

**ENVIRONMENTAL ASSESSMENT**

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**REEVALUATION  
OF THE  
LE CLAIRE BASE  
CONSTRUCTION STORAGE  
YARD**

**LE CLAIRE, IOWA**

**JUNE 1988**

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REPLY TO  
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DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING - P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

ENVIRONMENTAL ASSESSMENT

REEVALUATION OF THE LE CLAIRE BASE CONSTRUCTION STORAGE YARD  
LE CLAIRE, IOWA

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JUNE 1988

## **ENVIRONMENTAL ASSESSMENT**

### **RE-EVALUATION OF THE LE CLAIRE BASE CONSTRUCTION STORAGE YARD LE CLAIRE, IOWA**

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## ENVIRONMENTAL ASSESSMENT

### REEVALUATION OF THE LE CLAIRE BASE CONSTRUCTION STORAGE YARD LE CLAIRE, IOWA

#### I. PURPOSE AND NEED FOR ACTION.

The Corps of Engineers, Rock Island District, proposes to acquire lands and easements necessary to relocate its construction storage yard located near Lock and Dam 14 in LeClaire, Iowa. An Environmental Assessment (EA) on this project was first released on May 22, 1987, for public comment.

Comments received from individuals and the Nature Conservancy objected to the recommended plan and suggested that the Corps consider other designs. Several meetings and exchanges of correspondence ensued in an attempt to establish a storage yard plan that met the objectives of all concerned parties. The Corps thought that a compromise agreement had been reached in a November 30, 1987, meeting. A Finding of No Significant Impact (FONSI) was signed on January 8, 1988. The Corps then informed all interested parties by letter dated January 13, 1988, of its intent to build a modified version of the EA preferred plan.

Subsequent to that decision, some public opposition to the Corps' preferred plan was generated by persons opposed to the Corps' recommended design. A coalition of private citizens named S.O.A.R. (Save Our Attractive Riverfront) was organized. They petitioned the Corps to adopt an alternative design which would minimize the loss of woodland. After several more weeks of exchanged correspondence, meetings, and reevaluation of Corps' storage yard requirements, a mutually acceptable design has been drafted.

This EA evaluates the benefits/impacts of four of the major designs considered since the original EA was released. Numerous other variations of storage yard designs were considered but are not detailed in the EA because they are similar to the ones discussed here or were significantly deficient in meeting one or more of the project objectives. Since the plan now recommended by the Corps is an alternative that was not evaluated in the previous EA, this second EA has been prepared.

The Corps' maintenance equipment is presently stored on an artificially filled parcel of land which is owned by the State of Iowa, subject to the Government's paramount easement for navigation. The present storage yard is remotely located and separate from the Service Base complex. A public road, which is heavily used year-round by fishermen and recreationists, borders the storage site on the north. This State-maintained road leads to a boat ramp. The storage yard is protected on three sides by a chain link fence with the open face toward the Mississippi River. The storage area is bordered on the east by a public parking lot which is also frequently used by fishermen year-round.

→ 4 pages

The storage yard's land and water exposure to the public has caused numerous security and management problems. Rock Island District's Operations Division has reported several incidents of theft and property destruction at the storage site. Acquisition of the lands and necessary construction will allow for consolidation of the Service Base facilities and, with the possible addition of an electronic security system, will eliminate the security problems. (SES)

The authority for this project was provided by the River and Harbor Act of July 3, 1930, as amended on February 14, 1932, and on August 30, 1935, which authorized the construction, operation, and maintenance of the Mississippi River Nine-Foot Channel Navigation Project.

## II. PROJECT DESCRIPTION.

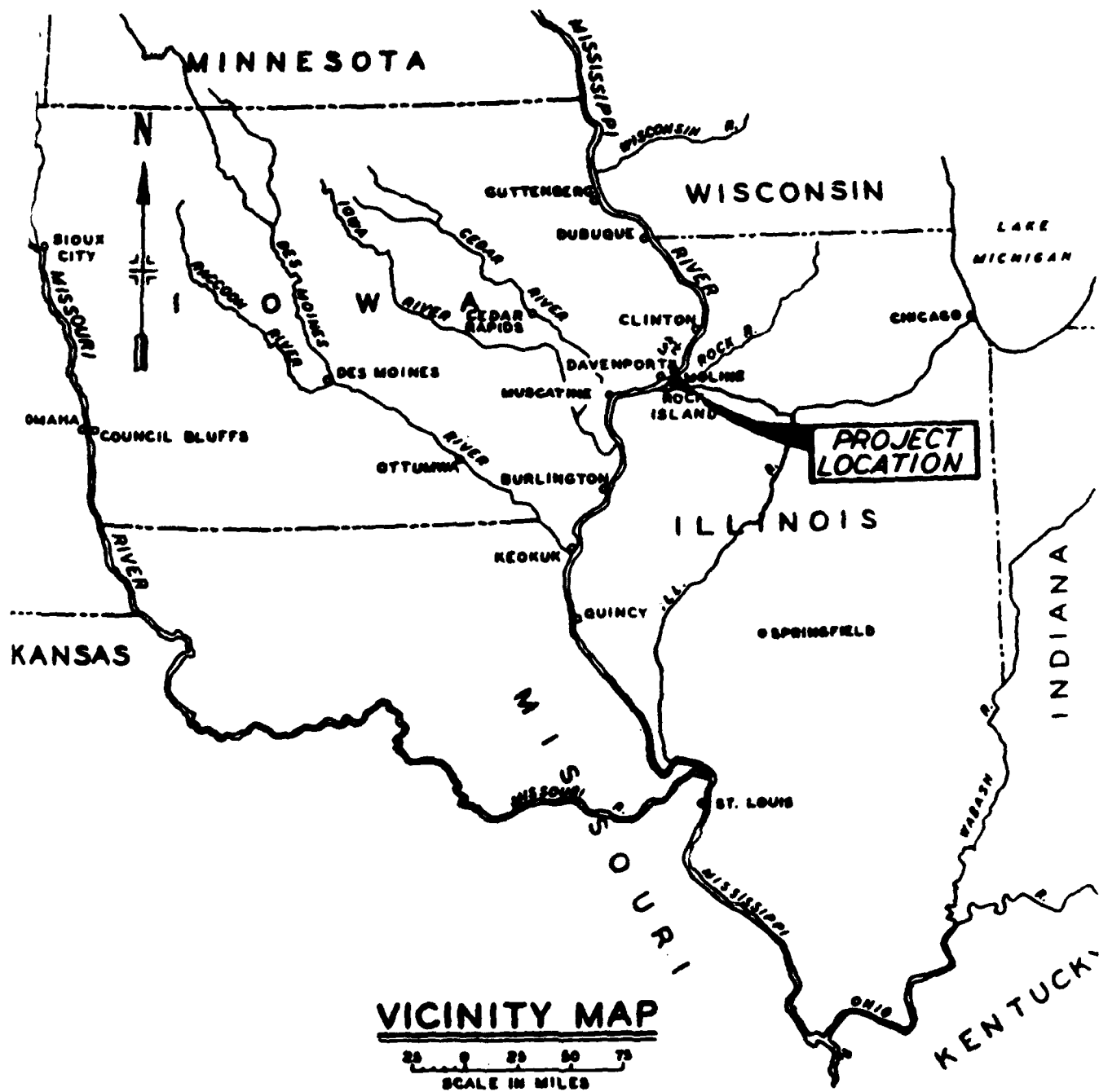
A. Alternative 1. The project is located immediately downstream from Lock and Dam 14 in Scott County, Iowa (figure EA-1). The Rock Island District, Corps of Engineers, proposes to relocate the existing storage yard as shown on plate 1 (Alternative 1). Approximately 15,000 cubic yards of rock will be placed at the new storage yard location to raise the elevation from 570 feet to 578 feet MSL (mean sea level).

About 0.41 acre of woodland will have to be cleared prior to fill placement. Trees may be sold or placed in an approved landfill or other acceptable site. Rock for this fill will originate from the Mississippi River Pool 15 channel excavation project or an approved quarry site, if necessary. Following grading, chain link fencing will be constructed around the yard perimeter. The new storage yard will be about 1.3 acres, compared to the existing yard, which is 1.5 acres.

Sufficient space will be maintained between the timber guidewall and new storage yard to allow pedestrian and handicapped vehicle access between the parking lot and the recreational lock.

The present road to the Iowa Department of Natural Resources (IDNR) boat ramp and the Corps storage yard will be relocated to the downstream (western) end of the new storage yard (see plate 1). The new road will serve as an access road to both the storage yard, the IDNR boat ramp, and parking lot. The road to the old boat ramp will be blocked to vehicles. The old boat ramp and parking area also will be replanted with hardwood tree seedlings.

The existing storage yard, as well as part of the new yard, is (will be) located on State of Iowa property. The Corps, however, has authority under the River and Harbor Act to use the land (which is technically artificial fill over State-owned land) for the construction of temporary warehouses and other temporary buildings, and storage of equipment, plant, and other property used in connection with the Mississippi River Nine-Foot Channel Navigation Project.



Privately owned land will have to be acquired in order for the relocation to proceed. The parcel of land (approximately 1 acre) owned by The Nature Conservancy of Iowa, will need to be acquired. Authority to acquire the subject real estate was received from the U.S. Army Corps of Engineers, Directorate of Real Estate, Washington, D.C., in April 1986. The Real Estate Design Memorandum also was approved in April 1986.

Although not part of the Corps project, the IDNR plans to relocate their boat ramp and parking lot in the near future. Since both the Corps storage yard project and the IDNR project rely on the same access road, project design has been closely coordinated between the two agencies. For this reason, the improvements planned by the IDNR are also shown on all plates. The proposed parking lot will allow space for 101 vehicles or (0.8 acre)<sup>1</sup>/which is at the low end of the projected need for existing recreation demand. The Rock Island District, Corps of Engineers, and the IDNR plan to enter into a joint agreement concerning the management responsibilities of the area.

### III. ALTERNATIVES.

For reasons stated below, land immediately adjacent to the existing storage yard is the only practical location for the storage yard. An infinite number of storage yard/parking lot design configurations are possible. After considering several factors such as recreation, bald eagle wintering habitat, land use, private land acquisition, and Corps maintenance requirements, four alternatives that appeared to best meet all of these concerns were considered.

Alternative 2 (Corps' Previously Recommended Plan). This alternative was the recommended design in the previously circulated EA. At that time, this alternative was the preferred plan because it was the most desirable in terms of operation, security, minimization of wintering bald eagle disturbance, and recreation. The overriding objection to this alternative expressed by the public was the removal of 0.62 acre of woodland that acted as an aesthetic buffer to shield the storage yard from the public's view.

Alternative 2 has a 1.35-acre storage yard that would be raised from an existing elevation of 570 feet MSL to approximately 578 feet MSL, which is the same as the other designs. As in Alternative 1, the parking lot and boat ramp would be constructed by the IDNR. Vehicle access to the old boat ramp area also would be blocked. The old ramp and vicinity would then be replanted with hardwood trees as in Alternative 1. In addition, under this alternative the Corps proposed to do extensive replanting to replace the trees removed at the upper (northern) end of the site. The Corps proposed to scarify the old access road, place 3 feet of topsoil fill, and plant approximately 30-foot-tall white pine trees in a 40-foot-wide buffer zone to mitigate the aesthetic loss of woodland. This alternative also allowed for a 0.96-acre parking lot.

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<sup>1</sup>/ Since the boat ramp and parking lot will be constructed by the IDNR on State land, the final design of these facilities may vary from that shown on plate 1 (recommended design) of this EA.

TABLE EA-1

Land-Use Requirements for Project Alternatives

| Alternative                                                 | <u>Acres (approximate)</u> |                      |               |              | Comments                                                                                                                                                                           |
|-------------------------------------------------------------|----------------------------|----------------------|---------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                             | Storage Yard               | Parking Lot          | Woodland Lost | Wetland Lost |                                                                                                                                                                                    |
| Existing Conditions                                         | 1.5                        | .5                   | 0             | 0            |                                                                                                                                                                                    |
| <u>Improve Existing Location</u>                            |                            |                      |               |              |                                                                                                                                                                                    |
| a. Elevate yard within existing boundaries                  | 1                          | .5                   | 0             | 0            | Loss of storage; no property acquisition required; present IDNR boat ramp would probably have to be rehabilitated.                                                                 |
| b. Expand storage yard into parking lot                     | 1.5                        | 0                    | 0             | 0            | Loss of parking for fishermen, etc.; no property acquisition required.                                                                                                             |
| c. Expand storage yard into State-owned portion of woodland | 1.5                        | .5                   | .5 to 1       |              | Acquisition of property still required since this plan also requires access road relocation. Existing boat ramp area would have to be used. Increased impacts to wintering eagles. |
| ALTERNATIVE 1                                               | 1.3                        | .8 *<br>(101 spaces) | .41           | .27          |                                                                                                                                                                                    |
| ALTERNATIVE 2<br>(Corps' Previously Recommended Plan)       | <del>1.35</del>            | .96<br>(121 spaces)  | .62           | .25          | Most desirable plan from a recreational and operational perspective.                                                                                                               |

\* May change depending upon IDNR design requirements.

TABLE EA-1, Cont'd

| Alternative                           | Acres (approximate) |                       |               |              | Comments                                                                                                                  |
|---------------------------------------|---------------------|-----------------------|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------|
|                                       | Storage Yard        | Parking Lot           | Woodland Lost | Wetland Lost |                                                                                                                           |
| ALTERNATIVE 3*<br>(Preservation Plan) | 1.35                | .90<br>(99<br>spaces) | .73           | .14          | Unacceptable loss of high quality bottomland forest used by eagles and fails to achieve adequate recreational objectives. |
| ALTERNATIVE 4<br>(S.O.A.R. Plan)      | 1.35                | .7<br>(80<br>spaces)  | .35           | .40          | Insufficient parking to meet existing and future recreational demands.                                                    |

\*Two versions of this plan were considered.

Alternative 3 (Preservation Plan). This plan creates a long, narrow storage yard designed to save the existing timber that would have to be removed in Alternative 2. The long, narrow configuration of this design causes the new boat ramp and parking lot to be moved considerably farther downstream toward the more critical eagle use area. In order to achieve adequate parking spaces under this design, either a number of the significant mature cottonwoods used by wintering eagles would have to be removed, or the parking lot would occupy desirable recreational space along the river's immediate shoreline.

Alternative 4 (S.O.A.R. Plan). The S.O.A.R. plan is an intermediate plan that falls between the Corps preferred plan (Alternative 2) and the Preservation Plan (Alternative 3). The storage yard would be 1.35 acres. Under this plan, approximately 0.35 acre of the upstream-most trees would be removed, but a buffer strip of existing trees would remain. This plan does not remove any of the large, valuable trees, but it limits the size of the new parking lot to 0.70 acre, or about 80 spaces, which is insufficient to meet the existing demand.

No Action. The construction storage yard will remain at its present location. The elevation of the existing storage yard is approximately 570 feet MSL, which is subject to a 10-year flood event. Security problems will remain, in particular the problem of maintaining security from the river. In addition, the IDNR's plans for improving the old boat ramp would be negatively affected.

Raise Elevation of Existing Yard. The elevation of the existing storage yard could be raised to 578 feet MSL. However, this would not alleviate current security problems. Also, if the existing dimensions of the storage

yard were maintained, there would be a 0.5-acre, or 30 percent, loss in storage area due to the additional area covered by the slope of the new fill. Any decrease in size of the existing parking lot is also unacceptable since the lot is already too small for the current demand.

Alternative Site Location. Other possible sites for the storage yard were previously considered, but these locations have deficiencies that make them even less attractive than the existing site. There are no other sites adjacent to LeClaire Base that offer both land and water access for heavy construction equipment.

#### IV. AFFECTED ENVIRONMENT.

The project site is located immediately below Lock and Dam 14 in Scott County, Iowa. The construction storage yard is used to store construction equipment used in maintaining the Mississippi River Nine-Foot Channel Navigation Project and the adjacent LeClaire Base Complex managed by the Corps. The storage yard is located on the shoreline so that equipment can be easily loaded on and off Corps floating plant (i.e., barges, boats, etc.). The storage yard is located on State of Iowa land which the Corps is authorized to use for Mississippi River Nine-Foot Channel Navigation maintenance activities.

Upstream of the existing yard are a parking lot and the timber guidewall used by fishermen. This area is managed by the Rock Island District's Mississippi River Natural Resource Management Section. The parking lot also is used by visitors to the Lock and Dam 14 area, the picnic shelters, and the Smith's Island nature trail. Downstream from the existing yard is a boat ramp managed by the IDNR which is mostly unusable and in need of repair. Because of its isolated location and frequent use, the area is plagued by vandalism, littering, etc., and is an enforcement problem for both the Corps and the IDNR since both agencies share the same road access.

The site of the new storage yard would be located immediately north of the existing yard on dredged material fill. Inspection of the adjacent private land parcels also indicated that the site was filled in historic times. Prior to lock and dam construction, the area was apparently riverbed and row crop land.

For the purpose of this assessment, the affected project area will consist of the area upstream of the old boat ramp area. This consists of approximately 6 timbered acres of varying quality. Scattered throughout the timber are one or more depressions that act as temporary ponding areas when sufficient rainfall occurs. The soil conditions of this acreage consist primarily of historically placed dredged material (sand) and (apparently) foundry fill. Tree species found in decreasing order of abundance are eastern cottonwood, silver maple, Chinese elm, box elder, black willow, mulberry, green ash, black cherry, and red cedar. Chinese elm is the most abundant species on the far upstream portion of the wooded area.

Generally speaking, there is a marked increase in timber quality/value and size class as one proceeds in a downstream direction from the uppermost end of the project area. Superficially the woodland appears similar to other bottomland forest along the river. One of the major differences is in the understory. Due to the poor soil conditions, there is a low quality ground and shrub cover that provides a much depressed habitat value compared to other locations of similar elevation. There are essentially no mast-producing trees, such as oaks and hickories, on the site which also decreases its value. Aside from wintering bald eagles which only use the timber for resting, observation perches, and feeding, faunal use of this area is limited to small mammals and songbirds. Some areas within the timber are very poorly drained and retain water during spring or other heavy rainfall periods. Although these areas do not support typical wetland vegetation (i.e., arrowhead, smartweed, cactail, etc.) it is classified as wetland for regulatory purposes under the Clean Water Act.

The area of poorest habitat quality is the narrow peninsula of woodland at the upstream end. Two factors account for this decrease in value. One, it consists primarily of small trees (i.e., Chinese elm and box elder) that provide no food value and practically no shelter (i.e., tree cavities). Secondly, the disturbance factor from the nearby vehicle traffic presently affects all three exposed sides of the peninsula. Although the habitat quality of the forested peninsula is poor overall, it is very rarely used by overwintering bald eagles for feeding/resting. The Lock and Dam 14 tailwaters is a heavily used and extremely important feeding area for eagles. From approximately the beginning of December through March of each year, eagles rely on the tailwaters as a winter food supply of fish. On the opposite Illinois shore is the Oak Valley Eagle refuge which is an important habitat for the local wintering eagles.

Based on observation records kept by the Rock Island District for several years, frequency of eagle use in the project area increases as one proceeds downstream away from the existing parking lot. This is primarily due to human activity. Winter fishermen using the parking lot and adjacent pier tend to discourage eagles from using nearby trees. Observation data on eagle use of the area collected for the past several years tend to confirm this. Eagles occasionally use trees near the parking lot when no people are present, but move to the shoreline below the existing boat ramp when people appear. Since the boat ramp is unusable, there is practically no boating activity in that area.

Recreational use of the Lock and Dam 14 area is substantial. The 1987 visitation was 52,295 recreational days use. The peak months of May through August recorded 29,290 recreational days use.

Substantial visitation can be attributed directly to the recreational improvements occurring at Lock and Dam 14, which include:

- a. Smith's Island nature trail development
- b. Reservable picnic shelters

c. Public flush restroom facilities at the locksite

d. Increased public awareness of facilities through news media and interpretive work

e. Excellent shoreline fishing access for family type groups

Prior to the recent improvements, many visitors came to Lock and Dam 14 to watch towboat locking operations. Sightseeing continues to be a major activity at Lock and Dam 14. The proximity of this area to the large urban population of the Quad Cities and the increases in use of this area for recreation purposes are indicative of the need to adequately provide for the needs of the visiting public at this site.

The Lock and Dam 14 area also provides an ideal setting for the handicapped visitors for day use fishing and other passive recreational pursuits that are not readily available at other river sites within the Quad Cities.

New use patterns and recreational growth are expected to occur with the improved boat launching and handicapped facilities. If the existing boat ramp were functional, design standards indicate that there should be 95 to 131 parking spaces to meet the existing recreational demand of the area. The recommended parking area should have at least 100 spaces. If the area experiences a significant increase in recreational use over time, it is entirely likely that the parking area will need to be expanded.

## V. ENVIRONMENTAL IMPACTS OF PREFERRED ACTION.

The effects of the preferred plan are summarized in table EA-2.

### A. Economic and Social Impacts of Preferred Action.

1. Community and Regional Growth. No significant short- or long-term impacts to the growth of the community would be realized as a result of the proposed storage yard relocation. Further, no significant impacts to regional growth would result from the project.

A summary of population trends for the project area is presented in table EA-3.

2. Aesthetics. Residents of homes overlooking the project area take pride in their scenic settings with views of woodland vegetation and the river in the distance. A main concern of these residents is that their view of the new maintenance storage yard should be shielded or blocked by woodland vegetation. The preferred alternative would maintain the current aesthetic buffer which shields the view of the storage yard from area residents and highway travelers. The preferred design, therefore, minimizes adverse aesthetic impacts to the maximum extent possible. It should be noted that the existing storage yard is visible from the bluff.

TABLE EA-2

Effects of the Preferred  
Plan on Natural and Cultural Resources

| <u>Types of<br/>Resources</u>                      | <u>Authorities</u>                                                                                                                               | <u>Measurement<br/>of Effects</u>           |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Air quality                                        | Clean Air Act, as amended<br>(42 U.S.C. 1657h-7, et seq.)                                                                                        | No effect.                                  |
| Areas of particular concern with the coastal zone  | Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1451, et seq.)                                                                        | Not present in planning area.               |
| Endangered and threatened species critical habitat | Endangered Species Act of 1973, as amended (16 U.S.C. 1531, et seq.)                                                                             | No effect.                                  |
| Fish and wildlife habitat                          | Fish and Wildlife Coordination Act (16 U.S.C. 661, et seq.)                                                                                      | Loss of approximately 0.68 acre of habitat. |
| Floodplains                                        | Executive Order 11988, Flood Plain Management                                                                                                    | No effect.                                  |
| Historic and cultural properties                   | National Historic Preservation Act of 1966, as amended (16 U.S.C. 470, et seq.)                                                                  | No effect.                                  |
| Prime and unique farmland                          | CEQ Memorandum of August 1, 1980; Analysis of Impacts on Prime or Unique Agricultural Land in Implementing the National Environmental Policy Act | Not present in planning area.               |
| Water quality                                      | Clean Water Act of 1977, as amended (33 U.S.C. 1251, et seq.)                                                                                    | No effect.                                  |
| Wetland                                            | Executive Order 11990, Protection of Wetlands, Clean Water Act of 1977, as amended (42 U.S.C. 1857h-7, et seq.)                                  | 0.27 acre will be filled.                   |
| Wild and scenic rivers                             | Wild and Scenic Rivers Act, as amended (16 U.S.C. 1271, et seq.)                                                                                 | Not present in planning area.               |

TABLE EA-3

Population Trends for the Project Area  
1980 - 1990 <sup>1/</sup> 2/

| <u>Area</u>                         | <u>1980</u> | <u>Population</u><br><u>1985</u> | <u>1990</u> | <u>Percent Change in</u><br><u>Population</u> |                  |
|-------------------------------------|-------------|----------------------------------|-------------|-----------------------------------------------|------------------|
|                                     |             |                                  |             | <u>1980-1985</u>                              | <u>1985-1990</u> |
| City of LeClaire, Iowa              | 2,899       | 2,990                            | 3,595       | 3.1                                           | 20.2             |
| Village of Pleasant Valley,<br>Iowa | 567         | 862                              | 867         | 52.0                                          | 0.6              |
| Scott County, Iowa                  | 160,022     | 162,900                          | 166,600     | 1.8                                           | 2.3              |
| State of Iowa                       | 2,913,808   | 2,905,400                        | 2,913,500   | -0.3                                          | 0.3              |

1/ Claritas Corporation, 1980 & 1985, The National Encyclopedia of Residential ZIP Code Demography.

2/ Iowa Development Commission, 1986 Statistical Profile of Iowa.

3. Community Cohesion. The preferred alternative was selected following coordination and mutual agreement by the Corps and community residents. Given the public support of this compromise plan, impacts to community cohesion would not be significant.

4. Property Values and Tax Revenues. The relocation of the storage yard would maintain the aesthetic buffer of woodland vegetation obstructing the view of the storage yard from area residents. Impacts to the property values of homes overlooking the storage yard would not be noticed. The project would require the acquisition of approximately 1 acre of privately owned land. However, the impacts of removing this land from the community tax roles would be negligible.

5. Public Facilities and Services. The current storage yard's exposure to the public has created a security and management problem for the Rock Island District's Operations Division. Acquisition of the lands and the construction of the new storage facility would greatly reduce or eliminate these problems.

The project also would involve the construction of a new access road to the new storage yard, and a public parking lot for people using the recreational facilities at the Lock and Dam 14/Smith's Island complex. The placement of the new access road has been closely coordinated between the IDNR and the Corps. The new road alignment would fit in with the IDNR's plans to relocate its boat ramp and parking lot in the near future.

6. Employment and Labor Force. Construction of the proposed project would slightly impact short-term employment in the project area. Based on the small scale of the project, few additional employees would be required; the surrounding communities have a large enough labor pool to absorb project needs without noticeable impact. The project would not affect the permanent employment or labor force in the city of LeClaire or in Scott County.

7. Business and Industrial Development. Changes in business and industrial activity during the construction of the project would be minimal. The slight increase in business activity occurring from the project would be absorbed into the area without noticeable effect. No long-term effects on business or industrial activity would result from the project. The project would require no business relocations.

8. Farm Displacement. No farms would be affected by the proposed facility relocation or required land acquisition.

9. Noise Levels. Heavy machinery would generate a temporary increase in noise during construction. This increase might disturb users at the nearby recreation area. However, the project site is located in an area with relatively limited residential or other types of development. As a result, no significant noise impacts would result.

B. Economic and Social Impacts of Nonpreferred Alternatives. Socio-economic impacts associated with the nonpreferred alternatives would be nearly identical to those associated with Alternative 1. Alternative 2 would result

in more adverse aesthetic impacts following the removal of woodland habitat; however, this alternative would provide an adequate parking area necessary for the safety of recreationists at the IDNR public boat ramp. Alternative 3 would encroach on bald eagle habitat and would provide inadequate parking at the nearby recreation area. Alternative 4 would provide insufficient parking for recreationists, creating safety problems for recreationists using the IDNR facilities. Neither Alternative 3 nor 4 would achieve Corps project objectives.

In the opinion of the Rock Island District, Alternative 2 best meets Corps objectives by providing full benefits to wildlife and the public at large. However, the Corps recognizes that these benefits would be achieved at the expense of area aesthetics due to the required removal of a small woodland buffer strip. Therefore, the District supports Alternative 1 as the preferred plan despite the smaller parking area provided by this project. Alternative 1 is a compromise plan which has been mutually accepted by the Corps and the community (Citizens for S.O.A.R.) as the preferred plan.

C. Environmental Impacts of Preferred Action (Alternative 1).

1. Man-Made Resources. No effect.
2. Natural Resources. Approximately 0.41 acre of second growth woodland will be cleared and filled with rock. The area to be cleared is the lowest quality (habitat wise) parcel of any in the entire woodland vicinity. In spite of this, there will be a loss of habitat used by small mammals, songbirds, and occasional eagles. Because the habitat is of poor quality and is surrounded by relatively intensive human activity, there will be little, if any, loss of natural resource productivity (i.e., potential timber production, use of the area for breeding by small mammals, songbirds, etc.). Although there will be a net loss of habitat, the overall local impact will be negligible.
3. Air Quality. There will be no impacts to air quality resulting from the project.
4. Water Quality. There will be no impacts to water quality resulting from the project.
5. Endangered Species. The proposed project will remove trees that the federally endangered American bald eagle occasionally uses during the winter months. Although eagles use the particular parcel which is to be cleared, it is not important to the winter resident eagle population for the following reasons: (1) its value as a resting/feeding area is very marginal due to continual human activity; and (2) the shore area downstream from the old boat ramp is used more frequently and is superior in terms of habitat quality. It is predicted that the proposed project will actually improve the overall attractiveness of the area to eagles, since vehicle access to the old boat ramp will no longer be possible.

Based on the above discussion, the Corps believes that the project will have no effect on wintering bald eagles. There are no other State or Federal endangered species in the immediate project vicinity.

Recommendations were made, however, that the new boat ramp be closed during winter months to preclude any increased boating activity that may result from the new boat ramp. Authority to implement this recommendation is the responsibility of the IDNR who will manage the boat ramp. The Corps has no authority to implement such a closure.

6. Cultural Resources - A cultural resources reconnaissance survey of the proposed project area was conducted by Rock Island District archeologists on November 3, 1986. Based upon field observations, it was determined that the project would have no effect on significant cultural resources. By letter dated December 22, 1986, the Iowa State Historic Preservation Officer (SHPO) concurred with the no effect determination.

7. Wetlands - The preferred alternative will require the filling of 0.27 acre of palustrine-forested wetland. The water quality of this wetland is questionable since the bottom substrate may contain waste (i.e., ashes, clinkers) originating from a metal foundry.

D. Recreational Impacts of Preferred Action (Alternative 1). The recreational facilities available to the public will be substantially improved with the selection of Alternative 1 and the expected rehabilitation of the IDNR boat ramp. The main parking lot will be located approximately 250 feet downstream of the existing lot. However, the new lot will be .3 acre larger than the old and will accommodate about 33 more vehicles. In addition, a cul-de-sac will allow visitors to off-load recreational equipment close to the tailwater fishing area and accessway to the picnic shelters before parking their vehicles. The new parking area will be centrally located between the shoreline fishing pier and the IDNR boat ramp. Six parking spaces, separate from the main lot, will be specifically designated for handicapped visitors. These spaces are located in very close proximity to the main tailwater fishing area. New pathways will be constructed to the mooring cells, giving visitors more direct access to the fishing from the timber guidewall.

The completion of the IDNR boat ramp will significantly improve the day-use facilities at Lock and Dam 14. The new ramp will provide convenient boat access from the Iowa shoreline to Pool 15 and to the tailwater fishery below the dam. The old ramp has been unusable to most boats for many years. As a result, boaters launching from public ramps along the Iowa shoreline had to launch from a ramp 5 miles downstream or 4 miles upstream. Boaters coming from the upstream ramp must idle through a 1.4-mile "No Wake Zone" and pass through the auxiliary lock to reach Pool 15.

These new facilities will provide additional high quality recreational opportunities to the people of the region. All existing recreational facilities on the Lock and Dam 14 grounds/Smith's Island remain unchanged.

## VI. ENVIRONMENTAL IMPACTS OF NONPREFERRED ALTERNATIVES.

A. No Action. The quality of the area would continue to be disturbed by vandalism, littering, and other unauthorized activities. Improvement of the IDNR boat ramp would be impractical, or much less attractive, if the storage yard is not moved. Vehicles would still have access to the old boat ramp during the winter, which would be a continual disturbance to wintering bald eagles. There would likely be no improvement in habitat quality even if the project is not completed. There would be no loss of any woodland cover, and the condition of the wintering eagle habitat would remain the same.

B. Raise Elevation of Existing Storage Yard. There would likely be few or no natural resource impacts from this alternative. The woodland parcel scheduled for acquisition and subsequent clearing and filling would remain. No private land would need to be purchased. Law enforcement problems and the difficulty in replacing the IDNR boat ramp would remain unresolved. The size of usable storage space and (or) the size of the parking lot would decrease. This would negatively affect recreational and operational use of the area.

C. Alternative Site. There are no other acceptable sites for the storage yards, except immediately downstream from the existing yard. These sites would have significantly greater detrimental impacts compared to the currently proposed site.

D. Alternative 2 (Corps Previously Recommended Plan). The Corps' previously recommended alternative is superior to all other plans in terms of security, space utilization, and recreation (greater parking space and increased shoreline open space). It would remove 0.62 acre of low quality woodland that now serves as natural buffer to screen the storage yard from the highway and bluff-top residents. The public sentiment against this alternative was based largely upon the negative aesthetic impacts created by the loss of this buffer screen. The trade-off in construction Alternative 1 (currently recommended plan) which preserves part of this buffer is that the parking lot will be reduced by 0.16 acre. Public opinion indicates that they prefer the benefits of saving 0.35 acre of woodland instead of additional parking space. Approximately 0.25 acre of wetland also would be filled. Alternative 2 also relocates the boat ramp farther upstream from the critical eagle use area.

E. Alternative 3 (Preservation Plan). Alternative 3 preserves more or less intact the aesthetic buffer of trees that is impacted by Alternatives 1, 2, and 4. The configuration of this alternative, however, leaves very little space for recreational parking. In order to provide a bare minimum of parking, either the shoreline must be used for parking or a significant number of the large mature cottonwood trees used by wintering eagles would need to be removed. Use of the immediate shoreline for parking is unacceptable from a recreational standpoint, since the river is the focal point of all recreation in the area. The loss of the mature cottonwood trees was unacceptable to all (Corps, U.S. Fish and Wildlife Service, The Nature Conservancy, Iowa

Department of Natural Resources, and the public) because of the possible impacts it may have on wintering bald eagles. Given that these impacts are unacceptable, a minimum parking lot size of 100 spaces cannot be obtained.

F. Alternative 4 (S.O.A.R. Plan). This alternative is almost the same as the preferred Alternative 1, except that the storage yard is 1.35 acres and the parking lot is 0.7 acre (80 spaces). The parking lot is smaller in order to avoid taking any large cottonwood trees. The inadequate size of the parking lot to meet existing recreational demand is the primary reason this alternative was rejected.

#### VII. PROBABLE ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED.

The clearing of approximately 0.41 acre of woodland and filling of 0.27 wetland acre cannot be avoided. There is no practical alternative to the purchase of a 1-acre private land parcel.

#### VIII. RELATIONSHIP BETWEEN SHORT-TERM USE OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY.

There is little likelihood that the productivity of the area from a habitat perspective will improve. Benefits gained from the proposed project (such as improved recreation, better security and storage of equipment, less disturbance to eagles near old boat ramp) exceed any loss of future productivity from the converted woodland.

#### IX. ANY IRREVERSIBLE OR IRRETRIEVABLE COMMITMENT OF RESOURCES WHICH WOULD BE INVOLVED IF THE PROPOSED PROJECT WERE IMPLEMENTED.

Aside from the commitment of funds, labor, construction materials, and 0.68 acre of habitat, there is no permanent loss of resources.

#### X. RELATIONSHIP OF THE PROPOSED PROJECT TO LAND-USE PLANS.

Other than the IDNR plans to improve the boat ramp, there are no land-use plans for the publicly owned land affected by the project. The Corps has thoroughly coordinated with the IDNR to assure that the project does not conflict with their plans. The Nature Conservancy tract will be managed as an eagle preserve. The selection of Alternative 1 over Alternative 2 was in part an effort to avoid impacting land to be managed in this preserve.

The IDNR plans to undertake special management practices at its boat access site at Lock and Dam 14 that will protect and benefit bald eagles. Those practices include the following:

- Relocation of the existing boat ramp and parking area approximately 180 feet upstream, thus moving it farther away from the timber used by foraging eagles.
- Installation of a physical barrier south of the ramp to discourage vehicle and pedestrian traffic into or near areas used by eagles.
- Installation of signs around the area that discourage use of the timbered areas and informing the public of the presence and special needs of eagles.
- In cooperation with Lock and Dam 14 personnel, monitor public use of the improved access in relation to eagle activity. If recreational use of the area is observed to have a detrimental effect on eagles, then the following measures will be considered:

Constructing additional barriers around the timbered area that further limit access by people.

Targeted public awareness efforts that inform bird watchers, boaters, and fishermen of the need to minimize eagles disturbance.

#### XI. COMPLIANCE WITH ENVIRONMENTAL QUALITY STATUTES.

A. Clean Water Act. During an on-site inspection by representatives from our Regulatory Functions Branch, it was determined that the proposed project would result in the filling of .27 acre of isolated wetland. Authorization is required under Section 404 of the Clean Water Act (CWA) for the filling of the wetland. Therefore, water quality certification or waiver must be obtained for the project from the IDNR. The Corps has applied for this certification.

B. Endangered Species Act. The U.S. Fish and Wildlife Service has initially concurred with the Corps' determination that this project will not affect the American bald eagle or any other federally endangered species.

C. Fish and Wildlife Coordination Act. The U.S. Fish and Wildlife Service and the IDNR have participated in the planning of this project from the earliest stages through the present. The Fish and Wildlife Service provided comments on the possible effects of alternative designs on American bald eagles. The IDNR was consulted regarding the design of the boat ramp and parking lot.

D. Executive Order 11988, Floodplain Management. The proposed project will not encourage further development in the floodplain. Alternative locations out of floodplain are impractical because of the necessity to be adjacent to the Mississippi River Nine-Foot Channel Navigation project.

E. Executive Order 11990. Protection of Wetlands. All of the plans considered require filling of wetlands to some degree. Alternative 3 minimizes fill impacts, but is unacceptable because it fails to meet basic project requirements. Alternative 2 minimizes wetland fill and meets all project objectives. Public opinion, however, appears to favor preserving aesthetic values over the loss of an additional .25 acre of wetland.

The proposed project complies with the environmental regulations listed in table EA-4.

## XII. COORDINATION.

From the earliest phases, project planning has included all affected parties. The IDNR, the U.S. Fish and Wildlife Service, the Nature Conservancy, and private landowners all have been contacted concerning the project. On-site meetings have been held with the agencies and landowners to present them with concept designs of the project. Pertinent correspondence from these coordination efforts is reproduced in the following section.

## XIII. PUBLIC INVOLVEMENT.

Public coordination for the LeClaire Base Construction Storage Yard Relocation began in 1986. In November 1986, Rock Island District officials met at the storage yard site with a nearby resident to discuss the proposed plans for the relocation project. A second resident was sent copies of the draft plans following a phone conversation with District personnel. From the initial phase of project planning, the District coordinated with area residents, recognizing their concerns regarding the Corps' action at the storage yard.

The original Environmental Assessment for the LeClaire Base Construction Storage Yard (EA) was released for 30-day public review on May 22, 1987. Public review of this document generated concern among a few residents in the project vicinity. These residents expressed their desire to preserve affected woodland habitat for bald eagle nestings, and voiced their concern about negative impacts to the aesthetic environment associated with the relocation plan as proposed by the Rock Island District.

The concerned residents proposed a meeting with Corps officials so that they could present an alternative plan. On September 30, 1987, the first in a series of coordination meetings was held. Area residents proposed plans which they believed would accomplish Corps objectives at reduced costs, while preserving woodland habitat and maintaining area aesthetics. But, in each case, the District's study of the benefits and impacts associated with the alternatives indicated that the "compromise" plans were not in the best interest in terms of achieving Corps project objectives or providing maximum benefits to wildlife and the public at large.

A coordination meeting on November 30, 1987, resulted in what were assumed to be mutual agreements regarding the alternative to be pursued. The District summarized this agreement in a letter to the citizens on January 13, 1988. However, on January 19, 1988, a representative of the involved citizens submitted a revision to this alternative. The citizens submitted several additional revisions, but, in each case, the Rock Island District reaffirmed its decision to proceed with the approach agreed to at the November meeting.

During February 1988, a citizen action committee was formed by the small group of concerned residents previously involved. This committee, named Citizens for S.O.A.R. (Save Our Attractive Riverfront), launched an intensive campaign to stir public interest and opposition to the relocation project as proposed by the Rock Island District. Following increased public opposition to the project, District personnel agreed to additional coordination meetings. The purpose of these meetings was to resolve the differences and misunderstandings between the Corps and S.O.A.R.. Prior to these meetings, the District prepared and distributed an informational brochure which explained the differences between the Corps plan and the final S.O.A.R. plan.

A coordination meeting on April 5, 1988, led to an agreement regarding the conditions of the storage yard relocation. This agreement led to the formation of Alternative 1, which has been mutually accepted and agreed to by the Rock Island District and the citizens for S.O.A.R.

TABLE EA-4

Compliance of the Preferred Plan with WRC-  
Designated Environmental Statutes

| <u>Federal Policies</u>                                                       | <u>Compliance</u> |
|-------------------------------------------------------------------------------|-------------------|
| Archaeological and Historic Preservation Act, 16 U.S.C. 469, et seq.          | Full compliance   |
| Clean Air Act, as amended, 42 U.S.C. 1857h-7, et seq.                         | Full compliance   |
| Clean Water Act (Federal Water Pollution Control Act) 33 U.S.C. 1251, et seq. | Full compliance   |
| Coastal Zone Management Act, 16 U.S.C. 1451, et seq.                          | Not applicable    |
| Endangered Species Act, 16 U.S.C. 1531, et seq.                               | Full compliance   |
| Estuary Protection Act, 16 U.S.C. 1221, et seq.                               | Not applicable    |
| Federal Water Project Recreation Act, 16 U.S.C. 460-1(12), et seq.            | Full compliance   |
| Fish and Wildlife Coordination Act, 16 U.S.C. 601, et seq.                    | Full compliance   |
| Land and Water Conservation Fund Act, 16 U.S.C. 1401, et seq.                 | Full compliance   |
| Marine Protection Research and Sanctuary Act, 33 U.S.C. 1401, et seq.         | Not applicable    |
| National Environmental Policy Act, 42 U.S.C. 4321, et seq.                    | Full compliance   |
| National Historic Preservation Act, 16 U.S.C. 470a, et seq.                   | Full compliance   |
| Rivers and Harbors Act, 33 U.S.C. 403, et seq.                                | Full compliance   |
| Watershed Protection and Flood Prevention Act, 16 U.S.C. 1001, et seq.        | Full compliance   |
| Wild and Scenic Rivers Act, 16 U.S.C. 1271, et seq.                           | Not applicable    |
| Executive Order 11988, Floodplain Management                                  | Full compliance   |
| Executive Order 11990, Protection of Wetlands                                 | Full compliance   |

FINDING OF NO SIGNIFICANT IMPACT  
FOR  
REEVALUATION OF THE LE CLAIRE BASE CONSTRUCTION STORAGE YARD  
LE CLAIRE, IOWA

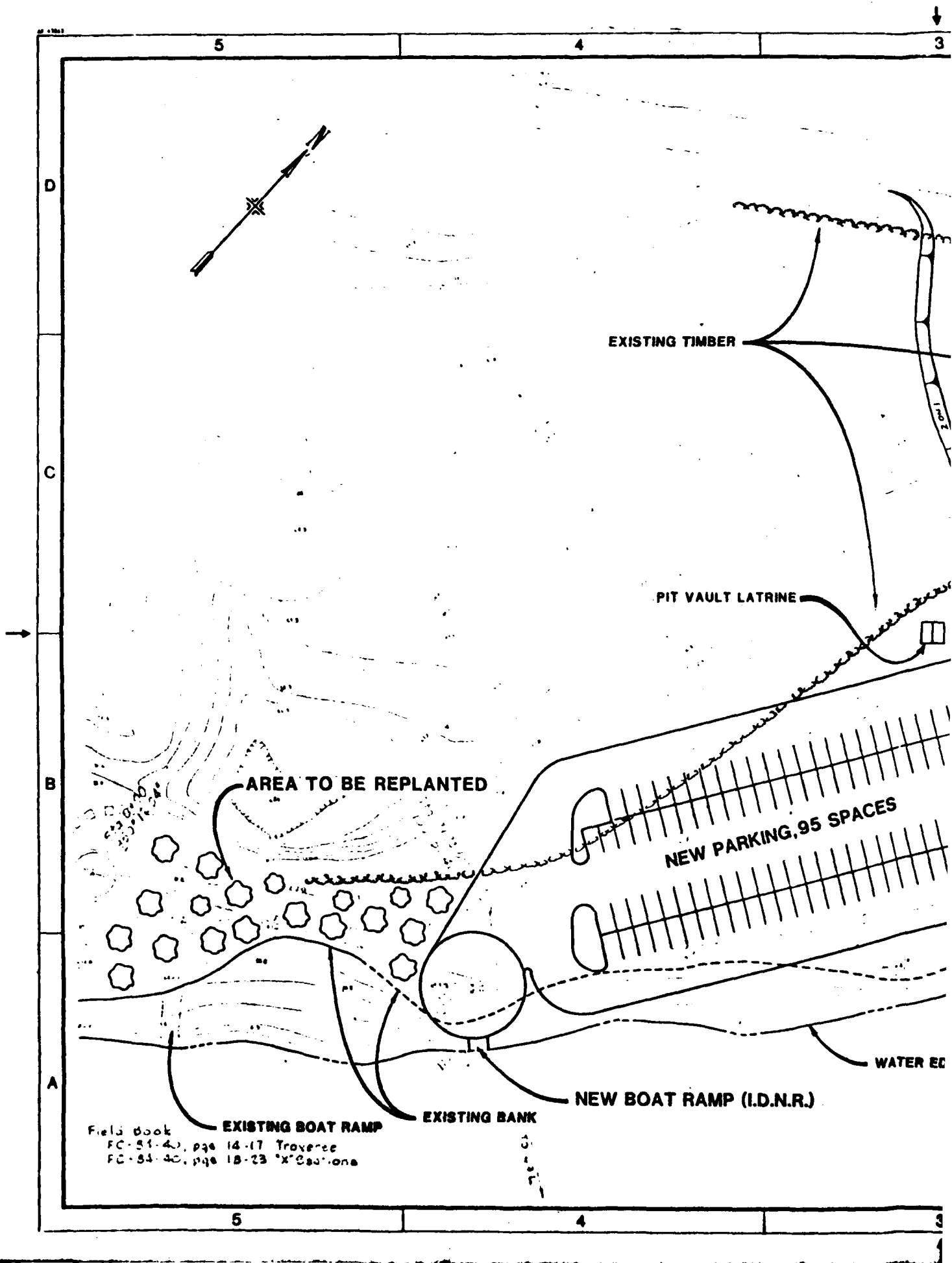
Having reviewed the information contained in this environmental assessment, I find that construction of the relocated construction storage yard at the LeClaire Service Base will have no significant adverse effects on the environment. This project is not a major Federal action and therefore preparation of an Environmental Impact Statement (EIS) is not required. This determination may be reevaluated if warranted by later developments.

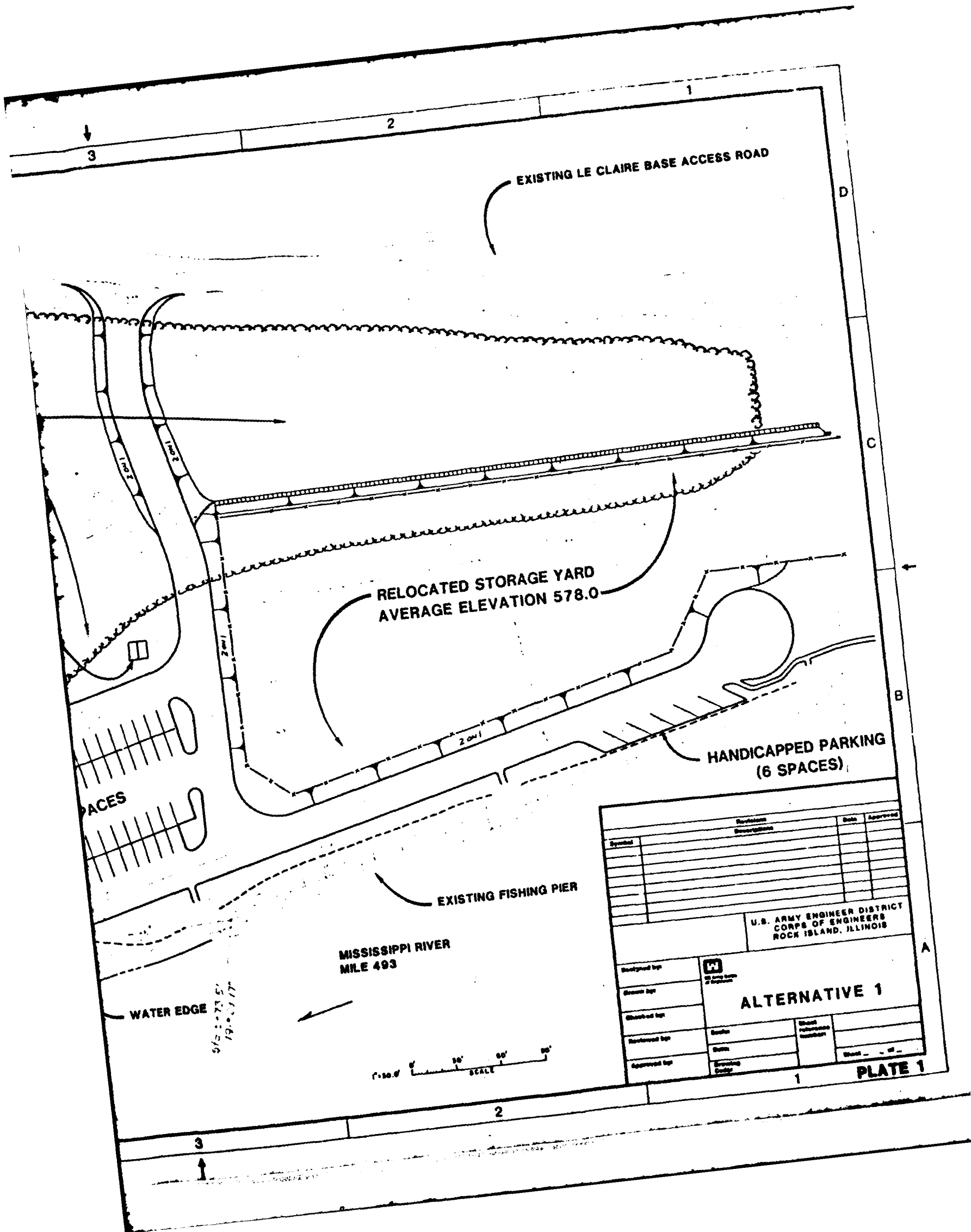
Factors that were considered in making this determination that an EIS is not required were:

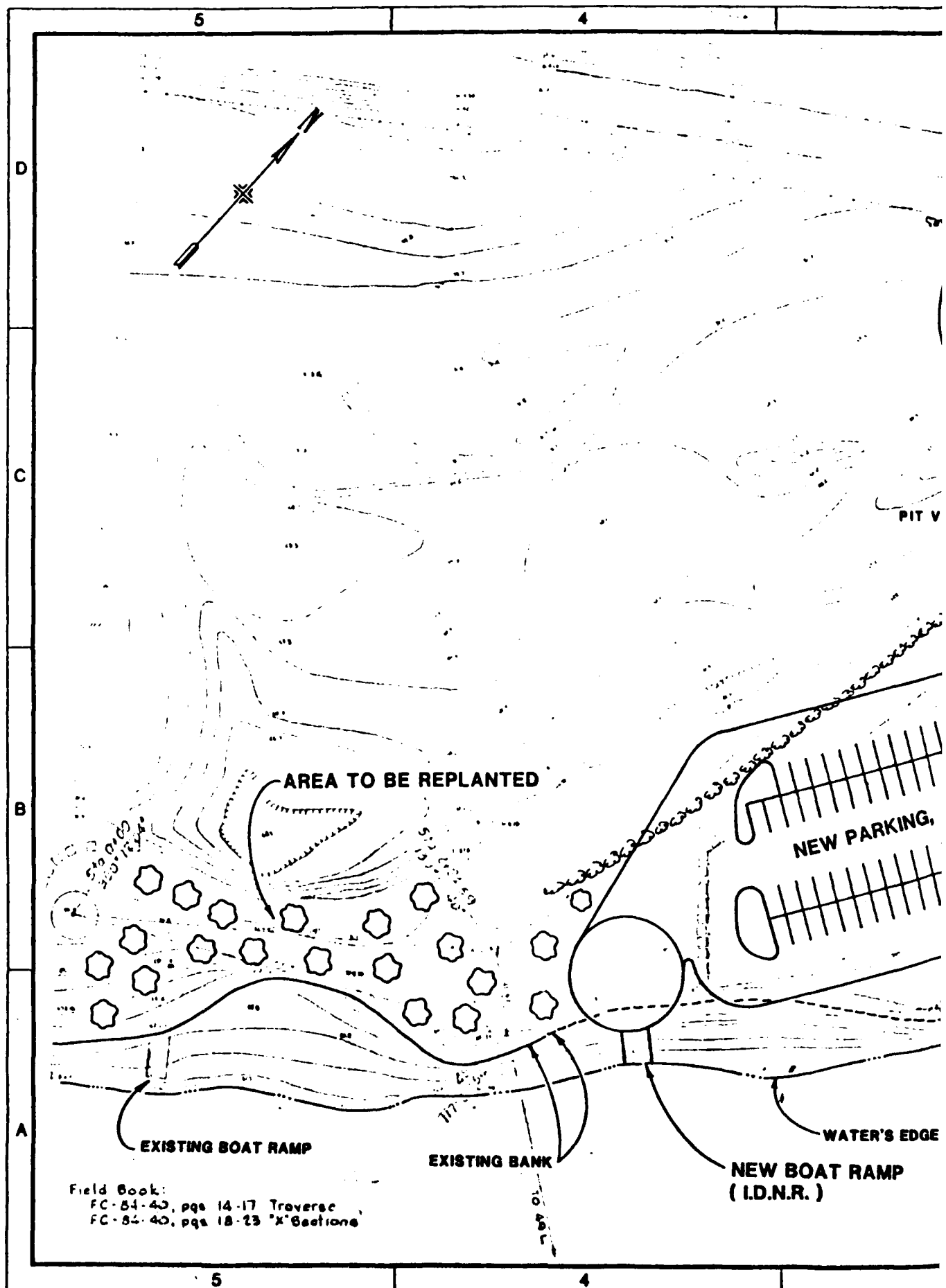
- a. The affected habitat is of poor quality which is partly due to the intensive human activity in the project area.
- b. Although the American bald eagle has occasionally used the woodland parcel to be cleared, the project will have no effect on the wintering eagle population.
- c. The purchase of private lands will not displace any residences or cause any related hardships.

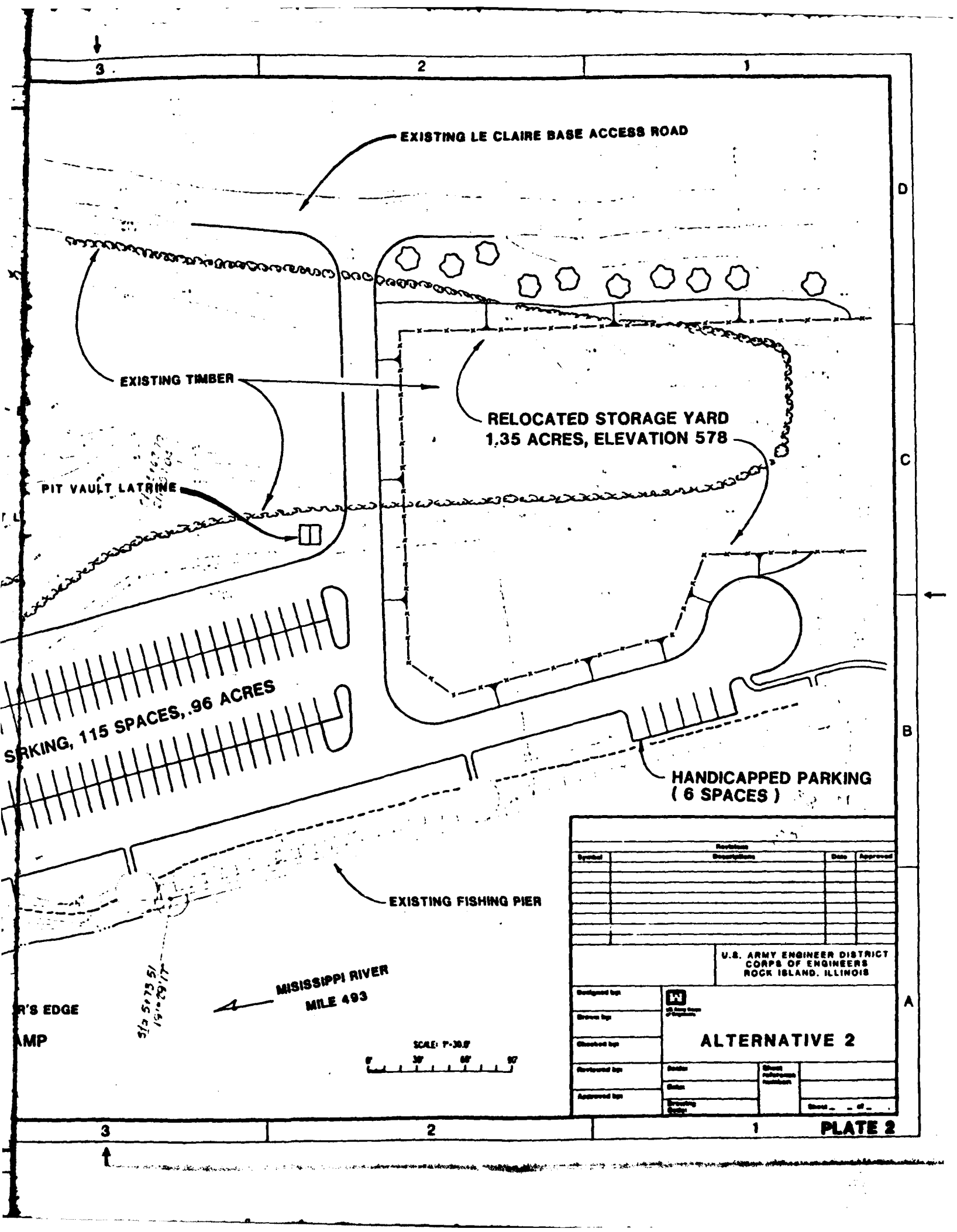
\_\_\_\_\_  
date

Neil A. Smart  
Colonel, U.S. Army  
District Engineer



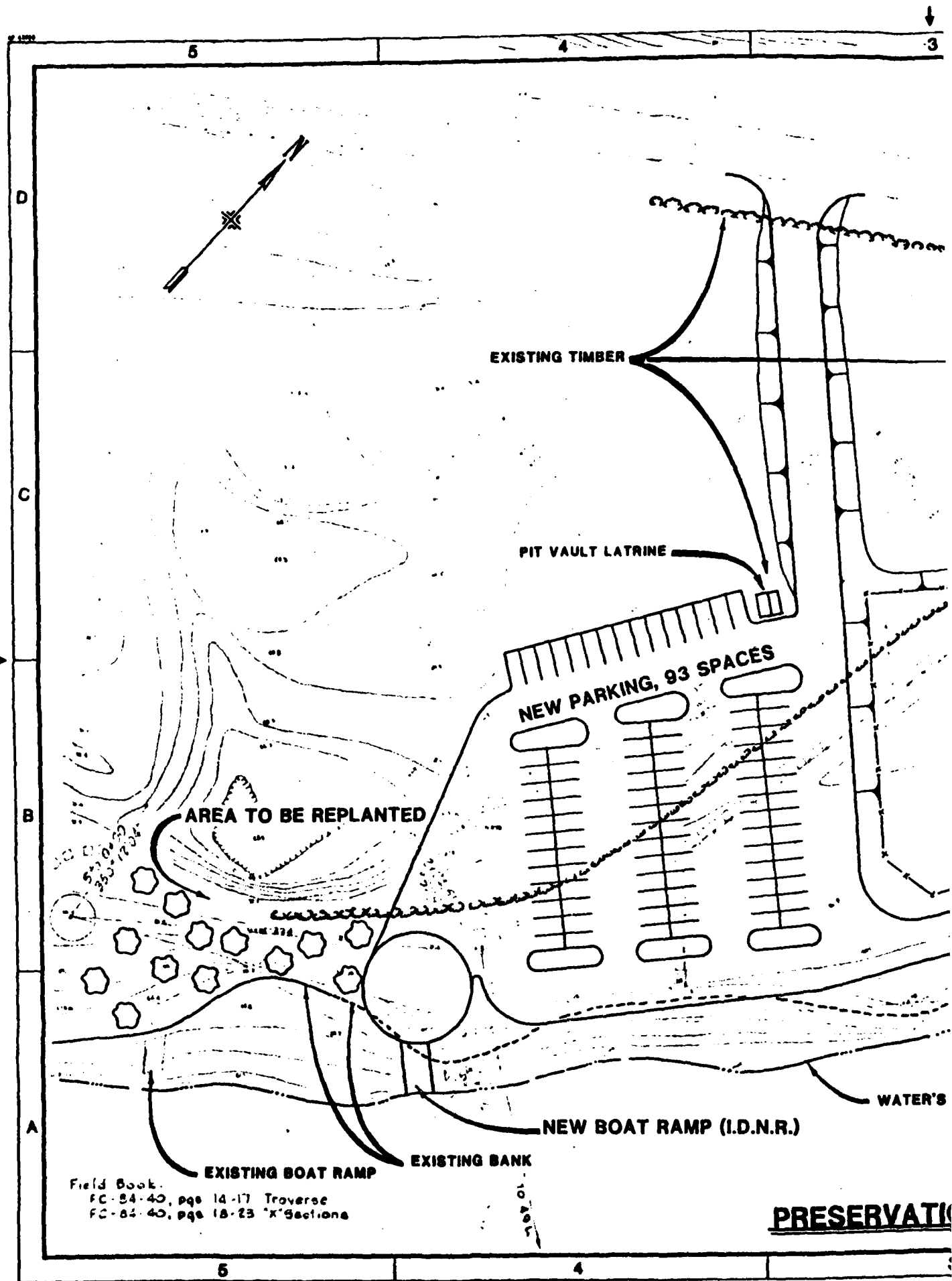






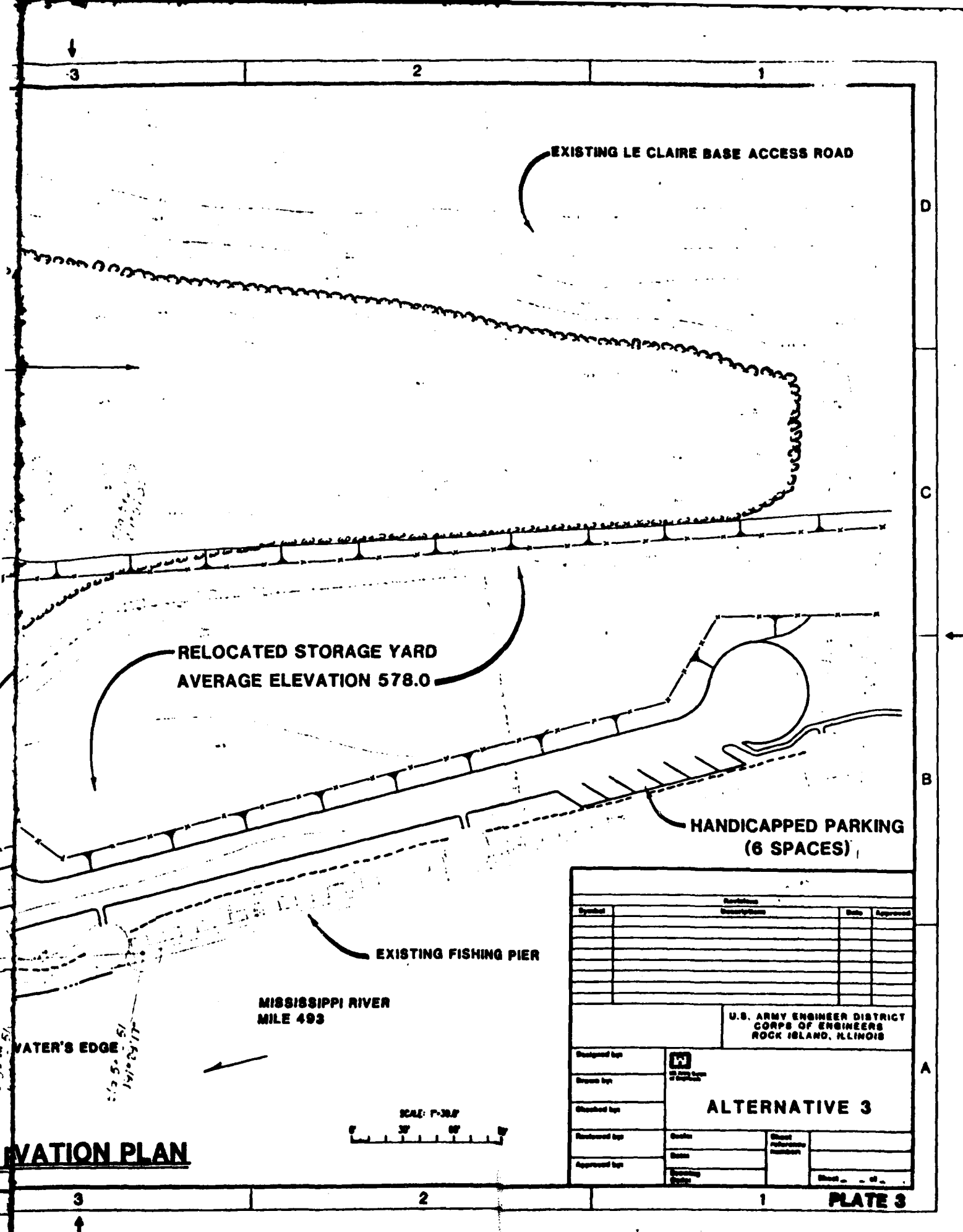
| Symbol | Revisions    | Date | Approved |
|--------|--------------|------|----------|
|        | Descriptions |      |          |
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| Designed by   |  | U.S. ARMY ENGINEER DISTRICT<br>CORPS OF ENGINEERS<br>ROCK ISLAND, ILLINOIS |        |
| Drawn by      |  | <b>ALTERNATIVE 2</b>                                                       |        |
| Checked by    |  |                                                                            |        |
| Reviewed by   |  |                                                                            |        |
| Approved by   |  |                                                                            |        |
| Drawing Scale |  | Sheet                                                                      | Number |
|               |  | Sheet                                                                      | Number |
|               |  | Sheet                                                                      | Number |



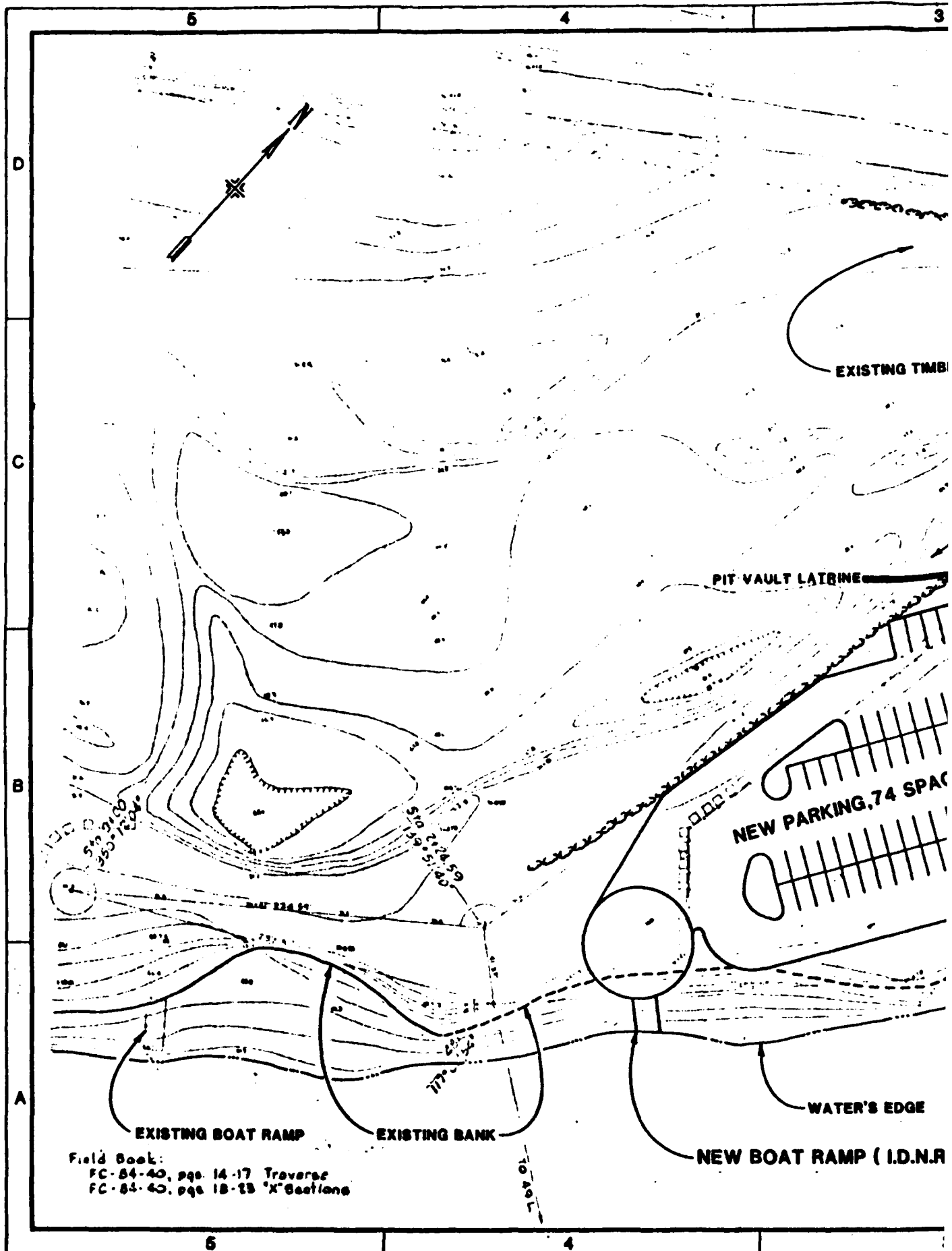
Field Book.  
FC-84-40, pgs 14-17 Traverse  
FC-84-40, pgs 18-23 "X" Sections

**PRESERVATION**



| Revisions |             |      |          |
|-----------|-------------|------|----------|
| Symbol    | Description | Date | Approved |
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|----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-------|
| U.S. ARMY ENGINEER DISTRICT<br>CORPS OF ENGINEERS<br>ROCK ISLAND, ILLINOIS |                                                                                                                      |       |
| Designed by                                                                | <div><b>ALTERNATIVE 3</b></div> |       |
| Drawn by                                                                   |                                                                                                                      |       |
| Checked by                                                                 |                                                                                                                      |       |
| Reviewed by                                                                |                                                                                                                      |       |
| Approved by                                                                |                                                                                                                      |       |
| Date                                                                       | Sheet reference number                                                                                               | Sheet |
|                                                                            |                                                                                                                      |       |





**CORRESPONDENCE**



## United States Department of the Interior

FISH AND WILDLIFE SERVICE

ROCK ISLAND FIELD OFFICE (ES)

1830 Second Avenue, Second Floor

Rock Island, Illinois 61201

August 8, 1986

Colonel William C. Burns, Jr.  
District Engineer  
U.S. Army Engineer District  
Rock Island  
Clock Tower Building, P.O. Box 2004  
Rock Island, Illinois 61204-2004

Dear Colonel Burns:

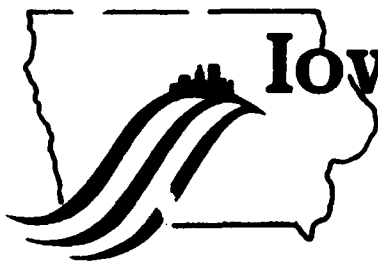
This responds to your July 17, 1986 request for our comments on the endangered species aspect of the proposed expansion of the storage yard at the LeClaire Service Base. The proposed project will not remove trees along the river shoreline which are favored by bald eagles feeding in the tailwaters during winter. Therefore, this project will not affect the endangered species. This precludes the need for further action on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. Should this project be modified or new information indicate endangered species may be affected, consultation should be initiated.

However, we do recommend a buffer of trees be maintained along the roadway for aesthetic purposes and for screening, since the area is important for recreational use.

This letter provides comment under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.); the National Environmental Policy Act of 1969, as amended; the Endangered Species Act of 1973, as amended; and in accordance with the Fish and Wildlife Service's Mitigation Policy.

Sincerely,

  
Richard C. Nelson  
Field Supervisor



DEC 22 1986

Iowa

## State Historical Department

East 12th and Grand Avenue, Des Moines, Iowa 50319  
(515) 281-5111

Dudley M. Hanson, P.E.  
Chief, Planning Division  
Rock Island District Corps of Engineers  
Clock Tower Building  
P.O. Box 2004  
Rock Island, IL 61204-2004

RE: CORPS OF ENGINEERS - PURCHASE OF BOTTOMLAND WOODLOT  
FOR STORAGE LOT - LECLAIRE, SCOTT COUNTY

Dear Mr. Hanson:

Based on the information you provided, we find that there are no historic properties which might be affected by the proposed undertaking. Therefore, we recommend project approval.

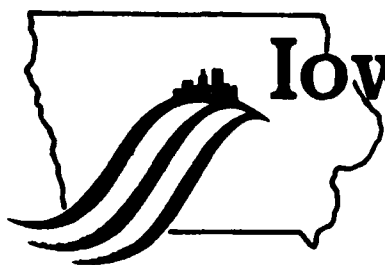
However, if the proposed project work uncovers an item or items which might be of archeological, historical or architectural interest, or if important new archeological, historical or architectural data come to light in the project area, you should make reasonable efforts to avoid or minimize harm to the property until the significance of the discovery can be determined.

Should you have any questions or if we can be of further assistance to you, please contact Dr. Kay Simpson, Archeological Surveys, at 515-281-8744 or Mr. Ralph Christian, Architectural Surveys, at 515-281-8697.

Sincerely,

Dr. Carol L. Ulch  
Deputy State Historic Preservation Officer

/md



Iowa

## State Historical Department

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East 12th and Grand Avenue, Des Moines, Iowa 50319  
(515) 281-5111

June 11, 1987

Colonel Neil A. Smart  
Planning Division  
Rock Island District Corps of Engineers  
Clock Tower Building  
P.O. Box 2004  
Rock Island, IL 61204-2004

RE: ENVIRONMENTAL ASSESSMENT. RELOCATION OF LECLAIRE BASE  
CONSTRUCTION STORAGE YARD, SCOTT COUNTY, IOWA.

Dear Colonel Smart:

I have reviewed the Environmental Assessment prepared for the above referenced project. The document adequately incorporates prior consultant with our Office in regard to impacts on historic resources.

If I may be of further assistance, please do not hesitate to contact me at (515) 281-8744.

Sincerely,

Kay Simpson  
Compliance and Archeological Survey



## United States Department of the Interior

FISH AND WILDLIFE SERVICE

ROCK ISLAND FIELD OFFICE (ES)

1830 Second Avenue, Second Floor

Rock Island, Illinois 61201

IN REPLY REFER TO:

COM: 309-793-5800

FIS: 386-5800

June 26, 1987

Colonel Neil S. Smart  
District Engineer  
U.S. Army Engineer District  
Rock Island  
Clock Tower Building, P.O. Box 2004  
Rock Island, Illinois 61204-2004

Dear Colonel Smart:

This letter provides comments on the Environmental Assessment dated May 1987, for LeClaire Base Construction Storage Yard Relocation at LeClaire, Iowa.

The proposed project is located adjacent to the recreational locks at Lock and Dam 14. This area is popular for recreational use, and facilities to compliment this use have been developed by the Rock Island District. With the region's emphasis on the Mississippi River the popularity is likely to increase. People viewing the main locks, hiking on Smith's Island or bank fishing use the parking lot, proposed to be located where the storage yard was previously.

The expansion of the storage yard will result in the removal of one acre of bottomland hardwoods which provide some benefits for fish spawning during flood periods in spring, and some nesting and shelter benefits to songbirds and furbearers. Bald eagles occasionally have been seen using these trees in winter. To partially offset the losses to local resources associated with the removal of one acre of bottomland forest, we recommend at least two rows of conifers be planted no more than fifteen feet apart along the northwest and southwest banks of the proposed storage yard. The trees should be at least two feet high at time of planting. The conifers will provide nesting habitat for mourning doves and other songbirds and will reduce the disturbance from storage yard activities to the remaining woodland.

As stated in the environmental assessment, the majority of the eagle activity in winter is in the trees along the river downstream of the old boat ramp. To our knowledge, this boat ramp receives very little use, particularly in winter, and is relatively undeveloped. The parking lot, however, is a busy place summer and winter. We are concerned that by moving the parking lot closer to the important eagle winter use area that the eagles may be more frequently disturbed, resulting in overcrowding of some less disturbed places (i.e. the tree on the tailwater island), or some eagles may abandon the area.

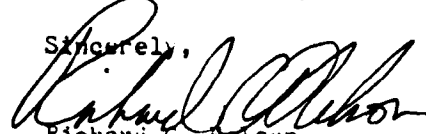
We had stated in our letter of August 8, 1986, contained in the document, that a buffer of trees be maintained along the roadway for screening and aesthetic purposes. We note that woodlands will remain along the road and northwest end

of the parking lot. However, with review of the environmental assessment, we believe that a buffer between the new construction and the eagle use area is most important to minimize disturbance. Therefore, we recommend that at least three rows of flood-tolerant conifers (e.g. arbor-vitae), no more than fifteen feet apart, be planted along the southwest border of the parking lot and new launching ramp extending from the river's edge past the pedestrian access to the beginning of the Nature Conservancy property. These trees should be at least three feet high at time of planting to minimize the timespan without screening.

Should the above conditions be incorporated into the project, this precludes the need for further action as required under Section 7 of the Endangered Species Act of 1973, as amended. Should this project be modified or new information indicate endangered species may be affected, consultation should be initiated.

This letter provides comment under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.); the National Environmental Policy Act of 1969, as amended; the Endangered Species Act of 1973, as amended; and in accordance with the Fish and Wildlife Service's Mitigation Policy.

Sincerely,



Richard C. Nelson  
Field Supervisor

cc: IDNR (Hayes)



DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

REPLY TO  
ATTENTION OF

Planning Division (11-2-240a)

23 SEP 1987

SEE DISTRIBUTION LIST

An Environmental Assessment (EA) for the Le Claire Base Construction Storage Yard Relocation was circulated for public review in June 1987. Several comments were received, some of which objected to the Corps' recommended design. Since the close of the comment period, the District has been evaluating comments received on the EA. In response to some of these comments, we also have considered the possibility that other alternatives may have been overlooked. Before a final design is chosen, there will be an opportunity for all concerned agencies and public to comment on other alternatives presented through the EA review process.

A meeting to discuss the alternative plans will be held (agenda enclosed) on September 30, 1987, at 1 p.m. in the District Engineer's Conference Room. Copies of these designs are enclosed for your review prior to the meeting. We would be pleased if you, or your representative, could attend this meeting and present your views on the three alternatives.

If you have any questions prior to the meeting, please telephone Mr. Jon Duyvejonck of our Environmental Analysis Branch at 309/768-6361, Ext. 308, or you may write to the following address:

District Engineer  
U.S. Army Engineer District, Rock Island  
ATTN: Planning Division  
Clock Tower Building - P.O. Box 2004  
Rock Island, Illinois 61204-2004

Sincerely,

ORIGINAL SIGNED BY  
CHARLES R. SMITH

Dudley M. Hanson, P.E.  
Chief, Planning Division

Enclosures  
CF (all w/o encl):  
PD (Dist File)

## AGENDA

### Meeting on LeClaire Base Construction Storage Yard Relocation

30 September 1987

1:00 P.M.

District Engineers Conference Room

- I. Call to Order/Introduction - Col. Smart
- II. Project Purpose/Objectives - Col. Smart, et.al.
  - a. Primary objectives - Improve Security  
Floodproof Storage Yard  
Storage Yard Operation
  - b. Secondary Considerations - Wintering Eagle Habitat  
Aesthetics  
Public Recreation  
Timber Resources
- III. Corps Recommended Plan - Lee
- IV. Alternative Proposals - Bob Ray, (Estes Corp.), and others  
(Preservation Plan, etc.)
- V. "Pros" and "Cons" of Plans Considered - Duyvejonck/Cockerill  
(Corps recommended plans and alternatives)
- VI. Agency and Public Comments - all
  - a. U.S. Fish and Wildlife Service
  - b. Iowa Department of Natural Resources
  - c. The Nature Conservancy
  - d. Others
- VII. Discussion - Col. Smart
- VIII. Future Course of Action - Col. Smart, et.al.
- IX. Adjourn - Col. Smart

DISTRIBUTION LIST

Mr. Rick Nelson  
Field Supervisor  
U.S. Fish and Wildlife Service  
1830 Second Avenue  
Rock Island, Illinois 61201

Mr. Mike Carrier  
Iowa Department of Natural Resources  
Wallace State Office Building  
900 East Grand Avenue  
Des Moines, Iowa 50319

The Nature Conservancy  
424 Tenth Street  
Suite 311  
Des Moines, Iowa 50309

Mr. Lloyd Schermer  
471 Valley Drive  
Pleasant Valley, Iowa 52767

Mr. Maurice Nelson  
463 Valley Drive  
P.O. Box 12  
Pleasant Valley, Iowa 52767

Mr. Robert L. Ray  
Estes Company  
Suite 301  
101 West Second Street  
Davenport, Iowa 52801



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

November 15, 1987

Planning Division (11-2-240a)

SEE DISTRIBUTION LIST

The Rock Island District staff has been studying the benefits and impacts of a LeClaire Base Storage Yard "compromise" plan, developed at our last meeting on September 30, 1987. Since that meeting, we have surveyed the project site and staked out the various alternatives to get a better perspective of what would be impacted. In addition, we have prepared cost estimates for implementing the various reforestation schemes that were discussed. It now appears that a compromise design is not the best plan in terms of achieving Corps project objectives and providing maximum benefits to wildlife and the public at large. Further, it will increase costs by approximately \$24,000, or approximately 30 percent, in order to provide a reasonable chance for a successful reforestation. By reason of the site location and soil conditions, the quality and longevity of the buffer zone is questionable.

These new developments point to the selection of a slightly modified version of our previously recommended plan (EA preferred plan). In consideration of the aesthetic impacts, I propose to modify the plan to include the reforestation of the old boat ramp area (estimated cost \$6,000) and a 40-foot buffer strip along the western boundary (estimated cost \$4,350) of the new storage yard. This buffer zone would be planted with approximately thirty 5-foot-tall barbed and burrapped white pine trees which can provide a year-round screen in 10 to 15 years.

After personally inspecting the site and weighing the factors above, I cannot justify the losses attributed to the compromise plan in order to save the low quality habitat that now exists. The loss of the existing buffer

trees, in the interest of the overall benefits, may be unavoidable. However, I will not make a final decision until our next meeting which I plan to hold at the LeCaire Base on November 30.

Please meet at the Mississippi River Natural Resource Management headquarters at 10:30 a.m. This building is located at the most upstream end of the base, north of the warehouses. I propose that we first meet at the headquarters to discuss our recent analysis, and then adjourn to the project site. If you have any questions prior to the meeting, please telephone Mr. Jon Duyvejonck at 309/788-6361, Ext. 308.

Sincerely,

ORIGINAL SIGNED BY

Neil A. Smart  
Colonel, U.S. Army  
District Engineer

DISTRIBUTION LIST

Mr. Rick Nelson  
Field Supervisor  
U.S. Fish and Wildlife Service  
1830 Second Avenue  
Rock Island, Illinois 61201

Mr. Mike Carrier  
Iowa Department of Natural Resources  
Wallace State Office Building  
900 East Grand Avenue  
Des Moines, Iowa 50319

The Nature Conservancy  
424 Tenth Street  
Suite 311  
Des Moines, Iowa 50309

Mr. Lloyd Scherner  
471 Valley Drive  
Pleasant Valley, Iowa 52767

Mr. Maurice Nelson  
463 Valley Drive  
P.O. Box 12  
Pleasant Valley, Iowa 52767

Mr. Robert L. Ray  
Ester Company  
Suite 301  
101 West Second Street  
Davenport, Iowa 52801



December 4, 1987

Iowa Field Office

Colonel Neil A. Smart  
Rock Island District Corps of Engineers  
Clock Tower Bldg, PO Box 2004  
Rock Island, IL 61204-2004

Re: Relocation of storage yard and boat ramp at Lock & Dam  
#14.

Dear Colonel Smart:

Again, we appreciate the time and effort you are personally giving this project. After your conclusions at the November 30, 1987 meeting we have given consideration to the likely outcome of the planning process.

In order to satisfy ourselves that the likely outcome will not adversely impact on the eagles, we have sent the enclosed letter to the 3 "eagle experts" we have consulted with in the past. The letter outlines our specific concerns. We will, of course, be in touch with you or your staff at the appropriate time. Somehow it appears that some of the tallest trees will be affected in all plans and this greatly concerns us.

Since it appears that your likely decision will require acquiring some of the Conservancy land, we must be completely satisfied that the eagles will be completely protected in any action taken by the Corps or the Iowa Department of Natural Resources. It also seems that, in any event, should the project proceed pavement will come right up to the significant trees.

We do understand the needs of the Corps and the IDNR, but feel quite strongly the eagles must be at the top of the list. I remain cautiously optimistic that an acceptable outcome can be agreed upon.

Best regards,

William W. Crews  
State Director

WWC/ba

cc: Mike Carrier, IDNR





REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

January 13, 1988

Planning Division (11-2-240a)

SEE DISTRIBUTION LIST

This letter is a followup to our November 30, 1987, meeting regarding the LeClaire Base Storage Yard. I intend that it serve as a record of decisions made and understandings reached that day.

After considerable evaluation of various alternatives, I intend to proceed with construction of the plan originally submitted by the Corps. However, in the interest of aesthetic concerns, I support planting trees in a band between the highway and the storage yard fence line. Further, in the interest of eagle habitat improvement, I also support planting trees in the downstream portion of the area. A diagram of the plan I support is enclosed.

In a 40-foot buffer zone, the Rock Island District is prepared to plant -- at a minimum -- approximately thirty 5-foot-tall balled and burlapped white pines between two rows of lombardy poplars in order to improve aesthetic conditions. We believe these have the best chance of survival and they are economical.

I understand the concerns of those of you calling for the planting of taller 20- to 30-foot trees in order to provide an instantaneous buffer. As I indicated during our meeting, I cannot justify the additional Federal expenditures. Further, there exists the question of the uncertain survival rate of such trees. However, I will be glad to continue discussions about the possibility of non-Federal sources funding the additional cost of planting and maintaining taller trees. Also, regardless of the size and types of trees planted, I cannot promise that the buffer zone will be maintained in perpetuity if the site/soil conditions prove unsuitable.

Some of you are concerned about the storage of scrap materials prior to their disposal. At present, I have no alternative sites. However, we will endeavor to accommodate those concerns. Fencing or below line of sight storage are potential solutions.

Since the Corps' preferred plan is essentially the same as one in the previously circulated Environmental Assessment (including some improvements such as the handicapped parking area), I have signed the Finding of No Significant Impact (FONSI) for this plan without any additional public comment.

Since our November 30, 1987, meeting, we have been contacted by the Pool 15 rock excavation contractor. He has asked for a variation in the contract schedule to begin placing rock in the storage yard in the immediate future. I intend to approve that request. As such, rock placement could begin in the next several weeks, weather permitting.

I trust you will find this letter helpful.

Sincerely,

ORIGINAL SIGNED BY

Neil A. Smart  
Colonel, U.S. Army  
District Engineer

(Same letter sent to those on attached list.)  
Enclosure

Copy Furnished:

Honorable James A. S. Leach  
Representative in Congress  
ATTN: Ms. Linda Weeks  
322 West Third Street  
Davenport, Iowa 52801 w/enclosure

**DISTRIBUTION LIST**

Mr. Rick Nelson  
Field Supervisor  
U.S. Fish and Wildlife Service  
1830 Second Avenue  
Rock Island, Illinois 61201

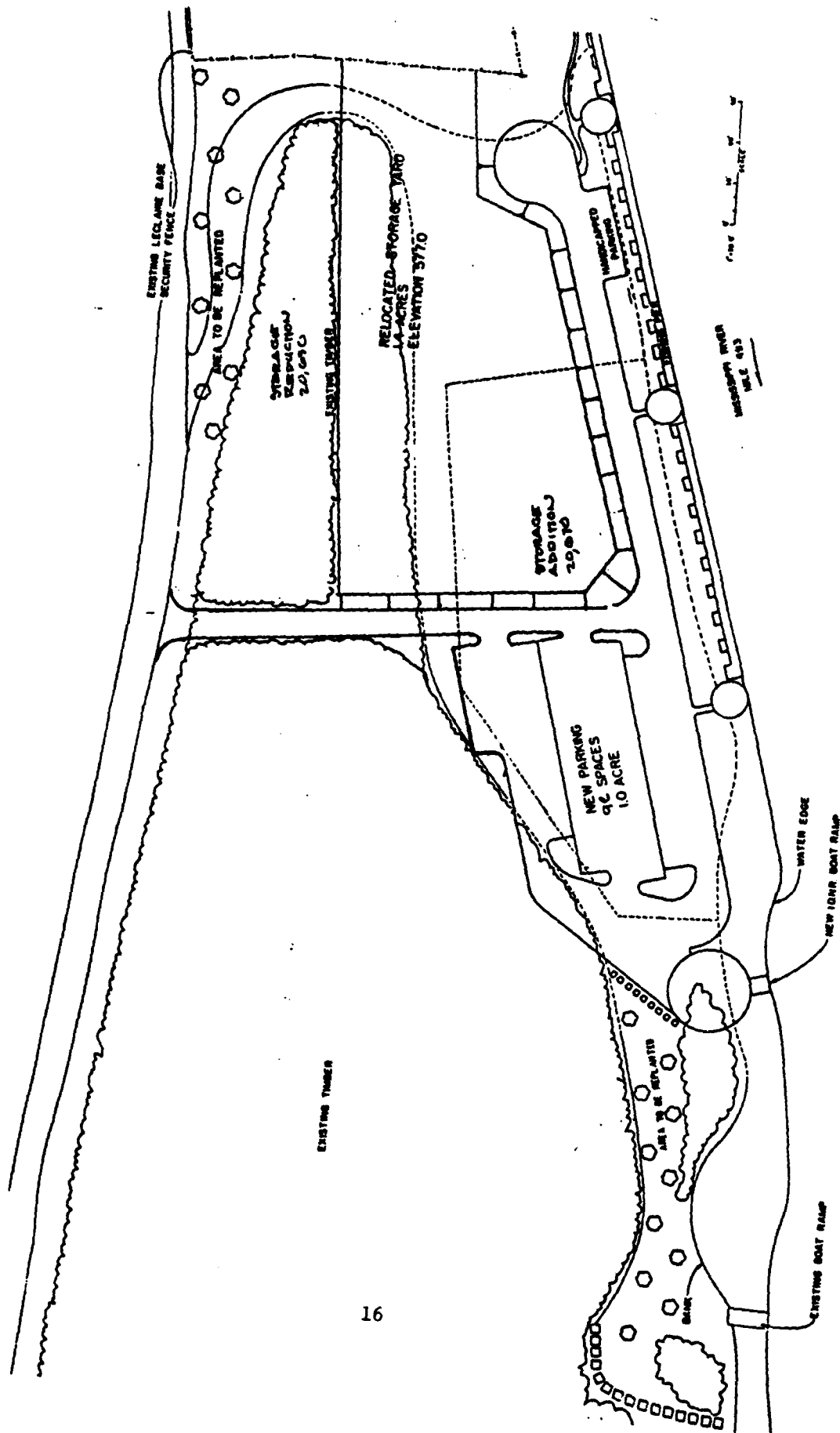
Mr. Mike Carrier  
Iowa Department of Natural Resources  
Wallace State Office Building  
900 East Grand Avenue  
Des Moines, Iowa 50319

The Nature Conservancy  
424 Tenth Street  
Suite 311  
Des Moines, Iowa 50309

Mr. Lloyd Schermer  
471 Valley Drive  
Pleasant Valley, Iowa 52767

Mr. Maurice Nelson  
463 Valley Drive  
P.O. Box 12  
Pleasant Valley, Iowa 52767

Mr. Robert L. Ray  
Estes Company  
Suite 301  
101 West Second Street  
Davenport, Iowa 52801



REVISED CORPS PREFERRED PLAN

January 29, 1988

Department of the Army  
Rock Island District Corps of Engineers  
Clock Tower Building  
P.O. Box 2004  
Rock Island, IL 61204-2004

Attn: Mr. Mike Cockrell

RE: Lock & Dam 14 Material Storage Yard

Dear Mike:

In reference to our conversation last week, I am enclosing prints of a revision of the Revised Corps Preferred Plan.

The suggested modification would allow for the existing tree buffer along highway 61. It would hold the storage area to the same size.

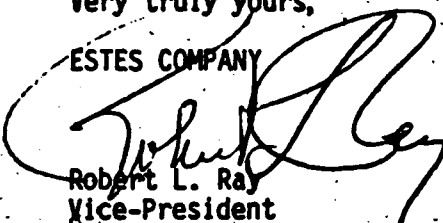
It would reduce the recreational parking from 121 to 92 spaces.

We feel that the reduction in recreational parking is a good area to adjust. Our on site observations last summer revealed only 15 to 20 spaces were being used on the weekends we checked the site.

Please review our revision and let me know what you think. We feel that this is really in the spirit of compromise.

Very truly yours,

ESTES COMPANY



Robert L. Ray  
Vice-President

Enclosure

MSE:mph

**estes company**

SUITE 301

101 WEST SECOND STREET

17

DAVENPORT, IOWA 52801

(319) 322-7301



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING - P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

February 9, 1988

Planning Division

Mr. William H. Crews  
State Director  
The Nature Conservancy  
424 Tenth Street, Suite 311  
Des Moines, Iowa 50309

Dear Mr. Crews:

Regarding your requests at our meeting on February 3, 1988, at the Rock Island District Office, we hope the following information will assist you in preparing your proposal.

Our forestry staff was asked to reaffirm estimates for various planting proposals as discussed during our meeting. The attached information shows three different planting plans and estimates. Our present plan contemplates planting 24 five-foot white pine and 50 Lombardy Poplar. However, as previously stated, we will consider planting bigger trees provided it is not accomplished at Federal cost and that the Government would not be responsible for maintenance of the trees.

At that same meeting you asked whether the Corps can give the Nature Conservancy credit for the value of the land and use that credit for tree planting. Our research of existing laws and regulations has not disclosed any method for accomplishing this. However, Section 4 of the River and Harbor Act, approved 4 March 1915 (38 Stat. 1053, 33 U.S.C. 560) does allow us to accept contributed funds for various project purposes. In this case, the procedure we must follow is to issue a land payment check to the Nature Conservancy in the amount of the agreed purchase price. The Nature Conservancy could then, in turn, request that the Government accept contributed funds for planting of the larger trees, reach an agreement with the Corps as to type of planting, etc, and issue its own check to the Corps for this purpose.

As indicated at our meeting, we have no objection to reducing the size of the proposed parking lot in order to save additional trees from being cut as long as Iowa Department of Natural Resources (IDNR) supports this plan. We feel, however, that this option is not the best solution.

-2-

We do not anticipate any problems in establishing signage in the parking lot area instructing the public in how to avoid undue disturbance to the eagles. This item, of course, will have to be coordinated with the IDNR.

If further information is desired, please contact Mr. Raymond Horton at 309/788-6361, Ext. 501.

Sincerely,

ORIGINAL SIGNED BY

Dudley M. Hanson  
Chief, Planning Division

Enclosure

## Cost Estimates for Various Tree Planting Options

### 5 Feet Trees:

|                                          |          |
|------------------------------------------|----------|
| Site preparation (Clear, grub, and fill) | \$ 3,300 |
| *Plant 24 - 5 feet pines                 | 2,000    |
| Plant 50 lombardy poplar                 | 100      |
|                                          | \$ 5,400 |

### 10-12 Feet Trees:

|                                    |           |
|------------------------------------|-----------|
| Site preparation                   | \$ 3,300  |
| *Plant 24 - 10-12 feet white pines | 8,000     |
| Plant 50 lombardy poplar           | 100       |
|                                    | \$ 11,400 |

### 15-18 Feet Trees:

|                                    |           |
|------------------------------------|-----------|
| Site preparation                   | \$ 3,300  |
| *Plant 24 - 15-18 feet white pines | 12,000    |
| Plant 50 lombardy pines            | 100       |
|                                    | \$ 15,400 |

### 25 Feet Plus Trees:

Quantities of these trees are probably not available commercially

\*(Includes planting, staking, and one-year guarantee)



## United States Department of the Interior

FISH AND WILDLIFE SERVICE

ROCK ISLAND FIELD OFFICE (ES)

1830 Second Avenue, Second Floor

Rock Island, Illinois 61201

IN REPLY REFER TO:

COM: 309/793-5800

FTS: 386-5800

February 11, 1988

Mr. Bill Crews  
The Nature Conservancy  
424 10th Street  
Suite 311  
Des Moines, Iowa 50309

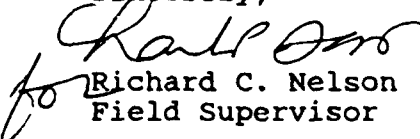
Dear Mr. Crews:

Enclosed are copies of Fish & Wildlife Service letters regarding the storage yard relocation and the new boat ramp at the LeClaire Base, LeClaire, Iowa. These letters adequately state our concerns, all of which have been since addressed. We initially requested screening along the roadway and screening along the southwest side of the new parking lot. We now understand that screening will be provided along the roadway and existing trees along the southwest side of the parking lot will remain to provide screening. Therefore, we do not believe the proposed improvements to the boat ramp or storage yard will affect the activities of bald eagles.

You should note that both letters contain the caveat, "Should this project be modified or new information indicate endangered species may be affected, consultation should be reinitiated". If you or anyone from your group find new information regarding possible effects to the bald eagle, please let us know. We fully intend to track project development during and after construction.

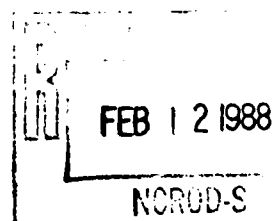
If we can be of any further assistance, please feel free to contact Jody Millar or me.

Sincerely,

*for*   
Richard C. Nelson  
Field Supervisor

Enclosures

cc: COE-RID  
IADNR (Carrier)



February 16, 1988

Mr. Dudley M. Hanson, PE  
Chief Planning Division  
Department of the Army  
Rock Island District  
Corps of Engineers  
P.O. Box 2004  
Rock Island, IL 61204

RE: Lock & Dam 14 Construction  
Materials Storage Yard

Dear Mr. Hanson:

I have received your letter of February 9, 1988 and am very surprised that you have rejected our modification of your preferred plan. Colonel Smart's principle reason for not accepting the compromise plan was to save the larger trees to the west of the storage yard for the eagles. We feel that the plan modification that accompanied my letter of January 29, 1988 satisfied this condition.

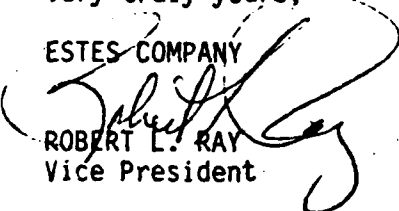
I also wasn't aware that there was any mutual agreement achieved at our meeting of November 30, 1987. The only apparent agreement in our group to my knowledge was everyone's surprise at the Corps of Engineers' rejection of the compromise plan we had worked out and all agreed to at your meeting of September 30, 1987.

Our modification of your preferred plan can be enhanced further by the agreement of the D.N.R. to reduce the parking for the boat ramp to 80 autos. This should really preclude any destruction of the trees Colonel Smart wanted to save and allow for the minimal buffer we are requesting.

I'm enclosing an additional plan reflecting this modification. We appreciate your further consideration.

Very truly yours,

ESTES COMPANY

  
ROBERT L. RAY  
Vice President

RLR:mib

Enclosure

**estes company**

SUITE 301

101 WEST SECOND STREET

DAVENPORT, IOWA 52801

(319) 322-7301



P.O. BOX 406, LeCLAIRE, IOWA 52753

February 22, 1988

Colonel, Neil A. Smart  
U.S. Army  
District Engineer  
Department of the Army  
Rock Island District Corps of Engineers  
Clock Tower Building  
P.O. Box 2004  
Rock Island, Illinois 61204

Colonel Smart:

We the undersigned LeClaire Chamber of Commerce Directors and Officers object to the Corp of Engineers proposal to relocate the existing storage area without regard for our community image.....The Mississippi River is our greatest asset.

Please protect our future!

Sincerely,

*Roger Huff, President*

LeClaire Chamber of Commerce



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

February 24, 1988

Planning Division (11-2-240a)

Mr. Robert Ray  
Estes Company, Suite 301  
101 West Second Street  
Davenport, Iowa 52801

Dear Mr. Ray:

I appreciate your concerns regarding the plans for the LeClaire Base Storage Yard project. Your involvement has helped us to formulate a final project design that is in the best public interest.

Our formulation considered a range of resource management concerns, such as you have expressed, and we examined several reasonable designs and modifications thereof for the storage yard. The result of this process, as I stated in my February 9, 1988, letter, is that we will proceed with construction of the "Preferred Plan." We will continue to refine some of the details concerning replanting of the buffer zone.

Sincerely,

ORIGINAL SIGNED BY

Dudley M. Hanson, P.E.  
Chief, Planning Division



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

March 9, 1988

Planning Division (11-2-240a)

Mr. Roger Huff  
President  
LeClaire Chamber of Commerce  
P.O. Box 406  
LeClaire, Iowa 52753

Dear Mr. Huff:

The Rock Island District, Corps of Engineers, has received your February 22, 1988, letter which expressed concern for the Corps' attitude in our planning of the LeClaire Base Storage Yard relocation project. I assure you that the District has made an extra effort to ensure that the community of LeClaire also will benefit from this project.

An Environmental Assessment (EA) for this project was released for public review on May 22, 1987. The EA-recommended plan resulted from prior meetings and coordination with LeClaire residents and other State and Federal agencies. If you had chosen to become involved in the coordination and planning of this project over the last year, it would be readily apparent that the completed project will result in a vast improvement over existing conditions.

As a result of several additional coordination meetings and comments we received on the EA, we again revised our preferred plan to include beautification features to remedy express concerns. No objections to this project were received from any local, State, or Federal agencies. Before deciding on our current plan, we thoroughly considered several design modifications and "compromise plans." We felt that these alternatives did not meet the Corps' needs and did not maximize benefits to the general public.

The plan (copy enclosed) we intend to construct will have the following benefits to the city of LeClaire:

- a. The storage yard will be moved back from the shoreline to allow more riverfront space for recreationists.
- b. The Iowa Department of Natural Resources will be permitted to construct a new boat ramp and parking lots.
- c. The wintering bald eagles will benefit from the elimination of all vehicle access to the (currently unuseable) old boat ramp area.
- d. The Corps intends to landscape the storage yard and old boat ramp area to reduce any visual impacts.

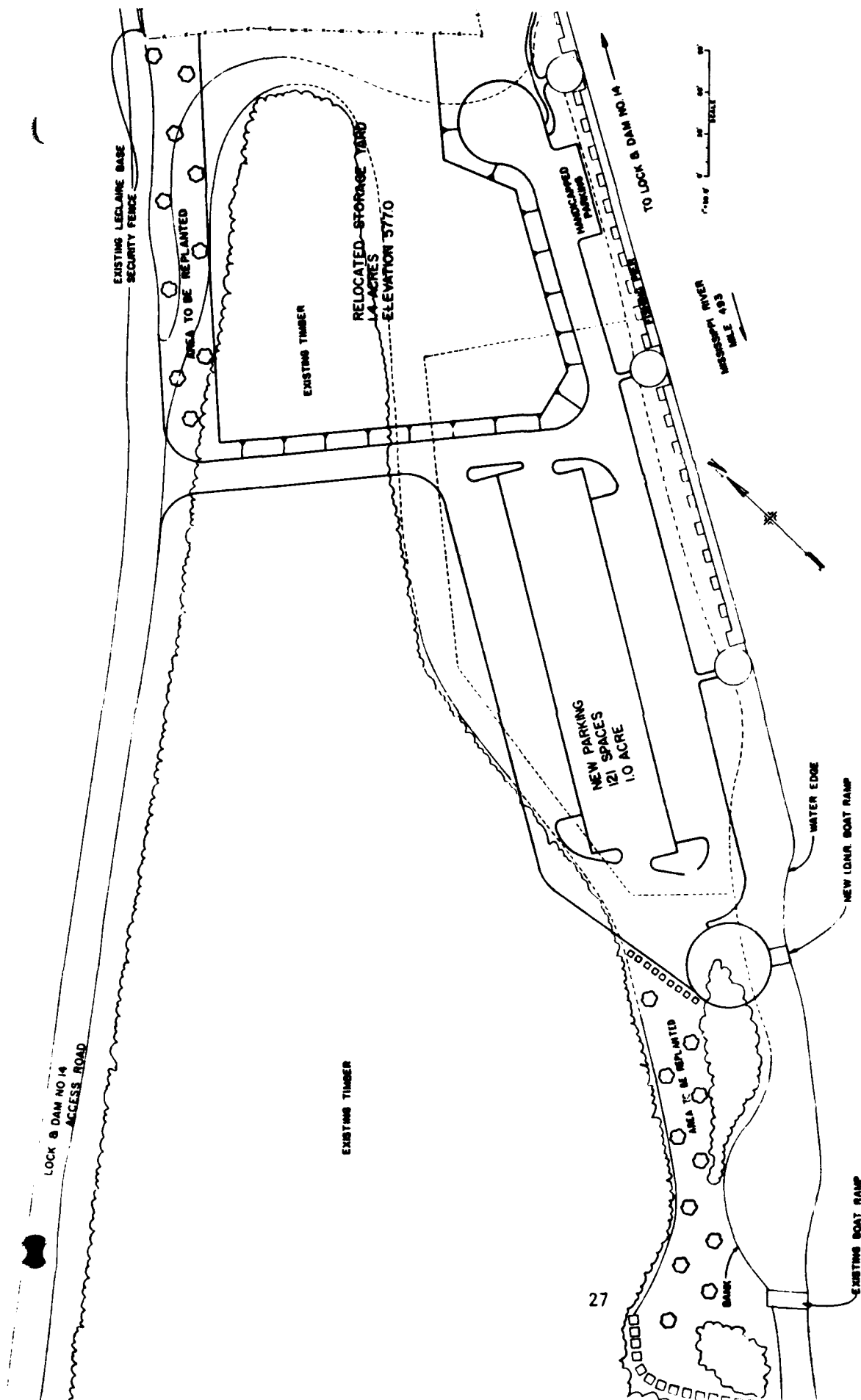
If you would like further details concerning the past planning of this project or have questions concerning the project's current status, please call Mr. Bob Paletti of the Public Affairs Office at 309/788-6361, Ext. 274.

Sincerely,

ORIGINAL SIGNED BY

Dudley M. Hanson, P.E.  
Chief, Planning Division

Enclosure



REVISED CORPS PREFERRED PLAN



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

March 15, 1968

Office of Counsel

Robert A. Van Vooren, Esq.  
Lane & Waternan  
600 Davenport Bank Building  
Davenport, Iowa 52801

Dear Bob:

It was nice talking to you on the thorny problem of setting up a meeting on the LeClaire Base storage yard relocation. After a couple of unsuccessful attempts to find a date when everybody could get together, you suggested April 5. I have succeeded in getting our necessary participants committed to the April 5 date, and I called your secretary this morning in your absence to advise her.

We have scheduled a meeting with you and your clients at 10 a.m. on April 5, 1968 in the Engineering Division Conference Room at the Clock Tower Annex. As I indicated to you on the telephone, Colonel Smart will not be able to attend the meeting because of other travel commitments. However, we will have representatives of our Operations and Engineering Divisions, an environmental analysis person, and two lawyers, myself included. I understand that you will bring Mr. Nelson and other technical people similar to our representatives.

Hopefully, there is no problem with the date or time. If there is, please let me know as soon as possible. Let's hope that we can make some good progress toward resolving this matter.

Sincerely,

ORIGINAL SIGNED BY

T. F. Crane  
District Counsel

United States Senate  
WASHINGTON, DC 20510

March 15, 1988

Colonel Neil A. Smart  
U.S. Army District Engineer  
Rock Island District  
P.O. Box 2004  
Rock Island, Illinois 61204-2004

Dear Colonel Smart:

I have been contacted by Ron Reinders, my constituent, who expressed concern about the plan to enlarge the storage depot at Lock and Dam 14.

According to Mr. Reinders, he is concerned that the enlargement of storage area will not only profoundly interfere with recreational opportunities but also create an eyesore. Mr. Reinders and his family use Lock and Dam 14 for family recreation. He felt the Corps previous investment in developing recreational aspects will be wasted.

At this time, I would like to express my interest in this matter. Any further information or comments you may be in a position to provide concerning this matter would be greatly appreciated. Please respond to Mary Orr in my Davenport office at the address printed below.

Thank you for your time and assistance. I look forward to your timely response.

Sincerely,



Tom Harkin  
United States Senator

TH/rmo

STATE OFFICES:

307 FEDERAL BLDG.  
BOX H  
COUNCIL BLUFFS, IA 51602  
(712) 325-5533

210 WALNUT ST.  
ROOM 733 FEDERAL BLDG.  
DES MOINES, IA 50309  
(515) 284-4574

BOX 4489  
LINDALE MALL  
CEDAR RAPIDS, IA 52407  
(319) 393-8374

131 E. 4TH ST.  
314B FEDERAL BLDG.  
DAVENPORT, IA 52801  
(319) 322-1338

MAR 10 1988

16 March 1988

Neil A. Smart  
Colonel, U.S. Army  
Rock Island District Corps of Engineers  
Clock Tower Bldg. -PO Box 2004  
Rock Island, Illinois 61204-2004

Dear Colonel Smart,

We are in need of your HELP! Over twenty years ago we purchased an acreage with a beautiful view overlooking the Mississippi River. The scene has changed today however. We are looking at, and listening to, something comparable to an industrial site. The site we are referring to is the Army Corps of Eng. installation at Lock & Dam 14. We fully understand that this maintenance work is necessary but we are concerned about some questionable practices.

One concern is the work hours at the Corp facility. Before 7 a.m. a full crew is running sand blasting equipment, diesel engines, paint sprayers and pounding on metal. This noise pollution goes well into the night. After 10:00 p.m., when most people are going to bed, the bulldozers and trucks with the emergency clanging bells can still be heard. Would you resent this constant intrusion?

Another concern is the excessive use of profanity by the employees. We have witnessed obscene language being used over the PA system. This is not the kind of environment to raise children. Would you want your children in this kind of environment?

A serious concern is the obvious polluting of the river. This work being done by the Corp is done on an open barge allowing paint and rust particles to fall into the water. Painting is also done on an open barge allowing excess paint to fall into the river. It is our understanding that all gates and equipment belonging to the Corp will be refinished at this location. Because of the toxic nature of some paints and the concentration caused by continued painting in this one area, the potential endangerment of wildlife exists.

Preservation of wildlife is one of the main concerns of everyone. This noise pollution and the fact that it is a year round facility has already had an effect on the wildlife in this area. In 1980, we built a Gazebo overlooking the river. At that time we could see a multitude of wildlife, such as deer, fox, raccoon, seagulls, waterfowl and especially wood ducks. The wildlife have been driven away. Now all we see is a huge ugly red crane and a storage area that looks like a junkyard.

16 March 1988  
Page Two

Finally, it has come to our attention that the storage area is going to be raised and enlarged. Now, we will have an even bigger junkyard to look at. This storage area will be adjacent to public land donated for an Eagle refuge. This increase in activity will not be conducive to an Eagle refuge.

While we can identify the apparent problems, we cannot solve them unless we have your help. Our area is zoned R1 single residential. Can the Corps of Eng. find another area zoned industrial to do their maintenance work? There must be someplace on the vast shore line of the Mississippi river that would be more suitable.

You can help by returning our area to a strictly residential area.

Please call us if you have any questions. We are looking forward to hearing from you.

Sincerely

*Elizabeth A. Grunder*

Mr. & Mrs. Kirk Grunder  
Box 268  
Pleasant Valley, Iowa 52767

Telephone 319 332-9000

c Terry Branstad  
Charles Grassley  
Tom Harkin  
James Leach  
James R. Thompson  
EPA Chicago, ILL  
EPA Kansas City. MO



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

March 18, 1988

Office of Counsel

Robert A. Van Vooren, Esq.  
Lane & Katerman  
600 Davenport Bank Building  
Davenport, Iowa 52801

Dear Bob:

In our previous discussions concerning the relocation of the LeClaire Base storage yard, I have indicated to you that Colonel Smart would be unable to attend our meetings during March and April because of a heavy travel schedule. Since we now have a meeting scheduled for April 5, Colonel Smart has decided to change his travel schedule so that he can attend the April 5 meeting. We also intend to invite representatives of the U.S. Fish and Wildlife Service, the Iowa Department of Natural Resources, the Nature Conservancy, and Congressman Leach's office because of their prior involvement leading to the November 30 decision and their basic interest in the matter.

In your letter of March 11 to me you enclosed a March 9 letter from the Nature Conservancy indicating its disappointment that we had not moved forward with the IDNR compromise plan. In preparation for the April 5 meeting we would like you to focus on the IDNR compromise plan as a possible avenue for discussion here. It is probable at this stage that neither the Corps plan nor the S.O.A.R. plan will be built.

Something else we would like you to consider in preparing for the meeting is whether you should have your habitat expert talk to our folks before the April 5 meeting to help us find a common ground so we can have an agreed statement of what the habitat is in the area. Then, perhaps, when we get to the April 5 meeting we will have clearer idea of what we are talking about. Thereby, we can avoid a recurrence of events as occurred when a tree consultant was brought in after Mr. Nelson's last meeting with COL Smart and no opposing expert opinion ever received a hearing as a possible rationale for moving off the Corps plan.

One other matter concerns us. In our previous telephone conversations, you and I agreed that the public rhetoric would be cooled pending our efforts to resolve this controversy. However,

-2-

at the Rotary Club meeting yesterday Bob Ray told Doyle McCully of our office that four more public meetings were scheduled, which would appear to violate our agreement. I assume Bob Ray just did not get the word, and you will take care of this.

Sincerely,

*original signed by*

T. F. Crane  
District Counsel

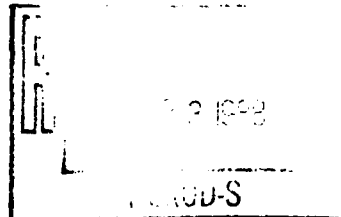


TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
LARRY J. WILSON, DIRECTOR

March 21, 1988

Colonel Neil A. Smart  
U.S. Army Engineering District  
Corps of Engineers  
Clock Tower Building  
Rock Island, Illinois 61204-2004



Dear Colonel Smart:

This letter is to clarify certain misconceptions regarding the Iowa Department of Natural Resources' position relative to the proposed improvement at the LeClaire Base. It has come to my attention through copies of correspondence from Maurice Nelson to you and through conversations with your staff that confusion exists as to what exactly is the DNR's position.

In our original comments on the Corps' Environmental Assessment, we expressed support for Alternative 1 as the preferred alternative but stated our willingness to accept Alternative 2 as a "compromise" plan and offered to work with your staff in refining that alternative if you chose to pursue it. At that time, we were approached by representatives of the Iowa Nature Conservancy and asked to work with them to develop yet another compromise alternative. This alternative called for the preservation of approximately 40 percent of the timber west of the proposed relocated material storage yard and would have allowed for approximately 100 parking spaces. This alternative is the same alternative that I presented during our meeting in Rock Island on September 30. At the close of that meeting you offered to have the rough sketch of what was referred to then as the DNR "Compromise Plan" redrawn to scale and that you would evaluate it in relation to the Preferred Alternative.

In November, when you announced your decision to proceed with the Preferred Alternative with the addition of planting a buffer of trees along the west side of the yard, it was the DNR's position that that alternative and the DNR "Compromise Plan" were both acceptable. Our position remains unchanged since November.

A few weeks ago I received a call from Mr. Nelson asking if the DNR was "...still willing to accept the Compromise Plan". I said that we would and had been willing to do so all along. Mr. Nelson mentioned 80 parking spaces several times during our con-

versation and each time I responded that I was unsure what the exact number of parking spaces would be under the DNR "Compromise Plan" and that we favored whatever number was contained in our plan. Mr. Nelson further advised that he would be meeting with you in a few days and was hopeful that you would accept the "Compromise Plan". Unfortunately, upon receiving copies of Mr. Nelson's letters to you of February 26 and 29, I realized that Mr. Nelson's and my interpretations of the "Compromise Plan" differ. Further, I have learned that Mr. Nelson, Mr. Crews of the TNC, and the organization known as S.O.A.R. have all stated that the DNR now favors a plan that calls for 80 parking spaces. That is inaccurate. The DNR's present position is the same as it was in September and November. Only the original Preferred Alternative or the DNR "Compromise Plan" are acceptable. The Preferred Alternative would provide 121 parking spaces and the DNR "Compromise Plan" would provide approximately 101 parking spaces. The S.O.A.R. plan provides 80 spaces and is not an acceptable alternative to the DNR. Our objective in this project is to maximize public use opportunities in the area and to protect eagle habitat. The DNR plan does both, and has an added benefit in that it provides adequate screening of the storage yard from nearby homeowners.

I hope the above comments are helpful to you in your efforts to resolve this matter. I regret any misunderstanding that may have occurred relative to the DNR's position. To clarify once and for all which plan I am referring to when I refer to the DNR "Compromise Plan", I have attached a drawing.

Sincerely,



Michael Carrier  
Administrator  
Parks, Recreation & Preserves Division

cc: Bill Crews, TNC  
M.S. Nelson Jr., SOAR

JOE R. LANE (1902-1931)  
CHARLES M. WATERMAN (1902-1924)  
CHARLES D. WATERMAN, JR.  
DONALD H. SITZ  
ROBERT V. P. WATERMAN  
ROBERT A. VAN VOOREN  
THOMAS N. KAMP  
CHARLES W. BROOKE  
WILLIAM C. DAVIDSON  
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CHARLES E. MILLER  
THOMAS J. SHIELDS  
DAVID A. DETTMANN  
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CAROLE J. ANDERSON  
HALLIE E. STILL-CARIS  
MICHAEL P. BYRNE  
EDMUND H. CARROLL, JR.  
MARIA M. WATERMAN

## LANE & WATERMAN

600 DAVENPORT BANK BUILDING  
DAVENPORT, IOWA 52801

TELEPHONE  
(319) 324-3246

March 21, 1988

OF COUNSEL  
ALFRED MAGNUSSON

Mr. Thomas F. Crane  
District Counsel  
Corps of Engineers  
Clock Tower Building  
P. O. Box 2004  
Rock Island, IL 61204-2004

Dear Tom:

I have your letter of March 18, 1988, and it appears that progress is being made. We are delighted that Colonel Smart will be in attendance April 5 as well as other interested parties and groups. The public rhetoric will be "cooled" during the efforts to resolve this controversy. The four public meetings, which were the subject of a conversation between Bob Ray and Doyle McCully, have been temporarily deferred. As an aside, I can tell you that it is no easy task to slow down the public sentiment on this subject. The momentum of public involvement and concern is enormous and escalating at an incredible rate.

I consider your suggestion that the habitat experts visit in advance of the April 5 meeting to be excellent. Please supply me with the name and telephone number of your expert in order that our people can get in touch. If I am unavailable, please give this information to Ruth Zumdahl at my office, and Ruth will contact Sandy Nelson with the name and phone number.

We are now advised that the Corps plans to store all scrap at a location other than LeClaire. We applaud that decision and feel it will be conducive to the full development of the eagle preserve and the use of the area by all habitat. With this development, the size of the "storage" area should be capable of being

LANE & WATERMAN

Mr. Thomas F. Crane  
March 21, 1988  
Page 2

reduced substantially, and the need to destroy existing trees eliminated.

I am convinced that this move toward conciliation and compromise is in the best interests of all concerned. Looking forward to our April 5 meeting.

Best regards,

Robert A. Van Vooren

RAVV/rz



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

March 24, 1988

Office of Counsel

Robert A. Van Vooren, Esq.  
Lane & Waterman  
600 Davenport Bank Building  
Davenport, Iowa 52801

Dear Bob:

This is in reply to your letter of March 21, 1988. I am glad we can get the public rhetoric cooled while we try to resolve this matter as it will be helpful to everybody.

In regard to preliminary contact of our habitat experts, Jon Duyvejonck is our habitat expert, telephone 788-6361, ext. 308. Mr. Mitchell, your tree consultant, and Tim Peavel, our forester, ext. 561, have already been in contact. Colonel Smart has asked our experts to press for development of a factual, unambiguous statement regarding (1) the content, condition, and life expectancy of the trees in question, and (2) the quality of habitat provided by each of the different areas affected by the two proposed plans. Those have been two of the principal factors on which he has, in the absence of opposing expert opinion, held to the opinion of our experts--which led to the Corps plan. Any decision to fall off the Corps plan, with all of its provisions for public accommodations and protection of public aesthetics in compliance with the law, can only occur if supported by assessments significantly different than those on which the original decision was based. A consideration of those joint opinions will be a substantial item on the April 5 agenda.

Next, I suggest you caution your clients not to come to the meeting with any preconceived or overoptimistic opinions on what may result from our anticipated success in changing how we manage disposal of scrap. The fact that we plan to provide for long-term disposal off-site will likely not eliminate a space requirement for temporary storage during handling, material sorting, and removal.

You comment that the size of the storage area should be capable of being reduced substantially. In regard to that, we must point out that the size of the storage yard will be determined by the needs of the Government and not by external factors. The design layout and operation of the yard will remain the decision of those, fully qualified and competent, who will have to operate it over the coming years. How the Corps uses and operates its yard, in whatever final configuration, will be the only nonnegotiable item.

I would submit to you that too much is made of the shape of the yard. The square storage yard, while much preferred, has emerged as a function of the matrix of other considerations of impacts on eagles, handicapped access, availability of space for public parking needs, our opinion on the quality of trees and habitat, river aesthetics and the like. That the square storage yard emerges when all these factors are considered is another reason we prefer our plan. However, if our experts jointly conclude that the Corps assessments have been unfounded or greatly in error, an adequately-sized rectangular yard could be acceptable.

At this point, I would advise you that the IDNP has taken exception to any plan which provides only 80 parking places. They have agreed to reduce to no less than 100 places. An adequate amount of parking is needed to serve both the existing Smith's Island uses and the new boat ramp. We are presently analyzing the parking needs to accommodate existing and future uses.

Sincerely,

**ORIGINAL SIGNED BY**

T. F. Crane  
District Counsel



DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

REPLY TO  
ATTENTION OF

March 29, 1988  
Natural Resource Management Branch

Honorable Tom Harkin  
ATTN: Mary Orr  
131 East 4th Street  
314B Federal Building  
Davenport, Iowa 52801

Dear Senator Harkin:

This is in response to your March 15, 1988, letter regarding the Lock and Dam 14 storage yard and recreational development improvement. We would like to assure both you and Mr. Reinders that we are carefully planning the relocation of the LeClaire Base storage yard. We have reviewed the proposed project with an eye toward not only the storage area, and the recreational improvements to be made, but also the environmental, aesthetic, and wildlife values and impacts of the project. For your information, an Environmental Assessment was circulated for this project and virtually no negative comments were received on that assessment.

As you are probably aware by now, a citizen's group just recently formed called "S.O.A.R." ("Save Our Attractive Riverfront") has come out in opposition to our proposed work at this site. We will be meeting with officials from that organization on April 5, 1988, to hopefully resolve our differences, and in many cases, misunderstandings. I have enclosed for your review a brochure, outlining our position in this matter. This brochure has been sent to everyone who has written or contacted us through a petition campaign started by S.O.A.R. This brochure is meant to explain in detail, to people who perhaps have not seen the Environmental Assessment, exactly what the differences between the Corps plan and a proposed plan by S.O.A.R. really are. It should be noted that the Corps/Iowa Department of Natural Resources plan will actually enhance the recreation experience by providing additional parking, including new handicap access and parking, and a new boat ramp.

In reviewing your letter, it appears that the major thrust of Mr. Reinder's concerns are aesthetic or recreational. The new recreation facilities, as well as the screening of the storage yard, will be much improved from what exists at the site today. The Rock Island District is concerned about the river environment in all of its aspects.

The April 5, 1988, meeting will I hope, be able to resolve our differences with S.O.A.R. You are certainly welcome to have Ms. Orr attend that meeting. The meeting will be held in the Clock Tower Annex. If you have other questions or concerns regarding this matter please contact Mr. James Blanchar, Acting Chief, Operations Division, 309/788-6361, extension 275.

Sincerely,

ORIGINAL SIGNED

Donald J. Hejna  
Lieutenant Colonel, U.S. Army  
Deputy District Engineer

Enclosure

Copy Furnished:

Honorable Tom Harkin  
United States Senate  
Washington, D.C. 20510

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 DONALD H. SITZ  
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 WILLIAM C. DAVIDSON  
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 CHARLES E. MILLER  
 THOMAS J. SHIELDS  
 DAVID A. DEITMANN  
 DANAM. CHAFF  
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April 12, 1988

OF COUNSEL  
ALFRED MAGNUSON

Col. Neil A. Smart  
 United States Army  
 Rock Island District Corps of Eng.  
 Clock Tower Building  
 P. O. Box 2004  
 Rock Island, IL 61201-2004

Re: U.S. Army Corps of Engineers  
 Lock and Dam 14  
 LeClaire Base Storage Yard

Dear Colonel Smart:

Thank you for the courtesies extended during our visit Tuesday, April 5, at the Corps of Engineers offices on Arsenal Island. The purpose of this communication simply is to reduce to writing the agreement reached at the conclusion of the meeting. In my judgment, the compromise agreement is honorable and satisfactory and in the best interests of all parties concerned. The survey, attended by all parties last Friday morning, went extremely well, and I am sure there will be no difficulties as this resolution proceeds to completion.

The following represents an enumeration of the points reached in the accommodation:

1. The location and shape of the storage yard and other amenities are as set forth on the IDNR plan as modified by Bob Ray. In no event will the yard be larger than 1.20 acres, and all parties will extend best efforts to reduce that size including reduction of the boundary slopes and moving the river side boundaries closer to the river in the interests of

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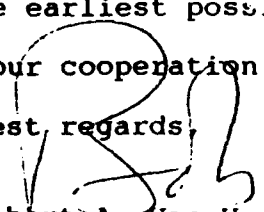
Col. Neil A. Smart  
April 12, 1988  
Page 2

saving as many trees as possible. The back wall of the storage yard will be constructed vertically with concrete blocks. All parties will extend best efforts to save as many trees as possible. The buffer shield from the existing grove of trees shall remain in place, with the exception of a narrow part of the tree grove on the river side being removed as indicated on the survey.

2. The current access road will be scarified by the Corps and new dirt provided on the surface of the road by the Corps. The Corps will be under no obligation to plant new trees on the road area. The Conservancy will replant at the area of the existing access road.
3. The Corps will grant a Permit, or similar document, allowing the current access road to be planted with trees.
4. Drainage of the yard will be to the river.
5. The new access road will be curved so as to obscure the view of the parking lot from the highway.
6. The storage yard shall not be used to house debris, scrap, or trash. It is agreed that a very brief time is needed to sort the existing trash so that it may be sent on to its final destination, but this should not be protracted.
7. The storage yard location shall not extend to the highway, but shall be located on the river side of the existing grove of trees and shall be rectangular in size.
8. S.O.A.R. will be informed and consulted as the project proceeds. The final survey will be accomplished with joint participation of all parties.
9. All parties shall extend best efforts to complete the project at the earliest possible date.

Again, thank you for your cooperation in these matters.

Best regards,

  
Robert A. Van Vooren

RAVV/rz



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

April 21, 1988

Office of Counsel

Robert A. Van Vooren, Esq.  
Lane & Weternan  
600 Davenport Bank Building  
Davenport, Iowa 52801

Dear Bob:

This is in reply to your letter of April 12, 1988 to Colonel Smart concerning the agreement reached on the relocation of the LeClaire Base Storage Yard. We differ somewhat in our understanding of the agreement reached at our April 5 meeting. Please excuse our delay in responding to your letter of April 12, but we wanted to complete the enclosed engineering drawing to clearly explain our understanding of the agreement.

We have no objection to Paragraphs 3, 4, 5, 8, and 9 of your letter of April 12. However, Paragraphs 1, 2, 6, and 7 of that letter do not accurately express our agreement.

Paragraph 1. We did not agree to any specific size for the storage yard. Colonel Smart agreed that we would meet with your people at the site and lay out the storage yard on the ground to see exactly what is needed. He said he did not want to nitpick about tenths of acres, but we would leave a substantial stand of trees north of the relocated storage yard. We have considered all factors and the minimum design of the yard, based on our projection of our needs and handicapped access to the recreation area, is shown on the enclosed drawing. The exact configuration is determined by the tree-clearing line agreed upon at the site on April 8, 1988. The back wall of the storage yard will be constructed of concrete blocks as near as possible to vertical consistent with structural stability. Our design and construction techniques maximize available space utilization based upon further coordination with the IDNR. The enclosed engineering drawing represents our understanding of the agreement and is our plan for building the storage yard.

Paragraph 2. We have no problem with scarifying the current access road to assist the landowners in planting trees since construction equipment will be available at the site anyway to do such scarifying in other portions of the construction. We can also provide fill material from available dredge spoil at the site. However, topsoil is not available at the site and would be a non-Federal responsibility.

Paragraph 6. We never agreed that the storage yard shall not be used to store debris, scrap, or trash. The use of the storage yard will be determined by the needs and best interests of the Government; we cannot accept external dictation on use of the storage yard. However, it is our intention to complete arrangements to dispose of salvageable scrap with another Federal agency. The current procedures require separating the scrap by material classes. Short-term interim storage will be accomplished within the yard for this purpose. However, we wish to make it clear that this situation could change in the future as necessitated by our mission established by law or the exigencies of our operations, and we cannot agree to any sort of perpetual restrictions on operation or use of the storage yard. A number of other operating commodities are, and will continue to be, stored neatly in the yard, such as snow fence, structural steel stock and assemblies, pumps, and other equipment which support one or more of our varied mission requirements.

Paragraph 7. Our agreement was that the storage yard shall be located on the river side of the line established in the field by the parties on April 8, 1988. The size and shape of the relocated storage yard will be as shown in the enclosed engineering drawing.

The Rock Island District appreciates the cooperative effort demonstrated by Messrs. Sandy Nelson and Bob Ray of S.O.A.P. and Bill Crews of the Nature Conservancy in reaching the compromise plan shown in the drawing. We believe this plan provides the maximum use of available space to optimize uses among several competing needs.

Sincerely,

*original signed by*

T. P. Crane  
District Counsel

Enclosure



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS  
CLOCK TOWER BUILDING—P.O. BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

May 16, 1988

Office of Counsel

Robert A. Van Vooren, Esq.  
Lane & Waterman  
600 Davenport Bank Building  
Davenport, Iowa 52801

Dear Bob:

From your letter of May 11, 1988, it appears that we have reached agreement on most matters concerning the relocation of the LeClaire Base storage yard. However, you seek to impose an additional notice requirement.

You say, "However, we must recognize that a balancing of interests must occur and that the true property owners of the subject real estate on which the Corps site is located (U.S. citizens and taxpayers) have a legitimate interest in these matters." We agree that U.S. citizens and taxpayers have an interest in these matters, but that interest is expressed through their representatives in Congress and not by direct action. Congress enacts statutes which are then implemented by agency regulations and court decisions. We will, of course, comply with all applicable law and regulations.

We will add the names and addresses that you request to our mailing lists which we use when public notice or comment is required by environmental or other applicable law or regulations. NEPA regulations, for example, would require us to issue a public notice for a change in operation or use significantly affecting the environment. Aside from such compliance, there is no practical way of generating a special notice, particularly in the distant future when present employees are no longer involved and memory has faded. Thus, if you are requesting that we give notice of changes in operation or use of these facilities in addition to that which would otherwise be required by applicable law or regulations, we cannot agree to do so.

We believe we have agreed to all that can reasonably be asked of us to resolve this dispute. We will agree to nothing further.

Senator Harkin has asked that we send him the latest information regarding the status of our compromise agreement. We

-2-

intend to inform him that your letters of April 12 and May 11, 1988, our letter of April 21, 1988, and this letter contain our agreement. Thanks for your cooperation.

Sincerely,

T. F. Crane  
District Counsel

JOE R. LANE (1902-1931)  
CHARLES M. WATERMAN (1902-1924)  
CHARLES D. WATERMAN, JR.  
DONALD H. SITZ  
ROBERT V. P. WATERMAN  
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THOMAS N. KAMP  
CHARLES W. BROOKE  
WILLIAM C. DAVIDSON  
CHARLES D. WATERMAN, III  
CHARLES E. MILLER  
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THOMAS D. WATERMAN  
JOHN D. TELLEN  
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MICHAEL P. BYRNE  
EDMUND H. CARROLL, JR.  
MARIA MIHALAKIS WATERMAN

## LANE & WATERMAN

600 DAVENPORT BANK BUILDING  
DAVENPORT, IOWA 52801

May 11, 1988

TELEPHONE  
(319) 324-3246  
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(319) 324-1616

OF COUNSEL  
ALFRED MAGNUSSON

Mr. Thomas F. Crane  
District Counsel  
Department of the Army  
Corps of Engineers  
P. O. Box 2004  
Rock Island, IL 61204-2004

Dear Tom:

Representatives of S.O.A.R. have reviewed your correspondence of April 21, 1988, and the engineering drawing prepared by the Corps of Engineers.

We agree that the configuration and size of the storage yard was determined by the tree-clearing line agreed upon at the site on April 8, 1988. It is further agreed that the back wall (highway side) of the storage yard will be constructed of concrete blocks as near as possible to vertical consistent with structural stability. The Corps proposes to leave undisturbed a substantial stand of trees north of the relocated storage yard, and this fact, of course, is crucial to any compromise. These comments are consistent with the view expressed in numbered paragraph 1 of your April 21 correspondence.

Paragraph 6 of your April 21 correspondence deals with the sensitive, significant, and pivotal issue of storage of debris, scrap, or trash. As I understand the Corps' position, we have an agreement that the Corps has no present intention to permanently store scrap, debris, or trash at this site, and that such materials will be disposed of elsewhere. Short term interim storage of these materials will occur while they are separated by material classes with the understanding that the Corps will extend best efforts to minimize said short term interim storage. We further understand

LANE & WATERMAN

Mr. Thomas F. Crane  
May 10, 1988  
Page 2

and agree that the Corps is not making any permanent agreement as to storage of scrap, debris, or trash inasmuch, as stated in paragraph 6 of your April 21 correspondence,

"... this situation could change in the future as necessitated by our mission established by law or the exigencies of our operations, and we cannot agree to any sort of perpetual restrictions on operation or use of the storage yard. A number of other operating commodities are, and will continue to be, stored neatly in the yard, such as snow fence, structural steel stock and assemblies, pumps, and other equipment which support one or more of our varied mission requirements."

We accept that statement of intent as part of this accommodation and assure you that S.O.A.R. representatives are not attempting to unreasonably exert external dictation on Corps of Engineers matters. However, we must recognize that a balancing of interests must occur and that the true property owners of the subject real estate on which the Corps site is located (U.S. citizens and taxpayers) have a legitimate interest in these matters. S.O.A.R. has no intention of being arbitrary or disruptive in protecting legitimate interests, but desires to make it clearly understood that it shall closely monitor the operations of the storage yard and any change in existing operations or usage or relocation of the storage yard or other facilities at the site. An important part of this accommodation is that we are to receive written notice of any proposed change relative to the use and configuration of the site. We desire to be good citizens and good neighbors, and are certain that Colonel Smart and the Corps of Engineers feel similarly.

We agree with the position set forth in paragraphs 2 and 7 of your April 21 correspondence.

I respectfully request that you add the following names to the list of persons and entities to whom notices are sent concerning any change of operations or use of facilities at the LeClaire Corps of Engineers site.

Robert A. Van Vooren  
P. O. Box 8  
Pleasant Valley, IA 52767

LANE & WATERMAN

Mr. Thomas F. Crane  
May 10, 1988  
Page 3

David E. Burt  
475 E. Valley Drive  
Pleasant Valley, IA 52767

Maurice (Sandy) Nelson  
463 E. Valley Drive  
Pleasant Valley, IA 52767

William R. Tyler  
25375 Valley Drive  
Pleasant Valley, IA 52767

Lloyd G. Schermer  
471 E. Valley Drive  
Pleasant Valley, IA 52767

A. Fred Berger, Jr.  
P. O. Box 59  
Pleasant Valley, IA 52767

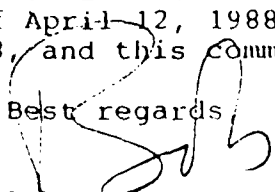
LeClaire City Council  
City Hall  
LeClaire, IA 52753

Pleasant Valley Board of Trustees  
Post Office  
Pleasant Valley, IA 52767

Chamber of Commerce  
City Hall  
LeClaire, IA 52753

S.O.A.R. and the many interested residents of the area request that I extend their appreciation to Colonel Smart and Corps representatives for the courtesies extended during the negotiations incident to reaching the accommodation commented upon in my correspondence to Colonel Smart of April 12, 1988, your correspondence to the writer of April 21, 1988, and this communication.

Best regards

  
Robert A. Van Vooren

RAVV/rz

**DISTRIBUTION LIST**

DISTRIBUTION LIST FOR  
ENVIRONMENTAL ASSESSMENT  
REEVALUATION OF THE LE CLAIRE BASE  
CONSTRUCTION STORAGE YARD  
LE CLAIRE, IOWA

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| HONORABLE TOM HARKIN, UNITED STATES SENATOR<br>3148 FEDERAL BLDG, 131 E 4TH ST<br>DAVENPORT IA 52801                                           | X            |
| HONORABLE JIM LEACH, REPRESENTATIVE IN CONGRESS<br>320 WEST 3RD STREET, DAVENPORT, IA 52801                                                    | X            |
| MR JACK RUDY, NATIONAL PARK SERVICE, USDI,<br>P.O. BOX 25287, DENVER, CO 80225                                                                 | X            |
| DIRECTOR, ADVISORY COUNCIL ON HISTORIC PRESERV<br>JED RD BLDG RM09, 1100 PENNSYLVANIA AVENUE NW<br>WASHINGTON DC 20004                         | X            |
| COMMANDANT (GRAN/74), US COAST GUARD<br>401 SEVENTH STREET SW, WASHINGTON DC 20590                                                             | X            |
| CHIEF-RIVER BASIN PLNG BRANCH, US DEPT OF AGR-SCIL CONS SVC<br>P.O. BOX 2491, WASHINGTON, D.C. 20013                                           | X            |
| DIRECTOR, DEPT OF ECOLOGY & CONSERVATION<br>DEPT OF COMMERCE, RM 5813 (PP/EC), 14TH & CONSTITUTION AVE., NW<br>WASHINGTON, DC 20230            | X            |
| DIRECTOR, US DEPT OF COMMERCE<br>OFFICE OF ENVIRONMENTAL AFFAIRS, ROOM 3425<br>WASHINGTON DC 20235                                             | X            |
| DIRECTOR, OFFICE OF ENVIRONMENTAL COMPLIANCE<br>DEPT OF ENERGY - ROOM 40164, 1000 INDEPENDENCE AVE SW<br>WASHINGTON DC 20595                   | X            |
| DR ALLAN HIRSCH - DIRECTOR, OFFICE OF FEDERAL ACTIVITIES (A-104)<br>US ENVIRONMENTAL PROTECTION AGENCY, 401 M STREET SW<br>WASHINGTON DC 20460 | X            |

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