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# FEMA

**FINDING OF NO SIGNIFICANT IMPACT**  
**CITY OF MCGREGOR STORM WATER FLOOD MITIGATION PROJECT**  
**MCGREGOR, CLAYTON COUNTY, IOWA**  
**FEMA-1763-DR-IA**

The Federal Emergency Management Agency (FEMA) is working with local, state and other federal agencies to coordinate the response to the Midwest storms of 2008, a federally declared disaster in Iowa. The City of McGregor identified mitigation measures in their November 2008 FEMA-approved Local Hazard Mitigation Plan to reduce their vulnerability to losses as the result of natural and human-related hazards. Among the mitigation measures, the City identified the need to construct storm sewer system improvements to reduce or eliminate the impacts of flash flooding resulting from storm water. The proposed project consists of building three new detention basins, modification to three existing basins, installation of trash racks, channel stabilization, and drainage network improvements.

FEMA was authorized under Presidential Disaster Declaration, FEMA-DR-1763-IA, to provide federal disaster assistance to the State of Iowa, as a result of damages during the incident period beginning May 25, 2008 and ending August 13, 2008 (Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121-5207, as amended; Stafford Act, Public Law 93-288). The scope and magnitude of this disaster declaration authorized the Hazard Mitigation Grant Program to issue funds for mitigation projects in the State of Iowa as identified by communities to reduce or eliminate known risks for future disasters (44 CFR 206 subpart N). The National Environmental Policy Act (NEPA) of 1969 requires that FEMA evaluate the potential environmental effects of the agency's proposed and alternative actions prior to obligating disaster assistance funds. 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.

The CFR requires that a Draft Environmental Assessment (EA) include an evaluation of alternative means of addressing damages caused in declared disasters, and a discussion of the potential environmental effects of the proposed Federal Action. In accordance with both CEQ and FEMA regulations implementing NEPA in 44 CFR Part 10, FEMA prepared a Draft Environmental Assessment (EA) to identify and evaluate potential environmental impacts

resulting from the alternatives presented in the EA and to determine whether the potential effects of the Proposed Action will require preparation of an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). The EA contains an evaluation of the potential impacts associated with constructing mitigation measures to the McGregor Storm Water Flood Mitigation system. Alternatives evaluated in the EA include: 1) no action, i.e. no mitigation measures constructed, 2) construction of new basins, modification to existing basins, installation of trash racks, channel stabilization, and drainage network improvements (proposed), 3) construction of a secondary storm sewer pipeline. The Draft EA was made available for public review and comment from November 21 to December 15, 2011; FEMA did not receive substantive comments on the Draft EA.

## **FINDING**

Based upon the project scope of work, site design, and EA; and in accordance with FEMA's regulations in 44 CFR Part 10 for environmental consideration, including Executive Orders (EO) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898), FEMA determined the Proposed Action will not significantly affect the quality of the natural and human environment and does not have the potential for significant cumulative effects when combined with past, present, and reasonably foreseeable future actions in accordance with 44 CFR Part 10.8 (d)(3)(x). The following best management practices (BMP), coordination, and permitting are required as project conditions;

- 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.
- Use site and project appropriate sediment and erosion control best management practices:
  - Non-structural sediment control BMP may utilize the minimization of disturbance, preservation of natural vegetation and re-vegetation of exposed slopes and soils to minimize erosion and to stabilize slopes;

- Structural erosion controls BMP include the placement of mulch or grass, the covering of stockpiles, silt fencing, and sediment traps.
- Prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a general National Pollution Discharge Elimination System (NPDES) permit for ground disturbance of one acre or more from the Iowa Department of Natural Resources (IDNR).
- Coordinate with U.S. Army Corps of Engineers (USACE) to determine need for Section 404 permit and any USACE required mitigation measures resulting from impacts to wetlands.
- Coordinate with the IDNR in the event that unanticipated hazardous substances are encountered during the project; work cannot continue until the IDNR indicates that no further assessment is needed of the discovery.
- In the event that archaeological deposits are encountered, work must stop and FEMA must be notified; work cannot continue until the sensitive area is evaluated and consultation with the State Historic Preservation Office has been completed.
- In the event that impacts to previously unidentified Bald Eagle nests cannot be avoided by 660 feet or more, work must stop and FEMA must be notified; work cannot continue until FEMA has consulted with the U.S. Fish and Wildlife Service.
- Use noise reduction best management practices to reduce potential impact to the two identified sensitive noise receptors in the vicinity of planned work including;
  - Early and frequent communication with the public;
  - Planning noisier activities and equipment usage for mid-morning to mid-morning;
  - Planning site access and staging to minimize or eliminate “back-up alarm” noise;
  - Limiting equipment on site to only what is necessary;
  - Imposing “seasonal limitation on construction noise” to respect open windows;
  - Use newer, “low-noise” models of equipment;
  - Limiting construction activities to daylight hours;
  - And, shift work to weekends rather than weeknights.

As a result of the information and analysis contained in the environmental assessment, a Finding of No Significant Impact (FONSI) has been prepared. An Environmental Impact Statement will not, therefore, be prepared based on the fact that there will be no long-term adverse impacts to the natural or human environment as a result of this project and therefore, based upon the findings above, the project may proceed.

**APPROVAL**




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Kenneth Sessa  
 Regional Environmental Officer  
 Federal Emergency Management Agency, Region VII

12/21/2011

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Date