of Transportation).</p>
5599	Economic Impacts; Funding of the Project; Safety – Grade Crossings; Rail – Current Rail Traffic	Deana Cavin	City of Durant, IA	As a small city, our biggest concerns are the speed the trains will travel through our city, and the maintenance of the crossings, as well as the # of trains. Our city is split by the Rock Island Line tracks. Existing trains travel 45 mph through town or faster. There have been numerous times in the last 6 months where all our crossings were blocked by a train. This severely impedes our emergency vehicles from getting from side of the city to the other or even out into the rural areas they cover. We also do not want the responsibility of maintaining the crossings or upgrading the existing. We had hoped the passenger rail would actually by pass the City of Durant since we would not have any depot for passengers to load or unload. What are the plans for small towns affected by passenger rail? We certainly do not want an increase in the number of trains passing through. Personally, I feel it is unfair that larger metropolis cities are favored and will benefit the most. The smaller cities, once again, will just be run over, and we are struggling to survive now with DNR compliance for waste water and storm water requirements. Then the cutting of commercial property taxes.....when do little cities get a chance to be heard? We have to travel miles and miles to even get to a public hearing. Some may view this as exciting news, however, small city governments view it as another hammer coming down on them with little choice to oppose.	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study.</p> <p>Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route 4A, along the Iowa Interstate Railroad across Iowa and through Durant. The following reasons are noted in the Draft EIS:</p> <ol style="list-style-type: none"> 1) Has low construction complexity and low constructions costs 2) Has modest grade crossing complexity 3) Does not require a new bridge over the Mississippi River 4) Is the shortest route alternative 5) Has close to the shortest travel time 6) Serves a large population 7) Has a direct connection to Union Station in downtown Chicago 8) Has no unreasonable environmental resource issues <p>All of the analysis performed was reviewed and completed in cooperation with the FRA (Federal Railroad Administration) and the ILDOT (Illinois Department of Transportation).</p> <p>There are currently freight trains that go through Durant on the Iowa Interstate line and even though the new passenger trains will add to that volume there are some aspects of this new service that we would like to mention. Initially we will only introduce 4 new trains per day (2 round trips). There will likely be a train that runs early morning, late morning and then those 2 trains will run again in the evening and late evening. Another aspect to consider is that the passenger trains are much</p>

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					<p>shorter in length than most freight trains and due to the on-time performance requirements associated with passenger trains, they will not be stopping in the towns that do not have a station stops. This will allow the passenger train to quickly pass through town and not cause much of crossing interruption.</p> <p>As part of the infrastructure requirements with introducing new passenger trains, each public crossing will have flashing lights and gates, so there will be even more protection for the traveling public at each crossing. This will provide additional safety from all the rail activity on the line (freight and passenger). Those improved crossings will be paid for and maintained by the State of Iowa in an agreement with the host railroad (Iowa Interstate) and the passenger operator (likely Amtrak). The communities along the line will not have to bear any additional costs associated with these improvements.</p> <p>All of the public involvement activities associated with this project have been in-person at the designated venues as well as on-line. We also have provided the public the opportunity to view documents at many local libraries and they can call our toll-free hotline to ask questions and make comments or provide comments via e-mail, phone or in writing.</p>
5637	Rail – Speed	Amelia Lobo	Individual	110 MPH is slow for a modern rail system. What would be required to upgrade to high-speed rail? Could it be done on the same system? Even at 75/100 mph, it is better than what we have. It's time!	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. The proposed system is a shared use corridor, using existing freight rail to host passenger rail for speeds greater than 110 mph, a separate track would be required and costs would be very high and prohibitive.</p>
5638	Routes – Location Specific – Des Moines; Funding of the Project	Kevin Collier	Individual	<p>I appreciate the opportunity for IDOT planners to visit Des Moines and speak; however, the potential for non-implementation of plans to route Des Moines have been implied throughout the study. I am afraid that Des Moines residents will not have access to the passenger rail. As part of the feasibility study, I am concerned why the capital city of Des Moines was not chosen as a major city of implementation in the funding scope. It is also unfortunate that federal funds were not allocated to the state of Iowa. I hope that with responses to the Des Moines forum will encourage lenders to fund Iowa transit. Des Moines and other cities in Iowa have the potential to become world-class cities and it is high-time that lenders understand and realize Iowa's potential. I feel that farm life in Iowa will not be comprised. Question: Why is it the state of Iowa ranks [low] in funding for public transportation? Why does the state of Iowa have difficulty matching federal fund requirements?</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. This study does look at a future new intercity passenger rail service from Chicago all the way to Council Bluffs-Omaha. One major reason that route 4A, which is the Iowa Interstate Railroad route that goes through Iowa, was deemed as the preferred route alternative was due to the fact that it did go through the most densely populated communities in the state (including the Des Moines metro area).</p> <p>Incremental Service: Due to the funding commitment associated with a corridor, which is almost 500 miles, we will have to implement the service incrementally. Phase 1 of service (Chicago, IL to Moline, IL) is currently being implemented by the State of Illinois and they hope to have service up and running by the end of 2015. Iowa has received the federal funding to implement Phase 2 (Moline, IL to Iowa City, IA) but we currently do not have the required 20 percent state funding match to use those funds. If the legislature chooses to provide that match money, we can move forward with implementing Phase 2.</p> <p>Future Phases: As part of this study, we will prepare an implementation plan, which will discuss our 20 year future plan for additional incremental phases to complete the service. Those phases would include Phase 3 (Iowa City to Des Moines) and two additional phases. Depending on the success of Phase 1 & 2, we could ideally plan to obtain the necessary federal and state funding to move forward with the Phase 3.</p> <p>Iowa has public transit available in all 99 counties Fifteen states currently provide state supported intercity passenger rail and Iowa is poised to be the next state to add service assuming we obtain the necessary funding match for Phase 2.</p>
5640	Transportation – Alternative	Paul Jagnow	Individual	First of all, thank you for making the information available, and for giving us a chance to comment on-line. I question the viability of a	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha</p>

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	Transportation Mode; Funding of the Project			<p>program that gets me to a point in another city, and then just drops me there. The proposed service is not significantly faster than driving, and if I drive, I can go where I need to be...with out getting stuck at the train station. The latter is not convenient. Overall cost of using the rail system seems like it might be more expensive (and slower) than driving. That's especially true if I have to rent a car or take long taxi rides to get to my ultimate destination. That begs the question, why would people use the rail system? What I see lacking in the presentations is the cost of using the system, the cost of building it, and the yearly cost of running the system. If the system cannot support itself, it is my opinion that it should not be built. I suspect very strongly that the system will be a huge tax burden that will last forever. If it were a "money maker", someone in private industry would already be implementing it. Since that's not happening, it would suggest that it's a money-losing, not a money-making proposition. I'd rather see the money spent on interstate system updates that would help all of us, not on a system that will have limited usefulness and limited appeal. So, how about some financial projections. Is it money maker, or a tax burden forever? What's the cost of using the system, when overall travel costs (like taxi fare) are included? It appears to me that there is an effort to engage us with details that might be very irrelevant so that we don't think about the potential tax burden or the real cost of using the rail system. The latter items need more visibility. They are, to my way of thinking, the main issues. Regards, Paul</p>	<p>Regional Passenger Rail System Planning Study. Below is information prepared in attempt to answer your questions.</p> <p>Competition with auto travel: We have determined through our analysis that a new intercity passenger rail service is competitive with auto travel. Also a key component of implementing intercity passenger rail is to provide transit connections to and from the station; these are being developed by the cities with station stops involved in the study. A new intercity passenger rail service will also be required to comply with a 90% on-time performance standard. That means the service is required to be on-time 90% of the time with very limited delays in a given time period. This standard is implemented through an agreement signed by the host railroad, service operator and state.</p> <p>Feasibility of the service: Up to this point in the study we have provided information to show which route would be preferred for service and the potential environmental impacts associated with a new service on that particular route. We will be going through an extensive analysis process next to determine feasibility. We do not determine feasibility by merely asking the citizens of the state if they will utilize the service once it is implemented. The next documentation process in the project to ultimately determine service use and financial feasibility is referred to as the Service Development Plan (SDP). The SDP provides much more detailed documentation of the feasibility of the service with the following documents: benefit/cost ratio, financial plan, conceptual engineering, final ridership and revenue forecasting and implementation plan. Ultimately as part of this effort, we must show the feasibility of this service or the Federal Railroad Administration (FRA) will not allow us to be eligible for future federal funds. Many states and regions in the U.S. want to facilitate new intercity passenger rail service and ultimately will compete to seek a federal funding source to support those efforts, just like Iowa, so we must provide detailed analysis to show that a service we are requesting funding for, is truly feasible.</p>
5647	Routes – Location Specific – Grinnell	Barb Rhoads	Individual	<p>Hello Amanda, I attended the public hearing at the Council Bluffs Public Library on 12-13-12 regarding the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. The presentation was very well done and was very informative. Your department has done a lot of work. I just wanted to take this opportunity to express my input: I interpret this study is to reveal that the impact of the passenger rail system "as proposed" would be a feasible transportation alternative to traveling by car, bus, or air. I believe this proposed passenger rail system is not a feasible alternative to current modes of transportation here in Iowa. The information provided so far does not justify moving forward with the project. There is not a proven demand or need for this rail system in Iowa. People saying they would use the system if it were in place does not demonstrate a Need for the system. I believe the burden of the massive expense to the State and Federal budget to pay for this does not justify the relatively small benefit that a rail system from Chicago to Omaha would provide.</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Up to this point in the study we have provided information to show which route would be preferred for service and the potential environmental impacts associated with a new service on that particular route. We will be going through an extensive analysis process next to determine feasibility. We do not determine feasibility by merely asking the citizens of the state if they will utilize the service once it is implemented. The next documentation process in the project to ultimately determine service use and financial feasibility is referred to as the Service Development Plan (SDP). The SDP provides much more detailed documentation of the feasibility of the service with the following documents: benefit/cost ratio, financial plan, conceptual engineering, final ridership and revenue forecasting and implementation plan. Ultimately as part of this effort, we must show the feasibility of this service or the Federal Railroad Administration (FRA) will not allow us to be eligible for future federal funds. Many states and regions in the U.S. want to facilitate new intercity passenger rail service and ultimately will compete to seek a federal funding source to support those efforts, just like Iowa, so we must provide detailed analysis to show that a service we are requesting funding for, is truly feasible.</p>
5771	Tier 2 Study; Threatened & Endangered Species;	Robert Stewart	US Department of Interior	<p>Dear Mr. Szabo: The Department of the Interior has reviewed the Draft Environmental Impact Statement (EIS) Department of Transportation (DOT), Federal Railroad Administration (FRA) for Chicago to Council Bluffs - Omaha Regional Passenger Rail System</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. The Draft EIS was reviewed in consideration of your comments. The issues of potential concern were identified in</p>

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	Wildlife; Agency Coordination; Wetlands			<p>Planning Study Tier 1 Service Level, from Chicago, Illinois through Iowa and Omaha, NE, and offers the following comments provided by the U.S. Fish and Wildlife Service. General Comments The Secretary of the Interior, acting through the Fish and Wildlife Service, has primary responsibility for the management of the nation's fish and wildlife resources. The Fish and Wildlife Act of 1956, as amended, requires the Secretary to determine the policies and procedures necessary to implement fish and wildlife laws efficiently and in the national public interest. 16 U.S.C. § 742f(a). The Secretary has additional responsibilities to protect and manage the nation's fish and wildlife resources under other statutory authorities, namely: the Bald and Golden Eagle Act, 16 U.S.C. §§ 668-669(d); the Endangered Species Act, as amended, 16 U.S.C. §§ 1531-1543; and the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-711. To ensure the adequate and equitable protection, mitigation of damage to, and enhancement of fish and wildlife resources, Federal Railroad Administration/U.S.DOT, Iowa DOT should consult with the U.S. Fish and Wildlife Service (FWS) and State natural resource agencies to identify necessary studies. FWS has participated in scoping meetings for this Project and is aware that required studies will be addressed during the Tier 2 phase of this project. Most mitigation measures represent commitments for further coordination with this agency during Tier 2 studies as more detailed information on the design of the Project is developed. Fish and Wildlife Trust Resources There are significant public resources that must be protected or enhanced in some areas affected by the proposed project. In this regard, FWS concerns with the proposed Regional Passenger Rail System from Chicago to Omaha and associated supporting development include potential adverse impacts to federal trust fish and wildlife resources and their supporting riparian, wetland, and terrestrial habitats. Particularly important are potential effects of project operation on the terrestrial environment, wetlands habitat, and migration pathways. In addition, lands managed as part of the National Wildlife Refuge System are located near the project and may be affected by project impacts to rivers (Mississippi River and Missouri River) and surrounding landscapes. Threatened & Endangered Species Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. Listed species for counties in Illinois and Iowa (Region 3), and Nebraska (Region 6), may be viewed at http://www.fws.gov/midwest/Endangered for Region 3 and http://www.fws.gov/mountainprairie/endspp/ for Region 6. At a minimum, project evaluations should contain delineations of whether or not habitat for these species occurs within project boundaries, or will be affected by project construction and subsequent operation. In cases where these species are known to occur or potential habitat is rated moderate to high, surveys may be necessary. Please contact this office for further information should these species or their habitats be identified in the project area, or be affected by project activities. As of August 9, 2007, the bald eagle is no longer included on the list of threatened and endangered species, but it remains</p>	<p>the document and will be more fully described and evaluated in Tier 2 studies and documents.</p>

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				protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. The bald eagle is a potential resident in parts of the project area and nests have been historically documented in the project area. Project evaluations should include potential impacts to the bald eagle and its habitat. For more information concerning the bald eagle protection, or if impacts to this species are expected, the USFWS should be contacted. Migratory Birds We recommend that the project be evaluated for potential impacts to wildlife, particularly migratory birds, from increased noise and vibration resulting from increases in train frequency and speed for the alternatives considered. If you have questions regarding these comments, please contact Heidi Woeber, U.S. Fish and Wildlife Service, 1511 47th Avenue, Moline, IL 61265, (309) 757-5800, ext. 209.	
5909	Public Involvement	Dennis Witt	Individual	Can you send me any other additional information as I wasn't able to attend any of the meetings, send this out to me if you could? Thank you.	Mailed meeting materials
5777	Wetlands; Corrections to the Document	Mike Hayes	USACE	Andrea: In giving this a quick read, I'm very surprised that this project appears to be already down to one 'build' alternative (Alternative 4/4-A) after the Tier I analysis. Could that be true, or am I misunderstanding something? Also, I noted on Figure ES-3 that evidently there is a city called Galesburg in central Iowa along Alternative Route 4/4-A about where Des Moines used to be. I'm familiar with Galesburg, Illinois, but in over 25 years of working in the 404 Regulatory arena in Iowa, I never realized there was a Galesburg in that state! Considering mitigation for unavoidable impacts to wetlands and waters, they need to realize there are very few wetland mitigation banks in Iowa. There are no stream mitigation banks in the state and there are no "in-lieu-fee" programs in effect.	Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. During the NEPA scoping process, several options for providing passenger rail service were identified as "route alternatives," and these alternatives were reviewed and screened for their ability to meet the purpose and need for the project, their technical feasibility, their economic feasibility, and environmental concerns related to their construction and operation. The results of this screening process were documented in an Alternatives Analysis Report. A draft of that report was made available to public and agency reviewers online through the project website (http://www.iowadot.gov/chicagotoomaha) and was revised in response to comments received. After reviewing and screening the route alternatives and considering public and agency input, it was determined that only one route alternative (4-A) was reasonable and feasible for carrying forward for detailed study in the Tier 1 Draft EIS. The Draft EIS also evaluated the No Build Alternative and addressed potential impacts of initial implementation of the Build Alternative, increased impacts as the passenger rail service expanded, and impacts of full implementation. Consequently, FRA believes that NEPA requirements for analysis of alternatives were met in the Tier 1 Draft EIS. Figures ES-3 and 2-1 in the Final EIS were revised to remove Galesburg, Iowa, and Osceola, Illinois, and to add Des Moines, Iowa. In recognition of your comment concerning potential wetland mitigation options, which may vary by state and USACE jurisdiction, the following sentence was added in Section 3.16.5, Potential Mitigation Measures, in the second paragraph, after the second sentence: "The mitigation strategies to be identified and selected will account for the fact that not all mitigation options are available to all states and USACE Districts."
5782	Routes – Alternative Route; Rail – Current Rail Traffic; Phasing/Phased implementation	Lawrence Malmin	Individual	To the D.O.T. Study Group. Thanks for your very thorough work & generous deadline. Please let me know @ your convenience, if Iowa underwrites the AMTRAK Zephyr. I did not think of this question during the Des Moines hearing. Most of the people in your audience experienced quality rail service before AMTRAK as well as AMTRAK today. Have any of the Study Committee members ridden regular AMTRAK, ACELA or European rail?	Thank you for your comment on the Chicago to Omaha Regional Passenger Rail System Planning Study. Public comments provide valuable input and contribute to the development of a complete environmental analysis. We appreciate your input and participation in the project. The Iowa Department of Transportation does not provide any state funding to support the California Zephyr service. That service is managed by a cooperative effort between Amtrak and the BNSF (Burlington Northern Santa Fe) Railroad. Any changes to the California Zephyr would be determined by Amtrak. Due to the federal requirements associated with introducing

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				<p>Iowa is known as “Fly-Over Country” & Central Iowa is the “Missing Link” for Passenger Rail Service... not something to be proud of.</p> <p>Three of us @ the Botanical Center hearing, including Wally Taylor felt the study group focused on one option, which is the most expensive, will not be funded by the State, would take decades to complete and require State subsidies. The person next to me & his wife drove hundreds miles to catch AMTRAK’s (Northern route). Even a hundred & eighty mile round trip from Ames to Osceola, is not convenient. Iowa is shamefully behind other States, because of AMTRAK’s rigid positions.</p> <p>Could you to suggest in your final report that AMTRAK consider routing trains two days a week through central Iowa where potential riders are, to test the market? That would still leave AMTRAK service five days a week where the people aren’t. (Pardon my grammar.) The Zephyr avoids Iowa population centers, thousands of new riders and income. Unfortunately, the federal government tolerates and funds such gross inefficiencies.</p> <p>If you would suggest movement, on this issue, via your Study, it would be to your considerable credit. Connector service from the Mississippi to the Missouri, with first class rail cars, would be worth market testing. Improvements for speed could follow. Much of the route would easily tolerate sixty mph & there is almost no freight traffic from Ia. City west.</p> <p>Several IARP members plan to lobby Legislators in person, but that’s not likely to go anywhere unfortunately.</p>	<p>new passenger rail service on an existing freight railroad (sidings, crossovers, station accommodations, signaling, crossing safety, etc.) it is highly unlikely that Amtrak would do a test run of service on the Iowa Interstate Railroad, in its current condition, to test the market.</p> <p>The study team we have assembled for this particular study brings many years of transportation planning, environmental planning and railroad engineering experience and expertise as well as riding Amtrak as a passenger.</p> <p>An alternatives analysis was conducted to evaluate several potential routes, and preliminary cost information was considered in comparing the routes. Route Alternative 4A had the next to lowest implementation cost and the highest projected revenue of the alternatives evaluated.</p>
5769	Agency Coordination; Corrections to the Document	Kristen Andersen	Metra Commuter Rail	Metra is still preparing comments to the Draft EIS, and unfortunately our response will not be ready by the end of the comment period on 12/26/12. We will submit our comments in January.	Your agency responded on December 21, 2012 that Metra would be submitting comments on the subject document. We find no record of your comment submittal, and the comment period closed on December 26, 2012. We are in the process of addressing comments and preparing the Tier 2 Final EIS. To maintain our schedule, we would appreciate receipt of any comments from Metra by February 1, 2013. Thank you.
6046		Joe Cothorn	US Environmental Protection Agency	<p>In accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act, the U.S. Environmental Protection Agency Regions 5 and 7, have reviewed the Federal Railroad Administration’s Draft Environmental Impact Statement on the Planning Study for the Regional Passenger Rail System. This DEIS was assigned a Council on Environmental Quality identification number of 20120354. Our review has concluded that adequate analysis of environmental issues relevant to the selection of the preferred alternative was performed. Therefore, EPA has assigned a rating of Lack of Objections to the DEIS. A copy of EPA’s rating system is enclosed for your information. To assist the FRA in enhancing the Final EIS, and to focus Tier II analysis, EPA provides the following comments: 1. Coarse and Fine level screening occurred within corridors that were 500 foot wide and 100 foot wide (plus a buffer of 25-50 feet), respectively (ES. 3 .2.1, ES. 3 .2.2.2). However the table of impact (ES-1) does not clearly indicate at what scale the potential impacts are accounted. EPA recommends that the FEIS more clearly describe the study envelopes of: existing Right of Way, Right of Way (plus any additional included study area) for the fine screening, and the 500</p>	<p>Thank you for your participation in the review process and for providing comments on the Draft Environmental Impact Statement. The following are responses to your numbered comments:</p> <p>1. Your comment on the coarse and fine level screening discussion from the Executive Summary also applies to Sections 2.1.4.1 and 2.1.4.2 in Chapter 2. Table ES-1 noted in your comment was derived from Table 2-4, and the information provided in Tables ES-1 and 2-4 was reported by resource in Chapter 3. Whereas the coarse and fine level screening results were determined through GIS analysis of set corridor dimensions and focused on resources that would be primarily affected from construction disturbance, the values calculated for the Build Alternative were based on GIS analysis of the Potential Impact Area and modeling of projected passenger rail operations. As noted on page ES-16 and also page 2-17, “The existing ROW and estimated additional ROW that would be necessary for track and siding construction and improvements at station locations constitutes the Potential Impact Area.” The Potential Impact Area was wider and includes more area than the fine-level screening corridor to account for design options reviewed during development of the Build Alternative. Page 2-18 notes “There are multiple alignment options through East Des Moines, Iowa, and across the Missouri River between Council Bluffs, Iowa and Omaha, Nebraska, as well as multiple station location options in Des Moines, Council Bluffs, and Omaha. Consequently, the</p>

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				<p>foot study area in the coarse screening. 2. ES. 4.22 (Energy Use and Climate Change) predicts considerable decreases in automobile and bus passenger-miles per year and resultant decreases in greenhouse gasses. This section also predicts an automobile fuel decrease of approximately 12 million gallons. Does these predictions account for the increased diesel fuel usage for the rail system?</p> <p>3. Section 2.2.2.2 (Station Stops). Vitrally important to air quality analysis in Tier II studies, will be the amount of time spent by the train at these stations, the emission factors of the locomotives while idling, the land-use/human population at that location, and the baseline air quality condition (attainment/non-attainment/maintenance) at those stops. EPA invites FRA to use of spatial data tools such as NEPAAssist (http://nepassistool.epa.gov/nepassist/entry.aspx) to help convey the potential impact of rail system pollutant sources upon receptors near these stops. 4. Section 3.1 0.2 provides some general information on three Superfund sites. For additional information on these sites, and most recent points-of-contact please refer to the following fact sheets: http://www.epa.gov/region07/cleanup/npl_files/ia0001610963.pdf and http://www.epa.gov/region07/cleanup/npl_files/ia0001610963.pdf. 5. The Draft EIS states that there will be a connection built for the BNSF and Amtrak lines and ancillary facilities built around Wyand, Illinois. Currently, there are no existing facilities, nor a connection between BNSF and Amtrak lines. Further examination and information related to environmental and public health impacts should be included in the Tier II documents. This analysis should include noise, air emission (especially diesel), storm water run-off, implications to local traffic and any impacts to sensitive populations. Thank you for the opportunity to review and provide comments on the DEIS. If you have questions or require additional clarification, please contact Shanna Horvatin at 312-886-7887, or myself at 913-551-7148.</p>	<p>Potential Impact Area includes all alignments and locations currently under consideration.”</p> <p>The exact ROW boundaries of the railroad corridors were not known at the time the evaluations occurred, and as noted previously, the exact boundaries of ROW needed to construct the improvements are unknown during Tier 1. However, the current and future needed ROW would be delineated to address impacts during Tier 2 projects.</p> <p>2. The predictions did account for the increased diesel fuel usage by railroad locomotives. The text in the Executive Summary was derived from Energy Use and Climate Section 3.22.4, which contains summarized information from Air Quality Section 3.9.4 and Appendix F. Appendix F provides emission calculations and fuel consumption information in gallons per year for various transportation modes, including new passenger rail. A sentence referencing Appendix F has been added to Section 3.22.4.</p> <p>3. In the Tier 2 studies, the time trains spend idling at stations, the emission factors of the locomotives, the surrounding land use and human population at the station areas, and baseline air quality in those station areas will be considered in the air quality analysis (in addition to other appropriate factors) as well as the information provided by the NEPAAssist tool.</p> <p>4. The information cited for the three Superfund sites has been reviewed and Section 3.10.2 has been updated with the supplementary information. Section 3.10.4, which addresses potential impacts of the Build Alternative, was also revised to account for the updated site conditions and address the likelihood of impacts based on recent cleanup efforts at these three sites.</p> <p>5. The Potential Impact Area for this Tier 1 EIS included the connection area west of Wyand, Illinois. Figure 39 in Appendix B shows this connection area including a riparian corridor, streams, wetlands and floodplain (according to GIS data), and farmlands. Consequently, these potential impacts were included within the overall impacts reported for the Build Alternative. Environmental impacts associated with the Wyand Connection, as well as the need for permitting, are being addressed as part of the Chicago to Quad Cities Expansion Program Tier 2 NEPA documents currently under preparation by Illinois DOT. If there is a need for further improvements to the Wyand Connection as part of the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Program, they will be addressed in future Tier 2 evaluations and NEPA documentation.</p>
6090	Rail – Improvements; Rail – Current Rail Traffic; Station Facilities & Upgrades; Public Involvement; Routes – Route Alternative 4; Agency Coordination	Alexander Clifford	Metra	<p>Dear Ms. Martin: Metra offers the following comments regarding the Chicago to Council Bluffs - Omaha Tier I Service Level Draft Environmental Impact Statement (EIS).</p> <p>1. The document states that Alternative 4, which utilizes Metra Rock Island District (RID) track between Chicago and Joliet, is "neither reasonable or feasible" because it lacks a connection to Chicago Union Station (CUS). However, the Chicago - 51. Louis High Speed Rail Final EIS, released in late October, identified the RID as the preferred route between Joliet and Chicago. A connection would be added between the RID and Norfolk Southern/SouthWest Service track at 40th Street, allowing trains to enter CUS. Chicago - Omaha service utilizing the RID could also use this connection, and utilize additional track and signals along the corridor added to accommodate the St. Louis service.</p> <p>2. Metra understands that capacity modeling will take place during the Tier 2 study. Thorough analysis is critical in order to fully identify the track and signal improvements and additional right-of-way needed to support the new service in addition to existing and</p>	<p>Thank you for your participation in the review process and for providing comments on the Draft Environmental Impact Statement. The following are responses to your comments:</p> <p>1. The rationale for eliminating Route Alternative 4 for not being reasonable or feasible because it lacks a connection to CUS remains valid for the Chicago to Council Bluffs-Omaha passenger rail project (the Project) because the connection does not yet exist. Although, as specified in your letter, a new connection from Metra's Rock Island District track to CUS is proposed, the connection still needs to be evaluated in a Tier 2 NEPA document and designed and constructed. The proposed connection would require land acquisition in an urban setting. In addition, the capacity and level of service of the proposed connection is unknown. Consequently, the potential exists that the connection might not be present, or may not have adequate capacity, which would affect planning and design for the Project. The comparison of route alternatives for the Project was conducted based on the review of existing conditions, including the lack of a Wyand Connection. Costs (as well as other evaluation criteria) for that connection under Route Alternative 4-A were included in the consideration of the Chicago to Council Bluffs-Omaha project, as were costs for the connection to CUS in Route Alternative 4. The construction of</p>

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				<p>proposed freight, commuter, and intercity passenger trains on the route, especially in the congested Chicago - Aurora segment. Here, capacity is particularly constrained during peak commuter traffic periods in the morning and afternoon. Metra wants to ensure that capacity is preserved for future expansion of Metra service in this successful and growing commuter corridor. Metra strongly recommends that the project team work closely with the BNSF and other railroad owners in the study area, so that the next phase of analysis accurately reflects current and future demands on the rail network. As noted in the Tier 1 EIS document, Preliminary Engineering and an Environmental Assessment of a proposed extension of commuter service on the BNSF to Oswego are currently underway. The potential addition of Metra traffic on this segment of the line needs to be considered during Tier 2 when determining infrastructure improvements and right-of-way costs for the Chicago - Omaha service. Currently, the south side of CUS is at capacity during much of the day, with a limited ability to accommodate additional trains. Recommendations to address this issue were developed as part of the CUS Master Plan study, and also include the relocation of Metra's SouthWest Service from CUS to LaSalle Street Station, as proposed in the CREATE Program. These recommendations, their timeline for implementation, and previous proposals for new train service that would utilize the south platforms of CUS, should be considered during the Tier 2 analysis.</p> <p>3. Metra requests that additional efforts should be made to include all stakeholders in the process early and often during subsequent portions of this study. If you have any questions, or would like to arrange a meeting or conference call, don't hesitate to contact me directly or Lynette Ciavarella at (312) 322-8022 or lciavare@metrarr.com to facilitate this conversation.</p>	<p>a connection between Route Alternative 4 and CUS is not reasonable or feasible for the Project based upon the anticipated ridership and revenue the service is expected to generate.</p> <p>2. Tier 2 will include detailed capacity modeling and a thorough analysis of track and signal improvements, and the ROW needed to support the new service in consideration of existing passenger and freight service. FRA, Iowa DOT, and Illinois DOT will work closely with railroad owners and operators to accurately capture current and future demands on the rail network. The Tier 2 evaluations will include consideration of ongoing projects such as commuter service on the BNSF to Oswego, the relocation of Metra's SouthWest service, and a potential connection from Metra's Rock Island District track to CUS.</p> <p>3. Additional coordination will be occurring with all stakeholders as the process continues for the Chicago to Council Bluffs-Omaha passenger rail project.</p>
5774	Station Facilities & Upgrades, Corrections to the Document, Elderly, People with Disabilities, Cumulative Impacts, Rail Improvements, Phasing/ Phased Implementation, Tier 1 Study	Alan Kline	Individual	<p>GENERAL COMMENTS: While the intended Project is needed, desired by a significant percentage of the public, and long overdue, the Draft EIS is an incredible mish-mash of ineptitude, poor judgment, and overblown planning. The project plan is poorly focused, and staging is not well defined. The goal of the Draft EIS appears to be the creation of an overblown project with unnecessary construction which would provide little utility to the Project, but considerable profit to the consultant and contractors. Overall, the adverse environmental effects of the proposed project, at the initial level of service, are virtually nil. Reducing the level of construction needed in the initial stages would allow the entire Chicago-Omaha route to be implemented at a much earlier time.</p> <p>The Draft EIS places far too much emphasis on traffic headed towards Chicago, and does not recognize the added utility which would be provided by appropriate direct connections at Omaha.</p> <p>I agree that the BNSF-IAIS alternative is not only the ideal alternative for this project, but the only feasible routing. This option serves the greatest number of Iowans at the lowest possible cost.</p> <p>Iowa DOT and its consultants showed extreme incompetence and poor judgment by even including the ex-Milwaukee Road route in</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study (the Chicago to Council Bluffs-Omaha Study).</p> <p>Based on many years of planning the Midwest Regional Rail Initiative, with eight other Midwest states, it was determined that a regional route from Chicago to Omaha would meet the needs of intercity passenger rail service for the State of Iowa. As part of the Chicago to Council Bluffs-Omaha Study, we were required by the FRA (Federal Railroad Administration) to analyze all of the existing or previously established passenger rail routes from Chicago to Omaha. The National Environmental Policy Act of 1969 (NEPA) requires a review of a range of alternatives; consequently, all previously established routes were initially considered. Based on the Alternative Analysis exercise and additional analysis through the development of the Draft Environmental Impact Statement, it was determined that the preferred route for expanded intercity passenger rail is Route Alternative 4-A. Although a Tier 1 NEPA analysis was conducted on a Chicago to Iowa City route, it is considered to be a separate (although related) project, as is the Chicago to Quad Cities component of the route that is being studied under a Tier 2 analysis by the Illinois Department of Transportation. As you noted in your comment, relevant information for those studies was incorporated in the Chicago to Council Bluffs-Omaha Study. Although NEPA and FRA environmental regulations requires the evaluation of a rail program from its termini, the information from</p>

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				<p>the initial consideration of routes for the Project. Given the fact that more than two-thirds of the route in Iowa has been dismantled for many years and that the route, when in service, missed virtually every population center of consequence in both Iowa and Illinois (excepting Chicago and Omaha/Council Bluffs), the route should never have reached even the initial stage of consideration. This poor judgment and lack of competence is repeated throughout the document.</p> <p>The goal of the Project at this stage should be to deliver an initial level of service--two to four trains per day over the entire route--in the shortest possible timeframe and at the lowest possible cost. The EIS should not address any issues related to the ultimate goal of seven trains per day, and the possible construction issues related to that goal, until the initial level of service is in operation and the demand for expanded service is evident. The initial level of service can be achieved with minimal construction in Iowa--primarily layover facilities and stations--and can be achieved entirely within the footprint of existing railroad properties.</p> <p>The Executive Summary states the assumption that the Chicago-Moline portion of the route is in operation. Essentially, the Chicago-Moline planning documents are incorporated by reference. Despite this, the EIS wastes considerable time and resources reinventing the wheel, and covers the same territory covered by the previous Chicago-Iowa City documents. Because the Chicago-Iowa City portion of the route has been covered by previous Tier 1 documents, repeating that study in this document is a waste of time and financial resources. As stated above, further studies that may be necessary for increased service can be delayed until such time as the demand for that service warrants.</p> <p>It also appears that virtually no input was sought from the railroads which actually own the lines over which the proposed service would operate. For example, the EIS makes assumptions about the width of Iowa Interstate's right-of-way. Wouldn't it have been relatively simple, and make the document much more accurate, to actually contact the railroad and seek specific information? Considering the fact that the CEO of IAIS' parent company is on record offering his company's support to this Project, it should have been easy to obtain the railroad's cooperation. The document also makes certain projections and assumptions with regard to future levels of freight service on the IAIS--also without any basis in factual evidence from the railroad. I believe that the sections of the EIS which deal with added infrastructure would be far more credible if they were based on the real-world experience of the people who actually own and operate these railroads, and not on the hypotheses of academics, bureaucrats and consultants. While the Draft EIS is replete with copies of letters and email from various public agencies, I have yet to find any from IAIS, BNSF, or UP.</p> <p>SPECIFIC COMMENTS: Additional tracks: The current level of freight service on the Iowa</p>	<p>previous studies was used to reduce the effort needed for an analysis of the entire corridor.</p> <p>Railroads have been contacted and involved with evaluating the feasibility of the Chicago to Council Bluffs-Omaha Project. However, a detailed analysis of existing right-of-way is beyond the scope of a Tier 1 analysis because the details of project design and selection of specific locations for stations, layover facilities, and maintenance facilities are not yet known. These elements of the Project will be further evaluated during Tier 2 analyses, as noted in Chapter 5 of the Tier 1 EIS. Thank you for your specific comments on station locations, crossing locations, and layover/maintenance facility locations. Your input will be considered in development of an additional study, called the Service Development Plan (SDP). The SDP will publish in tandem with the final Tier 1 Environmental Impact Statement for the Chicago to Council Bluffs-Omaha Study. This SDP describes the operation, maintenance, equipment, infrastructure, organization, implementation schedule, finances and economics of a regional passenger railroad transportation service proposed to operate between Chicago, Illinois, and Council Bluffs, Iowa. The passenger transportation service contemplated in this SDP would be incrementally implemented from east to west, and through frequency increases, until it ultimately delivers four round-trips per day between the end point cities, operating at a maximum speed of 79 mph. The service would be owned and operated by the States of Iowa and Illinois. The SDP is a component of a Tier 1 Environmental Impact Statement for the Chicago to Council Bluffs/Omaha, Nebraska corridor. This EIS contemplates a further increase of passenger rail service in this corridor consisting of a geographic extension from Council Bluffs to Omaha; a frequency increase to seven round trips per day between Chicago and Des Moines, Iowa, and five round trips per day between Des Moines and Omaha; and an increase in maximum speed to 110 mph. In developing this plan, all of the railroads impacted by the selection of Route Alternative 4-A were consulted.</p> <p>Phased implementation is planned for the passenger rail service between Chicago and Council Bluffs-Omaha to enable Iowa DOT, Illinois DOT, and FRA to provide incremental project funding as it becomes available. This would involve launch of an initial service consisting of two daily round trips operating at 79 mph between Chicago and Moline, which is currently under development by the Illinois DOT with an anticipated start of service in 2015. Subsequently, in Phase 2 these two daily roundtrips would be extended westward to Iowa City in 2017, and in Phase 3 to Des Moines in 2022. Phase 4 would establish four daily roundtrips between Chicago and Des Moines in 2025, and Phase 5 would extend these 4 round trips to Council Bluffs in 2030. A long-term goal for the corridor is to implement 110 mph maximum speed service with seven round trips serving Des Moines and five round trips to Omaha, but no implementation schedule has been established at this time. All future planning, design, and construction activities would be outlined in the Program Implementation Schedule generated for each phase of the Service.</p> <p>Your specific comments will also be considered when Tier 2 studies are performed to address design details and decisions not known at this time during the Tier 1 NEPA process.</p>

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				<p>Interstate is such that the initial proposed service, at 79mph, should easily be accommodated by the existing rail line, and no additional main track construction is required. The length and location of existing sidings, as indicated by the current IAIS timetable, appears to be quite adequate for the initial level of service. Comment from the IAIS is required to confirm or deny this assumption.</p> <p>Mississippi River crossing: There is no need to consider any plan for construction of a new bridge across the Mississippi River. The existing Government Bridge ("Arsenal Bridge") is entirely adequate for any level of service anticipated in the foreseeable future. The bridge is well-maintained by the Army, and I have heard nothing to indicate that the bridge, assuming that the level of maintenance continues, is nearing the end of its useful life. Constructing a new bridge that would be connected to the IAIS line presents nearly insurmountable financial, political and environmental issues. Fortunately, those issues need not be considered.</p> <p>Iowa City station: The existing depot structure in Iowa City (ex-Rock Island; currently owned by IAIS) is vacant and presently on the real-estate market. Acquiring this facility for the project offers an opportunity to renovate a historic structure with no environmental impact, returning the structure to its original intended purpose.</p> <p>Iowa City layover facility: The Iowa Interstate recently vacated its Iowa City locomotive facility, and because the Iowa City layover facility is intended only as an interim facility, it may be possible to use the existing facility on a short-term basis with minimal modifications. It also seems reasonable to think that IAIS would be willing to discuss the use of a track within the existing yard for use as a layover track. Neither of these possibilities would create any adverse environmental effects. One locomotive idling at the existing locomotive facility would have far less environmental impact than the half-dozen engines which might have been present at any given time, during previous use of the facility by the IAIS and Rock Island.</p> <p>Des Moines routing options: The most important issues to be considered are improvements to the Union Pacific-owned section of line between East Des Moines (IAIS milepost 353.2) and the point where IAIS ownership resumes, a short distance west of the junction with UP's north-south mainline (UP CPU074). Comments suggesting an overpass crossing the UP at this point are simply unrealistic in terms of constructability and cost. It would be far more productive to discuss with UP options which could improve the flow of both passenger and freight traffic through this area. Vacant land, formerly used for railroad purposes, exists between SE 14th Street and the Des Moines river and could be used for a layover facility. While this would require a short reverse move from a downtown station, the use of push-pull trainsets would minimize this issue, and this location for a layover facility would eliminate the need to handle diesel fuel in the downtown area.</p> <p>Des Moines station location: A public comment included in the</p>	

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				<p>Draft EIS suggests that the station be located near Waukee, citing the Jordan Creek Town Center shopping mall and the west campus of Des Moines Area Community College as reasons. I strongly urge that no consideration whatever be given to this suggestion. Jordan Creek mall and the DMACC campus are local destinations which would produce little if any ridership for an intercity service. Further, a far-western station location removes the service from the vast majority of the metro area population, would require significant changes to existing public transit services, and would require considerable driving from Altoona, Ankeny and Indianola, among other cities. Removing the station location to such a far-western location would also introduce significant adverse environmental-justice (Title VI) effects, as it would render use of the service by a large portion of the minority community either impractical or impossible.</p> <p>It makes far more sense to locate the Des Moines station in the downtown location suggested by the Draft EIS. The downtown area offers a far wider range of attractions which would induce intercity passenger traffic, is the heart of the Des Moines business community, and is centrally located to attractions in other parts of the metro area. While it would be historically desirable to acquire and renovate the existing Rock Island depot, this may not be the ideal alternative for this Project. It is not clear that the current owner would be willing to sell at a price that makes economic sense for this project. Further, the existing depot is located about one and one-half blocks east of the new Des Moines Area Regional Transit Authority "Central Station" hub--a significant distance for passengers with children and/or luggage, the elderly and disabled, and for anyone during times of adverse weather. It may make more sense to acquire the properties between Fifth and Sixth avenues, north of the IAIS tracks, to construct a new facility. These properties, owned by Polk County and Wells Fargo, are currently in use as parking lots, and thus would not require demolition of existing buildings. In this case, the rail station would be located directly across the street from the transit hub. The station should be sized to accommodate future passenger rail service between Minneapolis/St. Paul and Kansas City. It would also make environmental and economic sense to construct a facility which could also accommodate intercity buses (replacing the existing, decrepit intercity bus depot in Des Moines) as well as shuttles to Des Moines International Airport. In short, locating as many public urban and intercity transportation options as possible, in a two-square-block area, presents an unmatched opportunity to the project.</p> <p>Council Bluffs station and/or terminal: I do not support any implementation of the project which would terminate the service, even for a short term, in Council Bluffs. It is imperative that the service connect at the earliest possible time to Amtrak services at the Omaha depot. The Draft EIS gives little consideration to passengers who may wish to travel to the western end of this Project and then connect to existing Amtrak service at Omaha. Requiring such passengers to use a connecting bus from Council Bluffs to Omaha,</p>	

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				<p>or worse still, requiring those passengers to provide their own connection, damages the traffic potential of the western end of the route. Requiring such a connection on an interim basis would damage the credibility of the service in such a way that regaining those passengers would be difficult when through service to Omaha is established. If a Council Bluffs station is established, Finally, if a Council Bluffs station could be justified financially and politically, just across the river from Omaha, consideration should also be given to a Davenport station, just across the river from Moline. Council Bluffs/Omaha routing issues: The only logical route from the IAIS to Omaha is: onto the UP at Council Bluffs, across the UP Missouri River bridge, and cross over onto the BNSF to access the Amtrak depot. There appears to be no need to construct a new bridge across the Missouri River; again, confirmation from the UP is required.</p> <p>Omaha depot: There are no acceptable station sites in Omaha, with the exception of the existing Amtrak depot. As pointed out above, it is imperative for passengers of this Project to have the most convenient possible connection to and from Amtrak's California Zephyr at Omaha. No location other than the existing Amtrak depot offers such a convenient connection. Using the existing depot eliminates any need for major construction--the only construction necessary would be a crossover from the westward BNSF main to the eastward BNSF main, which has the platform at the Amtrak depot. Construction of this crossover would be within existing railroad rights-of-way and have no adverse environmental impact. Use of the Omaha Union Station does not appear possible or feasible. The building has been converted to other uses, and passengers coming to that station from the existing Amtrak depot would need to cross both the BNSF and UP main tracks. Pedestrian grade crossings would undoubtedly be unacceptable to both carriers, and constructing a pedestrian underpass would be prohibitively expensive, particularly in comparison to use of the existing Amtrak station. ADA issues would also have a significant cost impact on such an underpass. The old Burlington station is far too large for the initial stage of the proposed project, and requires extensive structural repairs and renovation, making it financially infeasible for this project. At some point, should this service prove successful enough to justify the seven round-trip level of service, Amtrak, the city of Omaha, and the Nebraska and Iowa DOT's may wish to revisit the subject. However, this is not an appropriate time.</p> <p>Suggestions to locate an Omaha depot at any location other than the existing Amtrak depot appear to be nothing more than a failure by the project team to envision this service as an interconnecting part of the national passenger rail system, and an effort by the consultants to inflate the cost of the project and therefore, their profit.</p>	
5766	Support the Project, Corrections to the Document, NEPA, Alternatives,	Wallace L. Taylor	Sierra Club, Iowa Chapter	<p>To Whom It May Concern: The following comments on the Tier 1 Environmental Impact Statement (EIS) for passenger rail are submitted on behalf of the Iowa Chapter of the Sierra Club. The Sierra Club is the nation's largest grassroots environmental organization with over 600,000 members. Its Iowa Chapter has approximately 5,000 members.</p>	<p>Thank you for taking the time to provide us with comments as part of our Draft Environmental Impact Statement effort for the Chicago to Council Bluffs-Omaha Regional Passenger Rail System Planning Study. Your comments focus on the alternatives analysis component of the Tier 1 Draft Environmental Impact Statement (Draft EIS), and compliance with the National Environmental Policy Act of 1969 (NEPA) and Section 4(f) of the Department of Transportation Act of 1966.</p>

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	Cultural Resources, Transportation – Highway Congestion, Elderly, People with Disabilities, Parks, Section 4(f), Energy Use			<p>The Iowa Chapter of the Sierra Club enthusiastically supports passenger rail and supports its expansion in Iowa. We support public transportation solutions that are more efficient users of transportation fuels. By reducing the amount of fuels used, our reliance on fossil fuels is reduced. The extraction of fossil fuels destroys the environment. The combustion of fossil fuels creates greenhouse gases that cause climate change. The benefits of reduced reliance on fossil fuels include reduced air pollution. Public transportation, such as rail, results in reduced vehicle miles traveled and reduced infrastructure devoted to cars and congestion. These solutions also preclude building more highways that go through natural areas and historical sites. Additionally, public transportation benefits those who do not own and drive a car, including elderly, disabled, and low-income families.</p> <p>With regard to the EIS, we agree with the initial decision to examine alternative routes using preexisting rail lines. Using existing rail lines would obviously have less impact than constructing a new route that would impact formerly unused land and resources. We are concerned, however, that the analysis of alternatives is inadequate and does not comply with NEPA and its accompanying regulations.</p> <p>The analysis of alternatives is contained in Appendix A of the Draft EIS, rather than in the body of the document. Thus, the only alternatives “analysis” in the body of the Draft EIS is a comparison of the preferred alternative and the no build alternative. That means there is actually no analysis of alternatives in the Draft EIS itself.</p> <p>And even the analysis of alternatives in Appendix A is inadequate, especially with respect to environmental concerns. Environmental impacts, of course, are the <i>raison d’être</i> of an EIS. But the Draft EIS for this project spends only a few very short paragraphs discussing these impacts in the course-level screening, and for the fine-level screening adds nothing more than a chart adding up the number of environmental resources that might be impacted by each alternative. There is no description or comparison of the nature and extent of the relative impacts of each alternative on the environment.</p> <p>The National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq., “declares a broad national commitment to protecting and promoting environmental quality.” <i>Robertson v. Methow Valley Citizens Council</i>, 490 U.S. 332, 348, 109 S.Ct. 1835 (1989). NEPA explains that policy as follows: The Congress, recognizing the profound impact of man’s activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private</p>	<p>The response below addresses your comments.</p> <p><u>Alternatives Analysis and NEPA Process</u> The focus of a Tier 1 analysis, as governed by Federal Railroad Administration (FRA) requirements, is to address the broader questions relating to cities and stations served, route alternatives, service levels, types of operations, ridership projections, and major infrastructure components. FRA determined that it was necessary to do a Tier 1 analysis because of the complexity of managing the NEPA process for such a large-scale project (approximately 500 miles in length; traveling through Illinois, Iowa, and into Omaha, Nebraska). A Tier 1 study allows FRA and other agencies to utilize an initial phase that focuses on the broad issues, such as purpose and need, general location (corridors), land use implications of alternative routes, environmental fatal flaws, etc.; before expending the resources that are needed for subsequent detailed analyses of the many Tier 2 subsections that are necessary in a lengthy corridor such as this. As such, the Tier 1 broad analysis of route alternatives is a valid approach for complying with NEPA on large-scale projects (<i>Guidelines on the Use of Tiered Environmental Impact Statements for Transportation Projects</i>, prepared for AASHTO by PB Americas, Inc. and Perkins Coie LLP, June 2009). As noted in Attachment E of the Alternatives Analysis Report in the response to the Illinois Department of Natural Resources comment, the intent of the environmental screening process at the Tier 1 level was to identify environmental fatal flaws; and that purpose and need, engineering, and cost considerations were the main drivers for screening out alternatives.</p> <p>Key environmental resources were evaluated in a study area around each route alternative corridor, based on publicly available data such as open-source aerial imagery and geographic information system (GIS) data. The corridors considered in the Tier 1 Alternatives Analysis are substantially wider than the Right-of-Way (i.e. impact area) that is expected to be needed for the project. This width leaves flexibility for specific alignments within the corridor to be determined in Tier 2, when a higher degree of engineering is available, and also allows for avoidance and minimization of impacts within the corridor.</p> <p>The Alternatives Analysis report was included as an appendix because it is a lengthy methodical discussion of the information that was considered in the analysis, and as such, is more appropriate as an appendix item. (Council on Environmental Quality, NEPA’s Forty Most Asked Questions [25a]) . Section 2.1 of the Tier 1 Draft EIS includes much of the information derived from the Alternatives Analysis Report, as a summary of the analysis and conclusions, and was revised in the Tier 1 Final EIS in response to comments on the Draft EIS.</p> <p>Although the route alternatives were evaluated and screened down to one reasonable and feasible route alternative for evaluation in the Tier 1 Draft EIS, the Draft EIS still evaluated other alternatives being considered. For example, different routes are still under consideration in the Des Moines metropolitan area and the Omaha/Council Bluffs metropolitan area. The specific locations of some stations, layover facilities, and maintenance facilities are as yet unknown, and the Draft EIS and Final EIS included an evaluation of impacts at these different locations. An operational regime of speeds up to 110 miles per hour (mph) was evaluated for potential impacts, noting that phased implementation would commence at slower speeds.</p> <p><u>Section 4(f) Analysis</u></p>

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Norton</i>, 276 F.3d 1060, 1072 (9th Cir. 2001).</p> <p>Section 102(2) of NEPA, 42 U.S.C. § 4332(2), is “one of the ‘action-forcing’ provisions intended as a directive to ‘all agencies to assure consideration of the environmental impact of their actions in decisionmaking.’” <i>Kleppe v. Sierra Club</i>, 427 U.S. 390, 409, 96 S.Ct. 2718 (1976)(quoting Conference Report on NEPA, 115 Cong. Rec. 40416 (1969)). The provision also ensures that “agencies act according to the letter and spirit of the Act.” 40 C.F.R. § 1500.1(a). NEPA does not mandate a particular outcome for a proposed project. Rather, it is a procedural statute that prescribes the process by which the agency is to reach an informed decision. <i>Robertson</i>, 490 U.S. at 350-51, 109 S. Ct. at 1846.</p> <p>In reviewing an agency’s efforts to comply with NEPA a court must determine whether the agency took a “hard look” at the environmental impacts of a project before acting. <i>Sierra Club v. Kimbell</i>, 623 F.3d 549 (8th Cir. 2010). An agency takes a hard look when it “obtains opinions from experts outside the agency, gives careful scientific scrutiny, and responds to all legitimate concerns that are raised.” <i>Marsh v. Oregon Natural Resources Council</i>, 490 U.S. 360, 377, 109 S.Ct. 1851 (1989). But the agency cannot take a hard look and then “ignore what it saw.” <i>Audubon Soc. of Cent. Arkansas v. Dailey</i>, 977 F.2d 428, 436 (8th Cir. 1992).</p> <p>An EIS must discuss reasonable alternatives “to the proposed action.” 42 U.S.C. § 4332(2)(C)(iii). The alternatives analysis is the “heart of the environmental impact statement.” 40 C.F.R. § 1502.14. NEPA demands that the agency “rigorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14. The “existence of a viable but unexamined alternative renders an environmental impact statement inadequate.” <i>Resources Ltd. v. Robertson</i>, 35 F.3d 1300, 1307 (9th Cir. 1994).</p> <p>The cursory treatment given to the alternatives in this case does not satisfy these requirements. Appendix A of the Draft EIS also states that each of the five alternatives impacts Section 4(f) properties. Section 4(f) of the Transportation Act, 49 U.S.C. § 303, prohibits the Secretary of Transportation from approving a project that requires the use of a public park, recreation area, wildlife and waterfowl refuge, or land of an historic site of national, state, or local</p>	<p>Although Route Alternative 4-A could potentially impact slightly more Section 4(f) resources than other alternatives, the analysis was based on a buffer without conceptual engineering, allowing flexibility in design to avoid or minimize impacts on the resources. The potential impacts identified do not constitute a Section 4(f) “use”. A determination still needs to be made during Tier 2 as to whether certain properties are protected under Section 4(f). Additionally, a determination of adverse effect would need to be conducted for historic resources for determining a Section 4(f) “use” and this effort would not be conducted until Tier 2. Consequently, a Section 4(f) evaluation could not be conducted during Tier 1; full evaluations or other Section 4(f) documentation would be developed during Tier 2 along with NEPA documentation for individual Project sections.</p> <p>Because Illinois forest preserves, which are considered to be a Section 4(f) resource, exist on both sides of the railroad ROW for all route alternatives, the potential exists for all route alternatives to impact Section 4(f) properties. Although not reported in the Alternatives Analysis Report, Route Alternative 3 that was eliminated from fine level screening also passed through potential Section 4(f) properties, including parks and forest preserves. Consequently, there is no feasible and prudent avoidance alternative when considering the route alternatives analyzed.</p> <p>Similar to Section 4(f) properties, a detailed analysis of specific impacts on Section 6(f) properties was deferred until Tier 2. FRA, Iowa Department of Transportation (Iowa DOT), and Illinois Department of Transportation (Illinois DOT) will evaluate impacts on Section 4(f) and Section 6(f) properties, with the design process avoiding the properties when possible and minimizing the impacts if the properties are unavoidable. Close coordination with the officials that have jurisdiction of the properties would be performed during Tier 2 concerning any potential impacts and the need for specific mitigation.</p> <p><u>Changes documented in the Final EIS</u></p> <p>Since issuance of the Draft EIS, comments on the document have been reviewed in consideration of updating the document to create a Final EIS. Iowa DOT has drafted a Service Development Plan (SDP), a planning document that addresses the rationale for and details of the proposed passenger rail service, including a plan for phased implementation of the service, an operating plan for each phase of service, and a capital and financial plan for determining the types and amounts of funding needed for each phase of service. The SDP has an approximate 20-year planning horizon, but under phased implementation, full implementation of the Project would extend beyond 20 years. Therefore, Iowa DOT, in coordination with FRA, decided to focus the SDP on the interim implementation phase, which is the phase of the Project that would be implemented within this 20-year planning horizon. The interim implementation phase would likely include four round-trips per day at 79 mph between Chicago and Council Bluffs, while full implementation would be five to seven round-trips per day at 110 mph between Chicago and Omaha. The Final EIS has been updated with discussions on the interim implementation phase. Chapter 2, Alternatives, has been revised to account for the SDP and other clarifications concerning the alternatives analysis process. For example, further information has been added to Section 2.3 to indicate that the potential impacts presented in Table 2-4 are overestimated based on the conservative analysis performed for the Study.</p> <p>The Draft EIS assessed impacts of train service at speeds up to 110 mph and noted that phased implementation (with less service, fewer stops, and slower speeds)</p>

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				<p>significance unless: (1) there is no prudent and feasible alternative to using the land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.</p> <p>FRA regulations require that, for projects subject to the Section 4(f) requirement, the 4(f) evaluation must document why there is no “feasible and prudent” alternative and the planning measures taken to “minimize harm” to the property resulting from the use. 49 C.F.R. § 266.19(b)(4). An EIS should document compliance with applicable requirements, including Section 4(f). Id.</p> <p>FRA must determine whether there is no feasible and prudent alternative before using a protected resource. Citizens to Preserve Overton Park v. Volpe, 401 U.S. 402, 91 S.Ct. 814 (1971). “The intent of Congress in enacting Section 4(f) was to ensure that the protection of parkland was given prime importance in considering where to build federal roads and highways [and other transportation projects].” Id. at 412-13. The language of Section 4(f) “is a plain and explicit bar to the use of federal funds for construction of [projects] through parks – only the most unusual situations are exempted.” Id. at 411. (emphasis added).</p> <p>In relation to transportation alternatives, an alternative is infeasible if, “as a matter of sound engineering,” that alternative cannot be constructed along the planned route. Id. at 411. An alternative is imprudent if there arises “unusual factors” or “cost or community disruption” as a result of “extraordinary magnitudes” that argue against building a [project] along such a route. Id. at 413. If no feasible and/or prudent alternative is available, [FRA] must also find that the plans for the project minimize the harm to the protected 4(f) resources. Id. at 411.</p> <p>The Supreme Court has developed a three-step analysis for a court to review FRA’s decision to use resources protected by Section 4(f). Id. at 416-17. First, the reviewing court determines whether the FRA acted within the scope of its authority. This requires that the agency understand that the scope of its authority was limited to approving a use of land where there were no feasible and prudent alternatives and all possible planning had been undertaken to minimize harm to the 4(f) resource. Id. at 416. Second, the reviewing court must determine that the agency’s decision was not “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law” based on the relevant factors. Id. A searching and careful inquiry must be made; however, the reviewing court is not to substitute its own judgment for that of the agency. Id. Third, the court must determine whether the agency followed the necessary procedural requirements. Id. at 417.</p> <p>With respect to the Draft EIS in this case, there was not even an attempt to undertake the required Section 4(f) analysis, let alone an adequate analysis. Thus, the Draft EIS does not comply with the law and regulations.</p>	<p>would result in fewer impacts. The Final EIS includes a quantitative evaluation of operational impacts at a train speed of up to 79 mph with up to four round-trips per day between Chicago and Council Bluffs (see Section 3.28).</p> <p><u>Conclusion</u> In conclusion, FRA believes that the approach for evaluating alternatives and documenting the results in the Draft EIS and Final EIS complies with NEPA requirements, and that Section 4(f) requirements have been met during the Tier 1 process. During Tier 2, the Project will be further developed with the consideration of environmental impacts in maximizing the extent of reconstruction within existing ROW. Environmental impacts will be avoided when possible, minimized when avoidance is not possible, and mitigated for as needed, with coordination between the transportation agencies and managing authorities of the resources. The refined project footprint will be developed in consideration of Section 4(f) properties, with avoidance of use being a key factor. Tier 2 NEPA documentation will include consideration of alternatives within the preliminary impact area defined in Tier 1, with adjustments made as warranted.</p>

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				<p>The failure to prepare an adequate examination of alternatives and to prepare a Section 4(f) analysis cannot be explained away with the argument that minor revisions to the basic preferred route will be made in the Tier 2 EIS. The appropriate examination of alternatives and Section 4(f) analysis must be done with respect to all of the alternatives, not just the preferred alternative. The fact of the matter is that in the Draft EIS only one alternative – the preferred alternative – is being examined and only that alternative will be considered in the Tier 2 EIS. This process does not comply with NEPA.</p> <p>In the end it may well be that the preferred alternative – Alternative 4A – will be the best one. But the NEPA process should not be manipulated to ensure that the preferred alternative is the only one appropriately considered.</p> <p>Passenger rail in the Midwest is so necessary and its expansion is so important that it deserves to be implemented properly. Thank you for considering these comments. Please keep the Iowa Chapter of the Sierra Club informed of any further actions on this project.</p>	

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