

U.S. Department of Homeland Security
9221 Ward Parkway, Suite 300
Kansas City, Missouri, 64114-3372



FEMA

FINDING OF NO SIGNIFICANT IMPACT
CITY OF CEDAR RAPIDS ANIMAL CARE AND CONTROL FACILITY
CEDAR RAPIDS, LINN COUNTY, IOWA
FEMA-1763-DR-IA

As a result of damages from severe storms and flooding in 2008 during the incident period beginning May 25, 2008 and ending August 13, 2008, the Federal Emergency Management Agency (FEMA) was authorized under Presidential disaster declaration 1763-DR-IA (Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121-5207, as amended; Stafford Act, Public Law 93-288). This declaration authorized the use of Public Assistance funds to assist eligible applicants in their recovery from the disaster by providing funds for eligible projects. Following the flooding, the City of Cedar Rapids needed to restore Cedar Rapids' Animal Care and Control facility operations to, at a minimum, their pre-disaster levels. Since the floods of 2008, Cedar Rapids has operated the Animal Care and Control functions out of temporary facilities.

The National Environmental Policy Act (NEPA) of 1969 requires that FEMA evaluate the potential environmental effects of the agency's proposed and alternative actions prior to obligating disaster assistance funds. The President's Council on Environmental Quality (CEQ) has developed a series of regulations for implementing the NEPA. These regulations are included in Title 40 of the Code of Federal Regulations (CFR), Parts 1500-1508. The CFR requires that a Draft Environmental Assessment (EA) include an evaluation of alternative means of addressing damages caused in declared disasters, and a discussion of the potential environmental effects of the proposed Federal Action. In accordance with both CEQ and FEMA regulations implementing NEPA in 44 CFR Part 10, FEMA prepared a Draft Environmental Assessment (EA) to identify and evaluate potential environmental impacts resulting from the alternatives identified by Cedar Rapids and presented in the EA and to determine whether the potential effects of the Proposed Action will require preparation of an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

The CFR requires that a Draft Environmental Assessment (EA) include an evaluation of alternative means of addressing damages caused in declared disasters, and a discussion of the potential environmental effects of the proposed Federal Action. In accordance with both CEQ and FEMA regulations implementing NEPA in 44 CFR Part 10, FEMA prepared a Draft Environmental Assessment (EA) to identify and evaluate potential environmental impacts resulting from the alternatives presented in the EA and to determine whether the potential effects of the Proposed Action will require preparation of an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). Five alternatives evaluated in the EA

include: 1) No Action, i.e. no funding to demolish damaged facility and build new Animal Care and Control facility, 2) Demolish damaged facility and build new Animal Care and Control facility at Kirkwood Community College, 3) Demolish damaged facility and build new Animal Care and Control facility at Jacolyn Drive, 4) Demolish damaged facility and build new Animal Care and Control facility at Kirkwood Community College (76th Ave Drive SW), and 5) Demolish damaged facility and build new Animal Care and Control facility at Bell Drive SW.

The Draft EA was made available for public review and comment period from May 7 to June 6, 2012 with a public notice published in Cedar Rapids' *The Gazette* and posted on the Cedar Rapids' flood recovery website. Copies of the EA were distributed to City Hall, the downtown temporary library location, the Westdale Mall temporary library location, Cedar Rapids' flood recovery website, and on FEMA's public notices and environmental documents website. FEMA received no substantive comments during the comment period on the draft EA.

FINDING

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

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

- Structural erosion controls BMP include the placement of mulch or grass, the covering of stockpiles, silt fencing, and sediment traps.
- Prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a general National Pollution Discharge Elimination System (NPDES) permit for ground disturbance of one acre or more from the Iowa Department of Natural Resources (IDNR), if applicable.
- Coordinate with the IDNR in the event where sub-surface or unanticipated hazardous substances are encountered during the project; work cannot continue until the IDNR indicates that no further assessment is needed of the discovery.
- Asbestos containing materials must be properly handled and disposed in accordance with local, state, and Federal regulations.
- All construction and demolition debris must be properly disposed of in accordance with local, state, and Federal regulations.
- In the event that archaeological deposits are encountered, work must stop and FEMA must be notified; work cannot continue until the sensitive area is evaluated and consultation with the State Historic Preservation Office has been completed.
- Use noise reduction best management practices to reduce potential impact to the identified sensitive noise receptors in the vicinity of planned work including;
 - Early and frequent communication with the public;
 - Planning noisier activities and equipment usage for mid-morning and mid-afternoon;
 - Planning site access and staging to minimize or eliminate “back-up alarm” noise;
 - Limiting equipment on site to only what is necessary;
 - Imposing seasonal limitations on construction noise during spring and fall to minimize noise impacts on residences when windows are more likely to be open;
 - Use newer, “low-noise” models of equipment;
 - Limiting construction activities to daylight hours;
 - Shift work to weekends rather than weeknights.

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

APPROVAL



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

July 2, 2012

Date