



FEMA

April 10, 2009

Dear Residents of Idylwood:

On behalf of FEMA Region VI (FEMA), the Texas Historical Commission (THC), the Governor's Division of Emergency Management (GDEM), and the Harris County Flood Control District (HCFCF) I would like to thank you for your input and comments on the acquisition and demolition of homes in the Idylwood neighborhood at both the public meeting on March 17, 2009 and in the written comments provided to FEMA. We appreciate your remarks and suggestions on potential measures that may be taken to avoid or mitigate the adverse effect to the Idylwood historic district due to these demolitions.

We have reviewed the many comments, options, and suggestions provided to us and have provided responses to your comments and questions below, as we committed to do at the March 17th public meeting. The comments are a synopsis of the individual comments which were received.

- *Concerns about the length of time the process is taking from homeowners who wish to be bought out. Can we be bought out now and then you can take care of this process later?*

FEMA, THC, GDEM, and HCFCF are all aware of the need to complete the process in a timely manner. As discussed at the public meeting on March 17th, FEMA must complete consultation under Section 106 of the National Historic Preservation Act, and its implementing regulations at 36 CFR Part 800, prior to the obligation of funding for a project, including the acquisition and demolition of properties. This process includes soliciting comments on the actions and negotiation of a legal agreement. We are currently on schedule to complete the Memorandum of Agreement (MOA) process by the June 1, 2009 date given at the public meeting. Until this process has been completed, FEMA cannot obligate funds and neither GDEM nor HCFCF can acquire the properties.

- *Would FEMA consider making the homes scheduled to be demolished available for free to someone willing to move it off the lot, at their expense, instead of demolishing it?*

The decision has been made not to pursue this option as a part of the MOA due to concerns over finding appropriate individuals to take a property, timeframes, grant funding issues, and contracting issues.

HCFCF may elect to sell or donate a property once they have acquired it using FEMA funding, but the property cannot be donated by FEMA or GDEM. If individuals are interested in acquiring one of these properties, they should be aware that there may be restrictions on moving properties under the Hazard Mitigation Assistance (HMA) Program
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and/or local laws and ordinances. The new owner of the structure is responsible for ensuring that the building is brought into compliance with all applicable Federal, State, and local laws and regulations.

- *Could architectural elements be salvaged from the homes prior to demolition and be made available to other homeowner's in Idylwood?*

The decision has been made not to pursue this option as a part of the MOA due to concerns over finding appropriate individuals to take the responsibility, timeframes, grant funding issues, and contracting issues.

HCFCFCD's demolition contractor has the salvage rights to these properties under an existing contract that was developed in keeping with FEMA and GDEM guidance. The contractor may sell or donate architectural elements, but the salvage operation cannot be controlled by FEMA, THC, or GDEM.

- *Would we be able to get trees planted along the Brays Bayou, on the properties where the homes will be demolished, and/or in the neighborhood? We lost many trees during Hurricane Ike and would like to see them replaced.*

FEMA cannot pay for aesthetic improvements and landscaping, such as trees per HMA program guidelines. HCFCFCD has included a tree planting project for the Idylwood portion of Brays Bayou Channel Improvement. Mr. Raouf Farid, is the HCFCFCD Project Manager for the Brays Bayou Channel Improvement project and is in communication with the Idylwood Civic Club.

- *"...someone after the meeting said as part of the mitigation, FEMA would either pay for the fee or pay for the enhancement of the areas left vacant by the 9 homes being demolished, but not both. Is that information correct?"*

and

- *Would we be able to get lighting and/or security equipment installed on the vacant lots and along Brays Bayou?*

We believe that the first question refers to the cost of preparing the National Register nomination ("fee"). We are unclear on what is meant by "enhancement," though we assume that it is the development of the vacant lots into a park facility.

FEMA cannot fund or permit the enhancement of the lot through development of infrastructure or facilities per the Hazard Mitigation Assistance (HMA) Program Guidance which states that paved areas; fencing; walled structures; and the installation of sewer, water, and power lines that do not support existing functions and where there are no other readily available locations for these systems. The installation of lighting, security equipment, or park infrastructure has been determined by GDEM and FEMA to be inconsistent with the HMA Program Guidance and therefore, these actions cannot be included within this MOA or

implemented in the future by FEMA, GDEM, or HCFCD as a part of this project. HCFCD actions that take place at a later date must be consistent with the regulations on the use of property and deed restrictions.

- *Could something be put in place that would prevent or reduce debris from filling up our section of Brays Bayou?*

This request is outside of the purview of the MOA for the demolition of historic properties. HCFCD has a regular bayou maintenance schedule that their Infrastructure Division administers. They also perform additional maintenance after a severe flooding or rain event. For more information, or to report debris concerns, please contact Mr. Curtis Brom, HCFCD Infrastructure Division, at 713-684-4197.

- *Could we have new street signs that show you are entering a historic district?*

This request is outside of the purview of the MOA for the demolition of historic properties. Street signs are the responsibility of the City of Houston, Department of Public Works and Engineering.

- *Could we have a commemorative marker placed near the vacant lots that shows a rendering of McGregor prior to demolition?*

All parties to the document agree that placing a commemorative marker within Idylwood would be a worthwhile mitigation option; however the decision has been made not to pursue this option due to the cost of doing this action in conjunction with the preparation of a National Register of Historic Places nomination which was the preferred action based upon the comments we received. In addition to the development of text for the marker, there are the costs associated with the design and construction. This can range from \$10,000 to more than \$100,000 per marker depending on a range of factors including size, material, and design.

- *What is the cost of a National Register of Historic Places nomination?*

There is no fee associated with being listed on the National Register Historic Places, but the preparation of the nomination package can incur costs. The cost of preparing a nomination varies depending on the property type and size and includes preparation of the necessary documentation, photography, mapping, and the printing of all items on archival materials. In general, the cost of preparing a historic district nomination runs from \$50-\$100 per property located within in the district.

- *Where can I find information on obtaining a National Register District plaque for my home?*

Information on obtaining plaques for National Register-listed properties can be found on the National Park Service's website at: <http://www.nps.gov/nr/faq.htm#plaque>.

Residents of Idylwood

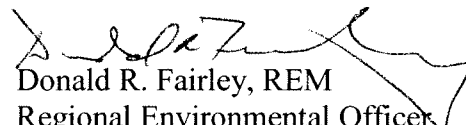
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After reviewing the comments and suggestions provided to us, FEMA, THC, GDEM, and HCFCFCD have elected to pursue documentation of the entire neighborhood and the preparation of nomination materials to place the Idylwood Subdivision on the National Register of Historic Places.

We thank you again for your comments and participation in the MOA process. If you have any additional comments or questions as this process moves forward, please contact Mr. James Wade, HCFCFCD Property Acquisition Services Section Manager at (713) 684-4036.

Sincerely,


Donald R. Fairley, REM
Regional Environmental Officer
FEMA Region VI

cc: Kathy Reimer, HMGP Acting Branch Chief, FEMA Region VI
F. Lawrence Oaks, State Historic Preservation Officer, THC
Gregory Pekar, Administrator, Mitigation Section, GDEM
James R. Wade, Property Acquisition Services, HCFCFCD