

Appendix B

Figure 1: Preliminary Environmental/Historic Review Letter dated May 13, 2011.

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



May 13, 2011

Nancy Rude
PA Group Supervisor
FEMA Iowa Closeout Center

Subject: Preliminary FEMA Environmental/Historic and Archeological review for Cedar Rapids Animal Shelter Proposed Relocation Project

Dear Ms. Rude:

We have reviewed the three potential sites under consideration for the proposed City of Cedar Rapids Animal Shelter Replacement project for potential to effect historic properties and natural/cultural resources. These preliminary observations are based upon site inspections of the three sites on March 10, 2011, and additional preliminary research that includes a review of the Iowa Site inventory of the State Historical Society of Iowa (SHPO).

Site #1 Tech Park Lots #11 & 12

Lots are located on Bell Drive SW, in a newly developed commercial/industrial area bordered by US Highway 30 to the North, a mobile home community to the West, industrial/commercial development along C Street Road SW to the East and industrial/commercial development to the south. According to FEMA's Flood Insurance Rate Map (FIRM) panel number 19113CO405D, dated 4/5/2010, the site is located in Zone X, outside of the 100-year floodplain of the Cedar River.

Environmental

Initial review indicates that there are no environmentally sensitive resources in the area of Site 1 that may be impacted by the proposed project, in part due to the large percentage of impervious surface and previously disturbed areas. The environmental permit requirements that would most likely be required for the proposed project on this site would be a Stormwater Management Permit (NPDES) and if more than one acre of land is disturbed, a Stormwater Pollution Prevention Plan (SWPPP) may be required. The environmental impacts (natural and human environment) of the proposed action on this site are initially limited to the construction activities on the land which may increase sediment runoff, along with an increase in stormwater runoff. The long term environmental effects would include potential noise and odor pollution to the neighboring residential area located to the west of the site, which is part of a Census Block Group that is determined to be 30-40% below poverty line, according to the Environmental Protection Agency (EPA), Environmental Justice (EJ) View Database which will be evaluated under Executive Order 12898 and findings included in FEMA's Environmental Assessment of the selected site.

Historic

The proposed undertaking will require review under Section 106 of the National Historic Preservation Act to determine whether historic properties will be affected by federally funded actions. As part of these compliance efforts, FEMA has performed an initial desktop screening of the archaeological potential of

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the three proposed site locations. The evaluation of archaeological potential consisted of a screening of information available through the Office of the State Archaeologist's I-Sites GIS and database, the Landscape Model for Archaeological Site Suitability, 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.

Archaeological Desktop Review

There are eight (8) areas previously surveyed for archaeological resources within a 1.0-mile radius of the area of potential effects (APE). Three archaeological sites, Site 13LN816, 13LN817 and 13LN639 were identified within the vicinity of the APE.

There are no known historic properties located in the vicinity of the proposed site. The proposed relocation of the Animal Control Shelter may adversely effect archaeological resources. FEMA has evaluated the potential for the presence of significant archaeological deposits at the proposed sites. Although no previously recorded archaeological sites were identified within the proposed sites, previously recorded archaeological sites are located within a mile of the project area. Based on the nature of the proposed project (i.e. the amount of ground disturbance required) and the high probability for the presence of archaeological deposits in the vicinity, FEMA may request the completion of a Phase I archaeological survey for the proposed sites, as well as any areas required for staging, access, and right of way. All archaeological work must be performed in accordance with *The Guidelines for Archaeological Investigations in Iowa* (1999).” Should a potentially significant, intact archaeological site be identified through Phase I archaeological survey work, additional archaeological testing may be required in order to fully evaluate the significance of the site (typically referred to as Phase II testing). If significant, intact archaeological sites (i.e. those considered eligible for listing in the National Register of Historic Places) are identified, FEMA will determine whether the undertaking will have an adverse effect on the archaeological site. An adverse effect would require the development of measures to avoid, minimize, or mitigate the effect to the archaeological site. If an adverse effect cannot be avoided, mitigation measures for archaeological sites typically involve Phase III data recovery. If the site is selected, FEMA will consult with the SHPO to determine if historic properties will be affected.

Site #2 Kirkwood Campus

The Kirkwood Campus site is located on the Kirkwood Community College Campus north of 76th Avenue between the Transportation and Safety Training and the Animal Health Technology buildings. According to FEMA's Flood Insurance Rate Map (FIRM) panel number 19113CO420D, dated 4/5/2010, the site is located in Zone X, outside of the 100-year floodplain. South of 76th Avenue the Kirkwood Campus continues with the Hotel at Kirkwood Center and the Iowa Equestrian Center.

Environmental

Initial review indicates that there are no environmentally sensitive resources in the area of Site 2 that may be impacted by the proposed project, in part due to the large percentage of impervious surface and previously disturbed areas. The environmental permit requirements that would most likely be required for the proposed project on this site would be a Stormwater Management Permit (NPDES), and if more than



one acre of land is disturbed, a Stormwater Pollution Prevention Plan (SWPP) may be required. The environmental impacts (natural and human environment) of the proposed action on this site are initially limited to the new construction activities on the land which may increase sediment runoff, along with an increase in stormwater runoff. The long term environmental effects would include potential noise and odor pollution to the surrounding campus. The proposed site is located at the edge of a Census Block Group which is determined to be 30-40% below poverty line, and the Census Block Group located to the south of 76th Avenue is determined to be 0-10% below the poverty line, according to the EPA Environmental Justice (EJ) View Database, which will be evaluated under Executive Order 12898 and findings included in FEMA's Environmental Assessment of the selected site.

Historic

The proposed undertaking will require review under Section 106 of the National Historic Preservation Act to determine whether historic properties will be affected by federally funded actions. As part of these compliance efforts, FEMA has performed an initial desktop screening of the archaeological potential of the three proposed site locations. The evaluation of archaeological potential consisted of a screening of information available through the Office of the State Archaeologist's I-Sites GIS and database, the Landscape Model for Archaeological Site Suitability, 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.

Archaeological Desktop Review

There is one area previously surveyed for archaeological resources within a 1.0-mile radius of the area of potential effects (APE). One archaeological site, Site 13LN634 (historic farm/residence) was identified approximately 0.2 – 0.3 miles southwest of the APE.

There are no known historic properties located in the vicinity of the proposed site. The proposed relocation of the Animal Control Shelter may adversely effect archaeological resources. FEMA has evaluated the potential for the presence of significant archaeological deposits at the proposed sites. Although no previously recorded archaeological sites were identified within the proposed sites, previously recorded archaeological sites are located within a mile of the project area. Based on the nature of the proposed project (i.e. the amount of ground disturbance required) and the high probability for the presence of archaeological deposits in the vicinity, FEMA may request the completion of a Phase I archaeological survey for the proposed sites, as well as any areas required for staging, access, and right of way. All archaeological work must be performed in accordance with *The Guidelines for Archaeological Investigations in Iowa* (1999).” Should a potentially significant, intact archaeological site be identified through Phase I archaeological survey work, additional archaeological testing may be required in order to fully evaluate the significance of the site (typically referred to as Phase II testing). If significant, intact archaeological sites (i.e. those considered eligible for listing in the National Register of Historic Places) are identified, FEMA will determine whether the undertaking will have an adverse effect on the archaeological site. An adverse effect would require the development of measures to avoid, minimize, or mitigate the effect to the archaeological site. If an adverse effect cannot be avoided, mitigation measures



for archaeological sites typically involve Phase III data recovery. If the site is selected, FEMA will consult with the SHPO to determine if historic properties will be affected.

Site #3 16th Avenue and Jacolyn Drive SW

The 16th Avenue and Jacolyn Drive SW site is a six acre parcel located at the intersection of the two streets. A multifamily neighborhood and fitness facility are located to the north of the proposed site with large scale commercial / industrial land uses on the other three sides. The parcels adjacent to the west and south are currently vacant. According to FEMA's Digital Flood Insurance Rate Map (DFIRM) panel number 19113C0405D, dated 04/05/2010 the site is located in a Zone X, outside of the 100-year floodplain.

Environmental

Preliminary review of available Environmental Facilities Database indicates that a former LUST (leaking underground storage tank) facility (8LTH83) is located within 1,000 feet. While this site was determined to require no further action based on the existing conditions, the development of the animal shelter may require additional analysis to determine potential impacts to the new structure. The environmental permit requirements that would most likely be required for the proposed project on this site would be a Stormwater Management Permit (NPDES) and if more than one acre of land is disturbed, a Stormwater Pollution Prevention Plan (SWPPP) may be required. The long term environmental effects would include potential noise and odor pollution to the surrounding parcels. The proposed site is located at the edge of a Census Block Group which is determined to be 20-30% below poverty line, and the Census Block Group located to the north of 16th Avenue SW is determined to be 10-20% below the poverty line, according to the EPA Environmental Justice (EJ) View Database, which will be evaluated under Executive Order 12898 and findings included in FEMA's Environmental Assessment of the selected site.

Historic

The proposed undertaking will require review under Section 106 of the National Historic Preservation Act to determine whether historic properties will be affected by federally funded actions. As part of these compliance efforts, FEMA has performed an initial desktop screening of the archaeological potential of the three proposed site locations. The evaluation of archaeological potential consisted of a screening of information available through the Office of the State Archaeologist's I-Sites GIS and database, the Landscape Model for Archaeological Site Suitability, 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.

Archaeological Desktop Review

There are three areas previously surveyed for archaeological resources within a 1.0-mile radius of the area of potential effects (APE). No archaeological sites were identified within the vicinity of the APE.

There are no known historic properties located in the vicinity of the proposed site. The proposed relocation of the Animal Control Shelter may adversely effect archaeological resources. FEMA has evaluated the potential for the presence of significant archaeological deposits at the proposed sites.



FEMA

Although no previously recorded archaeological sites were identified within the proposed sites, previously recorded archaeological sites are located within a mile of the project area. Based on the nature of the proposed project (i.e. the amount of ground disturbance required) and the high probability for the presence of archaeological deposits in the vicinity, FEMA may request the completion of a Phase I archaeological survey for the proposed sites, as well as any areas required for staging, access, and right of way. All archaeological work must be performed in accordance with *The Guidelines for Archaeological Investigations in Iowa* (1999).” Should a potentially significant, intact archaeological site be identified through Phase I archaeological survey work, additional archaeological testing may be required in order to fully evaluate the significance of the site (typically referred to as Phase II testing). If significant, intact archaeological sites (i.e. those considered eligible for listing in the National Register of Historic Places) are identified, FEMA will determine whether the undertaking will have an adverse effect on the archaeological site. An adverse effect would require the development of measures to avoid, minimize, or mitigate the effect to the archaeological site. If an adverse effect cannot be avoided, mitigation measures for archaeological sites typically involve Phase III data recovery. If the site is selected, FEMA will consult with the SHPO to determine if historic properties will be affected.

In conclusion, it is the recommendation of the Environmental Planning and Historic Preservation (EHP) Task Force that all three sites weigh equally from a Section 106 and NEPA perspective when constructing a building, and which may involve the request of additional surveys and/or environmental studies be conducted along with receiving all building design and site plans including demolition that will require EHP review and subsequent consultation with the SHPO prior to the start of construction.

Sincerely,

Beth Held

Task Force Lead
Environmental Planning and Historical Preservation
DHS/FEMA
Iowa Closeout Center

Attachment

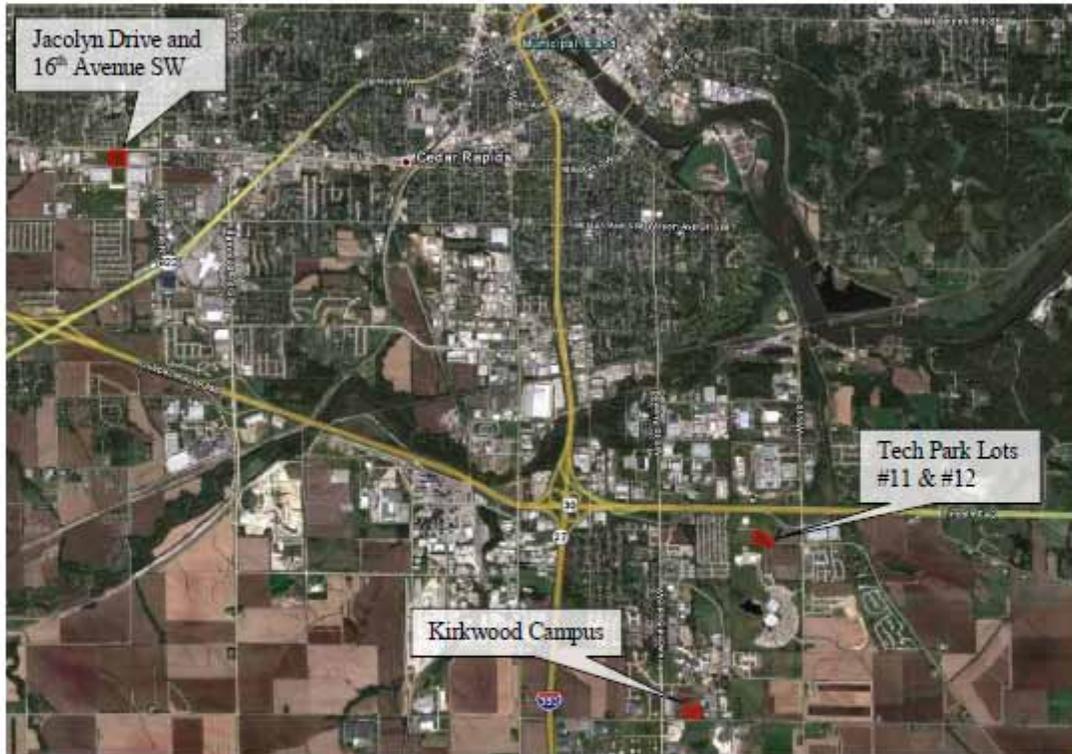


Figure 2: Section 106 Consultation Letter with SHPO Concurrence dated April 6, 2012.

APR 06 2012 RDC # 120457037
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Federal Emergency Management Agency
Iowa Closeout Center
FEMA-1763-DR-IA
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West Des Moines, Iowa 50266
Phone: (515) 244-5601



April 6, 2012

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

Re: FEMA-1763-DR-IA, FEMA PW 522v6: Animal Control Shelter, Improved Project, City of 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 42 U.S.C. 5121-5207. FEMA has received a funding request from the City of Cedar Rapids (sub-grantee) to replace the Animal Control Shelter, which was substantially damaged during the flooding incident that resulted in the federally declared disaster 1763-DR-IA.

FEMA is initiating a Section 106 Review for the above referenced property in accordance with Title 36 Code of Federal Regulations Part 803 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 City of Cedar Rapids has requested to replace the disaster damaged Animal Control Shelter, originally located in southwestern Cedar Rapids on the south bank of the Cedar River at a former water pollution control facility, located at 1401 Cedar Bend Lane. Prior to the disaster, the Animal Control Shelter consisted of four structures: the Main Building, the Kennel Building, the Cat Building and the West Building. As a result of the disaster, three of the buildings were substantially damaged and qualified for replacement on site, with elevation to be in conformance with all local floodplain and National Flood Insurance Program requirements, and one building qualified for repair to pre-disaster condition. The City has applied to FEMA for an Improved Project to relocate the entire facility to a new site outside of the floodplain, and construct a new structure, consolidating all four building functions, and including additional classroom space, for a total of 13,800 usable square feet (see attached floor plan and renderings). This new facility is proposed to be located near Kirkwood Community College, north of 76th Avenue DR SW (see attached map included in the figures). The original facility, a former water pollution control facility constructed in 1961, will be demolished and the site returned to its natural condition.

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FEMA has determined that the Area of Potential Effects (APE) for this undertaking is limited to the flood affected Animal Control Shelter, and the area selected for the relocation of the new-construction facility near the Kirkwood Campus.

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, 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 attached figures).

Based on the above research, FEMA has considered the potential for this undertaking to affect historic standing structures. While the flood affected Animal Control Shelter (the former water pollution control facility), was constructed 1961, the facility has undergone several alterations and additions, and in the early 1980s was converted to the Animal Control Shelter, therefore it no longer retains its original use and function. FEMA has evaluated this facility, and has determined that it does not meet the criteria for listing in the NRHP. Therefore, the demolition of this facility would have no effect on historic standing structures. The site selected for relocation of the Animal Control Shelter served as agricultural land prior to the 1930s. There is no evidence that historic structures were located within or immediately adjacent to the APE. Since at least the 1990s new construction development has progressed in the vicinity of the APE, with the development of Kirkwood College, new roads and infrastructure have been developed at this site. Therefore the construction of a new facility at this location will have no effect on historic standing structures.

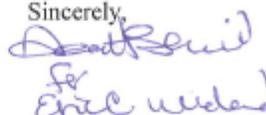
FEMA has also taken into consideration the effect of this Undertaking on archaeological resources. Ground disturbing activities for this Undertaking will be limited to the demolition of the existing facility, and the construction of the relocated facility. According to the master inventory of archaeological sites in Iowa, no previously recorded archaeological sites are located within the APE of the relocation site; and only one archaeological site, a former historic farmstead is located within one mile of the APE. The LANDMASS model indicates that the site has low potential for prehistoric habitation and due to the recent development in the area, including the construction of the Kirkwood Swine Education Facility with waste water lagoons immediately south of the proposed construction location. FEMA has determined that the APE has been previously disturbed and neither archaeological investigation, nor any archaeological monitoring are required for the construction at the relocation site. The proposed demolition of the original Animal Control Shelter will include removal of all buildings, footings and all surface paving within the facility, in order to convert the site back to open natural green space. While a location such as this, with close proximity to the Cedar River, within a bend of the Cedar River that has remained consistent since the General Land Office Survey Map, would typically have the potential for prehistoric use, the low topography of the area places the facility within the floodway, therefore the potential for the soils to retain prehistoric artifacts is very low. FEMA has determined that as the demolition will not disturb notably more ground than was disturbed by the original construction of the facility, and that the topography is not conducive to prehistoric habitation (floodplain/floodway), the Undertaking is not anticipated to affect any archaeological resources.

Should any unanticipated discoveries be identified during demolition and the former site or construction activities at the new site, the City shall notify FEMA immediately and ensure that the discovery is documented by an Archaeologist who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards for Archaeology. The documentation shall be provided to FEMA, and FEMA will in turn provide your office with copies of all discovery documentation. Should any resources be

recommended eligible for listing in the NRHP by the SOI qualified archaeologist, construction activities on the site shall halt until FEMA has re-opened consultation with your office.

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

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

Sincerely,

Eric C. Wieland
EHP Branch Director
FEMA/DHS
FEMA-1763-DR-IA

EW/AHS

Attachments: Figures
Construction plans for new facility



I concur that the former Animal Control Shelter is not eligible for listing in the NRHP. I further concur that the undertaking, to demolish the original facility and construct a new Animal Control Shelter at a new location within Cedar Rapids will result in no historic properties affected pursuant to 36 CFR Part 800 and the *Programmatic Agreement among the Federal Emergency Management Agency of the Department of Homeland Security, the State Historic Preservation Office of Iowa, the Iowa Homeland Security and Emergency Management Division, and the Advisory Council on Historic Preservation*.



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



Douglas W. Jones
Review and Compliance Program Manager, Archaeologist

Date 4/10/2012