

## APPENDIX C: CORRESPONDENCE

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### Figure 1: Informal Consultation on Prime Farmland Soils in Project Area

#### **Dawson, John**

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**From:** Vobora, Robert - NRCS, West Union, IA [Robert.Vobora@ia.usda.gov]  
**Sent:** Tuesday, September 20, 2011 16:10  
**To:** Dawson, John  
**Subject:** RE: McGregor Project - FPPA consideration  
**Attachments:** McGregor Farmland Conversion Rating Form AD1006.pdf

John,

Attached is the completed AD-1006 Farmland Conversion Impact Rating for McGregor's Storm Water Flood Mitigation.  
Bob

Robert J. Vobora  
Area Resource Soil Scientist  
120 N. Industrial Parkway #4  
West Union, Iowa 52175  
Phone: 563-422-6201  
Fax: 563-422-3961

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**From:** Dawson, John [mailto:John.Dawson@dhs.gov]  
**Sent:** Monday, September 19, 2011 3:52 PM  
**To:** Vobora, Robert - NRCS, West Union, IA  
**Subject:** McGregor Project - FPPA consideration

Mr. Vobora,

Thank you for calling me this morning in response to my Friday email. Of the multiple portions of work proposed for the City of McGregor's Storm Water Flood Mitigation only one portion, Basin #1, is both located outside of municipal boundaries and containing soils classified as Prime Farmland, Unique, or Farmland of Statewide Importance.

Attached is a copy of the Farmland Conversion Rating Form for the City of McGregor's Storm Water Flood Mitigation project along with the Web Soil Survey PDF, an overview map from the consultant, and a 2 page PDF showing project location and a more narrowly defined location of the basin than in the overview map. The location in the latter was determined using maps contained in the archaeological survey (not included).

The project scope of work indicates that this basin is 200 feet wide and 15 feet deep (no length given) with an area of disturbance for temporary and permanent work of approximately 3 acres. Based on the archaeological survey topographic maps with project overlay, I estimate the length to be about 300 feet which is what I used for the acres estimate in Part III of the form.

Thank you for your assistance with this project, please let me know if you have any questions or need clarification.

*John Dawson*  
Environmental Specialist  
Iowa Closeout Center  
FEMA/DHS  
540-270-5780  
[John.Dawson@fema.gov](mailto:John.Dawson@fema.gov)

U.S. Department of Agriculture

## FARMLAND CONVERSION IMPACT RATING

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request 9/19/11			
Name Of Project McGregor Storm Water Flooding Protection Project		Federal Agency Involved FEMA			
Proposed Land Use Storm water detention basin		County And State Clayton County, Iowa			
<b>PART II (To be completed by NRCS)</b>		Date Request Received By NRCS 9/19/11			
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply -- do not complete additional parts of this form).</i>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated 0	Average Farm Size 275
Major Crop(s) Com - Soybeans	Farmable Land In Govt. Jurisdiction Acres: 354371 % 70	Amount Of Farmland As Defined In FPPA Acres: 354371 % 70			
Name Of Land Evaluation System Used Clayton County, Iowa	Name Of Local Site Assessment System None	Date Land Evaluation Returned By NRCS 9/20/11			
<b>PART III (To be completed by Federal Agency)</b>		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		1.5			
B. Total Acres To Be Converted Indirectly		1.5			
C. Total Acres In Site		3.0	0.0	0.0	0.0
<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>					
A. Total Acres Prime And Unique Farmland		0.0			
B. Total Acres Statewide And Local Important Farmland		1.5			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value		69.6			
<b>PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)</b>		28	0	0	0
<b>PART VI (To be completed by Federal Agency)</b>		Maximum Points			
Site Assessment Criteria <i>(These criteria are explained in 7 CFR 658.5(b))</i>					
1. Area In Nonurban Use		7			
2. Perimeter In Nonurban Use		6			
3. Percent Of Site Being Farmed		0			
4. Protection Provided By State And Local Government		20			
5. Distance From Urban Builtup Area		3			
6. Distance To Urban Support Services		0			
7. Size Of Present Farm Unit Compared To Average		0			
8. Creation Of Nonfarmable Farmland		10			
9. Availability Of Farm Support Services		5			
10. On-Farm Investments		0			
11. Effects Of Conversion On Farm Support Services		0			
12. Compatibility With Existing Agricultural Use		0			
<b>TOTAL SITE ASSESSMENT POINTS</b>		160	51	0	0
<b>PART VII (To be completed by Federal Agency)</b>					
Relative Value Of Farmland <i>(From Part V)</i>		100	28	0	0
Total Site Assessment <i>(From Part VI above or a local site assessment)</i>		160	51	0	0
<b>TOTAL POINTS (Total of above 2 lines)</b>		260	79	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input type="checkbox"/>			
Reason For Selection:					

(See Instructions on reverse side)

Form AD-1006 (10-83)

This form was electronically produced by National Production Services Staff

**Figure 2: Section 106 Consultation Letter with SHPO Concurrence Dated October 21, 2011**

OCT 21 2011 110 22 085

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**

October 21, 2011

Douglas 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, Hazard Mitigation Grant Program (HMGP) #0156, Storm Water Flooding Protection Project, City of McGregor, Clayton County, Iowa: Results of Phase I Archaeological Survey & Finding of No Adverse Effects to Historic Properties**

**FEMA HMGP program submission – standard project review for non-emergency undertakings (30-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. The purpose of the Hazard Mitigation Grant Program (HMGP) is to implement long-term mitigation measures to reduce loss of life and property damage resulting from natural disasters. FEMA has received a funding request from the City of McGregor (sub-applicant) to improve storm water flow through the installation of new detention basins, modification of existing detention basins, installation of trash racks, and additional drainage network improvements. The proposed projects are eligible mitigation measures implemented during the recovery of the federally declared disaster DR-1763-IA.

FEMA is initiating a Section 106 review for the above referenced project 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*.

The proposed mitigation project consists of:

- Construction of three new detention basins, including grading and installation of rectangular storm sewer in-takes to connect to the City's storm sewer system,
- Modifying existing detention basins by installing new in-takes to connect to the existing pipes, and internally plugging the existing intake structure,
- Installation of trash racks placed both near the existing and new detention basins and in locations strategically selected as areas with a history of clogging up downstream drainage components,
- Channel stabilization along Buell Avenue,

- Drainage network improvements along Ash Street, 4<sup>th</sup> Street, Center Street and Garnavillo Avenue, where areas of ditch drainage will be converted to pipes, and in one area adding a concrete pipe where stone drainage channels currently exist.

FEMA has determined that the area of potential effects (APE) for this undertaking is limited to the locations within the City of McGregor associated with the above scope of work (see attached Figure 2 of the *Phase I Archaeological Investigations for Proposed Storm Water Hazard Mitigation Areas*).

FEMA has considered the potential for this undertaking to affect historic properties. Various sources were checked to determine if any previously identified historic properties 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. The three existing detention basins, Pikes Peak Basin #4, Siegel Basin #5 and Slaughter Basin #6 were originally constructed for flood control purposes by the Soil Conservation Service in 1938 and 1939. These resources have not been previously evaluated for listing in the NRHP. FEMA has prepared the attached Iowa Site Inventory Form (ISIF) for this collection of resources, and has determined that the three basins, each consisting of an earthen berm, a pyramidal intake and a rectangular overflow structure, are eligible for listing in the NRHP as a discontinuous district, significant for its early engineering practices and construction methods. FEMA has determined that the resources are eligible for listing in the NRHP under Criterion C, see attached ISIF. In addition, the Center Street section of the drainage network improvements was evaluated for listing in the NRHP in 1998. The Methodist Hallow Storm Sewer, as it is historically identified, was recommended eligible for listing in the NRHP under Criteria A and C, and your office concurred with this recommendation. FEMA has worked with the sub-applicant to avoid or minimize adverse effects to this resource. FEMA has been informed that the segment of the Methodist Hallow Storm Sewer, where this mitigation work will be limited, is a U shaped stone drainage way, with a sidewalk on top. The proposed method to improve water flow and prevent debris blockage is to insert a pre-cast concrete pipe into the channel from above, stabilizing the pipe with gravel, to ensure that the original stone channel is left in-situ and the improvements are fully reversible, see attached map and sample photograph taken of the similar Walton Hallow Storm Sewer improvement, performed in 2006 with the same method. FEMA has determined that this method will avoid adverse effects to the Methodist Hallow Storm Sewer segment. Finally, FEMA has inquired about any vibration impacts the undertaking may have on any historic properties located in the downtown and the NRHP listed McGregor Commercial Historic District. As there are no drainage network improvements located on streets within the historic district, FEMA has been informed by the City that the engineers have taken vibration into consideration and believe that the undertaking is a sufficient distance from any NRHP listed structures to have no effect. In final project designs, should the engineers identify any vibration concerns, limiting construction vehicle size and access areas as part of the final construction plans will be incorporated.

FEMA has considered the potential for this undertaking to affect archaeological resources. FEMA searched the University of Iowa-Office of the State Archeologist (OSA) I-Sites GIS and database, the Landscape Model for Archaeological Site Suitability (LANDMASS) for Clayton County, 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, and the USDA Natural Resources Conservation Service Web Soil Survey. According to the master inventory of archaeological sites in Iowa, the area around the City of McGregor is very sensitive for the presence of archaeological resources. FEMA required the City obtain a Phase I Archaeological Investigation for the proposed storm water hazard mitigation areas. This survey was conducted by The Louis Berger Group, Inc. August, 2011, and is attached for your review. The investigation consisted of identifying all areas of ground disturbing activities, evaluating those areas potential for historic and prehistoric deposits, and conducting sub-

surface testing. Several areas within the APE were determined previously profoundly disturbed or consisted of slopes too steep for suitable occupation by prehistoric or historic groups. No archaeological resources were identified during the investigation. FEMA has evaluated the methodology and findings of the survey, and concurs with the recommendation that no further archaeological investigation is required.

Based on the results of this archaeological survey, the identification and evaluation of historic resources and in accordance with 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 undertaking will result in no adverse effects to historic properties.

FEMA respectfully requests your concurrence with this finding within the 30-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](mailto:ann.schmid@DHS.gov).

Sincerely:



Eric Wieland  
EHP Branch Director  
FEMA - ICC

EW/AHS

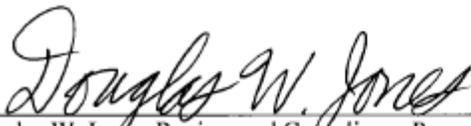
Enclosures: *Phase I Archaeological Investigation for Proposed Storm Water Hazard Mitigation. The Louis Berger Group, Inc. August 2011*  
ISIF McGregor Detention Basins  
ISIF Methodist Hallow Storm Sewer, September 3, 1998  
Map and Photograph of Storm Sewer pipe installation along the Center Street Detention Basin Modification Plans, HR Green August 4, 2011



I concur with the methodology and findings of the attached report prepared by The Louis Berger Group, Inc. (August 2011). I further concur that McGregor Detention Basis known as Pikes Peak Basin, Siegel Basin, and Slaughter Basin are eligible for listing in the NRHP as a Historic District. I further concur that the Undertaking as described above will result in no adverse effects to historic properties pursuant to 36 CFR Part 800.



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



Date

11/2/2011

Douglas W. Jones, Review and Compliance Program Manager/Archaeologist

### Figure 3: Protected Species Coordination Letter from Iowa Department of Natural Resources



CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

## STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES  
PATRICIA L. BODDY, INTERIM DIRECTOR

December 15, 2010

URS Corporation  
Attn: Quentin Bliss  
12120 Shamrock Plaza, Suite 300  
Omaha, NE 68154-3539

RE: Environmental Review for Natural Resources  
Stormwater detention structures near McGregor  
Clayton County  
Section 29, 28 & 22, Township 95N, Range 03W

Dear Mr. Bliss:

Thank you for inviting Department comment on the impact of this project. There are numerous records of the state-protected plant species in the immediate vicinity of the proposed project areas. These species inhabit forest uplands in the McGregor area and include the following:

Scientific Name	Common Name	State Status
<i>Corallorhiza maculata</i>	Spotted Coralroot	Threatened
<i>Dodecatheon amethystinum</i>	Jeweled Shooting Star	Threatened
<i>Prunus nigra</i>	Canada Plum	Endangered

To inform the Departments determination of possible impacts to these species, the Department, requests that the results of a habitat suitability assessment, conducted by a qualified botanist, are submitted to the Department.

This letter is a record of review for protected species, rare natural communities, state lands and waters in the project area, including review by personnel representing state parks, preserves, recreation areas, fisheries and wildlife but does not include any comment from the Environmental Services Division of this Department. This letter does not constitute a permit. Other permits may be required from the Department or other state or federal agencies before work begins on this project.

Any construction activity that bares the soil of an area greater than or equal to one acre including clearing, grading or excavation may require a storm water discharge permit from the Department. Construction activities may include the temporary or permanent storage of dredge material. For more information regarding this matter, please contact Ruth Rosdail at (515) 281-6782.

The Department administers regulations that pertain to fugitive dust IAW Iowa Administrative Code 567-23.3(2)"c." All persons shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of property during construction, alteration, repairing or demolishing of buildings, bridges or other vertical structures or haul roads. All questions regarding fugitive dust regulations should be directed to Jim McGraw at (515) 242-5167.

If you have questions about this letter or require further information, please contact John Pearson at (515) 281-3891.

Sincerely,

  
Kelly Poole  
Environmental Specialist  
Conservation and Recreation Division

FILE COPY: Kelly Poole  
Tracking Number: 5539

CC: Chris Schwake, Iowa DNR

## Figure 4: URS Coordination Letter to Iowa Department of Natural Resources

Environmental Review for Natural Resources  
Conservation and Recreation Division  
Iowa Department of natural Resource  
502E 9<sup>th</sup> Street  
Des Moines, IA 50319-0034

Dear Reviewer:

URS Group is under contract with the Federal Emergency Management Agency (FEMA) to evaluate potential environmental impacts for a flood protection project being proposed by the City of McGregor, IA (Clayton County).

The overall project involves upgrading existing stormwater conveyance systems within McGregor, reworking the outlet structure on three existing detention basins, and constructing three new detention dams/basins. Upgrading the existing conveyance systems and modifying the outlet structures on the existing detention basins do not have the potential to adversely affect any state listed threatened or endangered species. Therefore, those project features are not included in this request.

The three new detention dams/basins involve disturbances within areas that have not been disturbed previously and could contain state listed species and/or their habitat. On behalf of FEMA, URS is requesting that you review your files to determine if any of the state listed species are known to occur or has the potential to occur in the project area associated with the three new detention dams/basins. These proposed dam sites for the three detention basins are shown on the attached map. The proposed site located along Highway 76 contains two of the proposed sites and the legal description for this location is NW1/4 Section 29 and NW1/4 Section 28 in T95NR03W. The third location is located adjacent to Cemetery Road and its legal description is W1/2 Section 22, T95NR03W. Please provide the results of your review to:

Quentin Bliss  
Senior Environmental Biologist  
URS Group  
12120 Shamrock Plaza, Suite 300  
Omaha NE 68154

FEMA is in the process of coordinating with the U.S. Fish and Wildlife Service regarding federally listed threatened and endangered species.

Thank you for your assistance. If you have questions regarding this request, please call me at (402) 952-2528.

Sincerely,

Quentin Bliss  
Senior Environmental Biologist

## Figure 5: URS Coordination Letter to the U.S. Fish and Wildlife Service



9 December 2010

U.S. Fish and Wildlife Service  
Rock Island Ecological Services Office  
1511 47 Avenue  
Moline, IL

ATTN: Mr. Richard Nelson  
Field Supervisor

RE: McGregor Flood Control Project  
Clayton County, IA

Mr. Nelson:

URS Corporation is under contract with the Federal Emergency Management Agency (FEMA) to prepare an Environmental Assessment (EA) for a proposed flood control project for the City of McGregor (Clayton County), Iowa. On December 6, 2010, I spoke with MS. Jody Millar of your office regarding the McGregor Flood Control project. The project includes:

- Concerting open conveyance ditches to buried storm sewer piping,
- Installation of trash racks upgradient of existing conveyance systems,
- Retrofitting flow reducers on the outlets of three existing detention basins (presently outlet capacity is greater than inflows so the structures presently do not regular flood flows), and
- The creation of three small detention basins.

Project features are located within the City of McGregor or within the wooded drainages located immediately adjacent to the City. With the exception of the new detention basins, project features are located in areas that have been disturbed previously by urban development activities or the construction of flood control structures. All three of the new detention basins would include construction in areas that have not been disturbed previously. The attached figure denoted the location of the proposed project features and the two photographs show vegetation within the areas of the new detention basins.

We have accessed the U.S. Fish and Wildlife Service (USFWS) online database for Clayton County, Iowa. The database indicated that five federally-listed (or proposed) threatened or endangered species have the potential to occur in Clayton County, Iowa. These species were:

- |                                  |                               |            |
|----------------------------------|-------------------------------|------------|
| • Western prairie fringed orchid | <i>Platanthera praeclara</i>  | Threatened |
| • Prairie bush clover            | <i>Lespedeza leptostachya</i> | Threatened |

URS Group, Inc.  
12120 Shamrock Plaza  
Suite 300  
Omaha, NE 68154  
Tel: 402.334.8181  
Fax: 402.334.1984  
[www.urscorp.com](http://www.urscorp.com)

- Northern monkshood                      *Aconitum novaboracense*      Threatened
- Higgins eye pearl mussel              *Lampsilis higginsii*              Endangered
- Iowa Pleistocene snail                  *Discus macclintocki*              Endangered

Habitat occupied by the Higgins eye pearl mussel in Iowa is limited to the Mississippi River and the proposed project would have no impact on the river. Distribution of the northern monkshood and the Iowa Pleistocene snail is restricted to north-facing algific talus slopes and this type of habitat is not present within or in the vicinity of project features. The western prairie fringed orchid is found in wet prairies and sedge meadows and the prairie bush clover needs dry to mesic prairies with gravelly soils. The project area does not include any prairie habitats as the construction of the three detention basins would impact acres of less than 9 acres of forestland and less than 1 acre of highway ROW.

Another item being evaluated in the EA is the removal of trees (up to 9 acres) and the potential for impact on migratory birds. The primary concern is the potential for adverse impacts during the nesting and fledging periods of bird species in the project area. To prevent this type of impact and to be in compliance with the Migratory Bird Treaty Act, FEMA will stipulate that tree removal would be limited the fall and winter periods of the year. If tree removal is deemed to be necessary during the restricted period, the City will be required to contact your office for guidance/approval.

The Iowa Department of Natural Resources has been contacted regarding state-listed threatened and endangered species.

Since the habitat types that would be utilized by the five federally-listed threatened and endangered species, which have the potential to occur in Clayton County, would not be affected by project activities, FEMA has determined that the proposed project would have No Effect on any federally-listed threatened or endangered species. This letter is meant to serve as notification of the project and as record of the telephone conversation for your files. No response is necessary. If you need additional information or have questions, please call me at (402) 952-2528.

Sincerely,

Quentin Bliss  
Senior Environmental Biologist



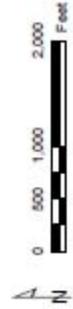
Vegetation within the project area for new Detention Basin #1 near Cemetery Road.



Vegetation within project area for Detention Basins #2 and #3 (White Springs). Note location of Highway 76 right-of-way.



- Legend**
- ▲ Detention Basin (New)
  - △ Detention Basin (Existing)
  - Debris Rock
  - Conveyance Channel - Conveyance
  - Conveyance Channel - Bank Stabilization
  - City Limit
  - ▨ State Park



McGreggor Flood Control Project  
McGreggor, IA

DATE	NOV 12/2010	Figure 1
PROJECT	15000046	

