



Draft Environmental Assessment

University of Iowa Voxman Music/Clapp Recital Hall

Iowa City, Iowa

FEMA DR-1763-IA

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Federal Emergency Management Agency
Department of Homeland Security
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FEMA



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Abbreviations and Acronyms

AADT	Average Annual Daily Traffic
BMP	Best Management Practices
CFR	Code of Federal Regulations
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CEQ	Council on Environmental Quality
ESA	Endangered Species Act
EA	Environmental Assessment
EO	Executive Order
FPPA	Farmland Protection Policy Act
FONSI	Finding of No Significant Impact
FIRM	Flood Insurance Rate Maps
HA	Hancher Auditorium
HVC	Hancher/Voxman/Clapp
IDNR	Iowa Department of Natural Resources
IDOT	Iowa Department of Transportation
JCCOG	Johnson County Council of Governments
LEED	Leadership in Energy and Environmental Design
LOMR	Letter of Map Revision
MPO	Metropolitan Planning Organization
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
RCRA	Resource Conservation and Recovery Act
SWPPP	Stormwater Pollution Prevention Plan
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
HUD	U.S. Department of Housing and Urban Development
USFWS	U.S. Fish and Wildlife Service
UIHL	University of Iowa Hygienic Laboratory
VAB	Visual Arts Building

1. INTRODUCTION

The University of Iowa (UI) is the largest university in Iowa. A member of the Big Ten conference, UI was established by the State of Iowa in 1847 under the jurisdiction of the Iowa State Board of Regents with a threefold mission: teaching, research, and public service. Located in Iowa City, Iowa, the UI has facilities along both sides of the Iowa River in central Johnson County, Iowa.

Beginning on June 9th, 2008, facilities located near the Iowa River including the Hancher/Voxman/Clapp (HVC) complex experienced extensive damage from the flooding of the Iowa River and its tributaries which flooded portions of Iowa City and the surrounding area. The HVC complex was utilized for a variety of functions. Voxman Music Building and Clapp Recital Hall (Voxman-Clapp) provided a quality classroom facility and superior venues for music classes, rehearsals and recitals. Other uses included housing for recording studios, a library, faculty offices, individual practice rooms and support facilities.

On May 27, 2008, President Bush declared a major disaster in the State of Iowa (DR-1763-IA) pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. Section 5121-5206. The incident period began on May 25, 2008 and closed August 13, 2008. The current, flood damaged location of Voxman-Clapp is between the Iowa River and North Riverside Drive and south of Park Road in north central Iowa City, Iowa. Voxman-Clapp served the students and faculty of the University of Iowa and indirectly the general populace of the State of Iowa. Voxman-Clapp is a significant portion of the cultural core of the University of Iowa.

The National Environmental Policy Act (NEPA) requires that Federal agencies evaluate the environmental effects of their proposed and alternative actions before deciding to fund an action. The President's Council on Environmental Quality (CEQ) has developed a series of regulations for implementing the NEPA. These regulations are included in Title 40 of the Code of Federal Regulations (CFR), Parts 1500-1508. They require the preparation of an Environmental Assessment (EA) that includes an evaluation of alternative means of addressing the problem and a discussion of the potential environmental impacts of a proposed Federal action. An EA provides the evidence and analysis to determine whether the proposed Federal action will have a significant adverse effect on human health and the environment. An EA, as it relates to the FEMA program, must be prepared according to the requirements of the Stafford Act and 44 CFR, Part 10. This section of the Federal Code requires that FEMA take environmental considerations into account when authorizing funding or approving actions.

The HVC complex housed a public oriented performance facility and the School of Music program at UI. During the site selection process, described in more detail in Section 3, the UI decided to split the public performance facility and Music Program housing into two new replacement facilities, a new Hancher Auditorium and a new Voxman-Clapp. This EA was conducted in accordance with both CEQ and FEMA regulations for NEPA and will address the environmental issues associated with the FEMA grant funding as applied towards construction of a replacement music building at the proposed site (Appendix A, Figures 1 and 2). The UI hired Seneca Companies to prepare a draft of this EA which was then submitted to FEMA for final draft and posting for public comment.

Executive Order (EO) 11988 (Floodplain Management) requires that Federal Agencies assume a leadership

role in avoiding direct or indirect support of development within the 100-year floodplain whenever there is a practicable alternative. At present, the damaged Voxman-Clapp is located within the 100-year and 500-year floodplain and subject to repetitive flooding (Appendix A, Figure 3). Rather than repair the facility at its current location, FEMA and UI conducted a thorough review of the practicable alternatives to restoring the function of this facility at a location outside the floodplain and not subject to repetitive flood damage (Appendix A, Figure 4).

2. PURPOSE AND NEED

Pursuant to Section 406 of the Robert T. Stafford Disaster and Emergency Assistance Act of 1988, as amended, the University of Iowa has requested funding through the FEMA Public Assistance Program. FEMA's Public Assistance Program provides supplemental Federal disaster grant assistance for the repair, replacement, or restoration of disaster damaged, publicly owned facilities.

The purpose of this project is to assist the citizens of Iowa in their recovery from the natural disaster by using the FEMA Public Assistance Program to contribute funding towards the construction of a new music building. The proposed site of the new Voxman-Clapp is located in downtown Iowa City in the eastern portion of the block defined by Burlington Street to the north and South Clinton Street to the east. The need for the project is to protect the facility and function of Voxman-Clapp from future flooding by relocating outside the 500-year floodplain in response to a devastating flood that struck Iowa City, Johnson County, Iowa, in 2008.

Since the June 2008 floods, the functional use of the existing Voxman-Clapp has been terminated and classes and events normally held there have been temporarily relocated. In order to continue to meet the needs of the University for music classes and events in a centrally located, accessible setting, the UI intends to relocate Voxman-Clapp. Voxman-Clapp provides essential services to the University and to the State of Iowa. These services include the offering of music classes, recitals, and educational programs. Voxman-Clapp serves the community, the region and the state by providing educational opportunities for students, helps educate the artists and arts audiences of the future, and provides hands-on training to UI students interested in music and musically related careers. If Voxman-Clapp is not relocated and rebuilt, UI's ability to continue offering music education and recitals of the highest caliber would continue to be compromised.

3. ALTERNATIVES ANALYSIS

NEPA requires the investigation and evaluation of reasonable project alternatives as part of the project environmental review process. EO 11988 requires the investigation of practical alternatives prior to Federal agencies taking actions that provide direct or indirect support of floodplain development. Two alternatives are addressed in this EA: the No Action Alternative, where no FEMA grant funding is applied towards construction of a new facility, and the Proposed Action, where FEMA grant funding is applied towards construction of the new Voxman-Clapp in Iowa City, at a location outside the 500-year floodplain.

The HVC complex was damaged to a level that led the Federal Emergency Management Agency to designate it eligible for replacement which the UI chose to pursue. Due to the heavy damage received in the June 2008 flood, FEMA and the University identified the replacement of HVC as the most responsible recovery/mitigation option. The University of Iowa established a Flood Task Force (FTF) to identify the optimum relocation site. In a phased approach, the FTF identified alternatives for HVC sites based on site selection criteria. Building program requirements were identified including the size of the facility footprint and parking requirements. Site selection assumptions criteria were identified. Of the criteria, those that qualified as critical factors toward site selection were identified and evaluated on their ability to meet the purpose and need of the proposed project. Critical factors included site size, site shape, topography-flood exposure, proximity to related programs, parking availability – event and daily use, service access and pedestrian access. The final selection of the proposed location met the majority of the criteria while avoiding what were identified as “critical flaws”, such as lack of proximate parking, inadequate size, flood exposure or inadequate parking.

As a result of the first phase of the site selection process, the FTF narrowed the initial selection of eight (8) sites down to two (2) viable site options, the West site and the East site. The FTF provided a preliminary review of the two (2) sites with a list of advantages and issues for each site. Factors were identified for additional study after the first phase and site selection assumptions reevaluated. One of the assumptions was that HVC should be located together as a single complex on a single site. Upon reevaluation, the FTF decided that a split program option should be explored to determine if site location advantages can be achieved. The UI selected the split program option based on differentiating factors such as parking construction costs and utility construction costs, among others. UI selected the proposed project location for the new music building based on these factors and their evaluation of criteria, thereby narrowing the available project relocation alternatives considered with the ultimate selection of the Burlington Street/Clinton Street site.

3.1 No Action

Inclusion of a No Action Alternative in the environmental analysis and documentation is required under NEPA. The No Action Alternative is defined as maintaining the status quo with no FEMA funding for an alternative action. The No Action Alternative is used to evaluate the effects of not providing eligible assistance for the project, thus providing a benchmark against which “action alternatives” may be evaluated. For the purposes of this alternative, it is assumed that the University of Iowa would continue to use temporary locations and not be able to construct a new Voxman-Clapp and provide the facilities to house the necessary services within a new facility. Therefore, no FEMA grant funding would be applied

towards construction of a new music building and the ability of the UI to provide music education to its students in an accessible, quality setting would continue to be compromised.

3.2 Proposed Action

This alternative provides FEMA grant funding towards construction of a new music building at the proposed site previously described and above the 500-year flood plain. This alternative was preferred because it best meets the purpose and need by providing students/faculty/staff with easy accessibility and the site's close proximity to existing infrastructure. A map of the proposed construction site is presented in Appendix B, Figure 1.

The new music building will be principally an academic/classroom facility and semi-public oriented performance facility along with space necessary to accommodate the needs of music students and technical support. Construction will include space for classrooms, group rehearsal rooms, library, offices, a 200 seat hall, a 700 seat hall with balcony, numerous practice rooms and utility and support space.

Demolition of two structures currently occupying the site will be necessary. Construction will occur in an area previously developed and redeveloped since at least the 1880s and likely earlier. One of the critical factors identified in guiding the site relocation process was flood exposure, i.e. location outside the 500-year floodplain, as recommended by the UI Flood Mitigation Task Force. The proposed site of the new music building is located on a topographically upland surface near downtown Iowa City. The site is designated by the National Flood Insurance Program (NFIP) as being located in an area determined to be outside the 100-and 500-year floodplains and is thus consistent with EO 11988 and the City's Floodplain Ordinance (see 5.10.2). The site will be of a differing use as previously with a possible attendant change in zoning, but, based on all factors, will be compatible with surrounding land use.

3.3 Alternatives Considered and Dismissed

A number of alternatives were evaluated during the development of the proposed project. The continued use of temporary locations was not considered a viable alternative. Alternatives analyzed included raising the existing structure, along with Hancher Auditorium, out of the 100-year floodplain or dry flood proofing the existing structure. As a result of the engineering analysis of feasibility by FEMA, elevating the existing structure was determined to not be a feasible alternative. Elevation of the structure to above the 100-year floodplain to comply with the National Flood Insurance Program would require elevating the structure roughly 20 feet in the air. The engineered fill material needed would require placement at a 4 to 1 slope with a massive retaining wall needed to keep the increased footprint from encroaching onto an existing parking lot. The structure would still be subject to flood damage caused by erosion of the engineered fill that could impact its structural integrity. Of the two alternatives, it was determined that dry flood proofing, although more costly, was more feasible. However, when compared with the cost of relocation, dry flood proofing was nearly double. It was therefore recommended that relocation be the preferred alternative.

Other sites considered by the FTF included six locations within or near the downtown portion of Iowa City. However, these sites had critical flaws that rendered them not fit for the purpose and need of the proposed project. Alternative sites considered were less desirable for the new Voxman-Clapp as demonstrated by the selection process and were dismissed as alternatives. The critical flaws were lack of proximate or inadequate parking, inadequate size, flood exposure and/or inaccessibility to utilities.

4. SUMMARY OF IMPACTS AND MITIGATION

Two alternatives were evaluated in this EA:

- No Action Alternative
- Proposed Action

Table 4-1 summarizes the potential environmental impacts expected with each of the two alternatives. Additional information is located in Section 5.

As shown in table 4-1, the No Action Alternative could result in no environmental impacts on the environment.

As shown in table 4-1, the selection of Proposed Action may result in minor environmental impacts from the temporary increases in noise and traffic and the production of minor fugitive dust during demolition and construction.

Table 4-1: Summary of Impact and Mitigation

Environmental Resource	No Action	Proposed Action
Air Quality	No impact	No significant impact. Minor fugitive dust may result from demolition and construction activities. Best management practices would be implemented.
Biological Resources	No impact	No impact. Threatened or endangered species are not present in the project area.
Executive Order Wetlands	No impact	No impact. Wetlands are not present in the proposed construction area.
Executive Order 11988/Floodplain Mgmt	No impact	No impact. The proposed new site is located outside the 500-year floodplain and thus consistent with EO 11988. The project will have no adverse effects on floodplains.
Threatened and Endangered Species	No Impact	No impact. Threatened or endangered species are not present in the project area.
Cultural Resources	The likelihood of the NRHP eligible Voxman-Clapp and Sabin School buildings being retained would be higher	Adverse impact. Abandonment of the Voxman-Clapp structure facilitates demolition and would constitute an adverse effect. FEMA is currently in the process of developing a Memorandum of Agreement with its historic preservation partners to mitigate the anticipated loss of the NRHP eligible structure. Further, FEMA is in the process of monitoring the disposition of the NRHP eligible Sabin School as part of on-going consultation efforts.
Geology and Soils	No impact	No significant impact. Construction

		activities would clear some minor existing vegetation and expose soil in the proposed construction area.
Geology and Soils	No impact	No significant impact. Construction activities will expose soil in the proposed construction area.
Land Use and Planning	No impact	No significant impact. The land is currently used for commercial purposes and is zoned for mixed use. Zoning may change to P2, Institutional.
Noise	No impact	No significant impact. Temporary construction activities may increase the noise levels in the immediate area of the construction project; these activities will generally take place during daylight hours and weekdays.
Socioeconomic/Executive Order 12898, Environmental Justice	No impact	No impact. Implementation of this alternative would have no likelihood of having disproportionate impacts on any low income or minority groups.
Transportation	No impact	No significant impact. Flagmen and possibly escort vehicles would be utilized for construction purposes which may temporarily disrupt traffic.
Water Quality/Water Resources	No impact	No impact. Contractor to implement requirements of NPDES construction storm water permit. Permit requires implementation of best management practices, such as installing silt fences/straw bales to reduce soil erosion sedimentation.
Cumulative Impacts	No impact	No significant impact. The development of the site into the new music building would not pose a significant cumulative impact from the Proposed No Action Alternative or significantly adversely impact the surrounding area. Isolated negative impacts will have mitigation measures as part of the grant condition to minimize or resolve their effects.

5. AFFECTED ENVIRONMENT AND IMPACTS

Chapter 5 describes the existing environmental conditions that may be affected by the proposed FEMA grant funding being applied towards construction of a new Voxman-Clapp. The environmental impacts of the No Action Alternative are also analyzed.

This chapter also describes the potential environmental consequences of the proposed alternative by comparing them with the potentially affected environmental components. The proposed activity was also evaluated against existing environmental documentation on current and planned actions and information on anticipated future projects to determine the potential for cumulative impacts. The potential for significant environmental consequences was evaluated utilizing the context and intensity considerations as defined in CEQ regulations for implementing the procedural provisions of NEPA (40 CFR 1508.27).

5.1 Air Quality

The 1990 Clean Air Act, its amendments, and NEPA require that air quality impacts be addressed in the preparation of environmental assessments. The U.S. Environmental Protection Agency (EPA) established National Ambient Air Quality Standards (NAAQS) for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM), sulfur dioxide (SO₂) and lead (Pb). These standards define the allowable concentrations that may be reached, but not exceeded, in a given time period to protect human health (primary standard) and welfare (secondary standard) with a reasonable margin of safety.

Primary and secondary standards for NAAQS have been established for most of the criteria pollutants. The EPA is authorized to designate those locations that have not met the NAAQS as non-attainment and to classify these non-attainment areas according to their degree of severity. To be classified “non-attainment” means one or more of the NAAQS for the six criteria pollutants is exceeded over a given period of time.

Each year, states are required to submit an annual monitoring network plan to EPA. The network plans provide for the creation and maintenance of monitoring stations, in accordance with EPA monitoring requirements specified in 40 CFR (Code of Federal Regulations) Part 58. The state of Iowa’s most recent Monitoring Network Plan was approved by EPA Region 7 in December 2010.

The Ambient Air Quality division of the University of Iowa Hygienic Laboratory (UIHL) works in conjunction with the Iowa Department of Natural Resources and the EPA to preserve the air quality of the state. UIHL maintains a network of instruments and devices located throughout the state to monitor ambient air with the exception of Linn and Polk Counties, whose air monitoring networks are maintained by their respective health departments. A map of the air monitoring network and historical air quality monitoring data maintained by UIHL can found at the following web address: <http://www.uhl.uiowa.edu/services/ambient/>. The nearest Air Quality Monitoring System location to the Proposed Action is located at the Hoover School, 2200 East Court, in Iowa City.

5.1.1 No Action

The No Action Alternative would not affect air quality. No construction activities would occur with the selection of the No Action Alternative.

5.1.2 Proposed Action

Under this alternative, construction of the Proposed Action would require the excavation of soil and operation of construction equipment. Short-term emissions of some criteria pollutants would occur during the construction phase. Construction equipment and the personal vehicles of construction personnel would generate exhaust emissions. The operation of motor vehicles on unpaved surfaces and the use of earthmoving equipment may also generate particulate matter during dry periods. The moving and handling of soil during construction would increase the potential for emissions of fugitive dust; however, any deterioration of air quality would be a localized, short-term condition that would be discontinued when the project has been completed and disturbed soils have been stabilized or permanently covered. The proposed action would require approximately 3 years of demolition and construction activities, but heavy earth moving equipment will operate for only a small portion of that time. Construction activities would be required to minimize fugitive dust emissions through watering or other measures to reduce the entrainment of particulate matter. Increases in ambient concentrations of the criteria pollutants resulting from heavy equipment would be minimal, and federal or state air quality attainment levels would not be exceeded. Construction of the Proposed Action is expected to have no long-term adverse impacts on the air quality of the area.

Mitigation

- Construction activities would be required to minimize fugitive dust emissions through watering, controlling entrainment of dust by vehicles, and/or other measures to reduce the disturbance of particulate matter.
- During site preparation and construction, the contractor would:
 - Minimize land disturbance;
 - Suppress dust on traveled paths that are not paved through wetting, use of watering trucks, chemical dust suppressants, or other reasonable precautions to prevent dust from entering ambient air;
 - Cover trucks when hauling soil;
 - Minimize soil track-out by washing or cleaning truck wheels before leaving the construction site;
 - Stabilize the surface of soil piles; and
 - Create wind breaks.
- During site restoration, the contractor would:
 - Revegetate any disturbed land not used with native species in accordance with Executive Order (EO) 13112
 - Remove unused material, and
 - Remove soil piles via covered trucks.

In the long-term, operation of the Proposed Action alternative will decrease the total emission of criteria pollutants because modern energy-saving design and materials proposed for construction, not found in the current flood-damaged structure, will be utilized. More efficient use of energy for heating and cooling will require less demand for energy produced by the consumption of fossil fuels or other carbon-based energy sources.

LEED, Leadership in Energy and Environmental Design, is an internationally recognized green building certification system developed by the U.S. Green Building Council. LEED promotes sustainable building and

development practices through a rating system. LEED rates building design on a 100 point scale: 40+ certified, 50+ silver, 60+ gold and 80+ platinum. The new music building is designed to qualify at minimum for a LEED rating of gold.

5.2 Biological Resources

Vegetation, wildlife, and the habitats in which they occur are collectively referred to as biological resources. Biological resources present at the Proposed Action construction site are detailed in a report conducted by Graham Environmental Services, Inc. (Appendix C, Section 2). The biological resources study consists of reviews of aerial images, historical land use, and rare and declining species, and a site-specific field survey that was performed on September 8, 2011.

5.2.1 Protected Species and Habitat

The Endangered Species Act (ESA) of 1973 established a Federal program to conserve, protect, and restore threatened or endangered plants and animals and their habitats. The ESA specifically charges Federal agencies with the responsibility of using their authority to conserve threatened or endangered species. All Federal agencies must ensure any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of an endangered or threatened species or result in the destruction of critical habitat for these species.

Existing records on rare species and significant natural communities in the vicinity of the Proposed Action site were reviewed by the Iowa Department of Natural Resources (IDNR). IDNR found no site-specific records that indicate rare species or significant natural communities would be impacted (Appendix C, Section 1). A survey for rare plant species and natural plant communities at the Proposed Action construction site are detailed in a report conducted by Graham Environmental Services, Inc. (Appendix C, Section 3). No State or Federally listed species were found at the new music building site.

5.2.2 No Action

The No Action Alternative would not impact vegetation or wildlife in the project area. No construction activities would occur with the selection of the No Action Alternative.

5.2.3 Proposed Action

FEMA has determined from documentation review and a field visit to the project area that rare species or significant natural communities were not present in the area and would not be impacted by the project. No State or Federally listed plant species were found at the proposed music school site. The site had been utilized for development since at least the 1880s. In the event that threatened or endangered species are encountered in the project area, the Iowa Department of Natural Resources and the USFWS should be notified.

5.3 Cultural Resources

In addition to review under NEPA, consideration of impacts to cultural resources is mandated under Section 106 of the National Historic Preservation Act (NHPA), as amended and implemented by 36 CFR Part 800. Requirements include the identification of significant cultural resources that may be impacted by the undertaking.

Cultural resources are prehistoric and historic sites, structures, districts, buildings, objects, artifacts, or any other physical evidence of human activity considered important to a culture, subculture, or community for scientific, traditional, religious, or other reasons.

Only those cultural resources determined to be potentially significant under NHPA are subject to protection from adverse impacts resulting from an undertaking. To be considered significant, a cultural resource must meet one or more of the criteria established by the National Park Service that would make that resource eligible for inclusion in the National Register of Historic Places (NRHP). The term “eligible for inclusion in the NRHP” includes all properties that meet the NRHP listing criteria, which are specified in the Department of Interior regulations Title 36, Part 60.4 and NRHP Bulletin 15. Sites not yet evaluated may be considered potentially eligible for inclusion in the NRHP and, as such, are afforded the same regulatory consideration as nominate properties. Whether prehistoric, historic, or traditional, significant cultural resources are referred to as “historic properties.”

For the purposes of this analysis, the term “Area of Potential Effects” (APE) as defined under cultural resources legislation, defines all cultural resources at each alternative’s site and encompasses areas requiring ground disturbance (e.g. areas of grading, cut and fill, etc) associated with the proposed development of Voxman-Clapp. The APE must include activities that are reasonably foreseeable effects caused by the undertaking that may occur later in time, be further removed in distance or be cumulative.

FEMA has determined that the area of potential effects (APE) for this undertaking is limited to the ground disturbing activities associated with the site preparation and construction at the proposed relocation site for Voxman-Clapp and the surrounding buildings that have the potential to be affected by the construction of the new facility. The University has proposed that Voxman-Clapp will be relocated to a site on the southwest corner of East Burlington Street and South Clinton Street in Iowa City. Currently this lot contains two mid-to-late twentieth-century bank buildings. Additionally, as a component to the purchase agreement for the relocation parcel, the University is in the process of purchasing the Iowa City School District Administrative Office Building, formerly the Henry Sabin Elementary School, located at 509 South Dubuque Street. This purchase provides an option for the University to offer the building and/or the lot as a possible relocation site for one of the banks. The Sabin School will remain within the APE of this undertaking until a time when the bank’s option has expired, been acted upon, or been declined.

FEMA has evaluated the potential for this undertaking to affect cultural resources through the identification and evaluation of resources within the APE. On January 30, 2009 Iowa Homeland Security and Emergency Management Division (IHSEMD) surveyors completed a survey titled *Historical and Architectural Reconnaissance Survey for 2008 Flood Properties at the University of Iowa, Iowa City, Johnson County*. The Iowa State Historic Preservation Office (SHPO) concurred with the surveyor’s NRHP eligibility recommendations for the properties in a letter to IHSEMD dated March 4, 2009. The survey report was revised July 2, 2009. The SHPO 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 NRHP under Criteria A, B and C and the SHPO concurred in a letter dated April 9, 2010. The original Voxman-Clapp facility constructed in 1971-72 and designed by Max Abramovitz of Harrison and Abramovitz, New York, NY, 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 and Criteria Consideration G.

The Henry Sabin Elementary School, constructed in 1917 as part of a three-school construction project within Iowa City had not been previously evaluated for listing in the NRHP. Designed by St. Paul Architect G. L. Lockhart, the Sabin School was designed and constructed in Iowa City along with Longfellow School (NRHP-listed) and Horace Mann School (determined potentially NRHP-eligible). For the purposes of this Section 106 review, FEMA in coordination with Historic Preservation Specialist Marlys Svendsen of IHSEMD, completed an Iowa Site Inventory Form for this building as a component of the evaluation process. FEMA determined and the SHPO concurred that the Henry Sabin Elementary School is eligible for listing in the NRHP under Criteria A and C.

5.3.1 Archaeological

5.3.1.1 No Action

The No Action Alternative would not include any construction activities for a relocation facility, therefore no ground disturbing activities would occur, and no archeological resources would be affected with the selection of the No Action Alternative.

5.3.1.2 Proposed Action

The relocation site proposed for the new Voxman-Clapp is limited to a parcel on the southwest corner of East Burlington Street and South Clinton Street in Iowa City. FEMA has considered the potential for this undertaking, the demolition of the bank buildings, site preparation and construction of the new facility, and the potential demolition of the Sabin School 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 NRHP and National Historic Landmarks Databases, 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. During informal consultation with the State Historic Preservation Office (SHPO), it was determined that the proposed relocation site for Voxman-Clapp, and the site of the Sabin School had been previously profoundly disturbed and has low potential for pre-historic or historic period archaeology, therefore FEMA has determined and the SHPO concurred, that no archaeological survey work or monitoring is required in advance of or during site preparation and construction for the Voxman-Clapp replacement facility.

The Proposed Action replaces the functions of the original Voxman-Clapp facility. The abandonment of the facility facilitates demolition; therefore the proposed action as defined will result in ground disturbing activities associated with the demolition of the original facility. FEMA consulted with the SHPO and determined that the site of the original Voxman-Clapp was previously profoundly disturbed and therefore no archaeological survey work or monitoring is required in advance of or during demolition of the original facility.

5.3.2 Historic

5.3.2.1 No Action

The No Action Alternative would result in no construction of the replacement facility. FEMA has reviewed the reconnaissance survey of the University of Iowa and determined that Voxman-Clapp is both a contributing resource to the *University of Iowa River Valley Historic District* and individually eligible for listing in the NRHP. The No Action Alternative would retain the NRHP eligible Voxman-Clapp building in its existing location within the NRHP eligible district. Additionally, the No Action Alternative would also retain the Sabin School in its existing location.

5.3.2.2 Proposed Action

The site proposed for the new Voxman-Clapp is limited to a parcel on the southwest corner of East Burlington Street and South Clinton Street in Iowa City. Currently this lot holds two banks that do not meet the NRHP 50-year criterion or the level of importance required by Criteria Consideration G to be considered eligible for listing in the NRHP. The demolition of these, non-historic bank buildings, and the construction of the proposed facility would result in no adverse effect to the resources in the immediate vicinity of the relocation. However, as a component to the purchase agreement for the relocation parcel, the University is in the process of purchasing the Iowa City School District Administrative Office Building, formerly the Henry Sabin Elementary School, located at 509 South Dubuque Street. The Sabin School is eligible for listing in the NRHP. This purchase provides an option for the University to offer the building and/or the lot as a possible relocation site for one of the banks. The Sabin School will remain within the APE of this undertaking until a time when the bank's option has expired, been acted upon, or been declined. Based on information stated in the Purchase Agreement and Real Estate Option, FEMA has determined that, until a time when the bank may act upon the option, the undertaking will result in no adverse effects to historic properties. FEMA is currently pursuing concurrence with this determination by the development of a letter of agreement among FEMA, SHPO, the University and IHSEMD regarding this consultation resolution. This draft resolution includes a condition to monitor the disposition of the Sabin School for the duration of the FEMA grant for the relocation Voxman-Clapp or until the bank has made a decision regarding the parcel containing the Sabin School. This process to resolve consultation will be finalized, with mutual agreement from all parties, prior to the issuance of a Finding of No Significant Impact (FONSI).

The Proposed Action replaces the functions of the original Voxman-Clapp facility. The original facility has been determined eligible for listing in the NRHP both individually and contributing to the *University of Iowa River Valley Historic District*. The abandonment of the facility facilitates demolition; therefore the Proposed Action as defined will result in adverse effects to historic properties. FEMA has initiated a separate process to resolve adverse effects associated with the demolition of the original Voxman-Clapp by working with the SHPO, interested parties and the public to develop an MOA to stipulate measures required to minimize or mitigate the adverse effects. FEMA posted a public notice regarding this undertaking in the Iowa City Press Citizen and Cedar Rapids Gazette on October 1, 2011. FEMA presented this undertaking at public meetings held on November 1, 2011 at the Iowa City Public Library and on the University of Iowa Campus. At these meetings, FEMA invited interested parties and the public to participate in the development of the MOA. A thirty-day comment period is currently open from November 1, 2011 through December 1, 2011 for FEMA to receive comments regarding the undertaking and suggested mitigation measures to be included in the development of an MOA. Upon conclusion of the comment period, FEMA will work with all interested parties to negotiate an

MOA to resolve adverse effects. This MOA is currently in development and is anticipated to be executed by the spring 2012. The resultant MOA and successful completion of the mitigation measures stipulated in the agreement is evidence of FEMA's compliance with its statutory responsibilities under section 106 of the NHPA.

5.4 Geology, Seismicity and Soils

Proposed construction for the new music building is set on the upland loess-covered glacial till plain, out of the floodplain of the Iowa River. The topography of the proposed site slopes gently to the west toward the Iowa River. Because the site has been previously developed, the original topography of the site has been modified by cut-and-fill activities. It is anticipated variable amount of fill material have been placed in select locations to level the site, particularly along the western side.

Iowa is generally located in a zone of low seismic activity. Iowa City is located in the Uniform Building Code seismic zone classification area 0. The 0 classification is the lowest classification used, meaning the probability of an earthquake that may cause damage to buildings is minimal.

Information from the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) shows that two soil types are present within the construction area. Soils found at the proposed project area are: Downs silt loam and Fayette silt loam. The predominant soil is Downs silt loam (Appendix D). Downs silt loam is mapped with a range of 2 to 5 percent slopes and is the primary soil type, covering approximately 80 percent of the site. Downs series soils are well drained and are not frequently saturated within a depth of approximately 7 feet during the wettest periods of years with normal precipitation. The frequency of ponding and flooding for Downs Series soils is none. Fayette silt loam is mapped with a range of slope of 5 to 9 percent and covers approximately 20 percent of the site along its western portion. Fayette silt loam consists of very deep, well drained soils formed in loess. Fayette Series soils are not saturated within a depth of approximately 6 feet during the wettest periods of years with normal precipitation. Fayette soils are not prone to flooding.

The Farmland Protection Policy Act (FPPA) was enacted in 1981 (P.L. 98-98) to minimize the unnecessary conversion of farmland to nonagricultural uses as a result of Federal actions. In addition, the act seeks to ensure that Federal programs are administered in a manner that will be compatible with State and Local policies and programs that have been developed to protect farmland. The policy of the Natural Resources Conservation Service (NRCS) is to protect significant agricultural lands from conversions that are irreversible and that result in the loss of essential food and environmental resources. The U.S. Department of Agriculture states that proposed projects on land already in urban development or water storage are not subject to FPPA provisions (U.S. Department of Agriculture, 1986). The site of the proposed new Voxman-Clapp is within the limits of the City of Iowa City and surrounded by urban development. The proposed site has not been cultivated to agricultural production and has been developed to urban, residential and commercial uses since at least the 1880s.

5.4.1 No Action

The No Action Alternative would have no significant effect on geology or soils. This alternative would not involve any construction, improvements, or ground disturbance to the project area.

5.4.2 Proposed Action

The construction of the replacement music building would result in disturbance of surface soils in the project area. Implementation of Best Management Practices (BMPs) identified in an applicable Storm Water Pollution Prevention Plan (SWPPP) required by an NPDES storm water permit would minimize soil erosion and loss until construction is complete and the site is permanently stabilized. Therefore, the Proposed Action would have little or no impact to geology and soils. Non-structural BMPs may utilize the minimization of disturbance, preservation of existing vegetation and re-vegetation of exposed slopes and soils to minimize erosion and to stabilize slopes. Erosion control BMPs include the placement of mulch or sowing of grass and the covering of soil stockpiles. Structural sediment control BMPs include silt fencing and sediment traps.

5.5 Land Use and Planning

The proposed site of the new music building is located in downtown Iowa City on land currently developed as two commercial banks. The proposed construction site is composed of two parcels each of which is occupied with a structure with attendant paved driving, parking and walking areas and minor lawn and landscaping vegetation. The existing structures and paved areas will be demolished to allow for construction of the new Voxman-Clapp.

To the west and south of the proposed site are apartment buildings. To the east is Clinton Street with an open, vacant lot beyond. To the north is Burlington Street with a City of Iowa City parking ramp beyond. The proposed construction site is currently classified Mixed Use in the Comprehensive Plan for the City of Iowa City (1997), as is the land to the west. Properties to the east and north are classified General Commercial. To the south, beyond an apartment building and across East Court Street, is the Johnson County Courthouse. Land use of the courthouse property is classified Public/Semi-public.

Land on which the Proposed Action is scheduled is currently zoned CB5, Central Business Support. The purpose of the CB5 zone is to allow for the orderly expansion of the central business district in accordance with the comprehensive plan; to serve as a transition between the intense land uses located in the central business district and adjoining areas; and to enhance the pedestrian orientation of the central area of the city. This zone is intended to accommodate mixed land uses at a lower intensity than permitted in the immediate downtown. The mixture of land uses permitted in this zone requires special consideration of building and site design. To control traffic and provide for the most efficient use of land and parking facilities, special consideration of the amount and location of parking areas is also required.

Iowa City is divided into ten geographically designated planning districts. The site of the Proposed Action is located in the Downtown Planning District (DPD). The DPD contains the oldest part of Iowa City originally platted in 1839. Planning for the UI campus is under the auspices of the State of Iowa, and the UI is exempt from the City's development and zoning regulations.

5.5.1 No Action

The No Action Alternative would have no significant effect on land use and planning. This alternative would not involve any construction, improvements, or ground disturbance to the project.

5.5.2 Proposed Action

Land required for the Proposed Action is currently scheduled for purchase by the UI. As stated previously, two existing bank buildings and attendant parking areas would require demolition to accommodate construction of the new music building. Upon acquisition of the site by the UI, zoning classification could be changed from Central Business Support to Public/Semi-Public. Construction and operation of the new music building at the proposed site may cause a minor change in land use, but the change of use will not significantly adversely impact the environment around the Proposed Action. Banking services are scheduled to be discontinued at the site in 2012. Planning for the UI campus is under the auspices of the State of Iowa, and the UI is exempt from the City's development and zoning regulations.

5.6 Hazardous Substances

Hazardous materials and wastes are regulated in Iowa by a combination of federal and state laws. Federal regulations governing the assessment and disposal of hazardous wastes include the Resource Conservation and Recovery Act (RCRA) and amendments, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Toxic Substances Control Act.

Based on a review of historical aerial photographs and fire insurance maps, prior to its current development as two banking facilities, the location of the Proposed Action previously contained multiple developments including a filling station and automobile repair facility. Development as a filling station and auto repair facility was from at least 1948 until prior to 1970. It is unknown how the demolition of the filling station and auto repair facility were performed or if asbestos surveys were conducted prior to demolition, but based on the timeframe, demolition occurred prior to enactment of regulations governing lead and asbestos abatement. Because the site was formerly used as a filling station, petroleum-based soil contaminants may be present at the site.

Two former Leaking Underground Storage Tank (LUST) sites have been identified in parcels surrounding the proposed site. Site 9LTB40 is located just east at 105 Burlington Street and site 8LTB40 is northeast at 102 E Burlington; both have been classified as No Further Action and appear to have had ongoing monitoring based on the IDNR's LUST Database.

5.6.1 No Action

The No Action Alternative would have no significant effect on unidentified hazardous or contaminating substances. This alternative would not involve any construction, improvements, or ground disturbance to the project.

5.6.2 Proposed Action

The potential for the discovery of hazardous or other contaminating materials is unknown, but in the event that soil and / or groundwater contamination is discovered during construction activities, the IDNR must be contacted at Field Office #6 (319) 653-2135. Work within the discovered contaminated area should not resume until IDNR personnel indicates no further assessment of the discovery is necessary. The discovery, assessment and proper disposal of contaminated soil are not expected to result in a significant impact to the environment. The Iowa City landfill accepts and landfarms petroleum contaminated soil.

5.7 Noise

The Noise Control Act was enacted in 1972 (P.L. 92-574). EPA does not have regulatory authority governing noise in local communities. In 1982, the EPA shifted federal noise control policy and transferred the primary responsibility of regulating noise to state and local governments. The Noise Control Act of 1972 and the Quiet Communities Act of 1978, however, were not rescinded by Congress and remain in effect. Inadequately controlled noise presents a growing danger to the health and welfare of the nation's population. The major sources of noise include transportation vehicles and equipment, machinery, appliances, other products in commerce, climate, and recreation. Sounds, which disrupt normal activities or otherwise diminish the quality of the environment, are designated as noise. Noise can be stationary or transient, intermittent or continuous. Noise is considered unwanted sound and is typically measured in decibels (dB). The day-night average sound level (Ldn) is the 24-hour average sound level and is used by agencies for estimating sound impacts and establishing guidelines for compatible land uses. The U.S. Department of Housing and Urban Development (HUD) regulations set acceptable noise levels at 65 Ldn or less (24 CFR Part 51, Subpart B). Typical residential construction codes require a minimum exterior to interior insertion loss, or noise reduction, of 20 dBA. The EPA identifies a 24-hour exposure level of 70 decibels (dB) as the level of environmental noise which will prevent any measurable hearing loss over a lifetime.

Likewise, levels of 55 dB outdoors and 45 dB indoors are identified as preventing activity interference and annoyance (e.g., spoken conversation, sleeping, working, recreation). The levels represent averages of acoustic energy over long periods of time such as 8 hours or 24 hours rather than single events. These noise levels are contained in the EPA document, "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety." According to the Iowa City Code, "any noise that interferes with the comfortable enjoyment of life or property of the neighborhood" is forbidden. The City of Iowa City does not authorize amplified sound in a residential area with the exception of events held at churches or schools.

The site of the Proposed Action is in a mixed use neighborhood bordering the downtown; an apartment complex is located west of the proposed site two condo buildings are located adjacent to the site to the south and to the southeast.

5.7.1 No Action

The No Action Alternative would not affect noise levels within the proposed project area or the surrounding community. No construction activities would occur with the selection of the No Action Alternative.

5.7.2 Proposed Action

The Proposed Action would result in short-term increases in noise levels in the vicinity of the project area caused by construction. Construction activities would be generally limited to daylight hours and week days, and therefore would not affect ambient noise levels at night or on weekends in surrounding areas.

Short term increases in noise are anticipated during construction. The proposed project would require approximately 3 years of demolition and construction activities and the use of some heavy equipment. Noise levels during certain short term phases of construction, such as the advancement of pilings or construction of drilled piers may be distracting in the immediate construction area, but are not anticipated to interfere or cause

significant impact to receptors in neighboring areas. Because of the developed nature of the site and the anticipated project footprint, grading of soil with large scale heavy equipment will be minimal. Construction noise is not anticipated to cause significant impact.

Long term increases in noise are not anticipated. The Proposed Action will serve as a student recital and classroom facility. Sound absorbing materials and design will mitigate the transmission of sound from the new music building. Vehicle traffic noise may marginally decrease with the suspension of drive-through banking services at the site. Pedestrian and bicycle traffic is expected to increase, but significant sound level increases are not anticipated. The Proposed Action is expected to not have long-term adverse impacts on the noise quality of the area.

5.8 Socioeconomic Considerations

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations" directs federal agencies to focus on human health and environmental conditions in minority and low income communities. The executive order's objectives are to achieve greater environmental justice, foster non-discrimination in federal programs with significant human health or environmental impacts, and to provide minority and low income communities opportunities for public participation in and access to public information on issues regarding human health and the environment. Disproportionately high and adverse health or environmental effects on minority and low income populations are to be identified and addressed, as appropriate.

The data used for this Environmental Justice analysis were taken from the 2010 Census (US Census Bureau, 2010) where available and from the 2000 Census (US Census Bureau, 2000) for census items which were not yet available from the 2010 Census at the time of this writing. The construction footprint for the Proposed Action falls at the edge of Census Tract 21, Block Group 1 and Census Tract 16, Block Group 2 of Johnson County, Iowa, so these block groups are considered the project area for purposes of socio-economic evaluation. As of the 2010 census there were 67,862 people and 27,657 households residing in Iowa City. The Proposed Action area consists of 6,232 people and 1,830 households.

Compared to Iowa City as a whole, this area has a slightly lower total proportion of racial minority residents with a smaller African-American proportion and a slightly larger Asian proportion. The proportion of the area population that is white is 88.5% followed by 8.1 % Asian and 2.8% African American compared to the city's proportions of 82.5%, 6.9% and 5.8% respectively. Additionally, 2.3% of the area's residents report Hispanic or Latino heritage compared to the city's proportion of 3.8%. The presence of college student housing in this area is reflected by the larger proportion of residents aged 15-24 years in the area, 89%, as compared to the city's proportion of 11.4%. Although this area has a larger proportion of working-age residents than the city, its median age of 20 is younger than the city's median of 30.5. The area has a smaller proportion of residents over the age of 64 (2.3%) and under the age of 18 (0.2%) than the city as a whole (9.8% and 20.6% respectively). There are 326 households in the project area with an average household size of 2.48 compared to the average size of 2.35 for the City.

Table 5-1: Total minority and below poverty level populations.

Geography	Minority Status (SF1-2010 Census tract 21, Block Group 1, Census Tract 16 Block Group2)		Geography	Poverty Status (SF3-2000 Census Tracts 21, 16)		
	Total	Minority Pop.		Total	Minority Pop.	Geography
Iowa City	67,862	11,858	Iowa City	67,862	11,858	Iowa City
Project Area	6,232	714	Project Area	6,232	714	Project Area

Median household income (from Census Tract 23 in 2000 Census) within the area was \$15,890 while the median for the City was \$34,977. A larger proportion of the area population (42.9%) was below the poverty threshold for the area than for the City as a whole. These lower income levels are likely a result of the relative youth and full time student status of the area’s population.

Table 5-2: Population per Jurisdiction

Jurisdiction	1990	2000	2010
Iowa	2,776,755	2,926,234	3,046,355
Johnson County	96,119	111,006	130,882
Iowa City	59,738	62,220	67,862

5.8.1 No Action

The No Action Alternative would have no impact on the socioeconomics of the project area because no construction activity would occur.

5.8.2 Proposed Action

Relocation of the Voxman-Clapp under this alternative would result in a positive impact with an influx of workers needed for the approximately two years of construction activities. Construction personnel would provide short-term benefits to local businesses through activities such as the purchase of food, gas and other services. The Proposed Action would also provide valuable cultural events and educational programs which will serve the public without displacing any nearby residents or minority populations during the construction phase. The site is currently used for retail banking services which are also available at other nearby facilities. The proposed use is generally consistent with nearby educational and commercial uses and may spur the development of nearby properties to serve patrons of the proposed facilities. The proposed action has little likelihood of disproportionate adverse impacts on any low-income or minority populations. The land-use changes are expected to be beneficial to the area and would not cause adverse environmental or economic impacts specific to any groups or individuals.

5.9 Transportation

The proposed project area is located at the southwest corner of Burlington Street and Clinton Street. Burlington Street, also Iowa Highway 1, is an arterial roadway designed to carry greater traffic loads than residential streets. Clinton Street is a downtown, non-arterial street used largely for business access, university students and visitors, and local commuters.

Transportation planning by the City of Iowa City includes modifications to Burlington Street in a two phase process. In Phase 1, plans are to construct a median along the centerline of Burlington Street from the Iowa River to Madison Street. Phase 2 would be a continuance of median construction to Gilbert Street. The purpose of the Burlington Street renovation is to reduce jaywalking, reduce vehicular left turns out of alleys and provide pedestrian crossing traffic refuge. CAMBUS and City bus stops are nearby and bus transit routes may be modified, but there are no plans to change any routes at this time.

Average Annual Daily Traffic (AADT) counts are collected to provide numerical data to evaluate the level of traffic on roads where counts take place to aid in road planning efforts. AADT counts from the Iowa Department of Transportation (IDOT) indicate substantial traffic loads at the intersection of Burlington and Clinton Streets. More than 20,000 vehicle trips were identified on Burlington Street and more than 9,000 on South Clinton Street.

5.9.1 No Action

With the No Action Alternative, the damaged Voxman-Clapp would not be relocated and there would be no impact to the existing traffic and circulation in the area because there would not be any construction activities.

5.9.2 Proposed Action

Under this alternative, construction of the new Voxman-Clapp at the proposed site may cause sporadic, brief disruptions of traffic flow on Clinton Street and possibly Burlington Street during the approximately three year construction period. Some additional temporary traffic load, including truck traffic and construction worker traffic, will occur during demolition and construction. Pedestrian traffic may be temporarily detoured away from the construction site by the closing of sidewalks for safety and access purposes. Flagmen and possibly escort vehicles, as appropriate, would be utilized to sustain traffic flow while maintaining safe working and traffic conditions. This activity would have a short-term effect on the level of service for the connecting roads during the construction period. This level of service would, however, be expected to return to a comparable pre-disaster level upon completion of the project.

Compared to pre-disaster conditions, the Proposed Action will not generate additional traffic in the area and may marginally lessen vehicular traffic at the site. The selection of the proposed site included circulation criteria including the assumption that the new Voxman-Clapp should be within reasonable walking distance of the undergraduate core of the campus. Other transportation related selection criteria included service access and CAMBUS access. CAMBUS is a no-fare University of Iowa bus service providing students, faculty, staff and the general public with nearly 4 million rides per year. Automobile traffic congestion may decrease slightly in the immediate area of the Proposed Action because the two banks that currently occupy the site will no longer service park/walk-in or drive-in patrons.

As a primarily academic facility, pedestrian traffic is expected to increase at the intersection of Burlington Street and Clinton Street. This intersection has a reputation of being dangerous to pedestrians with past known injuries and deaths occurring here. The long-term impact of this project may require additional traffic calming or control measures; however the planned median along Burlington Street may sufficiently mitigate risk to increased pedestrian traffic. The UI is anticipated to continue coordination with the City of Iowa City and JCCOG on joint transportation and pedestrian projects such as this one and the median segment to the west near the pedestrian crossings for the recently built UI Recreation Center.

5.10 Water Resources

Executive Order (EO) 11990 (wetlands) requires federal agencies to avoid, to the extent possible, adverse impact of wetlands. EO 11988 (floodplain management) requires the federal government to minimize the occupancy and modification to floodplains. Specifically, EO 11988 prohibits federal agencies from funding new construction in the 100-year floodplain, or 500-year floodplain for a “critical action” (e.g. Hospital, Fire Station), unless there are no practical alternatives.

The U.S. Army Corps of Engineers (USACE) is responsible for permitting and enforcement functions dealing with building in U.S. waters and discharging dredged fill material into U.S. waters. USACE regulations for building or working in navigable waters of the United States are authorized by the Rivers and Harbors Act of 1899. These regulations coincide with Section 404 of the Clean Water Act, which establishes the USACE permit program for discharging dredged or fill material. The regulations are often used concurrently because building in navigable waters of the United States also constitutes discharging dredged or fill material into waters of the United States. In addition to regulating construction or work being done in navigable waters of the United States, USACE regulates discharging into wetlands through the Section 404 permit program.

5.10.1 Wetlands

Wetlands are defined by the USACE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” EO 11990, Protection of Wetlands, requires Federal agencies to take action to minimize the destruction or modification of wetlands, by considering both direct and indirect impacts to wetlands that may result from federally funded actions.

Activities disturbing jurisdictional wetlands require a permit from the USACE. Two types of authorization are available from the USACE for activities regulated under Section 404 of the Clean Water Act: general permits, which are issued for a specific category of similar activities and include nationwide permits defined in 33 CFR Part 30, and individual permits issued after review of the project, project alternative, and proposed mitigation.

5.10.1.1 No Action

The No Action Alternative would not affect wetlands. No construction activities would occur with the selection of the No Action Alternative.

5.10.1.2 Proposed Action

A site visit was conducted on September 8, 2011 to assess the occurrence of wetlands and is detailed in a report by Graham Environmental Services, Art School Site – Wetland Delineation Report, Iowa City, Iowa (Appendix D). The site was assessed for wetlands using the on-site methods contained in the “Routine Determination” section of the USACE “Wetlands Delineation Manual” and “Interim Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Midwest Region”. This is the methodology currently used to determine wetlands by the USACE for implementation of Section 404 of the CWA.

Review of Iowa City Comprehensive Plan shows the Proposed Action site is not identified as a sensitive area. Consistent with EO 11990, a review of the U.S Fish and Wildlife Service National Wetlands Inventory Map indicates no wetlands are located on the proposed project site. The nearest mapped wetland is the Iowa River located approximately 1700 feet to the west classified as RU2BH (Riverine Lower Perennial Unconsolidated Bottom Permanently Flooded).

The Proposed Action would not affect wetlands. Wetlands have not been identified in the proposed construction site. The contractor would implement specific best management practices to reduce or eliminate runoff impacts during construction activities in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) construction storm water permit (also see 5.4.2).

5.10.2 Floodplain

EO 11988 (Floodplain Management) requires that a Federal agency avoid direct or indirect support of development within the 100-year floodplain whenever there is a practicable alternative. FEMA uses Flood Insurance Rate Maps (FIRM) to identify the regulatory 100-year floodplain for the National Flood Insurance Program (NFIP). Johnson County, Iowa is a participant in the NFIP. FEMA’s procedures for implementing EO 11998 (44 CFR Part 9) include an eight-step review process that decision-makers must use when considering projects that have potential impacts to or within a floodplain. However, the proposed new location for the art building will not be within the 100-year floodplain and thereby not require an eight-step review process.

While Voxman-Clapp is not considered a “critical action” according to 44 CFR Part 9 and thus not required to be evaluated against the 500-year floodplain, the City of Iowa City has established the 500-year floodplain as a higher standard than FEMA’s requirements. The UI has chosen to use the City’s higher standard for its considerations on relocating Voxman-Clapp.

5.10.2.1 No Action

With the No Action Alternative, the damaged Voxman-Clapp would not be relocated outside the floodplain. There would be no impact to the existing condition of the floodplain.

5.10.2.2 Proposed Action

The proposed new site is located outside any identified floodplain areas. The construction of the new Voxman-Clapp will not affect base flood levels, support occupancy or modification of floodplains, or directly or indirectly support floodplain development.

5.11 Demolition

Land required for the Proposed Action is currently occupied by two banking facilities, 301 South Clinton and 325 South Clinton. Demolition of the two banks is planned. All demolition work must comply with all Federal, state, and local abatement and disposal requirements for materials containing asbestos or other hazardous materials. IDNR requires that structures be tested for asbestos containing material prior to demolition. If testing is not conducted, all debris or demolition material must be disposed of as if it contained asbestos. IDNR requires at least 10 days notice prior to renovation, repairs, or demolition. Call 515.281.6175 for details or visit <http://www.iowaworkforce.org/labor/asbestos.htm>.

5.11.1 No Action

With the No Action Alternative, the damaged Voxman-Clapp would not be relocated and the 301 and 325 South Clinton Street structures would not be demolished. There would be no impact to the resources of the area.

5.11.2 Proposed Action

Under this alternative, demolition of 301 and 325 South Clinton would occur to make the land available for construction of the new Voxman-Clapp. The site is approximately 1 acre in size and the proposed project would require removal of the bank structures as well as associated parking and drive way concrete. The demolition activities must use best management practices to prevent erosion and release of sediment to the surrounding waterways. This includes equipment storage and staging of construction materials to prevent erosion and sedimentation to ensure that wetlands are not adversely affected per the Clean Water Act and Executive Order 11990 (also see 5.4.2).

5.12 Cumulative Impacts

The CEQ regulations for implementing NEPA require an assessment of cumulative effects during the decision-making process for federal projects. Cumulative effects are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 CFR Part 1508.7). Cumulative effects are considered for both the No Action and Proposed Action alternatives. Cumulative effects were determined by combining the effects of the alternative with other past, present, and reasonably foreseeable future actions in the project vicinity.

Reasonably foreseeable actions identified in the project vicinity that would have the potential to be included in the cumulative impact include those impacts previously identified including the demolition of the existing structures. If the new Voxman-Clapp is not relocated and rebuilt outside of the 100-year floodplain, the ability of the UI to provide a quality environment and education and the facility would remain vulnerable to future flooding. The development of the site into the new Voxman-Clapp would not pose a significant cumulative impact from the Proposed No Action Alternative or impact the City of Iowa City and surrounding area. The project’s potential adverse impacts were limited to effects during demolition and construction on air quality, soils, transportation and noise and the effect on transportation and land use. FEMA has determined that there are no additional cumulative impacts as a result of the effects beyond what has been discussed previously.

5.13 Coordination and Permits

In the event that archaeological deposits (soils, features, artifacts), or other remnants of human activity are uncovered, or if archaeological deposits are discovered during construction of the project, activities would cease in the immediate area, and the Iowa State Historic Preservation Office and the FEMA Regional Environmental Officer would be notified before work would continue. Work in sensitive areas cannot resume until a qualified archaeologist determines the extent of the discovery, consultations between SHSI and FEMA are complete, and the applicant has been notified by SHSI and FEMA. FEMA has initiated the MOA process with SHPO and interested parties to resolve adverse effects to historic properties. This process will continue concurrently with the public comment period for this EA.

Agency coordination and/or permits may be required before implementation of the Proposed Action Alternative. Construction of the new Voxman-Clapp would not require a building permit from the Iowa City Building Department. UI is required to obtain and comply with all required local, state, and federal permits prior to demolition and construction activities. A general NPDES storm water construction permit, or a waiver of the permit, will be required from the Iowa Department of Natural Resources. If soil contamination is discovered, the University is required to contact the Iowa Department of Natural Resources Field Office #6 in Washington at (319) 653-2135 and comply with all State environmental and EPA requirements. The UI or the UI's contractors would need to prepare a SWPPP and apply for an NPDES permit if one or more acres of land are disturbed for construction activities.

6. CONCLUSION

This draft EA evaluated potentially significant environmental resources that could be affected. The evaluation resulted in identification of no significant impacts associated with the resources of air quality; geology and soils; floodplains; wetlands and water resources; vegetation; biological resources (rare species); and socioeconomic and environmental justice issues. Obtaining and implementing permit requirements along with appropriate Best Management Practices, execution of the MOA, and monitoring of the disposition of the Sabin School will avoid or minimize any effects associated with the Proposed Action. Should no significant impacts be identified during the public comment period, it is recommended that a Finding of No Significant Impact to the human or natural environment be issued for the Proposed Action Alternative.

7. PARTIES CONSULTED AND REFERENCES

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