

**PUBLIC NOTICE**  
**MAJOR DISASTER DECLARATION**  
**FEMA-4732-DR-IA**

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to provide financial assistance to the State of Iowa, local and Tribal governments, and eligible private nonprofit organizations under major disaster declaration FEMA-4732-DR-IA. FEMA is also giving public notice that, in some cases, it may provide financial assistance for activities that may affect historic properties, may be located in or affect wetland areas or the 100-year floodplain, and/or may involve critical actions within the 500-year floodplain.

The President declared this major disaster for the State of Iowa on August 25, 2023, as a result of flooding that occurred from April 24 to May 13, 2023. This notice applies to the Public Assistance (PA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, *as amended* (Stafford Act), and codified at 42 U.S.C. §§ 5121-5207.

Under major disaster declaration FEMA-4732-DR-IA, the following counties have been designated adversely affected by the disaster and have been designated as eligible for assistance under the PA Program: **Allamakee, Clayton, Des Moines, Dubuque, Jackson, Lee, and Scott**. Additional counties may be designated at a later date. All counties in the State of Iowa are eligible for HMGP. No counties have been designated to receive Individual Assistance funding.

This public notice concerns activities that may affect historic properties; traditional cultural properties; activities that are located in, or affect, wetland areas, the 100-year floodplain (areas determined to have a one-percent probability of flooding in any given year); and critical actions within the 500-year floodplain. Such activities may adversely affect historic properties, traditional cultural properties, floodplains or wetlands, or may result in continuing vulnerability to flood or other damage.

Such activities may include restoring eligible damaged facilities located in a floodplain to pre-disaster condition. Examples of such activities include, but are not limited to, the following:

1. Non-emergency debris removal and disposal;
2. Non-emergency protective measures;
3. Repair/replacement of roads, including streets, culverts and bridges;
4. Repair/replacement of public dams, reservoirs and channels;
5. Repair/replacement of public buildings and related equipment;
6. Repair/replacement of public water control facilities, pipes and distribution systems;
7. Repair/replacement of public utilities, including sewage treatment plants, sewers and electrical power distribution systems; and
8. Repair/replacement of eligible private, non-profit facilities (hospitals, educational centers, emergency and custodial care services, etc.).

Presidential Executive Orders (EO) 11988 (Floodplain Management), 13690 (Establishing a Federal Flood Risk Management Standard, reinstated by EO14030 and per Interim FEMA Policy

104-22-0003), and 11990 (Wetlands Protection) require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to avoid, minimize, or mitigate the risk of future flood hazards in light of social, economical, historical, environmental, legal, and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages. The public is invited to participate in the process of identifying alternatives and analyzing their impacts through this notification.

FEMA has determined that for certain types of facilities, there are normally no alternatives to the restoration/repair of that facility within the floodplain/wetland. These are facilities that meet all of the following criteria:

1. FEMA's estimate of the cost of repairs is less than 50 percent of the cost to replace the entire facility, and the overall cost is less than \$100,000;
2. The facility is not located in a floodway;
3. The facility has not sustained major structural damage in a previous presidentially declared flooding disaster or emergency; and
4. The facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials).

FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For activities that meet these four criteria, this will be the only notice provided. Other activities, and those involving facilities that do not meet the four criteria noted above, are required to undergo a more detailed review, including the study of alternate locations. Subsequent public notices regarding such projects will be published, if necessary, as more specific information becomes available.

In such cases, FEMA must also examine the possible effects of not restoring the facility, explore opportunities to minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. The State of Iowa and local officials will confirm to FEMA that proposed actions comply with all applicable state and local floodplain management and wetland protection requirements.

Due to the urgent need for and/or use of certain facilities in a floodplain, actions to restore the facility may have started before federal involvement. Some of these facilities may meet the criteria for a detailed review to determine if they should be relocated. Generally, facilities may be restored in their original location where at least one of the following conditions applies:

1. The facility, such as a flood control device or bridge, is functionally dependent on its floodplain location.
2. The facility, such as a park or other open-use space, already represents sound floodplain management and, therefore, there is no need to relocate it.
3. The facility, such as a road or a utility, is an integral part of a larger network that could

not be economically relocated.

4. Emergency action is needed to address a threat to public health and safety.

The effects of not relocating the facilities will be examined. In each case, the examination must show an overriding public need for the facility at its original location that clearly outweighs the requirements in the Executive Order to relocate the facility out of the floodplain. FEMA will also consult state and local officials to make certain that no actions taken will violate either state or local floodplain protection standards. The restoration of these facilities may also incorporate certain measures designed to mitigate the effects of future flooding. This will be the only notice to the public concerning these facilities.

Presidential Executive Order 12898, *Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, directs each federal agency to avoid disproportionate and high adverse human health or environmental effects to low-income and minority populations. FEMA aims to identify low income and minority communities at the onset of a declared event to gain better understanding of how response and recovery efforts, including mitigation may impact such groups and communities. Additionally, once low income and minority communities have been identified, FEMA aims to minimize any potential adverse impacts to those communities through encouraging alternative selection of response and recovery actions including HMGP projects.

The National Historic Preservation Act requires that federal agencies take into account the effects of their undertakings on historic properties. Those actions or activities affecting buildings, structures, districts, or objects 50 years or older, or that affect archeological sites or undisturbed ground will require further review to determine if the property is eligible for listing in the National Register of Historic Places (Register). If the property is determined to be eligible for the Register, and FEMA's undertaking will adversely affect it, FEMA may provide additional notices if necessary. For historic properties not adversely affected by FEMA's undertaking, this will be the only notice.

FEMA also intends to provide HMGP funding to the State of Iowa to mitigate future disaster damage. HMGP projects may include construction of new facilities; modification of existing, undamaged facilities; relocation of facilities out of floodplain/wetland; demolition of structures; or other types of projects to mitigate future disaster damage. In the course of developing project proposals, subsequent public notices may be published as more specific information becomes available, if necessary.

As noted, this may be the only notice regarding the above-described actions under the PA and HMGP programs. Interested persons may obtain information about these actions or a specific project by writing to Teri Toye, Regional Environmental Officer, Federal Emergency Management Agency, Region 7, 11224 Holmes Road, Kansas City, MO 64131 or by emailing: [r7-mt-ehp@fema.dhs.gov](mailto:r7-mt-ehp@fema.dhs.gov).