

APPENDIX C

FIGURE 1: FEMA EHP Preliminary Review Memorandum

U.S. Department of Homeland Security
Federal Emergency Management Agency
Iowa Closeout Center
7755 Office Plaza Drive North
Suite 145, Building G
West Des Moines, IA 50266



March 31, 2011

MEMORANDUM FOR: Nancy Rude
Public Assistance Group Supervisor, FEMA ICC

FROM: Beth Held
EHP Task Force Lead, FEMA ICC

SUBJECT: **FEMA Environmental/Historic and Archeological Preliminary Review for Proposed Cedar Rapids Central Fire Station Relocation**

The purpose of this correspondence is to provide the Public Assistance Program (PA) with a detailed preliminary review of the environmental and historic preservation concerns and recommendations associated with the following proposed relocation sites for the City of Cedar Rapids Central Fire Station.

The Environmental Planning and Historic Preservation Task Force have reviewed the three (3) potential sites under consideration for the proposed Central Fire Station in the City of Cedar Rapids eligible for replacement. Preliminary observations are based on site inspections and desktop review of the three potential sites in Cedar Rapids on December 4, 2010, and gleaned from information contained in the *Historical and Architectural Reconnaissance Survey Report for the Downtown and Industrial Corridors in Cedar Rapids, Iowa* prepared for the City of Cedar Rapids Department of Development and the Cedar Rapids Historic Preservation Commission by Marlys A. Svendsen of Svendsen Tyler Inc. in April 1997. Additional preliminary research included a review of the Iowa Site inventory of the State Historical Society of Iowa (SHPO).

Taco Bell Block: Location: 600 Block of 1st Avenue NE, bounded by 1st Avenue E to the east, A Avenue NE to the west, 7th Street SE to the north and 6th Street SE to the south.

Floodplain

Digital Flood Insurance Rate Map (DFIRM) panel 19113C0410D indicates the Taco Bell Site is located in a Zone X Flood Zone, outside of the 100-year and 500-year floodplains of the Cedar River, thereby reducing future flood losses to the new fire station.

Environmental

Initial review indicates that there are no environmentally sensitive resources in the area of the Taco Bell Block that may be affected by the proposed project, in part due to the large percentage of impervious surface and disturbed areas. No endangered species or designated wetlands are located within the proposed area as referenced in the T&E Species Database and the National Wetlands Inventory Map (NWI).



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Cursory review of available Iowa Department of Natural Resources (IDNR) Environmental Facilities Online Databases indicate that several active and non-active underground storage tanks (UST)s and leaking underground storage tank (LUST) facilities are located within 0.5 miles, from the inferred upgradient/cross-gradient direction. The closest in proximity to the Taco Bell Block would be the Former Amoco Station (LUST#8LTU55), located to the southeast at 625/627 1st Avenue SE. IDNR classified the facility as No Further Action (NFA) in 1995. FEMA recommends completing a Phase I Environmental Assessment (ESA) for the entire block to ensure due diligence including all appropriate inquiries into previous ownership and uses of the property which are consistent with good commercial or customary practice (ASTM 1527-05) in an effort to minimize liability.

The environmental permitting requirements that would most likely be required for the proposed project on this site would be for erosion and sediment control and stormwater runoff as required by the Clean Water Act under the National Pollutant Discharge Elimination System (NDPES). A Stormwater Pollution Prevention Plan (SWPP) is also required by the U.S. Environmental Protection Agency (EPA) for projects that result in the disturbance of one or more acres of ground. Guidance for general construction projects can be found in the IDNR's *Iowa Construction Site Erosion Control Manual*, which is available online.

Historic Preservation

The Taco Bell block contains two extant buildings. The Taco Bell building does not appear to meet either the 50-year criterion or the level of exceptional importance required by Criterion G of the National Register guidelines to be considered eligible for listing in the National Register of Historic Places (NRHP). A former auto sales and service building occupies the northeast corner of the block and appears on the 1949 Sanborn Maps. The building has been subject to alterations that have resulted in integrity issues, however, should the Taco Bell site be selected for the Central Fire Station relocation, all buildings 50 years or older will be evaluated for their eligibility for listing in the NRHP by FEMA in consultation with the State Historic Preservation Office (SHPO). The Scottish Rite Consistory, constructed in 1908 is located to the north of the Taco Bell site at 616 A Avenue NE. Grace Episcopal Church, 1851, 1873 and 1890 is located to the west of the site at 525 A Avenue NE, and St. John the Baptist Greek Orthodox Church, 1946 is located at 501 A Avenue NE. All three buildings were included on a list of potentially NRHP eligible properties in the *Historical and Architectural Reconnaissance Survey Report for the Downtown and Industrial Corridors in Cedar Rapids, Iowa* prepared for the City of Cedar Rapids Department of Development and the Cedar Rapids Historic Preservation Commission by Marlys A. Svendsen of Svendsen Tyler Inc. in April 1997. Effects to historic properties located off the Taco Bell site that may be affected by the demolition of the properties on the site, and potential adverse effects as a result of construction of a new facility would be evaluated upon receipt of



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demolition and site plans from the City. Any demolition of properties on the Taco Bell site in advance of a Section 106 Review would constitute Anticipatory Demolition and be in violation of Section 110K of the National Historic Preservation Act (NHPA). The site has been profoundly disturbed by the construction and demolition of buildings, and the project is not expected to adversely affect archaeological resources. The potential for the presence of archaeological deposits and the requirement for an archaeological survey in advance of demolition and construction on the site or monitoring by an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards will be determined by FEMA in consultation with the SHPO.

History Center Block: Location: 600 Block of 1st Avenue SE, bounded by 1st Avenue E to the west, 2nd Avenue SE to the east, 7th Street SE to the north and 6th Street SE to the south.

Floodplain

DFIRM panel 19113C0410D indicates the History Center Block is located in a Zone X Flood Zone, outside of the 100-year and 500-year floodplains of the Cedar River, thereby reducing future flood losses to the new fire station.

Environmental

Initial review indicates that there are no environmentally sensitive resources in the area of the History Center block that may be affected by the proposed project, in part due to the large percentage of impervious surface and disturbed areas. No endangered species or designated wetlands are located within the proposed area as referenced in the T&E Species Database and the National Wetlands Inventory Map (NWI).

Cursory review of available Iowa Department of Natural Resources (IDNR) Environmental Facilities Online Databases indicate that several active and non-active underground storage tanks (UST)s and leaking underground storage tank (LUST) facilities are located within 0.5 miles, from the inferred upgradient/cross-gradient direction. The closest in proximity to History Center Block would be the Former Amoco Station (LUST#8LTU55), located in the north corner of the History Center block. IDNR classified the facility as No Further Action (NFA) in 1995. FEMA recommends completing a Phase I Environmental Assessment (ESA) for the entire block to ensure due diligence including all appropriate inquiries into previous ownership and uses of the property which are consistent with good commercial or customary practice (ASTM 1527-05) in an effort to minimize liability.

The environmental permitting requirements that would most likely be required for the proposed project on this site would be for erosion and sediment control and stormwater runoff as required by the Clean Water Act under the National Pollutant Discharge Elimination System (NDPES). A Stormwater Pollution Prevention Plan (SWPPP) is also required by the U.S. Environmental



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Protection Agency (EPA) for projects that result in the disturbance of one or more acres of ground. Guidance for general construction projects can be found in the IDNR's Iowa *Construction Site Erosion Control Manual*, which is available online.

Historic Preservation

There are a numerous buildings on the History Center site that are 50 years of age and older. 109, 111 and 915 7th Street SE appear on 1913 Sanborn Maps. The History Center building appears to be a portion of a former auto sales and service building (601-609 1st Avenue SE) combined with another building (621 1st Avenue SE). Both buildings have been subject to alterations that have resulted in integrity issues, however, should the History Center site be selected for the Central Fire Station relocation, all buildings 50 years or older will be evaluated for their eligibility for listing in the NRHP by FEMA in consultation with the SHPO. The site contains a row of buildings along the 600 block of 2nd Avenue SE that have been determined eligible for listing in the NRHP. The *Automobile Row Historic District* is comprised of commercial buildings on either side of 2nd Avenue SE between 6th and 7th Streets SE that was determined eligible by the City of Cedar Rapids in consultation with the SHPO in conjunction with steam conversion projects. 600, 608, 612, 616 and 630 Second Avenue SE are contributing elements to the eligible district that are within the History Center block. If the History Center site is selected for the Central Fire Station relocation, the demolition of the NRHP eligible buildings/district would need to be mitigated under the terms of a Memorandum of Agreement (MOA). It is anticipated that the district would be compromised and no longer be NRHP eligible if the contributing elements along the north side of the 600 block of 2nd Avenue are demolished. The adverse effects would extend to the eligible district. FEMA executed a MOA to mitigate adverse effects to the First Street Parkade in Cedar Rapids as a result of the Improved Project that will require its demolition. The mitigation measure stipulated in the MOA to resolve adverse effects to historic properties as a result of the demolition of the First Street Parkade is the development of a context/report on the influence of automobiles on the built environment in Cedar Rapids, focusing on standing structures as they relate to the development of the automobile such as parking facilities, gas stations, strip malls, etc. The context will be submitted as a NRHP Multiple Property Documentation Form (MPD). At the City's request, The MPD will be accompanied by a NRHP nomination of the *Automobile Row Historic District*. The NRHP nomination will take into account the previously identified boundaries for the eligible district; however, depending on the resources identified in the context and MPD, the boundaries of the eligible district may be increased. If the History Center site is chosen for the Central Fire Station relocation, the MOA for the First Street Parkade would need to be amended to include additional mitigation measures as the mitigation in the MOA was determined to be commensurate with the level of adverse effects. Effects to historic properties located off the History Center site that may be affected by the demolition of the historic properties on the site, and potential adverse effects as a result of construction of a new facility would be evaluated upon receipt of demolition and site plans from



the City. Any demolition of properties on the History Center site in advance of a Section 106 Review would constitute Anticipatory Demolition and be in violation of Section 110K of the NHPA. The site has been profoundly disturbed by the construction and demolition of buildings, and the project is not expected to adversely affect archaeological resources. The potential for the presence of archaeological deposits and the requirement for an archaeological survey in advance of demolition and construction on the site will be determined by FEMA in consultation with the SHPO.

Emerald Knights Block: Location: 712 2nd Ave SE, bounded by 1st Avenue NE to the east, 2nd Avenue SE to the west, 8th Street SE to the north, and 7th Street SE to the south.

Floodplain

DFIRM panel 19113C0410D indicates the Emerald Knights Block is located in a Zone X Flood Zone, outside of the 100-year and 500-year floodplains of the Cedar River, thereby reducing future flood losses to the new fire station.

Environmental

Initial review indicates that there are no environmentally sensitive resources in the area of the Emerald Knights Block that may be affected by the proposed project, in part due to the large percentage of impervious surface and disturbed areas. No endangered species or designated wetlands are located within the proposed area as referenced in the T&E Species Database and the National Wetlands Inventory Map (NWI).

Cursory review of available Iowa Department of Natural Resources (IDNR) Environmental Facilities Online Databases indicate that several active and non-active underground storage tanks (UST)s and leaking underground storage tank (LUST) facilities are located within 0.5 miles, from the inferred upgradient/cross-gradient direction. The closest in proximity to the Emerald Knight Block would be the Former Amoco Station (LUST#8LTU55), located southwest of the Emerald Night block. IDNR classified the facility as No Further Action (NFA) in 1995. In addition, Jim's Tune-Up Service (LUST#8LTO41) located at 727 2nd Avenue SE, southeast of the Emerald Nights block is also classified as NFA. The Former Morgan Bros. Bicycle Shop (LUST#9LTI99) located at 209 7th Street S.E., southwest of the Emerald Night block, is currently classified as a Low Risk site. The Emerald Knights facility itself historically operated as a service station and has not likely ever been assessed for the potential historical release of contamination in soil and groundwater. FEMA recommends completing a Phase I Environmental Assessment (ESA) and/or Phase II ESA for the entire block to ensure due diligence including all appropriate inquiries into previous ownership and uses of the property which are consistent with good commercial or customary practice (ASTM 1527-05) in an effort to minimize liability.



The environmental permitting requirements that would most likely be required for the proposed project on this site would be for erosion and sediment control and stormwater runoff as required by the Clean Water Act under the National Pollutant Discharge Elimination System (NDPES). A Stormwater Pollution Prevention Plan (SWPP) is also required by the U.S. Environmental Protection Agency (EPA) for projects that result in the disturbance of one or more acres of ground. Guidance for general construction projects can be found in the IDNR's *Iowa Construction Site Erosion Control Manual*, which is available online.

Historic Preservation

The Emerald Knights block contained a row of buildings along 2nd Avenue SE that were over 50 years of age and have been demolished in advance of a Section 106 Review. One building in particular, previously located at the SW corner of the block (706 2nd Avenue SE) appeared to be an early twentieth century automobile filling station. FEMA would have evaluated the buildings for eligibility for listing in the NRHP in consultation with the SHPO. If any of the buildings were determined eligible for listing in the NRHP, their demolition would constitute adverse effects on historic properties. Adverse effects would be mitigated by the development of a an MOA among FEMA, SHPO, IHSEMD, Preservation Iowa, the City of Cedar Rapids and other interested parties that would be identified and invited to participate by FEMA and the SHPO. The former filling station at 706 2nd Avenue SE was potentially NRHP eligible as a contributing element to the *Automobile Row Historic District*. The Handler Motor Company Building, formerly the Emerald Knights building at 712 2nd avenue SE was previously evaluated for NRHP eligibility by the City of Cedar Rapids in consultation with the SHPO in conjunction with a steam conversion project. The SHPO concurred that the building did not meet the criteria for listing in the NRHP. The Iowa Site Inventory Form (ISIF) submitted by the City did not identify the building as the former Emerald Knights Building, and while that significant historic association should have been noted, the building does have some integrity issues that were considered. The ISIF mentions that there is not a potential historic district in the vicinity of the building and references the *Commercial and Industrial Corridors of Cedar Rapids, Iowa: c.1865-1945, Svendsen Tyler, Inc.* The ISIF quotes the MPD, and states that redevelopment and the installation of the skywalk system has diminished the potential for a historic district in the downtown blocks, and that significant resources survive on an individual basis rather than a historic district or a collection of historic buildings. This statement is not entirely accurate as the consultant responsible for the MPD did not consider the area part of the downtown. One or two buildings are still present on the northern half of the Emerald Knights block. The buildings appear to be an auto sales or other auto related business. Construction dates for the buildings have not been identified. Should the Emerald Knights site be selected for the Central Fire Station relocation, all buildings 50 years or older will be evaluated for their eligibility for listing in the NRHP by FEMA in consultation with the SHPO. Directly to the east of the Emerald Knights site is the George B. Douglas House at 800 2nd Avenue SE that is listed in the NRHP. The Douglas property also contains a carriage house known as 5 Turner Alley that was the former studio of Iowa artist Grant Wood, which is open to



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the public. Located on the NW corner, directly north of the Douglas House is the Iowa Masonic Library, a significant Art Deco building and important statewide historic resource that is listed in the NRHP. Effects to historic properties surrounding the Emerald Knights site that may be affected by the demolition of the historic properties on the site, and potential adverse effects as a result of construction of a new facility would be evaluated upon receipt of demolition and site plans from the City. Any demolition of properties on the Emerald Knights site in advance of a Section 106 Review would constitute Anticipatory Demolition and be in violation of Section 110K of the NHPA. Section 110K of the National Historic Preservation Act (16 U.S.C. 470) requires that a Federal agency give full consideration of historic properties, including development of procedures to identify, discourage, and guard against “anticipatory demolition” of a historic property by applicants for Federal assistance or license. Agency procedures should include a system for early warning to applicants and potential applicants that anticipatory demolition of a historic property may result in the loss of Federal assistance, license, or permit, or approval for a proposed undertaking. When a historic property is destroyed or irreparably harmed with the express purpose of circumventing or preordaining the outcome of Section 106 review (e.g. demolition or removal of all or part of the property) prior to application for Federal funding, a Federal license, permit, or loan guarantee, the agency considering the application is required by Section 110(k) to withhold assistance sought, unless the agency, after consultation with the Council (Advisory Council on Historic Preservation) determines and documents that “circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.”

The Emerald Knights site has been profoundly disturbed by the construction and demolition of the buildings, and the project is not expected to adversely affect archaeological resources. The potential for the presence of archaeological deposits and the requirement for an archaeological survey in advance of demolition and construction on the site or monitoring by an archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards will be determined by FEMA in consultation with the SHPO.

Summary

It is the recommendation of FEMA EHP that the Taco Bell site would pose the least risk to environmental, floodplain and historic resources, and provide a negligible risk to property and life from future flood events as compared to the disaster damaged site in close proximity to the Cedar River. The History Center site would require an MOA to mitigate adverse effects. For Improved Projects, the cost for compliance (MOA mitigation treatment measures) would not be eligible for FEMA funding. The History Center site would also require an amendment to the First Street Parkade MOA. The Emerald Knights site will require consultation with the SHPO and the Advisory Council on Historic Preservation (ACHP) in advance of project approval and any site construction and would incur significant timeline delays until a decision was made by ACHP.



Location Map



Site 1: 600 Block of 1st Avenue NE (referred to as the Taco Bell site) - 41.981995 -91.664096.
Site 2: 600 Block of 1st Avenue SE (referred to as the History Center site) - 41.981132 -
91.663232.
Site 3: 700 Block of 2nd Avenue SE (referred to as the Emerald Knights site) - 41.981774 -
91.662107.

FIGURE 2: Section 106 Consultation Letter Dated May 13, 2011

110557126

MAY 18 2011

U.S. Department of Homeland Security
FEMA Region VII
9221 Ward Parkway, Suite 300
Kansas City, MO 64114-3372



FEMA

May 13, 2011

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

**Re: FEMA-1763-DR-IA: PW# 10308 Version 3, Central Fire Station Permanent Relocation
(Emerald Knights Site), Cedar Rapids, Linn County, Iowa**

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. FEMA has received a funding request from the city of Cedar Rapids to replace the Central Fire Station located at 222 3rd St. NW, Cedar Rapids, which was significantly damaged as a result of the severe thunderstorms and flooding incident that resulted in federally declared disaster FEMA-1763-DR-IA.

Proposed Undertaking

FEMA initially approved a project to repair the Central Fire Station that was constructed in 1982 to pre-disaster condition in October 2009. Due to the extent of damage to the Central Fire Station, FEMA subsequently determined that the facility is eligible for replacement in accordance with 44 CFR §206.226(f), *repair vs. replacement*. The city of Cedar Rapids has been approved for a relocation project that includes land acquisition and site preparation; contingent upon successful completion of FEMA's Historic Preservation responsibilities outlined under Section 106 of the National Historic Preservation Act (NHPA). Because the design of the new Central Fire Station is not completed, FEMA will use a phased approach to Section 106 NHPA review as FEMA's approval of the proposed site has been complicated by demolition of structures in advance of FEMA Section 106 NHPA review.

Area of Potential Effect

Above-ground Resources. The area of potential effects (APE) for this phase of the undertaking is the proposed relocation site, known as the Emerald Knights site, which is bounded by 1st Avenue SE to the north, 2nd Avenue SE to the south, 8th Street SE to the east, and 7th Street SE to the west, and the facing blocks that contain properties that are both listed in the National Register of Historic Places (NRHP), have been determined eligible for listing in the NRHP and others that meet the NRHP's 50-year criterion

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that have not been evaluated. A map of the APE is enclosed with this letter. Additionally, the site is within the boundaries of the Grant Wood Cultural District.

Archaeological Resources. FEMA has determined that the APE for archaeological resources is the area of ground disturbance associated with the proposed undertaking. However because design of the new Central Fire Station has not been initiated, FEMA considered the entire Emerald Knights site.

Identification of Historic Properties

Various sources were reviewed 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 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.

There is one extant building on the Emerald Knights site; a metal-clad utilitarian structure located at 725 1st Avenue SE that currently houses Bob's Wholesale Cars. According to the City of Cedar Rapids' Assessor's website, the building was constructed in 1969. It does not meet the 50-year criterion required by the National Register Criteria for Evaluation, or the level of exceptional importance required by Criteria Consideration G to be considered eligible for listing in the NRHP.

Two buildings on the Emerald Knights site have been demolished by the private property owner in advance of the city of Cedar Rapids moving forward with a purchase agreement and FEMA conducting a Section 106 NHPA review.

- 1) The Handler Motor Company Building that was located at 712 2nd Avenue SE was previously evaluated for listing in the NRHP by the City in consultation with SHSI (enclosed R&C#: 100857182). SHSI concurred with the surveyor's opinion that the building did not appear to be eligible for listing in the NRHP. Based on this previous Section 106 NHPA consultation, FEMA finds that this property does not possess historical significance.
- 2) The Barron Motor Supply and Bennett Tire and Battery Building that was located at 702-706 2nd Avenue SE and had not been previously evaluated for eligibility for listing in the NRHP in advance of its demolition. FEMA has completed and enclosed an Iowa Site Inventory Form, and concludes that the Barron Motor Supply and Bennett Tire and Battery Building was eligible for listing in the NRHP under Criteria A and C as a contributing element to the NRHP eligible Automobile Row Historic District (attached R&C# 100857181).

FEMA also 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 Linn 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 (see enclosed figures). According to the master inventory of archaeological

sites in Iowa, no previously recorded archaeological sites are located within the APE; however, eight previously identified sites are located within one mile of the APE. According to the Web Soil Survey, the soil data for this parcel has not been compiled. The site is located in a developed urban environment. The site is considered moderately sensitive for the presence of pre-historic (Native American) archaeological deposits, however, demolition of the extant building and site improvements will not notably disturb more ground than was disturbed by their original construction. The site is largely covered by concrete and asphaltic parking surfaces. The proposed demolition of the extant building and site preparation plans include removal of the building and all surface paving within the city block. FEMA does not recommend a Phase 1 Archaeological Survey in advance of the proposed demolition, or monitoring by an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards during the demolition of the building or removal of the site improvements.

FEMA has also evaluated the potential for the previous demolitions that occurred prior to FEMA review to have affected significant archaeological deposits. While the APE is within an area considered moderately sensitive for the presence of prehistoric archaeological sites, demolition activity was confined to areas profoundly disturbed by the original construction of the buildings and additional infrastructure.

Application of Section 110(k) NHPA. Pursuant to Section 110(k) of the NHPA, FEMA has considered the demolition of the buildings prior to the completion of Section 106 NHPA and concludes that the city of Cedar Rapids did not intend to avoid requirements of Section 106 NHPA, Section 110(k) is not triggered, and the demolition did not constitute anticipatory demolition based on the following:

- 1) The buildings were demolished by the third party owner of the site to make the site more marketable for redevelopment. The city of Cedar Rapids has not yet acquired title to the Emerald Knights site, and will pursue other alternatives if FEMA cannot fulfill our Section 106 NHPA responsibilities with respect to the proposed Central Fire relocation site.
- 2) The city of Cedar Rapids did issue a demolition permit. One could speculate that the city should have refrained from issuing this permit until FEMA could fulfill our Section 106 NHPA as this site was certainly known to be a potential relocation site for the Central Fire Station. However the city did not control the site, and was not in position to restrict the intent of the third party owner to prepare and sell this parcel on the open market.
- 3) The city of Cedar Rapids is a Certified Local Government (CLG); a historic preservation program jointly administered by National Park Service and SHSI. As a CLG, the Cedar Rapids Historic Preservation Commission signed off on the demolition permit. Others within the city of Cedar Rapids mistakenly believed this would ultimately satisfy FEMA Section 106 NHPA requirements if this site were later selected as the proposed relocation site for Central Fire Station.
- 4) While FEMA finds that the Barron Motor Supply and Bennett Tire and Battery Building that was located at 702-706 2nd Avenue SE was eligible for listing in the NRHP under Criterion A and C as a contributing element to the NRHP eligible Automobile Row Historic District (enclosed R&C# 100857181), the consultant that originally performed the analysis and evaluation for the Automobile Row Historic District did not consider all potential structures in the district, but only the ones subject to another Federal (non-FEMA) grant program at the time of analysis. That this structure was not included in the original analysis was an unfortunate omission.

Determination of Effects

In consideration of the above, FEMA has determined that there will be no historic properties affected, pursuant to 36 CFR §800.4(d)(1) for the following actions:

- 1) Demolition of the remaining extant 1969 building on the Emerald Knights site at 725 1st Avenue SE, Cedar Rapids.
- 2) Prior demolition of the Handler Motor Company Building at 712 2nd Avenue SE that was previously evaluated for listing in the NRHP by the city in consultation with your office (attached R&C#: 100857182).

In consideration of the above, FEMA has determined that there were *adverse effects to historic properties* pursuant to 36 CFR §800.5(a)(1) for the prior demolition of the Barron Motor Supply and Bennett Tire and Battery Building that was located at 702-706 2nd Avenue SE and had not been evaluated for eligibility for listing in the NRHP in advance of its demolition.

FEMA acknowledges that SHSI's opportunity and that of the Advisory Council on Historic Preservation (ACHP) to provide meaningful comments concerning this project have been foreclosed because the demolition has been completed prior to FEMA's review under Section 106 NHPA. However, FEMA has determined that circumstances justify granting such assistance for the relocation of this critical facility despite the adverse effect created.

As required under 36 CFR §800.6, FEMA invites SHSI to continue consultation under Section 106 NHPA. If you agree to continue consultation, the FEMA Environmental Planning and Historic Preservation staff at our *Iowa Closeout Center* will invite ACHP and other consulting parties to consultation to develop mitigation measures to resolve the adverse effects and execute a Memorandum of Agreement (MOA). The resultant MOA will provide evidence of FEMA's compliance with its statutory responsibilities under Section 106 NHPA.

Upon completion of the demolition plans for the existing Central Fire Station, FEMA will consult further with SHSI on the effects of the demolition of the existing Central Fire Station located at 222 3rd St. NW, Cedar Rapids. Upon completion of the initial design for the new Central Fire Station, FEMA will consult further with SHSI on the effects of the construction of the new Central Fire Station at the Emerald Knights site. If you have any questions, please contact me at (816) 283-7960 or kenneth.sessa@dhs.gov.

Sincerely,



Kenneth G. Sessa
Environmental Officer
FEMA Region VII

Enclosures

CONCUR

NAME

DATE

Jonathan W. Jones
REVIEW & COMPLIANCE PROGRAM MANAGER
5/25/2011
SIBF

FIGURE 3: Section 106 Consultation Letter Dated September 12, 2011

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SEP 13 2011
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) 224-5601



FEMA

September 12, 2011

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

Re: FEMA-1763-DR-IA: R&C 110557126 PW# 10308 Version 3, Central Fire Station Permanent Relocation, Cedar Rapids, Linn County, Iowa

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

Dear Mr. Jones:

The Federal Emergency Management Agency (FEMA) proposes to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended. FEMA has received a funding request from the City of Cedar Rapids to replace the City's Central Fire Station located at 222 3rd Street Northwest, Cedar Rapids, which was significantly damaged as a result of the severe thunderstorms and flooding incident that resulted in federally declared disaster DR-1763-IA.

FEMA is continuing a phased 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*.

FEMA received and approved a request to repair the Central Fire Station that was constructed in 1982 to pre-disaster condition in October 2009. Due to the extent of damage to the Central Fire Station, FEMA subsequently determined that the facility is eligible for replacement in accordance with 44CFR 206.226(f), *repair vs. replacement*. Ensuing versions to the original funding request were developed to establish cost estimates for the replacement building and demolition of the disaster damaged facility. Finally, the sub-grantee has been approved for a relocation project that includes land acquisition and site preparation. FEMA previously initiated a phased approach to Section 106 review of the project because of the immediate need for the city to move forward with the process to develop plans for the replacement

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facility. The first phase of review pertained to the effects of acquisition of the new site and site preparation; this second phase will address all other proposed work including disposition of the disaster-damaged facility, and construction of the new facility on the City's selected site and any direct or indirect effects of these actions.

FEMA previously determined that the area of potential effects (APE) for this undertaking includes the disaster damaged Central Fire Station located at 222 3rd Street NW, Cedar Rapids and the location that the Cedar Rapids City Council has selected for the relocation, known as the Emerald Knights site, which is bounded by 1st Avenue SE to the north, 2nd Avenue SE to the south, 8th Street SE to the east, and 7th Street SE to the west, and the facing blocks that contain properties that are both listed in the National Register of Historic Places (NRHP), have been determined eligible for listing in the NRHP and others that meet the NRHP's 50-year criterion that have not been evaluated (map attached). Additionally, the site is within the boundaries of the Grant Wood Cultural District. As a result of this second phase of the phased review, FEMA has identified that the relocation of Central Fire Station to the Emerald Knights site is located within close proximity to the City's Fire Station #3, located at 1424 B Avenue NE. Relocation of the Central Fire Station to the Emerald Knights site will allow the City the opportunity to discontinue use of Fire Station #3, and therefore, FEMA has now additionally determined that the APE for this undertaking includes Fire Station #3.

In the first phase of this phased consultation, FEMA determined that the Barron Motor Supply and Bennett Tire and Battery Building located at 702-706 2nd Avenue SE was eligible for listing in the NRHP under Criteria A and C as a contributing element to the NRHP eligible Automobile Row Historic District. Your office concurred with FEMA's determination of NRHP eligibility, and that the demolition of the Barron Motor Supply and Bennett Tire and Battery Building constitutes adverse effects to historic properties. Your office further agreed to continue consultation to develop a Memorandum of Agreement (MOA) to resolve adverse effects. FEMA initiated consultation with interested parties regarding our intent to prepare an MOA, and held a public meeting in coordination with the Cedar Rapids Historic Preservation Commission on August 25, 2011 to present the undertaking to the commission and take into account the views of the commission and the public. FEMA is accepting comments on the undertaking, and suggestions for treatment measures developed to mitigate the adverse effects through September 21, 2011. After that date, a draft MOA will be circulated among the interested parties for review. The resultant Memorandum of Agreement is evidence of FEMA's compliance with its statutory responsibilities under Section 106 of the National Historic Preservation Act.

FEMA has considered the potential for this second phase of consultation for the 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 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. Fire station #3, erected in 1925 is the oldest continuously operating Fire Station in Cedar Rapids, and was previously evaluated for NRHP eligibility (State Inventory #57-02731, attached). The surveyor recommended that the building is individually eligible for listing in the NRHP under Criteria A and C of the NRHP Criteria for Evaluation.

Based on the surveyor's opinion of eligibility, FEMA has determined that Fire Station #3 is eligible for listing in the NRHP, and requested that the City provide FEMA with their disposition plans for the property. The City has indicated that the City Council has not made any final decision about the future of the property; however, the City has presented FEMA with four disposition options (attached). The options include retaining its use as a district Fire Station, using the building for storage for the Fire Department or other City departments, and selling the property through a competitive bidding process. The City's Real Estate Acquisition/Disposition agents would be responsible for any public sale of the property, and would generally follow the Property Disposition Process Overview outlined in the attached flowchart. In the event that the property would be purchased for redevelopment that would include demolition, a City ordinance requires consultation with the City's Historic Preservation Commission regarding demolition permit applications for buildings 50 years of age and older.

FEMA has considered the potential closing of Fire Station #3 to affect historic properties and based on the City's disposition options for Fire Station #3: the retention of the building for continued use, use as storage or sale of the property, would not directly alter or affect any of the interior or exterior characteristics that qualify the building for listing in the NRHP, therefore FEMA has determined that the disposition options presented will not result in additional adverse effects. Should the City present a revised disposition plan or additional information become available regarding these proposed dispositions, which would alter any characteristics that qualify the building for listing in the NRHP, FEMA will reopen consultation with your office.

FEMA has considered the potential for construction of the Central Fire Station on the Emerald Knights site to affect the referenced historic standing structures on the blocks surrounding the Emerald Knights site. The City has submitted plans for the new Central Fire Station that include site plans, floor plans and elevations (attached) that depict a two-story building clad in brick and limestone. Based on the referenced schematic drawings, depicting the buildings height, set-back, massing and scale, FEMA has determined that construction of the facility as proposed will not result in additional adverse effects to historic standing structures.

FEMA has considered the potential for construction of the Central Fire Station on the Emerald Knights site to affect archaeological resources. During the first phase of this phased consultation, FEMA consulted with your office on the potential of archaeological deposits to be affected by the demolition and site preparation of the Emerald Knights site. Your office concurred that as there are no known archaeological sites within the APE, and as the area has been previously profoundly disturbed, no further archaeological review or investigation is required. FEMA has reviewed the ground disturbing activities associated with the construction of the replacement facility, and has determined that no further archaeological review or investigation is required.

FEMA has considered the potential for disposition of the disaster damaged Central Fire Station to affect historic properties. The City of Cedar Rapids has not submitted plans for the disposition of the facility. The Central Fire Station was constructed in 1982 and does not meet the NRHP 50-year criterion or the level of importance required by Criteria Consideration G of the NRHP Criteria for evaluation. The facility is located in a developed urban environment. In the event that demolition of the property is undertaken, demolition of the building and site improvements will not notably disturb more ground than was disturbed

by their construction. FEMA has determined that as there are no known archaeological sites within the APE of the original Central Fire Station, and as the area has been previously profoundly disturbed, no further archaeological review or investigation is required.

In accordance with the Section 106 Review for Federal Undertakings under the National Historic Preservation Act and its implementing regulations (36 CFR Part 800) and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division and the Advisory Council on Historic Preservation*; FEMA finds that no additional adverse effects will occur for this phase of the phased Section 106 review.

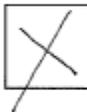
FEMA respectfully requests your concurrence with this finding within the 10-day agreed upon timeframe. If you have any questions or comments, please contact Teri Toye, FEMA Historic Preservation Specialist at 540-359-5929 or by email at teri.toye@dhs.gov.

Sincerely,



Eric C. Wieland
EHP Branch Director
Iowa Closeout Center
FEMA-1763-DR-IA

EW/TT



I concur that Fire Station #3 is eligible for listing in the National Register of Historic Places. I further concur with FEMA's determination of no additional adverse effects for this phase of the phased Section 106 review pursuant to 36 CFR Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation*.



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



Douglas W. Jones
Review and Compliance Program Manager, Archaeologist

Date 9/19/2011

Attachments