

Appendix E: Correspondence

Figure 1: Phase 1 Section 106 Consultation Letter Dated July 22, 2011

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U.S. Department of Homeland Security
Federal Emergency Management Agency
Iowa Closeout Center
FEMA-1763-DR-IA
7755 Office Plaza Drive North
Suite 145, Building G
West Des Moines, Iowa 50266
Phone: (515) 244-5601



FEMA

July 22, 2011

Douglas W. Jones
Review and Compliance Program Manager
State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50319-0290

**Re: FEMA-1763-DR-IA, FEMA PW 1587v3: Art Building - Relocation, University of Iowa,
Johnson County, Iowa**

**FEMA Public Assistance program submission – standard project review for non-emergency
undertakings (10-day review):**

Dear Mr. Jones:

The Federal Emergency Management Agency (FEMA) proposes to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended 42 U.S.C. 5121-5207. FEMA has received a funding request from the University of Iowa (sub-grantee) to replace the Art Building which was substantially damaged as a result of the flooding incident that resulted in the federally declared disaster DR-1763-IA.

FEMA is initiating a phased Section 106 review for the above referenced property in accordance with Title 36 Code of Federal Regulations Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation.*

FEMA received and approved a request to repair the Art Building under the allowances outlined in Appendix A of the Programmatic Agreement in the fall of 2008. Due to the extent of damage to Art Building, FEMA subsequently determined that the facility is eligible for replacement outside of the floodplain in accordance with 44CFR 206.226(f), *repair vs. replacement*. Ensuing versions to the original funding request have been developed to establish cost estimates for the replacement building. Demolition of the disaster damaged facility has been captured in a separate FEMA Project Worksheet (PW), therefore will be treated as a separate undertaking, outside of this phased Section 106 review. FEMA will consult with your office on the demolition of the original facility, and any adverse effects resulting from that undertaking when the scope of work for that PW is finalized.

At this time, the sub-grantee has been approved for a relocation project that includes land acquisition and site preparation for the replacement facility. This approval is contingent upon successful completion of FEMA's Historic Preservation responsibilities outlined under Section 106 of the National Historic Preservation Act. In an effort to expedite the relocation process, FEMA is submitting this Section 106

review in two phases. This first phase will address historic standing structures on or adjacent to the relocation site, and the proposed design of the new facility. To allow for sufficient time for an archaeological investigation, the second phase of this Section 106 review will address the findings of a requested Phase I Archaeological Survey.

On January 30, 2009 Iowa Homeland Security and Emergency Management Division (IHSEMD) surveyors completed HADB#52-087; *Historical and Architectural Reconnaissance Survey for 2008 Flood Properties at the University of Iowa, Iowa City, Johnson County*. Your office concurred with the surveyor's National Register of Historic Places (NRHP) eligibility recommendations for the properties in a letter to IHSEMD dated March 4, 2009. The survey report was revised July 2, 2009. Your office confirmed the previous concurrence, and concurred with the NRHP eligibility determination for the *University of Iowa River Valley Historic District* in a letter to IHSEMD dated July 14, 2009. Based on the surveyor's opinions of NRHP eligibility stated in the report; and in accordance with 36 CFR Part 800.4 Identification of Historic Properties; FEMA determined that the *University of Iowa River Valley Historic District* meets the criteria for listing in the National Register of Historic Places under Criteria A, B and C and your office concurred in a letter dated April 9, 2010.

The original Art building, constructed in 1936, designed by campus architect George Horner, was identified as a contributing resource to the NRHP eligible *University of Iowa River Valley Historic District*, and individually eligible for listing in the NRHP under Criteria B and C. The original 1936 structure features a Palladian form in an Art Deco style with a three story central building, and open air arcades to the north and south leading to two side studios. In 1968, several building additions, some attached and some free standing, were added to the Art Building campus. Designed by Max Abramovitz of Harrison and Abramovitz, New York, NY, these additions provided space for printmaking, sculpture, woodworking, metalworking and ceramics. Most notably, the addition connected to the original Art Building to the east housed the Mauricio Lasansky printmaking studio. Lasansky is considered a pioneer in the evolution of graphic arts as a critical art form, and established his printmaking workshop at the University of Iowa, teaching there from 1945-1986. All of the functions of the Art Building will be relocated to a replacement facility outside of the floodplain.

FEMA has determined that the area of potential effects (APE) for this undertaking is limited to the ground disturbing activities associated with the relocation site preparation and construction of the permanent replacement facility at the proposed relocation site including the surrounding buildings, residential districts, and the *University of Iowa River Valley Historic District*, that have the potential to be affected by the construction of the new facility.

At this time, the University has proposed a site for the relocation west of the existing University of Iowa Art Building West, along the south side of River Street, just west of Riverside Drive. FEMA has considered the potential for this undertaking to affect archaeological resources. Various sources were checked to determine if any previously identified historic properties, including archeological sites are located within the APE of this undertaking and to determine the potential for the APE to contain previously unidentified historic properties. This review included the National Register of Historic Places (NRHP) and National Historic Landmarks Databases, and the Office of the State Archaeologist's (OSA) I-Sites GIS and Database, historic maps and aerial photographs available through the Iowa Geographic Map Server at Iowa State University and the University of Iowa Libraries' Iowa Digital Library. In earlier informal consultation with your office, it was determined that the proposed relocation site has the potential to contain pre-historic and/or historic period archaeological deposits. FEMA has requested that a Phase I Archaeological Survey of the APE be undertaken. This survey is anticipated to be completed by August 15, 2011. Once the survey has been completed, FEMA will continue consultation with your office regarding the findings of the survey report, completing the second phase of this phased Section 106 review.

FEMA has also considered the potential for the site preparation and construction of the new facility to affect historic standing structures. Attached are preliminary site plans and elevations for the proposed facility.

In January 2010 Marlys Svendsen of Svendsen Tyler, Inc. completed an NRHP Multiple Property Documentation Form (MPD) for the Manville Heights Neighborhood in Iowa City. This survey was funded by a Historical Resource Development Program (HRDP) grant awarded to the City of Iowa City. The results of which were submitted to your office in September 2010. Within the MPD, three NRHP eligible districts were identified: Manville Addition Historic District, Manville Heights Historic District and West Side Fraternity Historic District. A former fraternity house located at 109 River Street, now functioning as a temporary facility for University of Iowa studio arts will be demolished to clear the site for the relocation of Art Building. This Italian Renaissance revival structure was evaluated in the Manville Heights MPD, and identified as a contributing resource to the West Side Fraternity Historic District. For the purposes of this Section 106 review, FEMA has reviewed the MPD and Iowa Site Inventory Form for 109 River Street, and determined that the West Side Fraternity Historic District is eligible for listing in the NRHP under Criteria A and C, and that 109 River Street is both a contributing resource to the eligible district, and individually eligible for listing in the NRHP under Criterion C. FEMA has evaluated the loss of 109 River Street to the eligible West Side Fraternity District and determined that as 109 River Street is the only contributing resource on the South side of River Street and the only Italian Renaissance style property in the district, the district will be significantly impacted, however, as ten other contributing resources will remain within the district, FEMA has determined that the West Side Fraternity Historic District will not be compromised by the loss of this resource.

In addition to the West Side Fraternity Historic District, the proposed facility will be adjacent to two other potentially eligible NRHP historic districts identified in the MPD. The relocation site for the Art Building is outside of the boundaries of the NRHP eligible *University of Iowa River Valley Historic District*, however the new facility will be adjacent to the 2006 Steven Holl designed Art Building West, a contributing resource to the eligible district. The University has contracted with Steven Holl to design this replacement facility, and the design of the building will be sympathetic to the existing Art Building West, while differentiated in design and massing. FEMA has determined that the relocation of Art Building, located adjacent to the *University of Iowa River Valley Historic District* will not adversely affect the eligible district or any adjacent *University of Iowa River Valley Historic District* contributing resources. The relocation site is also adjacent to the Manville Heights Historic District identified in the above referenced MPD. FEMA has reviewed the district, and, for the purposes of Section 106 review, determined that the district as presented in the MPD, with two minor modifications is eligible for listing in the NRHP. In the time since the survey work was conducted for the MPD, two structures have slightly modified the district. To the south end of Richards Street, between a key-contributing structure located at 121 Richards Street and a non-contributing structure located at 117 Richards Street, a new residence, 119 Richards Street, was completed in 2009. FEMA has determined that, for the purposes of Section 106 review, 119 Richards Street is a non-contributing resource within the district boundaries of the Manville Heights Historic District. Additionally, 209 Richards Street has recently had a full second floor addition, drastically altering the building's original design, fabric, finishes and features, therefore FEMA has, for the purposes of this Section 106 review, determined that 209 Richards Street no longer contributes to the eligible district. With these modifications, the south end of Richards Street contains three non-contributing structures. The construction of the proposed facility would be adjacent to the south end of the district at Richards Street. Construction activities will only result in tree canopy clearing on the east side of a ravine, which separates the Historic District from the proposed facility, therefore, with a buffer of trees and non-contributing resources, FEMA, has determined that the construction of the Art Building will not adversely affect the Manville Heights Historic District.

In accordance with 36 CFR Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of*

Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation, FEMA finds that the Manville Heights Historic District and the West Side Fraternity Historic District are eligible for listing in the NRHP, and that 109 River Street is individually eligible for listing in the NRHP and a contributing resource to the West Side Fraternity Historic District, consequently, the proposed undertaking for the relocation of Art Building, and the demolition of 109 River Street, will result in adverse effects to historic properties. Once the requested Phase I Archaeological Survey has been completed, FEMA will continue consultation with your office regarding the findings of the report. Should any additional adverse effects be identified, FEMA will address the level of adverse effect resulting from the undertaking.

As required under 36 CFR 800.6(b) FEMA will consult with your office and other consulting parties to mitigate the adverse effects resulting from this undertaking and execute a Memorandum of Agreement. The resultant Memorandum of Agreement is evidence of FEMA's compliance with its statutory responsibilities under Section 106 of the National Historic Preservation Act.

FEMA respectfully requests your concurrence with this finding within the 10-day agreed upon timeframe. If you have any questions or comments, please contact Ann Schmid, Historic Preservation Specialist at (540) 270-0970 or by email at ann.schmid@dhs.gov.

Sincerely,

Kenneth G. Sessa
Region VII Environmental Officer

Enclosure: Iowa Site Inventory Form, 109 River Street
Site Plans and Rendering
Historic Resources of the Manville Heights Neighborhood of Iowa City, maps



⁵²⁻⁰⁵¹²⁷ I concur that the Manville Heights Historic District and the West Side Fraternity Historic District are eligible for listing in the NRHP. I further concur that 109 River Street is individually eligible for listing in the NRHP and contributes to the West Side Fraternity Historic District. I further concur with FEMA's finding of Adverse Effects to historic properties pursuant to 36 CFR Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation.* ⁵²⁻⁰⁵¹²⁶



I do not concur with your findings for the following reason:

Douglas W. Jones
Review and Compliance Program Manager, Archaeologist

Date 7/27/2011

Figure 2: Phase 2 Section 106 Consultation Letter Dated September 9, 2011

SEP 12 2011 110752109
U.S. Department of Homeland Security
Federal Emergency Management Agency
Iowa Closeout Center
FEMA-1763-DR-IA
7755 Office Plaza Drive North
Suite 145, Building G
West Des Moines, Iowa 50266
Phone: (515) 244-5601



FEMA

September 9, 2011

Douglas W. Jones
Review and Compliance Program Manager
State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50319-0290

**Re: FEMA-1763-DR-IA, FEMA PW 1587v3: Art Building - Relocation, University of Iowa,
Johnson County, Iowa**

**FEMA Public Assistance program submission – standard project review for non-
emergency undertakings (10-day review):**

Dear Mr. Jones:

The Federal Emergency Management Agency (FEMA) proposes to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended 42 U.S.C. 5121-5207. FEMA has received a funding request from the University of Iowa (sub-grantee) to replace the Art Building, which was substantially damaged as a result of the flooding incident that resulted in the federally declared disaster DR-1763-IA.

FEMA is continuing consultation of this phased Section 106 review for the above referenced property in accordance with Title 36 Code of Federal Regulations Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation.*

FEMA received and approved a request to repair the Art Building under the allowances outlined in Appendix A of the Programmatic Agreement in the fall of 2008. Due to the extent of damage to Art Building, FEMA subsequently determined that the facility is eligible for replacement outside of the floodplain in accordance with 44CFR 206.226(f), *repair vs. replacement*. Ensuing versions to the original funding request have been developed to establish cost estimates for the replacement building. Demolition of the disaster damaged facility has been captured in a separate FEMA Project Worksheet (PW), therefore will be treated as a separate undertaking, outside of this phased Section 106 review. FEMA will consult with your office on the demolition of the

original facility, and any adverse effects resulting from that undertaking when the scope of work for that PW is finalized.

At this time, the sub-grantee has been approved for a relocation project that includes land acquisition and site preparation for the replacement facility. This approval is contingent upon successful completion of FEMA's Historic Preservation responsibilities outlined under Section 106 of the National Historic Preservation Act. In an effort to expedite the relocation process, FEMA previously submitted Phase I of this phased consultation to your office on July 22, 2011 regarding historic standing structures on or adjacent to the relocation site, and the proposed design of the new facility. Your office concurred with our determination of adverse effect to historic properties resulting from the demolition of the former fraternity house located at 109 River Street, and FEMA's intention to execute a Memorandum of Agreement to offset those adverse effects. At this time, FEMA has received the required Phase I Archaeological Survey for ground disturbing activities associated with the undertaking and are submitting Phase II of this phased consultation.

In consultation with your office it was determined that the University of Iowa should have a Phase I Archaeological Survey conducted for the site and all areas of ground disturbing activities associated with the undertaking. On July 29, 2011, the Office of the State Archaeologist (OSA) submitted a Phase I report to the University of Iowa. The survey identified one archaeological site based on a single positive auger test, site 13JH1404 and recommended the site ineligible for listing in the National Register of Historic Places (NRHP). The survey also identified areas on the eastern portion of the lot, where utility lines were anticipated to be installed, where fill material was too deep to identify deeply buried deposits, and exploratory stratigraphic testing was recommended. In consultation with your office the method and extent of trenching was identified, and the OSA proceeded with the investigation. On September 8, 2011 a revised Phase I survey was submitted to the University of Iowa, including the findings of the supplemental trenching and testing. This additional investigation confirmed the presence of buried landforms with the potential to contain intact archaeological deposits; however the auger tests did not identify any cultural materials. The OSA has recommended no further archaeological investigation for this Undertaking. FEMA has reviewed the enclosed survey and is in agreement with the findings and recommendations.

In accordance with 36 CFR Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation*, FEMA has determined that the proposed undertaking will result in no additional adverse effects to historic properties.

As required under 36 CFR 800.6(b) FEMA will consult with your office and other consulting parties to mitigate the previously identified adverse effects resulting from this undertaking and execute a Memorandum of Agreement. The resultant Memorandum of Agreement is evidence of FEMA's compliance with its statutory responsibilities under Section 106 of the National Historic Preservation Act.

FEMA respectfully requests your concurrence with this finding within the 10-day agreed upon timeframe. If you have any questions or comments, please contact Ann Schmid, Historic Preservation Specialist at (540) 270-0970 or by email at ann.schmid@DHS.gov.

Sincerely,



Eric Wieland
EHP Branch Director
FEMA - ICC

Enclosure: *Phase I Intensive Archaeological Investigation for the Proposed Art Building Construction Project, University of Iowa, Section 9, T79N-R6w, Johnson County, Iowa. July 29, 2011*

Phase I Intensive Archaeological Investigation for the Proposed Art Building Construction Project, University of Iowa, Section 9, T79N-R6w, Johnson County, Iowa. Amended September 2011



I concur that site 13JH1404 is not eligible for listing in the NRHP. I further concur that no additional archeological investigation is required for this undertaking. I further concur with FEMA's finding of no additional Adverse Effects to historic properties pursuant to 36 CFR Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation.*



I do not concur with your findings for the following reason:



Douglas W. Jones

Review and Compliance Program Manager, Archaeologist

Date

