



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management
From: Nathan Lavery, Fiscal Analyst
Date: December 9, 2010
Subject: JFO #2471, #2472

No Joint Fiscal Committee member has requested that the following items be held for review:

JFO #2471 — \$65,474 grant from the Federal Emergency Management Agency (FEMA) to the Department of Public Safety. This grant will support hazard mitigation projects in Marlboro.
[JFO received 11/9/10]

JFO #2472 — \$111,037 grant from the Federal Emergency Management Agency (FEMA) to the Department of Public Safety. This grant will support hazard mitigation projects in Fairfield, Windsor, S. Windsor and Ottauquechee region.
[JFO received 11/9/10]

The Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Thomas Tremblay, Commissioner



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: November 19, 2010
Subject: Grant Request

Enclosed please find six (6) request that the Joint Fiscal Office has received from the administration.

JFO #2471 — \$65,474 grant from the Federal Emergency Management Agency (FEMA) to the Department of Public Safety. This grant will support hazard mitigation projects in Marlboro. **Expedited review of this item has been requested. Joint Fiscal Committee members will be contacted by December 3 with a request to waive the statutory review period and accept this item.**
[JFO received 11/9/10]

JFO #2472 — \$65,474 grant from the Federal Emergency Management Agency (FEMA) to the Department of Public Safety. This grant will support hazard mitigation projects in Fairfield, Windsor, S. Windsor and Ottauquechee region. **Expedited review of this item has been requested. Joint Fiscal Committee members will be contacted by December 3 with a request to waive the statutory review period and accept this item.**
[JFO received 11/9/10]

JFO #2473 — \$10,000 grant from the State of Connecticut Department of Agriculture to the Agency of Agriculture, Food & Markets. This grant will support a New England regional study to determine if there is a viable option for connecting local growers and producers to institutional markets.
[JFO received 11/17/10]

JFO #2474 — \$500,000 grant from the U.S. Department of Justice to the Vermont Department of Education. This grant will support extended education programs for at-risk school aged children outside of routine school hours.
[JFO received 11/17/10]

JFO #2475 — \$150,000 grant from the U.S. Department of Justice to the Vermont Department of Public Safety. This grant will be used to upgrade Vermont's statewide sex offender registry.
[JFO received 11/17/10]

JFO #2476 — \$400,000 grant from the U.S. Department of Commerce to the Vermont Department of Economic, Housing and Community Development. This funding will assist Vermont businesses in accessing and developing export sales by supporting international trade shows, international export training, international market development, and client resources.

[JFO received 11/17/10]

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at 802-828-1488; nlavery@leg.state.vt.us) if you have questions or would like an item held for Joint Fiscal Committee review.

cc: James Reardon, Commissioner
Thomas Tremblay, Commissioner
Roger Allbee, Secretary
Armando Vilaseca, Commissioner
Tayt Brooks, Commissioner

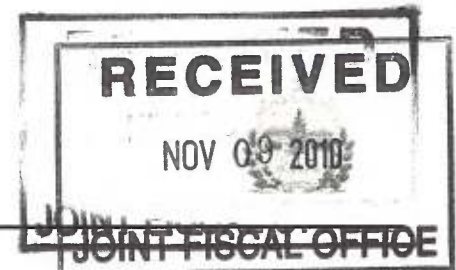
State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

Agency of Administration

[phone] 802-828-2376
 [fax] 802-828-2428

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		FEMA assistance for hazard mitigation project in Marlboro in response to damaging storms in November 2007.			
Date:		10/27/2010			
Department:		Department of Public Safety			
Legal Title of Grant:		Hazard Mitigation Grant Program			
Federal Catalog #:		97.039			
Grant/Donor Name and Address:		US Dept of Homeland Security/FEMA Region I, Boston, Ma.			
Grant Period:	From:	9/7/2010	To:	9/6/2012	
Grant/Donation		\$65,474			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$65,474	\$	\$	\$65,474	75% federal funding
Position Information:		# Positions	Explanation/Comments		
		0			
Additional Comments:		25% local match of \$21,824 for total project cost of \$87,298.			
Department of Finance & Management		JP 11/1/10		(Initial) DB 10-27-10	
Secretary of Administration		JP 11/2/10		(Initial)	
Sent To Joint Fiscal Office		11/4/10		Date	





Vermont Emergency Management
Department of Public Safety
103 South Main Street
Waterbury, VT 05671-2101
www.dps.state.vt.us/vem

[toll free] 800-347-0488
[phone] 802-244-8721
[TTY] 888-545-7598
[fax] 802-241-5556

To: Joint Fiscal Office, Montpelier
From: Barbara Farr, Director
Subject: Seeking approval for receipt of federal funds
Date: October 14, 2010

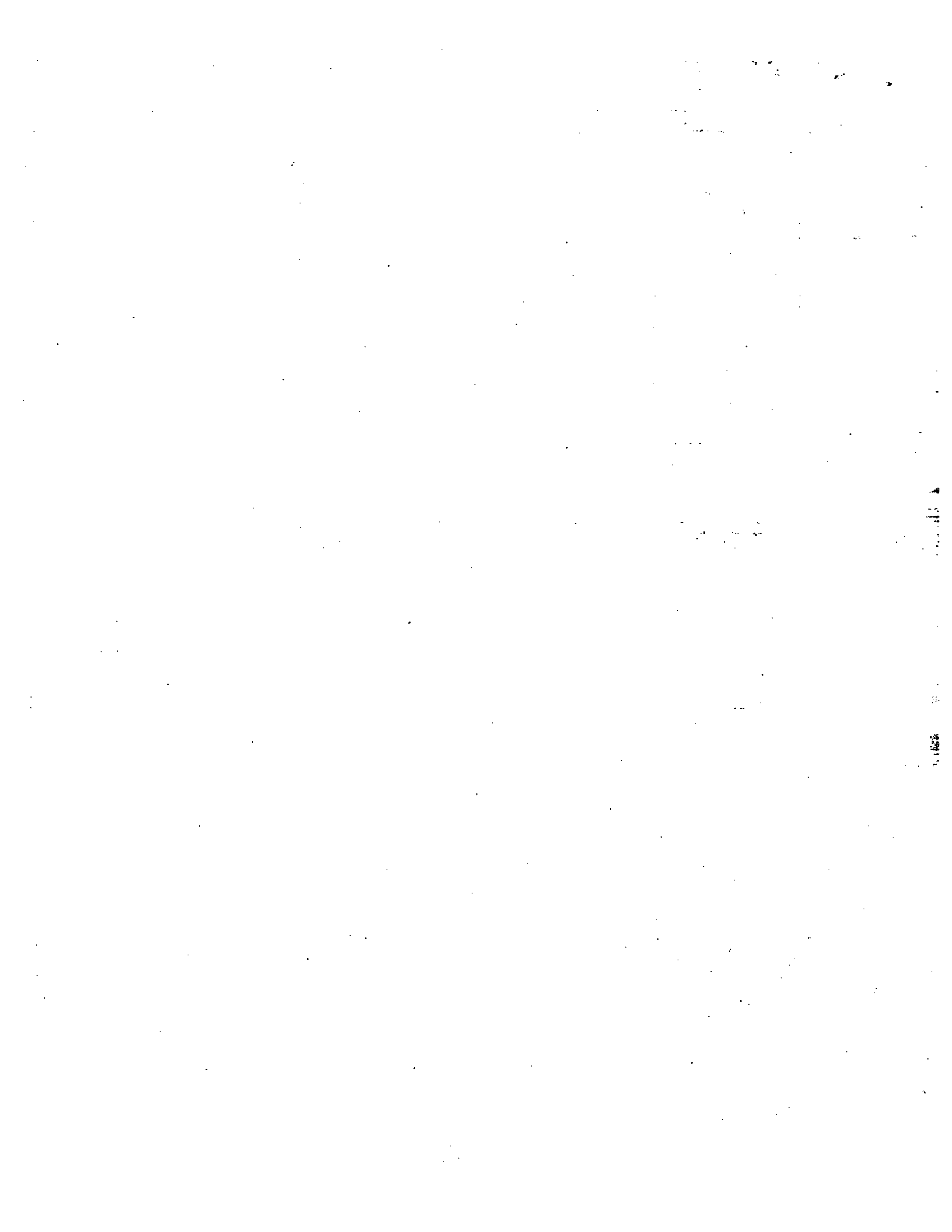
Vermont Emergency Management is respectfully requesting an expedited review and approval for three projects (DR 1784 – Town of Marlboro, and DR 1816 – Two Rivers_Ottawaquechee Regional Commission, Town of Windsor, Town of Fairfield and Southern Windsor County Regional Planning Commission) for local communities being funded by FEMA’s Hazard Mitigation Grant Program (HMGP). This program is awarded by FEMA to local communities in the aftermath of a federally declared disaster. These hazard mitigation projects are intended for our communities to prevent future damage from natural hazards such as catastrophic flooding and are connected with federally declared disasters DR 1784 (August 15, 2008) and DR 1816 (January 14, 2009). FEMA funding was released only recently due to the often contentious Congressional debate concerning federal expenditures and revenue sources. Vermont has been waiting at least six months for the funds to be released; one community, Marlboro, has been waiting even longer. Extensive delays in the release of FEMA funding have already had a negative impact on some of the communities involved in these approved mitigation projects.

We would greatly appreciate an expedited review by the Joint Fiscal Office so that these mitigation projects can be implemented in our communities as soon as possible. Thank you very much for your consideration in this regard. For additional information, please contact me or the state hazard mitigation officer, Ray Doherty, at (802) 241-5258 or via e-mail at rdoherty@dps.state.vt.us

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:				
2. Department:	Public Safety			
3. Program:	Emergency Management			
4. Legal Title of Grant:	Hazard Mitigation Grant Program			
5. Federal Catalog #:	97.039			
6. Grant/Donor Name and Address:				
U.S. Dept. of Homeland Security/FEMA Region I 99 High St, Sixth Floor Boston, MA 02110-2132				
7. Grant Period:	From:	9/7/2010	To:	9/6/2012
8. Purpose of Grant:				
The Hazard Mitigation Grant Program provides States and local governments financial assistance to implement measures that will permanently reduce or eliminate future damages and losses from natural hazards through safer building practices and improving existing structures and supporting infrastructure.				
9. Impact on existing program if grant is not Accepted:				
The severe storms that occurred November 13, 2007 resulted in Vermont cities and towns suffering flood damage. The President declared this a federal disaster (#1784) and made federal aid available to mitigate future reoccurring flood problems.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2011	FY 2012	FY 2013	
Personal Services	\$	\$	\$	
Operating Expenses	\$	\$	\$	
Grants	\$87,298	\$	\$	
Total	\$87,298	\$	\$	
Revenues:				
State Funds:				
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:				
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$65,474	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:				
Grant (source Local Match)	\$	\$	\$	
Total	\$21,824	\$	\$	
Appropriation No:	2140030000	Amount:	\$65,474	
			\$	
			\$	

REC'D OCT 26 2010



STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

			\$
			\$
			\$
			\$
		Total	\$65,474

PERSONAL SERVICE INFORMATION


11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: _____ Agreed by: _____ (initial)

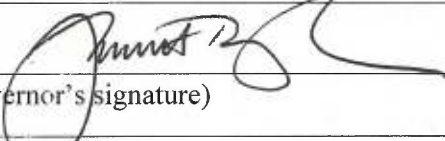
12. Limited Service Position Information:	# Positions	Title
Total Positions		

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.


13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: 	Date: 10/22/10
	Title: Commissioner	
	Signature: _____	Date: _____
	Title: _____	

14. ACTION BY GOVERNOR

<input checked="" type="checkbox"/> Check One Box: Accepted		Date: 11/3/10
<input type="checkbox"/> Rejected		

15. SECRETARY OF ADMINISTRATION

<input type="checkbox"/> Check One Box: Request to JFO	(Secretary's signature or designee) 	Date: 11/2/10
<input type="checkbox"/> Information to JFO		

16. DOCUMENTATION REQUIRED

Required GRANT Documentation

<input type="checkbox"/> Request Memo	<input type="checkbox"/> Notice of Donation (if any)
<input type="checkbox"/> Dept. project approval (if applicable)	<input type="checkbox"/> Grant (Project) Timeline (if applicable)
<input type="checkbox"/> Notice of Award	<input type="checkbox"/> Request for Extension (if applicable)
<input type="checkbox"/> Grant Agreement	<input type="checkbox"/> Form AA-1PN attached (if applicable)
<input type="checkbox"/> Grant Budget	

End Form AA-1



FEMA

September 7, 2010

(COPY)

Ms. Barbara Farr, Director
Vermont Emergency Management Agency
Dept of Public Safety
103 South Main Street
Waterbury, VT 05671-2101

RECEIVED
SEP 21 2010
DPS - 302A

SUBJECT: FEMA-DR-1784-VT
Hazard Mitigation Grant Program Project #1R
Adams Brook Road Relocation Project, Town of Marlboro, VT

Dear Ms. Farr:

Enclosed please find the Regional Environmental Officer's Record of Environmental Consideration and the Allocation, Obligation, Financial Activity and Project Management reports for the following Hazard Mitigation Grant Program project:

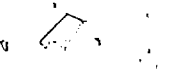
1784-1R	Town of Marlboro Adams Brook Road Relocation Project	\$ 65,474
Total:		\$ 65,474

If you have any questions, please do not hesitate to call Judith Maloney at our Hazard Mitigation Office at (617) 832-4797.

Sincerely,


Kevin M. Merli, Director *Fur*
Mitigation Division

Attachment



Project Review and Conditions Status

Project Name/Number: FEMA-HMGP-1784 Adams Brook Road Relocation and Drainage Project

Project Location: Adams Brook Road, Marlboro, Vermont, as indicated on map enclosed with application in Montgomery, VT
Latitude: N 44 .54 15 Longitude: W -72.43436

Project Description: The Town of Marlboro, VT, proposes to move 3168 feet of Adams Brook Road approximately 100 yards to the northeast on land owned by the Town as indicated on the diagram attached to the application. The relocated section of the road will be 3168 feet long and have a 50-foot –wide right-of-way and will be in area 3.64 acres. The new section will begin at Lat. N. 42 54 15, Long. W72 43 43.6, just north of the intersection with Auger Hole Rd. and continue to N.42 54 48 Long W 72 23 55 1 where it will meet the existing Adams Brook Road. The new section of the road will be ditched as indicated on the attached sketch.

Environmental Review Project Conditions

General comments: *N/A*

1. If ground disturbing activities occur during implementation, the applicant will monitor excavation activity, and if any artifacts or human remains are found during the excavation process all work is to cease and the applicant will notify FEMA, Grantee, and SHPO/THPO.
2. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements for the abatement and disposal of lead, asbestos, and other routinely encountered hazardous substances. If there is an unusual material encountered or there is an extraordinary amount of lead, asbestos, or other routinely encountered material the applicant must contact the Grantee and the Grantee must contact FEMA. The applicant must also contact the relevant agency with authority for regulation of the material.
3. If deviations from the proposed scope of work result in design changes, the need for additional ground disturbance, additional removal of vegetation, or result in any other unanticipated changes to the physical environment, the Grantee must contact FEMA, and a re-evaluation under NEPA and other applicable environmental laws will be conducted by FEMA.

Other Required Project Specific Conditions

1. The applicant is required to obtain any applicable permits with the New Hampshire Department of Environmental Protection and the U.S. Army Corps of

Engineers if this project is located in a wetland or has an effect on a wetland. All conditions of any permit acquired become conditions of this grant, and a copy of such permit(s) should be forwarded to FEMA.

2. The culvert must be constructed in such a way as to not inhibit the movement of aquatic organisms, particularly fish. The culvert invert must be placed approximately 6" in the streambed or an arch or bottomless structure must be used.
3. As long as the appropriate soil erosion/siltation control measures and the best management practices for roads and culverts (e.g. placing culvert inverts at or slightly below grade in the bed of the stream to accommodate fish passage, working during low flow summer periods, etc.) are utilized, harm to fish and wildlife will be minimized.
4. The applicant must seed, mulch, and replant any disturbed ground with native shrubs and vegetation. A special effort shall be made to plant native vegetation at higher bank elevations.
5. The applicant must ensure that best managing practices for roads and culverts are utilized, and installation of erosion control. Construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act's: "Best Management Practices, BMP" for erosion control during construction of this project. This includes, the applicant applying for all local, state, and federal permits and easements necessary to complete the project and obtaining these permits prior to commencement of any work. Any conditions of these permits become conditions of this grant, project, and environmental review. In accordance with FEMA Guidelines, applicants are required to comply with the federal law provisions of: the Water Pollution Control Act, as amended; Section 10 of the Rivers and Harbors Act; and Section 404 of the Clean Water Act, requirements regarding acquisition of appropriate permits or determinations from the U.S. Army Corps of Engineers (USACE) for projects funded by FEMA. All correspondence (including copies of any permits issued by USACE) regarding these determinations should be coordinated with and copies forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

Monitoring Requirements:

Quarterly Reports and final inspection of scope of work and accounting records are required.

1. As long as the appropriate soil erosion/siltation control measures and the best management practices for roads and culverts (e.g. placing culvert inverts at or slightly below grade in the bed of the stream to accommodate fish passage, working during low flow summer periods, etc.) are utilized, harm to fish and wildlife will be minimized.
2. The applicant must seed, mulch, and replant any disturbed ground with native shrubs and vegetation. A special effort shall be made to plant native vegetation at higher bank elevations.
3. Commence work during low flow period.
4. Reroute or stop the flow of water into the project site.
5. If necessary, dewater the project site.
6. Excavate unsuitable wash material from site.
7. Remove erosion control measures after the construction area has been stabilized.

Monitoring Requirements:

Quarterly Reports and final inspection of scope of work and accounting records are required.

Funding

Total Cost of Project:	\$ 87,298
Federal Share	\$ 65,474
Applicant Share	\$ 21,824

All permits must be obtained and forwarded to FEMA before any work begins.

- **Any deviation from this scope of work, conditions or funding must be approved in advance, in writing.**
- **Applicants must comply with HMGP requirements, grants management procedures in 44 CFR Part 13, the grant agreement, and applicable Federal State, and laws and standards.**

Town of Marlboro Vermont
 Highway Department
 PO Box 76 Marlboro, VT 05344
 Phone: 802-257-0252 FAX: 802-257-2447

HMGP Application	
General Project Information	Date Submitted 3/31/09
Name of Subgrantee (Eligible applicants are local governments, state agencies and some private non-profits.) Town of Marlboro Vermont	
State or Local Contact for the Project	
Name of Contact David Elliott/Lisa Hecht	Title Road Foreman/EMD
Mailing Address PO Box 76 Marlboro, VT 05344	Phone Numbers 802-257-0252 Highway Dept. (include area code) 802-464-8626 Road Foreman 802-257-0918 EMD
FAX Number (include area code) 802-257-2447	E-Mail Address marlboroemd@mac.com
Describe Project Location (Include latitude and longitude) The Project is located north of the Intersection of Adams Brook Rd. and Augur Hole Road. Lat. N 42° 54' 15.0" Long. W.072° 43' 43.6" and. Lat. N42° 54' 48.0" Long. W.072° 23' 55.1" Adams Brook Road is a graveled class 3 road running from the Augur Hole Rd. to Stratton Hill Road as indicated on the enclosed as State Agency of Transportation General Highway Map. Also enclosed is a Topographic map and a Flood Insurance Rate Map.	
The following required/optional items are attached: <input checked="" type="checkbox"/> Local general highway map (required) see attachment A <input checked="" type="checkbox"/> Flood insurance rate map (required) see attachment B <input checked="" type="checkbox"/> Topographic map (optional) see attachment C	
The Problem Statement: see attachment D #1	
Statement of Damages Attached (Per Event) see attachment D #2 <input checked="" type="checkbox"/> Damage Narrative see attachment D #2 <input checked="" type="checkbox"/> Itemized List of Damages see attachment D #2 <input checked="" type="checkbox"/> Pictures see attachment P	
The Project Objective see attachment D #3 The proposed project will eliminate the steep grade resulting in a safer road that is less costly to maintain, eliminate access issues, and prevent wash outs.	
Alternative Solutions - Include a brief title and description. see attachment D #4 (Note - FEMA requires consideration of at least two alternatives besides the no action alternative.)	
Alternative 1	Title: Move Adams Brook Road

HMGP Application	
	<p>Description</p> <p>Moving Adams Brook Road will correct the steep grade. This new routing of the road will eliminate all safety and access problems caused by the steep grade. The design will bring the road up to the current standards for grade, culverts, etc., and will eliminate the erosion concerns. Increase property values.</p>
Alternative 2	<p>Title Black Top the Road</p>
	<p>Description</p> <p>Blacktopping the steep section of the road will eliminate some of the erosion problems but will not address the other safety concerns due to the grade. Although this Option will address erosion to a point it will not mitigate the safety issues or prevent the potential washout of the Augur Hole Road.</p>
Alternative 3	No Action
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Additional information on each alternative is attached, i.e., drawings, designs, etc.	
<p>Analyzing the Alternatives - see attachment D #5</p> <p>Did any of the alternatives have significant impacts or limitations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No There is additional information concerning these impacts attached. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No see attachment D # 5</p>	
<p>Preferred Alternative <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No A detailed Project Cost List for each alternative is attached. see attachment D # 6</p>	
<p>The chosen alternative is Alternative 1: Move Adams Brook Road</p>	
Justification	<p>We believe Alternative 1 is the best alternative. This alternative will correct the steep grade, and eliminate all safety and access problems that are caused by the steep grade. In addition the proposed design will bring the road up to the current state and local standards for grade, culverts, etc., and will eliminate the erosion concerns.</p>

Town of Marlboro Vermont
 Highway Department
 PO Box 76 Marlboro; VT 05344
 Phone: 802-257-0252 FAX: 802-257-2447

HMGP Application			
Project Cost Breakdown			
1. Total Project Costs			\$ 87,248
2. FEMA Funds (75% of Line 1)		\$ 65,473.50	
3. Matching Funds (25% of Line 1)		\$ 21,824.50	
a. Applicant Share	\$ -		
b. In-Kind Services	\$ -		
c. Non-Federal Funds	\$ 0		
4. Total Project Cost (Line 2 + Line 3)			\$ 87,248
Notes - The sum of lines a. - c. should equal line 3. - Line 1 and line 4 should be equal.			

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

Project Name/Number: FEMA-HMGP-1784 Adams Brook Road Relocation and Drainage Project

Project Location: Adams Brook Road, Marlboro, Vermont, as indicated on map enclosed with application in Montgomery, VT

Latitude: N 44 .54 15 Longitude: W -72.43436

Project Description: The Town of Marlboro, VT, proposes to move 3168 feet of Adams Brook Road approximately 100 yards to the northeast on land owned by the Town as indicated on the diagram attached to the application. The relocated section of the road will be 3168 feet long and have a 50-foot -wide right-of-way and will be in area 3.64 acres. The new section will begin at Lat. N. 42 54 15, Long. W72 43 43.6, just north of the intersection with Auger Hole Rd. and continue to N.42 54 48 Long W 72 23 55 1 where it will meet the existing Adams Brook Road. The new section of the road will be ditched as indicated on the attached sketch.

Documentation Requirements

- No Documentation Required (**Review Concluded**)
- (**Short version**) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. (**Review Concluded**)
- (**Long version**) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. (**Review Concluded**)
- Categorical Exclusion - Category (xvi) Type Single Project
 - No Extraordinary Circumstances exist.
 - Are project conditions required? Yes (see section V) No (**Review Concluded**)
 - Extraordinary Circumstances exist (See Section IV).
 - Extraordinary Circumstances mitigated. (See Section IV comments)
 - Are project conditions required? Yes (see section V) No (**Review Concluded**)
 - Environmental Assessment required. See FONSI for determination, conditions and approval.
- Environmental Assessment required. See FONSI for determination, conditions and approval.

Comments: This project does not have an adverse effect on the area.

Correspondence/Consultation/References: Project Description. Based on information provided by the grantee, the scope of work for this project qualifies as a Categorical Exclusion (CATEX) under 44 CFR Part 10.8 (d)(2)(xv and xvi)

Reviewer Name: Judith A. Maloney
Disaster/Emergency/Program/Project Title: FEMA-HMGP-1784
Adams Brook Road Relocation and Drainage Project.

Applicant: Town of Marlboro, VT

Reviewer and Approvals

FEMA Environmental Reviewer

Name: Judith A. Maloney

Signature Judith A. Maloney Date 4/27/10

FEMA Regional Environmental Officer or delegated approving official

Name: Jack Sullivan

Signature Jack Sullivan Date 4/26/10

I. Compliance Review for Environmental Laws (other than NEPA)

A. National Historic Preservation Act

- Not type of activity with potential to affect historic properties. **(Review Concluded)**
 Applicable executed Programmatic Agreement. Sept. 23, 2002 Otherwise, conduct standard Section 106 review.

- Activity meets Programmatic Allowance # Appendix B, IB
Are project conditions required? Yes (see section V) No **(Review Concluded)**

HISTORIC BUILDINGS AND STRUCTURES

- No historic properties 50 years or older in project area. **(Review Concluded)**
 Building or structure 50 years or older in project area and activity not exempt from review.
 Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required? Yes (see section V) No **(Review Concluded)**
 Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
 No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).
Are project conditions required? Yes (see section V) No **(Review Concluded)**
 Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 Resolution of Adverse Effect completed. (MOA on file)
Are project conditions required Yes (see section V) No **(Review Concluded)**

ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. **(Review Concluded)**
 Project affects undisturbed ground.
 Project area has no potential for presence of archeological resources

Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**

Project area has potential for presence of archeological resources

Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)

Are project conditions required Yes (see section V) No **(Review**

Concluded)

Determination of historic properties affected

NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).

Are project conditions required Yes (see section V) No **(Review**

Concluded)

NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)

No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)

Are project conditions required? Yes (see section V) No

(Review Concluded)

Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)

Resolution of Adverse Effect completed. (MOA on file)

Are project conditions required? Yes (see section V) No

(Review Concluded)

Comments: Although there are buildings near the project that are more than 50 years old, the proposal to relocate the road has no impact on the buildings in the town.

Correspondence/Consultation/References: The Vermont Programmatic Agreement, Appendix B, IB. Letter of concurrence to FEMA's finding of "No historic properties affected" dated 3/10/10 from Giovanna Peeples, VT SHPO.

B. Endangered Species Act

No listed species and/or designated critical habitat present in the action area. **(Review Concluded)**

Listed species and/or designated critical habitat present in the action area.

No effect to species or designated critical habitat. (See comments for justification)

(Review Concluded)

May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**

Likely to adversely affect species or designated critical habitat

Formal consultation concluded. (Biological Assessment and Biological Opinion on file)

Are project conditions required? YES (see section V) NO **(Review**

Concluded)

Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects. Site visit confirmed common roadside species of plants.

Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species' web site

C. Coastal Barrier Resources Act

- Project is not located in Coastal Barriers Resource System or Otherwise Protected Area.
- Project does not affect a coastal barrier within the COBRA System (regardless of in or out)

(Review Concluded)

- Project is located in a coastal barrier system and/or affects a coastal barrier. (FEMA determination/USFWS consultation on file)
 - Proposed action an exception under Section 3505.a.6? **(Review Concluded)**
 - Proposed action not excepted under Section 3505.a.6.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project is not in or near a coastal area.

Correspondence/Consultation/References: Coastal Barrier Resources Act, N.E. maps

D. Clean Water Act

- Project site located outside of and would not affect any waters of the U.S. **(Review Concluded)**
- Project site located in or would affect waters, including wetlands, of the U.S.
 - Project exempted as in kind replacement or other exemption. **(Review Concluded)**
 - Project requires Section 404/401/10 permit, including qualification under Nationwide Permits. Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Project involves no activity in waters of the US, nor discharge of pollutants or dredged/fill materials. Project improvements may require permits from appropriate local, state, and federal agencies. Additionally, construction activities that result in disturbed ground must be protected against erosion into any stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed.

Correspondence / Consultation / References: Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, (Re: determinations and acquisition of appropriate permits), and local Conservation Commission regulations. See USACE General Permit No: NAE-2007-24
Expiration Date: December 5, 2012

E. Coastal Zone Management Act

- Project does not affect a coastal zone area (regardless of in or out)- **(Review concluded)**
- Project is not located in a coastal zone area – **(Review concluded)**
- Project is located in a coastal zone area and/or affects the coastal zone
 - State administering agency does not require consistency review. **(Review Concluded).**
 - State administering agency requires consistency review.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project is not in or near a coastal area.

Correspondence/Consultation/References: Coastal Barrier Resources Act, N.E. maps

F. Fish and Wildlife Coordination Act

- Project is not located in or affects a waterway/body of water. **(Review Concluded)**
- Project affects, controls or modifies a waterway/body of water.
 - Coordination with USFWS conducted
 - No Recommendations offered by USFWS. **(Review Concluded)**
 - Recommendations provided by USFWS.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects.

Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site

G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
- Project is located in an attainment area. **(Review Concluded)**
- Project is located in a non-attainment area.
 - Coordination required with applicable state administering agency.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Any emissions from construction equipment will be temporary in nature. Only minimal, temporary dust and increased emissions from construction vehicles caused by a routine construction project might occur.

Correspondence/Consultation/References: project description

H. Farmlands Protection Policy Act

- Project does not affect prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of prime or unique farmland.
 - Coordination with Natural Resource Conservation Commission required.
 - Farmland Conversion Impact Rating, Form AD-1006, completed.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The project will relocate a road in a forested area. No commitment of farm lands.

Correspondence/Consultation/References: See project description.

I. Migratory Bird Treaty Act

- Project not located within a flyway zone. **(Review Concluded)**
- Project located within a flyway zone.
 - Project does not have potential to take migratory birds. **(Review Concluded)**
 - Project has potential to take migratory birds.
 - Contact made with USFWS
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: N/A This project will not result in the migratory taking of birds.
Correspondence/Consultation/References: The Migratory Bird Treaty Act and Executive Order 13186, project description

J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat. **(Review Concluded)**
 - Project located in or near Essential Fish Habitat.
 - Project does not adversely affect Essential Fish Habitat. **(Review Concluded)**
 - Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
 - NOAA Fisheries provided no recommendation(s) **(Review Concluded).**
 - NOAA Fisheries provided recommendation(s)
 - Written reply to NOAA Fisheries recommendations completed.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: No Essential Fish habitat is adversely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects.
Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site; site visit

K. Wild and Scenic Rivers Act

- Project is not along and does not affect a Wild or Scenic River - **(Review Concluded)**
 - Project is along or affects Wild or Scenic River
 - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation on file)
 - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: No designated river is near the project.
Correspondence/Consultation/References: Review of Web site:
<http://www.rivers.gov/wildriverslist.html#vt>

L. Other Relevant Laws and Environmental Regulations

Identify relevant law or regulations, resolution and any consultation/references: *N/A*

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains

- Outside Floodplain and No Effect on Floodplains/Flood levels - **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels
 - No adverse effect on floodplain or can be adversely affected by the floodplain. **(Review Concluded).**

- Beneficial Effect on Floodplain Occupancy/Values **(Review Concluded)**.
 - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
 - 8 Step Process Complete - documentation on file
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project will mitigate damages to the road.
Correspondence/Consultation/References: Project is located in a FEMA designated X zone, an area of 500-year flood; area subject to 100-year flood with average depths of less than one foot or with contributing drainage area less than one square mile or an area protected by levees from the base flood. FIRM Flood Insurance Rate Map, Town of Marlboro, VT, Rutland County, Map Number 50025C 0365E (Panel 365 of 652).

B. E.O. 11990 - Wetlands

- Outside Wetland and No Effect on Wetland(s) - **(Review Concluded)**
 - Located in Wetland or effects Wetland(s)
 - Beneficial Effect on Wetland - **(Review Concluded)**
 - Possible adverse effect associated with constructing in or near wetland
 - Review completed as part of floodplain review
 - 8 Step Process Complete - documentation on file
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The project is not in a wetland.
Correspondence/Consultation/References: <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>; Project is located in a FEMA designated X zone, an area of 500-year flood; area subject to 100-year flood with average depths of less than one foot or with contributing drainage area less than one square mile or an area protected by levees from the base flood. FIRM Flood Insurance Rate Map, Town of Marlboro, VT, Rutland County, Map Number 50025C 0365E (Panel 365 of 652).
 Topographical map of the area.

C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- No Low income or minority population in, near or affected by the project - **(Review Concluded)**
 - Low income or minority population in or near project area
 - No disproportionately high and adverse impact on low income or minority population- **(Review Concluded)**
 - Disproportionately high or adverse effects on low income or minority population
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Project will have no disproportionate effects on the local population.
Correspondence/Consultation/References:

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments: A review of the scoping guidance indicates no other environmental concerns.

Correspondence/Consultation/References:

IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

Yes

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments:

V. Environmental Review Project Conditions

General comments:

1. If ground disturbing activities occur during implementation, the applicant will monitor excavation activity, and if any artifacts or human remains are found during the excavation process all work is to cease and the applicant will notify FEMA, Grantee (VEM), and SHPO/THPO.

2. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements for the abatement and disposal of lead, asbestos, and other routinely encountered hazardous substances. If there is an unusual material encountered or there is an extraordinary amount of lead, asbestos, or other routinely encountered material the applicant must contact the Grantee and the Grantee must contact FEMA. The applicant must also contact the relevant agency with authority for regulation of the material.
3. If deviations from the proposed scope of work result in design changes, the need for additional ground disturbance, additional removal of vegetation, or result in any other unanticipated changes to the physical environment, the Grantee must contact FEMA, and a re-evaluation under NEPA and other applicable environmental laws will be conducted by FEMA.

Project Conditions:

1. As long as the appropriate soil erosion/siltation control measures and the best management practices for roads and culverts (e.g. placing culvert inverts at or slightly below grade in the bed of the stream to accommodate fish passage, working during low flow summer periods, etc.) are utilized, harm to fish and wildlife will be minimized.
2. The applicant must seed, mulch, and replant any disturbed ground with native shrubs and vegetation. A special effort shall be made to plant native vegetation at higher bank elevations.
3. Commence work during low flow period.
4. Reroute or stop the flow of water into the project site.
5. If necessary, dewater the project site.
6. Excavate unsuitable wash material from site.
7. Remove erosion control measures after the construction area has been stabilized.

The applicant must ensure that best managing practices for roads and culverts and installation of erosion control measures are utilized. Construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act's: "Best Management Practices, BMP" for erosion control during construction of this project. This includes, the applicant applying for all local, state, and federal permits and easements necessary to complete the project and obtaining these permits prior to commencement of any work. Any conditions of these permits become conditions of this grant, project, and environmental review. In accordance with FEMA Guidelines, applicants are required to comply with the federal law provisions of: the Water Pollution Control Act, as amended; Section 10 of the Rivers and Harbors Act; and Section 404 of the Clean Water Act, requirements regarding acquisition of appropriate permits or determinations from the U.S. Army Corps of Engineers (USACE) for projects funded by FEMA. All correspondence (including copies of any permits issued by USACE) regarding these determinations should be coordinated with and copies forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

Monitoring Requirements: Quarterly Reports, and final inspection of the scope of work and accounting records are required.

State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

Agency of Administration

[phone] 802-828-2376
 [fax] 802-828-2428

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		FEMA assistance for hazard mitigation project in Marlboro in response to damaging storms in November 2007.			
Date:		10/27/2010			
Department:		Department of Public Safety			
Legal Title of Grant:		Hazard Mitigation Grant Program			
Federal Catalog #:		97.039			
Grant/Donor Name and Address:		US Dept of Homeland Security/FEMA Region I, Boston, Ma.			
Grant Period:	From:	9/7/2010	To:	9/6/2012	
Grant/Donation		\$65,474			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$65,474	\$	\$	\$65,474	75% federal funding
Position Information:	# Positions	Explanation/Comments			
	0				
Additional Comments:		25% local match of \$21,824 for total project cost of \$87,298.			
Department of Finance & Management		[Signature]		(Initial) DB 10-27-10	
Secretary of Administration		[Signature]		(Initial)	
Sent To Joint Fiscal Office		[Signature]		Date	





Vermont Emergency Management
Department of Public Safety
103 South Main Street
Waterbury, VT 05671-2101
www.dps.state.vt.us/vem

[toll free] 800-347-0488
[phone] 802-244-8721
[TTY] 888-545-7598
[fax] 802-241-5556

To: Joint Fiscal Office, Montpelier
From: Barbara Farr, Director
Subject: Seeking approval for receipt of federal funds
Date: October 14, 2010

Vermont Emergency Management is respectfully requesting an expedited review and approval for three projects (DR 1784 – Town of Marlboro, and DR 1816 – Two Rivers_Ottawaquechee Regional Commission, Town of Windsor, Town of Fairfield and Southern Windsor County Regional Planning Commission) for local communities being funded by FEMA’s Hazard Mitigation Grant Program (HMGP). This program is awarded by FEMA to local communities in the aftermath of a federally declared disaster. These hazard mitigation projects are intended for our communities to prevent future damage from natural hazards such as catastrophic flooding and are connected with federally declared disasters DR 1784 (August 15, 2008) and DR 1816 (January 14, 2009). FEMA funding was released only recently due to the often contentious Congressional debate concerning federal expenditures and revenue sources. Vermont has been waiting at least six months for the funds to be released; one community, Marlboro, has been waiting even longer. Extensive delays in the release of FEMA funding have already had a negative impact on some of the communities involved in these approved mitigation projects.

We would greatly appreciate an expedited review by the Joint Fiscal Office so that these mitigation projects can be implemented in our communities as soon as possible. Thank you very much for your consideration in this regard. For additional information, please contact me or the state hazard mitigation officer: Ray Doherty, at (802) 241-5258 or via e-mail at rdoherty@dps.state.vt.us

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION					
1. Agency:					
2. Department:		Public Safety			
3. Program:		Emergency Management			
4. Legal Title of Grant:		Hazard Mitigation Grant Program			
5. Federal Catalog #:		97.039			
6. Grant/Donor Name and Address: U.S. Dept. of Homeland Security/FEMA Region I 99 High St, Sixth Floor Boston, MA 02110-2132					
7. Grant Period:		From: 9/7/2010	To: 9/6/2012		
8. Purpose of Grant: The Hazard Mitigation Grant Program provides States and local governments financial assistance to implement measures that will permanently reduce or eliminate future damages and losses from natural hazards through safer building practices and improving existing structures and supporting infrastructure.					
9. Impact on existing program if grant is not Accepted: The severe storms that occurred November 13, 2007 resulted in Vermont cities and towns suffering flood damage. The President declared this a federal disaster (#1784) and made federal aid available to mitigate future reoccurring flood problems.					
10. BUDGET INFORMATION					
	SFY 1	SFY 2	SFY 3	Comments	
Expenditures:	FY 2011	FY 2012	FY 2013		
Personal Services	\$	\$	\$		
Operating Expenses	\$	\$	\$		
Grants	\$87,298	\$	\$		
Total	\$87,298	\$	\$		
Revenues:					
State Funds:	\$	\$	\$		
Cash	\$	\$	\$		
In-Kind	\$	\$	\$		
Federal Funds:	\$	\$	\$		
(Direct Costs)	\$65,474	\$	\$		
(Statewide Indirect)	\$	\$	\$		
(Departmental Indirect)	\$	\$	\$		
Other Funds:	\$	\$	\$		
Grant (source Local Match)	\$21,824	\$	\$		
Total	\$87,298	\$	\$		
Appropriation No:	2140030000	Amount:	\$65,474		
			\$		
			\$		

REC'D OCT 26 2010

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

			\$
			\$
			\$
			\$
		Total	\$65,474

PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

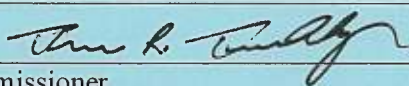
Appointing Authority Name: _____ Agreed by: _____ (initial)

12. Limited Service Position Information:	# Positions	Title
Total Positions		

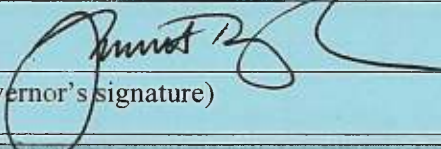
12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

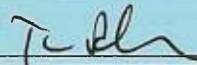
I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):

Signature: 	Date: 10/22/10
Title: Commissioner	
Signature: _____	Date: _____
Title: _____	

14. ACTION BY GOVERNOR

<input checked="" type="checkbox"/> Accepted	 (Governor's signature)	
<input type="checkbox"/> Rejected		Date: 11/3/10

15. SECRETARY OF ADMINISTRATION

<input type="checkbox"/> Request to JFO		
<input type="checkbox"/> Information to JFO	(Secretary's signature or designee) 	Date: 11/2/10

16. DOCUMENTATION REQUIRED

Required GRANT Documentation	
<input type="checkbox"/> Request Memo	<input type="checkbox"/> Notice of Donation (if any)
<input type="checkbox"/> Dept. project approval (if applicable)	<input type="checkbox"/> Grant (Project) Timeline (if applicable)
<input type="checkbox"/> Notice of Award	<input type="checkbox"/> Request for Extension (if applicable)
<input type="checkbox"/> Grant Agreement	<input type="checkbox"/> Form AA-1PN attached (if applicable)
<input type="checkbox"/> Grant Budget	

End Form AA-1



FEMA

September 7, 2010

[COPY]

Ms. Barbara Farr, Director
Vermont Emergency Management Agency
Dept of Public Safety
103 South Main Street
Waterbury, VT 05671-2101

RECEIVED
SEP 21 2010
DPS - VT

SUBJECT: FEMA-DR-1784-VT
Hazard Mitigation Grant Program Project #1R
Adams Brook Road Relocation Project, Town of Marlboro, VT

Dear Ms. Farr:

Enclosed please find the Regional Environmental Officer's Record of Environmental Consideration and the Allocation, Obligation, Financial Activity and Project Management reports for the following Hazard Mitigation Grant Program project:

1784-1R	Town of Marlboro Adams Brook Road Relocation Project	\$ 65,474
Total:		\$ 65,474

If you have any questions, please do not hesitate to call Judith Maloney at our Hazard Mitigation Office at (617) 832-4797.

Sincerely,


Kevin M. Merli, Director *FM*
Mitigation Division

Attachment

Project Review and Conditions Status

Project Name/Number: FEMA-HMGP-1784 Adams Brook Road Relocation and Drainage Project

Project Location: Adams Brook Road, Marlboro, Vermont, as indicated on map enclosed with application in Montgomery, VT
Latitude: N 44 .54 15 Longitude: W -72.43436

Project Description: The Town of Marlboro, VT, proposes to move 3168 feet of Adams Brook Road approximately 100 yards to the northeast on land owned by the Town as indicated on the diagram attached to the application. The relocated section of the road will be 3168 feet long and have a 50-foot –wide right-of-way and will be in area 3.64 acres. The new section will begin at Lat. N. 42 54 15, Long. W72 43 43.6, just north of the intersection with Auger Hole Rd. and continue to N.42 54 48 Long W 72 23 55 1 where it will meet the existing Adams Brook Road. The new section of the road will be ditched as indicated on the attached sketch.

Environmental Review Project Conditions

General comments: *N/A*

1. If ground disturbing activities occur during implementation, the applicant will monitor excavation activity, and if any artifacts or human remains are found during the excavation process all work is to cease and the applicant will notify FEMA, Grantee, and SHPO/THPO.
2. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements for the abatement and disposal of lead, asbestos, and other routinely encountered hazardous substances. If there is an unusual material encountered or there is an extraordinary amount of lead, asbestos, or other routinely encountered material the applicant must contact the Grantee and the Grantee must contact FEMA. The applicant must also contact the relevant agency with authority for regulation of the material.
3. If deviations from the proposed scope of work result in design changes, the need for additional ground disturbance, additional removal of vegetation, or result in any other unanticipated changes to the physical environment, the Grantee must contact FEMA, and a re-evaluation under NEPA and other applicable environmental laws will be conducted by FEMA.

Other Required Project Specific Conditions

1. The applicant is required to obtain any applicable permits with the New Hampshire Department of Environmental Protection and the U.S. Army Corps of

Engineers if this project is located in a wetland or has an effect on a wetland. All conditions of any permit acquired become conditions of this grant, and a copy of such permit(s) should be forwarded to FEMA.

2. The culvert must be constructed in such a way as to not inhibit the movement of aquatic organisms, particularly fish. The culvert invert must be placed approximately 6" in the streambed or an arch or bottomless structure must be used.
3. As long as the appropriate soil erosion/siltation control measures and the best management practices for roads and culverts (e.g. placing culvert inverts at or slightly below grade in the bed of the stream to accommodate fish passage, working during low flow summer periods, etc.) are utilized, harm to fish and wildlife will be minimized.
4. The applicant must seed, mulch, and replant any disturbed ground with native shrubs and vegetation. A special effort shall be made to plant native vegetation at higher bank elevations.
5. The applicant must ensure that best managing practices for roads and culverts are utilized, and installation of erosion control. Construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act's: "Best Management Practices, BMP" for erosion control during construction of this project. This includes, the applicant applying for all local, state, and federal permits and easements necessary to complete the project and obtaining these permits prior to commencement of any work. Any conditions of these permits become conditions of this grant, project, and environmental review. In accordance with FEMA Guidelines, applicants are required to comply with the federal law provisions of: the Water Pollution Control Act, as amended; Section 10 of the Rivers and Harbors Act; and Section 404 of the Clean Water Act, requirements regarding acquisition of appropriate permits or determinations from the U.S. Army Corps of Engineers (USACE) for projects funded by FEMA. All correspondence (including copies of any permits issued by USACE) regarding these determinations should be coordinated with and copies forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

Monitoring Requirements:

Quarterly Reports and final inspection of scope of work and accounting records are required.

1. As long as the appropriate soil erosion/siltation control measures and the best management practices for roads and culverts (e.g. placing culvert inverts at or slightly below grade in the bed of the stream to accommodate fish passage, working during low flow summer periods, etc.) are utilized, harm to fish and wildlife will be minimized.
2. The applicant must seed, mulch, and replant any disturbed ground with native shrubs and vegetation. A special effort shall be made to plant native vegetation at higher bank elevations.
3. Commence work during low flow period.
4. Reroute or stop the flow of water into the project site.
5. If necessary, dewater the project site.
6. Excavate unsuitable wash material from site.
7. Remove erosion control measures after the construction area has been stabilized.

Monitoring Requirements:

Quarterly Reports and final inspection of scope of work and accounting records are required.

Funding

Total Cost of Project: \$ 87,298

Federal Share \$ 65,474

Applicant Share \$ 21,824

All permits must be obtained and forwarded to FEMA before any work begins.

- **Any deviation from this scope of work, conditions or funding must be approved in advance, in writing.**
- **Applicants must comply with HMGP requirements, grants management procedures in 44 CFR Part 13, the grant agreement, and applicable Federal State, and laws and standards.**

Town of Marlboro Vermont
 Highway Department
 PO Box 76 Marlboro, VT 05344
 Phone: 802-257-0252 FAX: 802-257-2447

HMGP Application	
General Project Information	Date Submitted 3/31/09
Name of Subgrantee (Eligible applicants are local governments, state agencies and some private non-profits.) Town of Marlboro Vermont	
State or Local Contact for the Project	
Name of Contact David Elliott/Lisa Hecht	Title Road Foreman/EMD
Mailing PO Box 76 Address Marlboro, VT 05344	Phone Numbers 802-257-0252 Highway Dept. (include area code) 802-464-8626 Road Foreman 802-257-0918 EMD
FAX Number (include area code) 802-257-2447	E-Mail Address marlboroemd@mac.com
Describe Project Location (Include latitude and longitude) The Project is located north of the Intersection of Adams Brook Rd. and Augur Hole Road. Lat. N 42° 54' 15.0" Long. W.072° 43' 43.6" and Lat. N42° 54' 48.0" Long. W.072° 23' 55.1" Adams Brook Road is a graveled class 3 road running from the Augur Hole Rd. to Stratton Hill Road as indicated on the enclosed as State Agency of Transportation General Highway Map. Also enclosed is a Topographic map and a Flood Insurance Rate Map.	
The following required/optional items are attached: <input checked="" type="checkbox"/> Local general highway map (required) see attachment A <input checked="" type="checkbox"/> Flood insurance rate map (required) see attachment B <input checked="" type="checkbox"/> Topographic map (optional) see attachment C	
The Problem Statement: see attachment D #1	
Statement of Damages Attached (Per Event) see attachment D #2 <input checked="" type="checkbox"/> Damage Narrative see attachment D #2 <input checked="" type="checkbox"/> Itemized List of Damages see attachment D #2 <input checked="" type="checkbox"/> Pictures see attachment P	
The Project Objective see attachment D #3 The proposed project will eliminate the steep grade resulting in a safer road that is less costly to maintain, eliminate access issues, and prevent wash outs.	
Alternative Solutions - Include a brief title and description. see attachment D #4 (Note - FEMA requires consideration of at least two alternatives besides the no action alternative.)	
Alternative 1	Title: Move Adams Brook Road

HMGP Application	
	<p>Description Moving Adams Brook Road will correct the steep grade. This new routing of the road will eliminate all safety and access problems caused by the steep grade. The design will bring the road up to the current standards for grade, culverts, etc., and will eliminate the erosion concerns. Increase property values.</p>
Alternative 2	<p>Title Black Top the Road</p>
	<p>Description Blacktopping the steep section of the road will eliminate some of the erosion problems but will not address the other safety concerns due to the grade. Although this Option will address erosion to a point it will not mitigate the safety issues or prevent the potential washout of the Augur Hole Road.</p>
Alternative 3	No Action
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Additional information on each alternative is attached, i.e., drawings, designs, etc.	
<p>Analyzing the Alternatives - see attachment D #5</p> <p>Did any of the alternatives have significant impacts or limitations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No There is additional information concerning these impacts attached. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No see attachment D # 5</p>	
<p>Preferred Alternative <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No A detailed Project Cost List for each alternative is attached. see attachment D # 6</p>	
<p>The chosen alternative is Alternative 1: Move Adams Brook Road</p>	
Justification	<p>We believe Alternative 1 is the best alternative. This alternative will correct the steep grade, and eliminate all safety and access problems that are caused by the steep grade.</p> <p>In addition the proposed design will bring the road up to the current state and local standards for grade, culverts, etc., and will eliminate the erosion concerns.</p>

Town of Marlboro Vermont
 Highway Department
 PO Box 76 Marlboro, VT 05344
 Phone: 802-257-0252 FAX: 802-257-2447

HMGP Application			
Project Cost Breakdown			
1. Total Project Costs			\$ 87,248
2. FEMA Funds (75% of Line 1)		\$ 65,436.00	
3. Matching Funds (25% of Line 1)		\$ 21,812.50	
a. Applicant Share	\$ -		
b. In-Kind Services	\$ -		
c. Non-Federal Funds	\$ 0		
4. Total Project Cost (Line 2 + Line 3)			\$ 87,248
Notes - The sum of lines a. - c. should equal line 3. - Line 1 and line 4 should be equal.			

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

Project Name/Number: FEMA-HMGP-1784 Adams Brook Road Relocation and Drainage Project

Project Location: Adams Brook Road, Marlboro, Vermont, as indicated on map enclosed with application in Montgomery, VT

Latitude: N 44 .54 15 Longitude: W -72.43436

Project Description: The Town of Marlboro, VT, proposes to move 3168 feet of Adams Brook Road approximately 100 yards to the northeast on land owned by the Town as indicated on the diagram attached to the application. The relocated section of the road will be 3168 feet long and have a 50-foot-wide right-of-way and will be in area 3.64 acres. The new section will begin at Lat. N. 42 54 15, Long. W72 43 43.6, just north of the intersection with Auger Hole Rd. and continue to N.42 54 48 Long W 72 23 55 1 where it will meet the existing Adams Brook Road. The new section of the road will be ditched as indicated on the attached sketch.

Documentation Requirements

- No Documentation Required (**Review Concluded**)
- (**Short version**) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. (**Review Concluded**)
- (**Long version**) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. (**Review Concluded**)
- Categorical Exclusion - Category (xvi) Type Single Project
 - No Extraordinary Circumstances exist.
 - Are project conditions required? Yes (see section V) No (**Review Concluded**)
 - Extraordinary Circumstances exist (See Section IV).
 - Extraordinary Circumstances mitigated. (See Section IV comments)
 - Are project conditions required? Yes (see section V) No (**Review Concluded**)
 - Environmental Assessment required. See FONSI for determination, conditions and approval.
- Environmental Assessment required. See FONSI for determination, conditions and approval.

Comments: This project does not have an adverse effect on the area.

Correspondence/Consultation/References: Project Description. Based on information provided by the grantee, the scope of work for this project qualifies as a Categorical Exclusion (CATEX) under 44 CFR Part 10.8 (d)(2)(xv and xvi)

Reviewer Name: Judith A. Maloney
Disaster/Emergency/Program/Project Title: FEMA-HMGP-1784
Adams Brook Road Relocation and Drainage Project.

Applicant: Town of Marlboro, VT

Reviewer and Approvals

FEMA Environmental Reviewer

Name: Judith A. Maloney

Signature Judith A. Maloney Date 4/27/10

FEMA Regional Environmental Officer or delegated approving official

Name: Jack Sullivan

Signature Jack Sullivan Date 4/26/10

I. Compliance Review for Environmental Laws (other than NEPA)

A. National Historic Preservation Act

- Not type of activity with potential to affect historic properties. **(Review Concluded)**
- Applicable executed Programmatic Agreement. Sept. 23, 2002 Otherwise, conduct standard Section 106 review.
 - Activity meets Programmatic Allowance # Appendix B, IB
 - Are project conditions required? Yes (see section V) No **(Review Concluded)**

HISTORIC BUILDINGS AND STRUCTURES

- No historic properties 50 years or older in project area. **(Review Concluded)**
- Building or structure 50 years or older in project area and activity not exempt from review.
 - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Are project conditions required? Yes (see section V) No **(Review Concluded)**
 - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
 - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).
 - Are project conditions required? Yes (see section V) No **(Review Concluded)**
 - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed. (MOA on file)
 - Are project conditions required Yes (see section V) No **(Review Concluded)**

ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. **(Review Concluded)**
- Project affects undisturbed ground.
 - Project area has no potential for presence of archeological resources

Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**

Project area has potential for presence of archeological resources

Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)

Are project conditions required Yes (see section V) No **(Review**

Concluded)

Determination of historic properties affected

NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).

Are project conditions required Yes (see section V) No **(Review**

Concluded)

NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)

No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)

Are project conditions required? Yes (see section V) No

(Review Concluded)

Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)

Resolution of Adverse Effect completed. (MOA on file)

Are project conditions required? Yes (see section V) No

(Review Concluded)

Comments: Although there are buildings near the project that are more than 50 years old, the proposal to relocate the road has no impact on the buildings in the town.

Correspondence/Consultation/References: The Vermont Programmatic Agreement, Appendix B, IB. Letter of concurrence to FEMA's finding of "No historic properties affected" dated 3/10/10 from Giovanna Peeples, VT SHPO.

B. Endangered Species Act

No listed species and/or designated critical habitat present in the action area. **(Review Concluded)**

Listed species and/or designated critical habitat present in the action area.

No effect to species or designated critical habitat. (See comments for justification)

(Review Concluded)

May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**

Likely to adversely affect species or designated critical habitat

Formal consultation concluded. (Biological Assessment and Biological Opinion on file)

Are project conditions required? YES (see section V) NO **(Review**

Concluded)

Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects. Site visit confirmed common roadside species of plants.

Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species' web site

C. Coastal Barrier Resources Act

- Project is not located in Coastal Barriers Resource System or Otherwise Protected Area.
- Project does not affect a coastal barrier within the COBRA System (regardless of in or out)

(Review Concluded)

- Project is located in a coastal barrier system and/or affects a coastal barrier. (FEMA determination/USFWS consultation on file)
 - Proposed action an exception under Section 3505.a.6? **(Review Concluded)**
 - Proposed action not excepted under Section 3505.a.6.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project is not in or near a coastal area.

Correspondence/Consultation/References: Coastal Barrier Resources Act, N.E. maps

D. Clean Water Act

- Project site located outside of and would not affect any waters of the U.S. **(Review Concluded)**
- Project site located in or would affect waters, including wetlands, of the U.S.
 - Project exempted as in kind replacement or other exemption. **(Review Concluded)**
 - Project requires Section 404/401/10 permit, including qualification under Nationwide Permits. Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Project involves no activity in waters of the US, nor discharge of pollutants or dredged/fill materials. Project improvements may require permits from appropriate local, state, and federal agencies. Additionally, construction activities that result in disturbed ground must be protected against erosion into any stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed.

Correspondence / Consultation / References: Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, (Re: determinations and acquisition of appropriate permits), and local Conservation Commission regulations. See .USACE General Permit No: NAE-2007-24 .
Expiration Date: December 5, 2012 .

E. Coastal Zone Management Act

- Project does not affect a coastal zone area (regardless of in or out)- **(Review concluded)**
 - Project is not located in a coastal zone area – **(Review concluded)**
 - Project is located in a coastal zone area and/or affects the coastal zone
 - State administering agency does not require consistency review. **(Review Concluded).**
 - State administering agency requires consistency review.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project is not in or near a coastal area.

Correspondence/Consultation/References: Coastal Barrier Resources Act, N.E. maps

F. Fish and Wildlife Coordination Act

- Project is not located in or affects a waterway/body of water. **(Review Concluded)**
- Project affects, controls or modifies a waterway/body of water.
 - Coordination with USFWS conducted
 - No Recommendations offered by USFWS. **(Review Concluded)**
 - Recommendations provided by USFWS.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects.

Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site

G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
- Project is located in an attainment area. **(Review Concluded)**
- Project is located in a non-attainment area.
 - Coordination required with applicable state administering agency.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Any emissions from construction equipment will be temporary in nature. Only minimal, temporary dust and increased emissions from construction vehicles caused by a routine construction project might occur.

Correspondence/Consultation/References: project description

H. Farmlands Protection Policy Act

- Project does not affect prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of prime or unique farmland.
 - Coordination with Natural Resource Conservation Commission required.
 - Farmland Conversion Impact Rating, Form AD-1006, completed.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The project will relocate a road in a forested area. No commitment of farm lands.

Correspondence/Consultation/References: See project description.

I. Migratory Bird Treaty Act

- Project not located within a flyway zone. **(Review Concluded)**
- Project located within a flyway zone.
 - Project does not have potential to take migratory birds. **(Review Concluded)**
 - Project has potential to take migratory birds.
 - Contact made with USFWS
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: N/A This project will not result in the migratory taking of birds.
Correspondence/Consultation/References: The Migratory Bird Treaty Act and Executive Order 13186, project description

J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat. **(Review Concluded)**
 - Project located in or near Essential Fish Habitat.
 - Project does not adversely affect Essential Fish Habitat. **(Review Concluded)**
 - Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
 - NOAA Fisheries provided no recommendation(s) **(Review Concluded).**
 - NOAA Fisheries provided recommendation(s)
 - Written reply to NOAA Fisheries recommendations completed.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: No Essential Fish habitat is adversely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects.
Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site; site visit

K. Wild and Scenic Rivers Act

- Project is not along and does not affect a Wild or Scenic River - **(Review Concluded)**
 - Project is along or affects Wild or Scenic River
 - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation on file)
 - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: No designated river is near the project.
Correspondence/Consultation/References: Review of Web site:
<http://www.rivers.gov/wildriverslist.html#vt>

L. Other Relevant Laws and Environmental Regulations

Identify relevant law or regulations, resolution and any consultation/references: N/A

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains

- Outside Floodplain and No Effect on Floodplains/Flood levels - **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels
 - No adverse effect on floodplain or can be adversely affected by the floodplain. **(Review Concluded),**

- Beneficial Effect on Floodplain Occupancy/Values **(Review Concluded)**.
- Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
 - 8 Step Process Complete - documentation on file
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project will mitigate damages to the road.

Correspondence/Consultation/References: Project is located in a FEMA designated X zone, an area of 500-year flood; area subject to 100-year flood with average depths of less than one foot or with contributing drainage area less than one square mile or an area protected by levees from the base flood. FIRM Flood Insurance Rate Map, Town of Marlboro, VT, Rutland County, Map Number 50025C 0365E (Panel 365 of 652).

B. E.O. 11990 - Wetlands

- Outside Wetland and No Effect on Wetland(s) - **(Review Concluded)**
- Located in Wetland or effects Wetland(s)
 - Beneficial Effect on Wetland - **(Review Concluded)**
 - Possible adverse effect associated with constructing in or near wetland
 - Review completed as part of floodplain review
 - 8 Step Process Complete - documentation on file
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The project is not in a wetland.

Correspondence/Consultation/References: <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>; Project is located in a FEMA designated X zone, an area of 500-year flood; area subject to 100-year flood with average depths of less than one foot or with contributing drainage area less than one square mile or an area protected by levees from the base flood. FIRM Flood Insurance Rate Map, Town of Marlboro, VT, Rutland County, Map Number 50025C 0365E (Panel 365 of 652).
Topographical map of the area.

C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- No Low income or minority population in, near or affected by the project - **(Review Concluded)**
- Low income or minority population in or near project area
 - No disproportionately high and adverse impact on low income or minority population - **(Review Concluded)**
 - Disproportionately high or adverse effects on low income or minority population
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Project will have no disproportionate effects on the local population.

Correspondence/Consultation/References:

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments: A review of the scoping guidance indicates no other environmental concerns.

Correspondence/Consultation/References:

IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

Yes

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments:

V. Environmental Review Project Conditions

General comments:

1. If ground disturbing activities occur during implementation, the applicant will monitor excavation activity, and if any artifacts or human remains are found during the excavation process all work is to cease and the applicant will notify FEMA, Grantee (VEM), and SHPO/THPO.

2. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements for the abatement and disposal of lead, asbestos, and other routinely encountered hazardous substances. If there is an unusual material encountered or there is an extraordinary amount of lead, asbestos, or other routinely encountered material the applicant must contact the Grantee and the Grantee must contact FEMA. The applicant must also contact the relevant agency with authority for regulation of the material.
3. If deviations from the proposed scope of work result in design changes, the need for additional ground disturbance, additional removal of vegetation, or result in any other unanticipated changes to the physical environment, the Grantee must contact FEMA, and a re-evaluation under NEPA and other applicable environmental laws will be conducted by FEMA.

Project Conditions:

1. As long as the appropriate soil erosion/siltation control measures and the best management practices for roads and culverts (e.g. placing culvert inverts at or slightly below grade in the bed of the stream to accommodate fish passage, working during low flow summer periods, etc.) are utilized, harm to fish and wildlife will be minimized.
2. The applicant must seed, mulch, and replant any disturbed ground with native shrubs and vegetation. A special effort shall be made to plant native vegetation at higher bank elevations.
3. Commence work during low flow period.
4. Reroute or stop the flow of water into the project site.
5. If necessary, dewater the project site.
6. Excavate unsuitable wash material from site.
7. Remove erosion control measures after the construction area has been stabilized.

The applicant must ensure that best managing practices for roads and culverts and installation of erosion control measures are utilized. Construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act's: "Best Management Practices, BMP" for erosion control during construction of this project. This includes, the applicant applying for all local, state, and federal permits and easements necessary to complete the project and obtaining these permits prior to commencement of any work. Any conditions of these permits become conditions of this grant, project, and environmental review. In accordance with FEMA Guidelines, applicants are required to comply with the federal law provisions of: the Water Pollution Control Act, as amended; Section 10 of the Rivers and Harbors Act; and Section 404 of the Clean Water Act, requirements regarding acquisition of appropriate permits or determinations from the U.S. Army Corps of Engineers (USACE) for projects funded by FEMA. All correspondence (including copies of any permits issued by USACE) regarding these determinations should be coordinated with and copies forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

Monitoring Requirements: Quarterly Reports, and final inspection of the scope of work and accounting records are required.

HAZARD MITIGATION GRANT PROGRAM

Allocation Request

Disaster Number : 1784

Allocation Number : 0

IFMIS Status : Accept

IFMIS Date :09/03/2010

FEMA Project Number	Proj Amend Number	State Appl ID	FY	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
1 -R	0	1	2010	\$65,474	\$0	\$0	\$65,474	\$65,474	\$65,474	\$0
TOTALS				\$65,474	\$	\$0	\$65,474			

Comments

Date: 08 / 31 / 2010 User Id: SBELL7

Comment: HMO approves allocation of \$65,474

Date: 08 / 31 / 2010 User Id: JMALONE2

Comment: allocation of \$65,474 approved

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 08/31/2010

HMO Authorization Name : SAMUEL BELL

HMO Authorization Date : 08/31/2010

Allocation Request with Signature

Disaster Number : 1784 Allocation Number : 0 IFMIS Status : Accept IFMIS Date : 09/03/2010

FEMA Project Number	Proj Amend Number	State Appl ID	FY	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
1-R	0	1	2010	\$65,474	\$0	\$0	\$65,474	\$65,474	\$65,474	\$0
TOTALS				\$65,474	\$	\$0	\$65,474			

Comments

Date: 08/31/2010 User Id: SBELL7

Comment: HMO approves allocation of \$65,474

Date: 08/31/2010 User Id: JMALONE2

Comment: allocation of \$65,474 approved

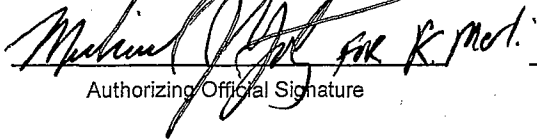
Authorization

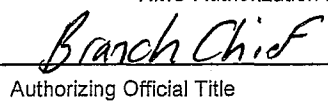
Preparer Name : JUDITH MALONEY

Preparation Date : 08/31/2010

HMO Authorization Name : SAMUEL BELL

HMO Authorization Date : 08/31/2010


Authorizing Official Signature


Authorizing Official Title


Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1784	1-R	0	1	1	0	VT	Statewide

Subgrantee: Marlboro (Town of)

Project Title : Adams Brook Rd. Relocation Project

Subgrantee FIPS Code: 025-43375

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$65,474	\$65,474	\$0	\$0	\$65,474	\$0	\$0	\$65,474	09/07/2010	Accept	2010

Comments

Date: 09/07/2010 User Id: JMALONE2

Comment: obligation of \$65,474 approved

Date: 09/07/2010 User Id: SBELL7

Comment: HMO approves obligation of \$65,474

Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 09/07/2010

HMO Authorization Name: SAMUEL BELL

HMO Authorization Date: 09/07/2010

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANTS PROGRAM
Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1784	1-R	0	1	1	0	VT	Statewide

Subgrantee: Marlboro (Town of)
Subgrantee FIPS Code: 025-43375

Project Title : Adams Brook Rd. Relocation Project

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$65,474	\$65,474	\$0	\$0	\$65,474	\$0	\$0	\$65,474	09/07/2010	Accept	2010

Comments

Date: 09/07/2010 User Id: JMALONE2

Comment: obligation of \$65,474 approved

Date: 09/07/2010 User Id: SBELL7

Comment: HMO approves obligation of \$65,474


Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 09/07/2010

HMO Authorization Name: SAMUEL BELL

HMO Authorization Date: 09/07/2010

 _____ Authorizing Official Signature	<i>Branch Chief</i> _____ Authorizing Official Title	<i>9/9/10</i> _____ Authorization Date
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_____ Authorizing Official Signature	_____ Authorizing Official Title	_____ Authorization Date
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Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1784	1-R	0	1	VT	Statewide

Subgrantee: Marlboro (Town of)

FIPS Code: 025-43375

Project Title : Adams Brook Rd. Relocation Project

Mitigation Project Description

Amendment Status : Approved

Approval Status: Approved

Project Title : Adams Brook Rd. Relocation Project

Grantee : Statewide

Subgrantee : Marlboro (Town of)

Grantee County Name : Windham

Subgrantee County Name : Windham

Grantee County Code : 25

Subgrantee County Code : 25

Grantee Place Name : Marlboro (Town of)

Subgrantee Place Name : Marlboro (Town of)

Grantee Place Code : 0

Subgrantee Place Code : 43375

Project Closeout Date: 00/00/0000

Work Schedule Status

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0	construct new road	6 mo.	00/00/0000	00/00/0000	00/00/0000

Approved Amounts

Total Approved Net Eligible	Federal Share Percent	Total Approved Federal Share Amount	Non-Federal Share Percent	Total Approved Non-Fed Share Amount
\$87,298	75.00000000	\$65,474	25.00000000	\$21,824

Allocations

Allocation Number	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Proj Alloc Amount Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Alloc Amount
0	A	09/03/2010	08/31/2010	2010	1915246	0	\$65,474	\$0	\$0	\$65,474
Total							\$65,474	\$0	\$0	\$65,474

Obligations

Action Nr	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Suppl Nr	Project Obligated Amt - Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Obligated Amount
1	A	09/07/2010	09/07/2010	2010	1919887	0	0	\$65,474	\$0	\$0	\$65,474
Total								\$65,474	\$0	\$0	\$65,474

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM
Funding Estimate Financial Activity Report

Disaster Number: 1784 State: VT Region: 1 Declaration Date: 08/15/2008 Grantee : Statewide

	Projected A	Total Allocated in NEMIS B	Available C (A - B)	Total Obligated in NEMIS D	Available E (A - D)
HMGP Project Funds	\$84,351	\$65,474	\$18,877	\$65,474	\$18,877
Regular Projects	\$74,228	\$65,474	\$8,754	\$65,474	\$8,754
Initiative Projects	\$4,218	\$0	\$4,218	\$0	\$4,218
Planning Projects	\$5,905	\$0	\$5,905	\$0	\$5,905
Subtotal	\$84,351	\$65,474	\$18,877	\$65,474	\$18,877
State Management Cost	\$4,125	\$0	\$4,125	\$0	\$4,125
TOTALS	\$88,476	\$65,474	\$23,002	\$65,474	\$23,002

For disasters declared on or after 11/13/2007:

HMGP Project funds = Regular Projects + Initiative Projects + Planning Projects.

State Management Cost is separate from the HMGP Project Funds.