



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: James Reardon, Commissioner of Finance & Management  
From: Nathan Lavery, Fiscal Analyst  
Date: September 18, 2008  
Subject: JFO #2335

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

**JFO #2335** — \$458,935 grant from the United States Department of Homeland Security to the Vermont Department of Public Safety. These grant monies will fund the installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown in order to allow passage of water and reduce the rise of flood waters.

*[JFO received 08/19/08]*

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since this item was submitted to the Joint Fiscal Committee, 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: Linda Morse, Administrative Assistant  
Thomas Tremblay, Commissioner



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Joint Fiscal Committee Members  
From: Nathan Lavery, Fiscal Analyst  
Date: August 20, 2008  
Subject: Grant Request

Enclosed please find two (2) requests which the Joint Fiscal Office recently received from the Administration:

**JFO #2334** — \$69,502 grant from the United States Department of Justice to the Vermont Department of Public Safety (DPS). These grant funds will be used to expand anti-gang enforcement and prevention efforts under the Project Safe Neighborhoods initiative. DPS erroneously considered this grant to be a continuation of a previous grant, and it was not submitted for JFC approval prior to commencement of spending against the grant amount. Commissioner Reardon has attached a memorandum of explanation. Additionally, this submission includes a follow-on grant of \$96,660 which would not normally come before the JFC.

*[JFO received 08/19/08]*

**JFO #2335** — \$458,935 grant from the United States Department of Homeland Security to the Vermont Department of Public Safety. These grant monies will fund the installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown in order to allow passage of water and reduce the rise of flood waters.

*[JFO received 08/19/08]*

The Joint Fiscal Office has reviewed these submissions and determined that all appropriate forms bearing the necessary approvals are in order.

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](mailto:nlavery@leg.state.vt.us) or Stephen Klein at 802/828-5769; [sklein@leg.state.vt.us](mailto:sklein@leg.state.vt.us)) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by September 2 we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: James Reardon, Commissioner  
Linda Morse, Administrative Assistant  
Thomas Tremblay, Commissioner

**STATE OF VERMONT  
GRANT ACCEPTANCE FORM**

JFO 2335

DEPARTMENT: Public Safety

DATE: August 1, 2008

GRANT/DONATION: Montpelier Ice Jam Mitigation Project  
Hazard Mitigation Grant Program FEMA-DR-1698-VT

GRANTOR/DONOR: U.S. Department of Homeland Security  
FEMA Region 1

GRANT PERIOD: May 1, 2008 – May 18, 2010

AMOUNT/VALUE:

Federal Funding           \$ 458,935  
Local Match                 \$ 145,700

POSITIONS REQUESTED (LIMITED SERVICE): **None**

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: **None**

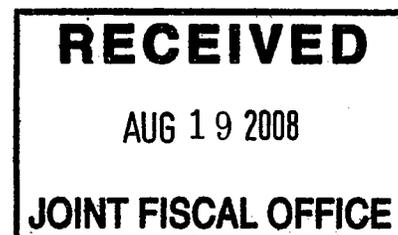
COMMENTS:

Attached Form AA-1 provides details.

I recommend acceptance of this grant. **DB**

DEPT. FINANCE AND MANAGEMENT:  
SECRETARY OF ADMINISTRATION:  
SENT TO JOINT FISCAL OFFICE:

(INITIAL) **AK 8/5/08**  
(INITIAL) **APM 8/5/08**  
(DATE) **8/12/08**



**STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE  
(use additional sheets as needed)**

**FORM AA-1  
(Rev. 9-90)**

1. **Agency:**  
 2. **Department:** Public Safety  
 3. **Program:** Emergency Management  
 4. **Legal Title of Grant:** Hazard Mitigation Grant Program - FEMA-DR-1698-VT  
 5. **Federal Catalog No.:** 97.039  
 6. **Grantor and Office Address:** U.S. Department of Homeland Security  
 FEMA Region 1  
 99 High Street, 6th Floor  
 Boston, MA 02110-2132

7. **Grant Period:** From: 5/19/2008 To: 5/18/2010

8. **Purpose of Grant:** (attach additional sheets if needed)  
 Installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown area. This will allow the passage of water and keep flood waters down.

9. **Impact on Existing Programs if Grant is not Accepted:**  
 If not accepted, the site area would continue to suffer the impact of flooding events. This would include further damage to structures and the nearby roads and downtown Montpelier area.

10. Budget Information:	(1st State FY) FY 2009	(2nd State FY) FY 2010	(3rd State FY) FY 2011
<b>EXPENDITURES:</b>			
Personal Services	\$ 4,589.00	\$ 4,590.00	\$ 0.00
Operating Expenses	\$	\$	\$ 0.00
Grants	\$ 297,728.00	\$ 297,728.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 302,317.00</b>	<b>\$ 302,318.00</b>	<b>\$ 0.00</b>
<b>REVENUES:</b>			
<u>State Funds:</u>			
Cash	\$	\$	\$ 0.00
In-Kind	\$	\$	\$ 0.00
<u>Federal Funds:</u>			
(Direct Costs)	\$ 229,467.00	\$ 229,468.00	\$ 0.00
(Statewide Indirect)	\$	\$	\$ 0.00
(Department Indirect)	\$	\$	\$ 0.00
<u>Other Funds:</u>			
Local Funds Match	\$ 72,850.00	\$ 72,850.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 302,317.00</b>	<b>\$ 302,318.00</b>	<b>\$ 0.00</b>

<b>Appropriation Nos.</b>	<b>Amounts</b>
2140031000	\$ 458,935.00
	\$
	\$

-over-

REC'D JUL 31 2008

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X

12a. Please list any requested Limited Service positions:

Titles	Number of Positions
N/A	N/A
<b>TOTAL Positions</b>	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

*Thomas R. Tully* 7/28/08  
 (Signature) (Date)  
Commissioner  
 (Title)

14. Action by Governor:

- Approved
- Rejected

*[Signature]* 8/8/08  
 (Signature) (Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

*Linda P. Meeks*  
 (Signature) (Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

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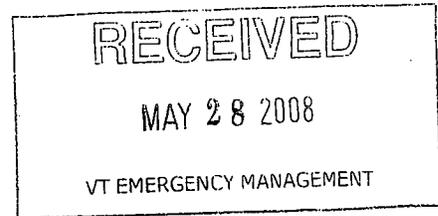
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 (Signature) (Date)



**FEMA**

May 19, 2008

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



SUBJECT: FEMA-DR-1698-VT  
Hazard Mitigation Grant Program Project #2R  
Ice Jam Mitigation Project, City of Montpelier, 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:

1698-2	City of Montpelier	
	Ice Jam Mitigation Project	\$ 437,100
	HM subgrantee admin	\$ 12,656
	HM grantee admin	\$ 9,179
	<b>Total:</b>	<b>\$ 458,935</b>

25% Match  
= \$145,700

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  
Mitigation Division

\$604,635  
Fed + Non Fe

Attachment

HAZARD MITIGATION GRANT PROGRAM

Allocation Request

Disaster Number : 1698

Allocation Number : 1

IFMIS Status : Accept

IFMIS Date :05/13/2008

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
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
TOTALS				\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

Comment: HMO approval of 1698-2 allocation, Fed Share \$437,100, Sub-grantee \$12,656, grantee \$9,179, Total \$458,935

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale Calculation Percentage: N/A

Justification:

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANTS PROGRAM

Allocation Request with Signature

Disaster Number : 1698      Allocation Number : 1      IFMIS Status : Accept      IFMIS Date : 05/13/2008

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
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
TOTALS				\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008      User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008      User Id: KTIRRELL

Comment: HMO approval of 1698-2 allocation, Fed Share \$437,100, Sub-grantee \$12,656, grantee \$9,179, Total \$458,935

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

*J. Maloney*  
\_\_\_\_\_  
Authorizing Official Signature

*Mit Div Dir*  
\_\_\_\_\_  
Authorizing Official Title

*5/21/08*  
\_\_\_\_\_  
Authorization Date

\_\_\_\_\_  
Authorizing Official Signature

\_\_\_\_\_  
Authorizing Official Title

\_\_\_\_\_  
Authorization Date

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide
Subgrantee: Montpelier				Project Title : Montpelier Ice Jam Mitigation Project			
Subgrantee FIPS Code: 023-46000							

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$437,100	\$437,100	\$0	\$0

Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

Comment: obligation of \$437,100 fed. share, \$9,179 gr. admin, \$12,656 gr. admin, \$437,100 total

Date: 05/19/2008 User Id: KTIRRELL

Comment: HMO approval 1698 obligation of \$437,100

Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 05/19/2008

HMO Authorization Name: KERRI ANN TIRRELL

HMO Authorization Date: 05/19/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale Calculation Percentage: N/A

Justification:

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

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
\$437,100	\$437,100	\$0	\$0	\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

Comment: obligation of \$437,100 fed. share, \$9,179 gr. admin, \$12,656 gr. admin, \$437,100 total

Date: 05/19/2008 User Id: KTIRRELL

Comment: HMO approval 1698 obligation of \$437,100

Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 05/19/2008

HMO Authorization Name: KERRI ANN TIRRELL

HMO Authorization Date: 05/19/2008

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

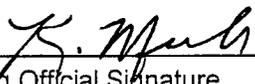
Subgrantee FIPS Code: 023-46000

Admin Calculation

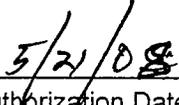
Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

  
 \_\_\_\_\_  
 Authorizing Official Signature

  
 \_\_\_\_\_  
 Authorizing Official Title

  
 \_\_\_\_\_  
 Authorization Date

\_\_\_\_\_  
 Authorizing Official Signature

\_\_\_\_\_  
 Authorizing Official Title

\_\_\_\_\_  
 Authorization Date

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

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

Disaster Number: 1698 State: VT Region: 1 Declaration Date: 05/04/2007 Grantee : Statewide

	Projected A	Total Allocated in NEMIS B	Available C (A - B)	Total Obligated in NEMIS D	Available E (A - D)
<b>HMGP Project Funds</b>	\$519,457	\$515,625	\$3,832	\$515,625	\$3,832
Regular Projects	\$516,662	\$515,625	\$1,037	\$515,625	\$1,037
Initiative Projects	\$0	\$0	\$0	\$0	\$0
Planning Projects	\$0	\$0	\$0	\$0	\$0
State Management Costs	\$2,795	\$0	\$2,795	\$0	\$2,795
<b>Estimated Ceiling</b>	<b>\$519,457</b>	<b>\$515,625</b>	<b>\$3,832</b>	<b>\$515,625</b>	<b>\$3,832</b>
Grantee Admin Costs	\$55,121	\$11,628	\$43,493	\$11,628	\$43,493
Subgrantee Admin Costs	\$92,999	\$15,750	\$77,249	\$15,750	\$77,249
<b>Admin Cost Sub Total</b>	<b>\$148,120</b>	<b>\$27,378</b>	<b>\$120,742</b>	<b>\$27,378</b>	<b>\$120,742</b>
<b>TOTALS</b>	<b>\$667,577</b>	<b>\$543,003</b>	<b>\$124,574</b>	<b>\$543,003</b>	<b>\$124,574</b>

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANT PROGRAM

Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1698	2-R	0	1	VT	Statewide

Subgrantee: Montpelier

FIPS Code: 023-46000

Project Title : Montpelier Ice Jam Mitigation Project

Mitigation Project Description

Amendment Status : Approved

Approval Status: Approved

Project Title : Montpelier Ice Jam Mitigation Project

Grantee : Statewide

Subgrantee : Montpelier

Grantee County Name : Washington

Subgrantee County Name : Washington

Grantee County Code : 23

Subgrantee County Code : 23

Grantee Place Name : Montpelier

Subgrantee Place Name : Montpelier

Grantee Place Code : 0

Subgrantee Place Code : 46000

Project Closeout Date : 00/00/0000

Work Schedule Status

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0	construction	90 DAYS	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
\$582,800	75.00000000	\$437,100	25.00000000	\$145,700

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
1	A	05/13/2008	05/13/2008	2008	1389497	2	\$437,100	\$9,179	\$12,656	\$458,935
Total							\$437,100	\$9,179	\$12,656	\$458,935

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	05/19/2008	05/19/2008	2008	1477656	1	1	\$437,100	\$9,179	\$12,656	\$458,935
Total								\$437,100	\$9,179	\$12,656	\$458,935

Reviewer Name: Judith A. Maloney

Applicant: City of Montpelier, VT

Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698

Wastewater Treatment Plant Discharge Pumping Project

# Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

**Project Name/Number:** FEMA-HMGP-1698-2-R Wastewater Treatment Plant Discharge Pumping Project, Montpelier, VT

**Project Location:** Along the Winooski River adjacent to lower State Street, starting from the confluence of Dog River and the Winooski River to approximately 5,300 linear feet upstream ending just above the Bailey Avenue Bridge.

Latitude: N 44.256077 Longitude: -72.600425

**Project Description:** The City of Montpelier, VT proposes to install a permanent method of opening channels through the ice in the Winooski River downstream from the Montpelier downtown area. The purpose of opening the channels is to allow the passage of water to keep flood waters down. The technique involves installing a pumping system at the Montpelier Treatment Plant discharge manhole and a new force main extending to just upstream of the Bailey Avenue Bridge, with a total of six new discharge points along the river. The treated discharge water from the Montpelier Wastewater Plant will be pumped on to the ice to melt and break up the ice. The objective of this project is to prevent flooding damage caused by the ice jams on the river.



## 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
  - 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:**

**Correspondence/Consultation/References:** project Description, site visit. Based on information provided by the grantee, the scope of work for this project qualifies as a Categorical Exclusion (CATEX) under 44 CFR

## Reviewer and Approvals

FEMA Environmental Reviewer  
Name: Judith A. Maloney

Signature Judith A. Atoney Date 4/28/08

FEMA Regional Environmental Officer or delegated approving official Name:

Signature Josh Fuller Date 4/28/08

**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 . Otherwise, conduct standard Section 106 review.
  - Activity meets Programmatic Allowance
  - 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:** Site visit on 4/21/08

**Correspondence/Consultation/References:** Project description -Determination by Peter Thomas to SHPO 4/23 e-mail and SHPO concurrence from Scott Dillon 4/23/08

**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.

**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 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 the stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the US Army Corps of Engineers to inquire if a permit is required. 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.

**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: No commitment of farm lands

Correspondence/Consultation/References: The project is in a forested area far from farm lands. See enclosed pictures of project area and 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

### 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:** Winooski River is not a designated river.

**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:** Project is located in B Zone (area between the limits of the 100 year flood and the 500-year flood or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile or areas protected by levees from the base flood.

**Correspondence/Consultation/References:** Flood Insurance Rate Map Community-Panel Number 600116 0001C, Panel 1 of 4, Effective Date March 1, 1984.

### 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:* Review of National Wetlands Inventory and topographical maps show wetlands in the general vicinity of the project area. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the U.S. Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed and before work begins.

*Correspondence/Consultation/References:* <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>; 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, sole 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, 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. 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

**Reviewer Name: Judith A. Maoney**

**Applicant: City of Montpelier, VT**

**Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698**

**Wastewater Treatment Plant Discharge Pumping Project**

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.

# Project Review and Conditions Status

FEMA-DR-1698

**Project Name/Number:** FEMA-HMGP-1698-2-R Wastewater Treatment Plant  
Discharge Pumping Project, Montpelier, VT

**Project Location:** Along the Winooski River adjacent to lower State Street, starting from the confluence of Dog River and the Winooski River to approximately 5,300 linear feet upstream ending just above the Bailey Avenue Bridge.

Latitude: N 44.256077 Longitude: -72.600425

**Project Description:** The City of Montpelier, VT proposes to install a permanent method of opening channels through the ice in the Winooski River downstream from the Montpelier downtown area. The purpose of opening the channels is to allow the passage of water to keep flood waters down. The technique involves installing a pumping system at the Montpelier Treatment Plant discharge manhole and a new force main extending to just upstream of the Bailey Avenue Bridge, with a total of six new discharge points along the river. The treated discharge water from the Montpelier Wastewater Plant will be pumped on to the ice to melt and break up the ice. The objective of this project is to prevent flooding damage caused by the ice jams on the river.

## **Environmental Review Project Conditions**

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 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.
2. 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.
3. 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.
4. 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.

#### **Funding**

Total Cost of Project: \$582,800

Federal Share: \$437,100

Applicant Share: \$145,700

#### **Period of Performance**

This project must be complete by: 6/30/10

- **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.**

**Dept. of Public Safety  
Administration  
Division  
Accounting Unit**

# Memo

**To:** David Beatty, Budget & Management Analyst  
**From:** Tracy Bedard, Programs Administration Supervisor   
**Date:** 07/29/08  
**CC:** file  
**Re:** Request for Grant Acceptance

---

Attached you will find a Request for Grant Acceptance for the federal funding awarded to the State of Vermont for the Presidential declaration of major disaster # FEMA-DR-1698-VT.

If you have any questions, please contact me at 802-241-5574 or email at [tbedard@dps.state.vt.us](mailto:tbedard@dps.state.vt.us).

Thank you.



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Representative Donna Sweaney  
From: Nathan Lavery  
Date: August 20, 2008  
Subject: JFO #2335 (Ice Jam Mitigation Project)

Representatives Michael Obuchowski and Shap Smith asked that I forward to you a copy of the enclosed request and cover memo. They are requesting you provide them with your observations regarding the enclosed item.

cc: Rep. Michael Obuchowski  
Rep. Shap Smith  
Stephen Klein

**STATE OF VERMONT  
GRANT ACCEPTANCE FORM**

JFO 2335

DEPARTMENT: Public Safety

DATE: August 1, 2008

GRANT/DONATION: Montpelier Ice Jam Mitigation Project  
Hazard Mitigation Grant Program FEMA-DR-1698-VT

GRANTOR/DONOR: U.S. Department of Homeland Security  
FEMA Region 1

GRANT PERIOD: May 1, 2008 – May 18, 2010

AMOUNT/VALUE:

Federal Funding           \$ 458,935  
Local Match                 \$ 145,700

POSITIONS REQUESTED (LIMITED SERVICE): **None**

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: **None**

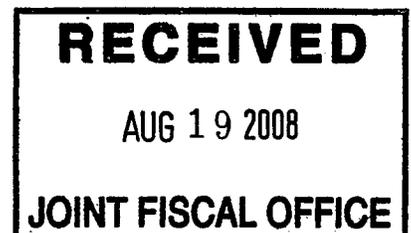
COMMENTS:

Attached Form AA-1 provides details.

I recommend acceptance of this grant. **DB**

DEPT. FINANCE AND MANAGEMENT:  
SECRETARY OF ADMINISTRATION:  
SENT TO JOINT FISCAL OFFICE:

(INITIAL) **PM 8/5/08**  
(INITIAL) **APM 8/5/08**  
(DATE) **8/12/08**



**STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE  
(use additional sheets as needed)**

**FORM AA-1  
(Rev. 9-90)**

1. **Agency:**

2. **Department:** Public Safety

3. **Program:** Emergency Management

4. **Legal Title of Grant:** Hazard Mitigation Grant Program - FEMA-DR-1698-VT

5. **Federal Catalog No.:** 97.039

6. **Grantor and Office Address:** U.S. Department of Homeland Security  
FEMA Region 1  
99 High Street, 6th Floor  
Boston, MA 02110-2132

7. **Grant Period:** From: 5/19/2008 To: 5/18/2010

8. **Purpose of Grant:** (attach additional sheets if needed)  
Installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown area. This will allow the passage of water and keep flood waters down.

9. **Impact on Existing Programs if Grant is not Accepted:**  
If not accepted, the site area would continue to suffer the impact of flooding events. This would include further damage to structures and the nearby roads and downtown Montpelier area.

10. Budget Information:	(1st State FY) FY 2009	(2nd State FY) FY 2010	(3rd State FY) FY 2011
<b>EXPENDITURES:</b>			
Personal Services	\$ 4,589.00	\$ 4,590.00	\$ 0.00
Operating Expenses	\$	\$	\$ 0.00
Grants	\$ 297,728.00	\$ 297,728.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 302,317.00</b>	<b>\$ 302,318.00</b>	<b>\$ 0.00</b>
<b>REVENUES:</b>			
<u>State Funds:</u>			
Cash	\$	\$	\$ 0.00
In-Kind	\$	\$	\$ 0.00
<u>Federal Funds:</u>			
(Direct Costs)	\$ 229,467.00	\$ 229,468.00	\$ 0.00
(Statewide Indirect)	\$	\$	\$ 0.00
(Department Indirect)	\$	\$	\$ 0.00
<u>Other Funds:</u>			
Local Funds Match	\$ 72,850.00	\$ 72,850.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 302,317.00</b>	<b>\$ 302,318.00</b>	<b>\$ 0.00</b>

<u>Appropriation Nos.</u>	<u>Amounts</u>
2140031000	\$ 458,935.00
	\$
	\$

-over-

**REC'D JUL 31 2008**

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X

12a. Please list any requested Limited Service positions:

Titles	Number of Positions
N/A	N/A
<b>TOTAL Positions</b>	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

*Ann L. Tully* 7/28/08  
 (Signature) (Date)  
Commissioner  
 (Title)

14. Action by Governor:

- Approved
- Rejected

*[Signature]* 8/8/08  
 (Signature) (Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

*Rinda P. Meeks*  
 (Signature) (Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

\_\_\_\_\_  
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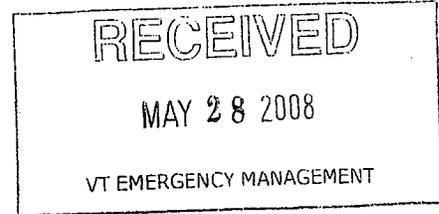
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 (Signature) (Date)



FEMA

May 19, 2008

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



SUBJECT: FEMA-DR-1698-VT  
Hazard Mitigation Grant Program Project #2R  
Ice Jam Mitigation Project, City of Montpelier, 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:

1698-2	City of Montpelier	
	Ice Jam Mitigation Project	\$ 437,100
	HM subgrantee admin	\$ 12,656
	HM grantee admin	\$ 9,179
	<b>Total:</b>	<b>\$ 458,935</b>

25% Match  
= \$145,700

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  
Mitigation Division

\$604,635  
Fed + Non Fe

Attachment

HAZARD MITIGATION GRANT PROGRAM

Allocation Request

Disaster Number : 1698

Allocation Number : 1

IFMIS Status : Accept

IFMIS Date :05/13/2008

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
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
TOTALS				\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment : , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

Comment: HMO approval of 1698-2 allocation, Fed Share \$437,100, Sub-grantee \$12,656, grantee \$9,179, Total \$458,935

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale Calculation Percentage: N/A

Justification:

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANTS PROGRAM

Allocation Request with Signature

Disaster Number : 1698      Allocation Number : 1      IFMIS Status : Accept      IFMIS Date : 05/13/2008

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
2-R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
TOTALS				\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008      User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008      User Id: KTIRRELL

Comment: HMO approval of 1698-2 allocation, Fed Share \$437,100, Sub-grantee \$12,656, grantee \$9,179, Total \$458,935

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

*J. Maloney*

Authorizing Official Signature

*Mit Div Dir*

Authorizing Official Title

*5/21/08*

Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier  
Subgrantee FIPS Code: 023-46000

Project Title : Montpelier Ice Jam Mitigation Project

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$437,100	\$437,100	\$0	\$0

Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2  
Comment: obligation of \$437,100 fed. share, \$9,179 gr. admin, \$12,656 gr. admin, \$437,100 total

Date: 05/19/2008 User Id: KTIRRELL  
Comment: HMO approval 1698 obligation of \$437,100

Authorization

Preparer Name: JUDITH MALONEY Preparation Date: 05/19/2008  
HMO Authorization Name: KERRI ANN TIRRELL HMO Authorization Date: 05/19/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale Calculation Percentage: N/A  
Justification:

Sliding Scale Percentage:

up to \$100,000 = 3.00%  
up to \$1,000,000 = 2.00%  
up to \$5,000,000.00 = 1.00%  
Excess = 0.50%

HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

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
\$437,100	\$437,100	\$0	\$0	\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

Comment: obligation of \$437,100 fed. share, \$9,179 gr. admin, \$12,656 gr. admin, \$437,100 total

Date: 05/19/2008 User Id: KTIRRELL

Comment: HMO approval 1698 obligation of \$437,100

Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 05/19/2008

HMO Authorization Name: KERRI ANN TIRRELL

HMO Authorization Date: 05/19/2008

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

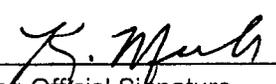
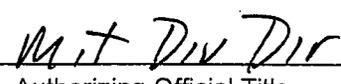
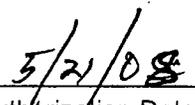
Subgrantee FIPS Code: 023-46000

Admin Calculation

Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

 _____ Authorizing Official Signature	 _____ Authorizing Official Title	 _____ Authorization Date
_____ Authorizing Official Signature	_____ Authorizing Official Title	_____ Authorization Date

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

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

Disaster Number: 1698 State: VT Region: 1 Declaration Date: 05/04/2007 Grantee : Statewide

	Projected A	Total Allocated in NEMIS B	Available C (A - B)	Total Obligated in NEMIS D	Available E (A - D)
<b>HMGP Project Funds</b>	\$519,457	\$515,625	\$3,832	\$515,625	\$3,832
Regular Projects	\$516,662	\$515,625	\$1,037	\$515,625	\$1,037
Initiative Projects	\$0	\$0	\$0	\$0	\$0
Planning Projects	\$0	\$0	\$0	\$0	\$0
State Management Costs	\$2,795	\$0	\$2,795	\$0	\$2,795
<b>Estimated Ceiling</b>	\$519,457	\$515,625	\$3,832	\$515,625	\$3,832
Grantee Admin Costs	\$55,121	\$11,628	\$43,493	\$11,628	\$43,493
Subgrantee Admin Costs	\$92,999	\$15,750	\$77,249	\$15,750	\$77,249
<b>Admin Cost Sub Total</b>	\$148,120	\$27,378	\$120,742	\$27,378	\$120,742
<b>TOTALS</b>	\$667,577	\$543,003	\$124,574	\$543,003	\$124,574

HAZARD MITIGATION GRANT PROGRAM

Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1698	2-R	0	1	VT	Statewide

Subgrantee: Montpelier

FIPS Code: 023-46000

Project Title : Montpelier Ice Jam Mitigation Project

Mitigation Project Description

Amendment Status : Approved

Approval Status: Approved

Project Title : Montpelier Ice Jam Mitigation Project

Grantee : Statewide

Subgrantee : Montpelier

Grantee County Name : Washington

Subgrantee County Name : Washington

Grantee County Code : 23

Subgrantee County Code : 23

Grantee Place Name : Montpelier

Subgrantee Place Name : Montpelier

Grantee Place Code : 0

Subgrantee Place Code : 46000

Project Closeout Date : 00/00/0000

Work Schedule Status

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0	construction	90 DAYS	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
\$582,800	75.00000000	\$437,100	25.00000000	\$145,700

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
1	A	05/13/2008	05/13/2008	2008	1389497	2	\$437,100	\$9,179	\$12,656	\$458,935
Total							\$437,100	\$9,179	\$12,656	\$458,935

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	05/19/2008	05/19/2008	2008	1477656	1	1	\$437,100	\$9,179	\$12,656	\$458,935
Total								\$437,100	\$9,179	\$12,656	\$458,935

# Record of Environmental Consideration

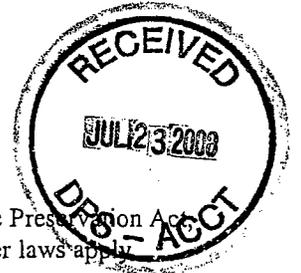
See 44 Code of Federal Regulation Part 10.

**Project Name/Number:** FEMA-HMGP-1698-2-R Wastewater Treatment Plant Discharge Pumping Project, Montpelier, VT

**Project Location:** Along the Winooski River adjacent to lower State Street, starting from the confluence of Dog River and the Winooski River to approximately 5,300 linear feet upstream ending just above the Bailey Avenue Bridge.

Latitude: N 44.256077 Longitude: -72.600425

**Project Description:** The City of Montpelier, VT proposes to install a permanent method of opening channels through the ice in the Winooski River downstream from the Montpelier downtown area. The purpose of opening the channels is to allow the passage of water to keep flood waters down. The technique involves installing a pumping system at the Montpelier Treatment Plant discharge manhole and a new force main extending to just upstream of the Bailey Avenue Bridge, with a total of six new discharge points along the river. The treated discharge water from the Montpelier Wastewater Plant will be pumped on to the ice to melt and break up the ice. The objective of this project is to prevent flooding damage caused by the ice jams on the river.



## 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
  - 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:**  
**Correspondence/Consultation/References:** project Description, site visit. Based on information provided by the grantee, the scope of work for this project qualifies as a Categorical Exclusion (CATEX) under 44 CFR

## Reviewer and Approvals

FEMA Environmental Reviewer  
Name: Judith A. Maloney

Signature Judith A. Atoney Date 4/28/08

FEMA Regional Environmental Officer or delegated approving official Name:

Signature Josh Sullivan Date 4/28/08

**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. Otherwise, conduct standard Section 106 review.
  - Activity meets Programmatic Allowance
  - 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:** Site visit on 4/21/08

**Correspondence/Consultation/References:** Project description -Determination by Peter Thomas to SHPO 4/23 e-mail and SHPO concurrence from Scott Dillon 4/23/08

**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.

**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 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 the stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the US Army Corps of Engineers to inquire if a permit is required. 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.

**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:* No commitment of farm lands

*Correspondence/Consultation/References:* The project is in a forested area far from farm lands. See enclosed pictures of project area and 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

**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:** Winooski River is not a designated river.

**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:** Project is located in B Zone (area between the limits of the 100 year flood and the 500-year flood or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile or areas protected by levees from the base flood.

**Correspondence/Consultation/References:** Flood Insurance Rate Map Community-Panel Number 600116 0001C, Panel 1 of 4, Effective Date March 1, 1984.

**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:** Review of National Wetlands Inventory and topographical maps show wetlands in the general vicinity of the project area. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the U.S. Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed and before work begins.

**Correspondence/Consultation/References:** <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>; 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, sole 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, 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. 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

**Reviewer Name: Judith A. Maoney**

**Applicant: City of Montpelier, VT**

**Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698**

**Wastewater Treatment Plant Discharge Pumping Project**

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.

# Project Review and Conditions Status

**FEMA-DR-1698**

**Project Name/Number:** FEMA-HMGP-1698-2-R Wastewater Treatment Plant  
Discharge Pumping Project, Montpelier, VT

**Project Location:** Along the Winooski River adjacent to lower State Street, starting from the confluence of Dog River and the Winooski River to approximately 5,300 linear feet upstream ending just above the Bailey Avenue Bridge.

Latitude: N 44.256077 Longitude: -72.600425

**Project Description:** The City of Montpelier, VT proposes to install a permanent method of opening channels through the ice in the Winooski River downstream from the Montpelier downtown area. The purpose of opening the channels is to allow the passage of water to keep flood waters down. The technique involves installing a pumping system at the Montpelier Treatment Plant discharge manhole and a new force main extending to just upstream of the Bailey Avenue Bridge, with a total of six new discharge points along the river. The treated discharge water from the Montpelier Wastewater Plant will be pumped on to the ice to melt and break up the ice. The objective of this project is to prevent flooding damage caused by the ice jams on the river.

## **Environmental Review Project Conditions**

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 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.
2. 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.
3. 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.
4. 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.

#### **Funding**

Total Cost of Project:	\$582,800
Federal Share:	\$437,100
Applicant Share:	\$145,700

#### **Period of Performance**

This project must be complete by: 6/30/10

- **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.**

**Dept. of Public Safety  
Administration  
Division  
Accounting Unit**

# Memo

**To:** David Beatty, Budget & Management Analyst  
**From:** Tracy Bedard, Programs Administration Supervisor   
**Date:** 07/29/08  
**CC:** file  
**Re:** Request for Grant Acceptance

---

Attached you will find a Request for Grant Acceptance for the federal funding awarded to the State of Vermont for the Presidential declaration of major disaster # FEMA-DR-1698-VT.

If you have any questions, please contact me at 802-241-5574 or email at [tbedard@dps.state.vt.us](mailto:tbedard@dps.state.vt.us).

Thank you.

**STATE OF VERMONT  
GRANT ACCEPTANCE FORM**

JFO 2335

DEPARTMENT: Public Safety

DATE: August 1, 2008

GRANT/DONATION: Montpelier Ice Jam Mitigation Project  
Hazard Mitigation Grant Program FEMA-DR-1698-VT

GRANTOR/DONOR: U.S. Department of Homeland Security  
FEMA Region 1

GRANT PERIOD: May 1, 2008 – May 18, 2010

AMOUNT/VALUE:

Federal Funding           \$ 458,935  
Local Match                 \$ 145,700

POSITIONS REQUESTED (LIMITED SERVICE): **None**

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: **None**

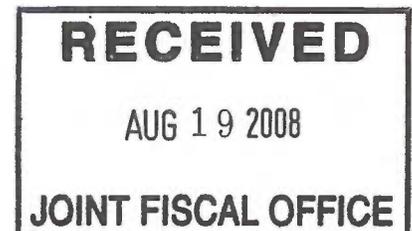
COMMENTS:

Attached Form AA-1 provides details.

I recommend acceptance of this grant. **DB**

DEPT. FINANCE AND MANAGEMENT:  
SECRETARY OF ADMINISTRATION:  
SENT TO JOINT FISCAL OFFICE:

(INITIAL) **K 8/5/08**  
(INITIAL) **RPM 8/5/08**  
(DATE) **8/12/08**



**STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE  
(use additional sheets as needed)**

**FORM AA-1  
(Rev. 9-90)**

1. **Agency:**  
 2. **Department:** Public Safety  
 3. **Program:** Emergency Management  
 4. **Legal Title of Grant:** Hazard Mitigation Grant Program - FEMA-DR-1698-VT  
 5. **Federal Catalog No.:** 97.039  
 6. **Grantor and Office Address:** U.S. Department of Homeland Security  
 FEMA Region 1  
 99 High Street, 6th Floor  
 Boston, MA 02110-2132

7. **Grant Period:** From: 5/19/2008 To: 5/18/2010

8. **Purpose of Grant:** (attach additional sheets if needed)  
 Installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown area. This will allow the passage of water and keep flood waters down.

9. **Impact on Existing Programs if Grant is not Accepted:**  
 If not accepted, the site area would continue to suffer the impact of flooding events. This would include further damage to structures and the nearby roads and downtown Montpelier area.

10. **Budget Information:**

	(1st State FY) FY 2009	(2nd State FY) FY 2010	(3rd State FY) FY 2011
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**EXPENDITURES:**

Personal Services	\$ 4,589.00	\$ 4,590.00	\$ 0.00
Operating Expenses	\$	\$	\$ 0.00
Grants	\$ 297,728.00	\$ 297,728.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 302,317.00</b>	<b>\$ 302,318.00</b>	<b>\$ 0.00</b>

**REVENUES:**

<u>State Funds:</u>			
Cash	\$	\$	\$ 0.00
In-Kind	\$	\$	\$ 0.00
<u>Federal Funds:</u>			
(Direct Costs)	\$ 229,467.00	\$ 229,468.00	\$ 0.00
(Statewide Indirect)	\$	\$	\$ 0.00
(Department Indirect)	\$	\$	\$ 0.00
<u>Other Funds:</u>			
Local Funds Match	\$ 72,850.00	\$ 72,850.00	\$ 0.00

<b>TOTAL</b>	<b>\$ 302,317.00</b>	<b>\$ 302,318.00</b>	<b>\$ 0.00</b>
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Appropriation Nos.

2140031000

Amounts

\$ 458,935.00  
 \$  
 \$

-over-

RACED JUL 31 2008

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X

12a. Please list any requested Limited Service positions:

Titles	Number of Positions
N/A	N/A
<b>TOTAL Positions</b>	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

*Thomas R. Tully* 7/28/08  
 (Signature) (Date)

*Commissioner*  
 (Title)

14. Action by Governor:

- Approved
- Rejected

*[Signature]* 8/8/08  
 (Signature) (Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

*Linda P. Madala*  
 (Signature) (Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

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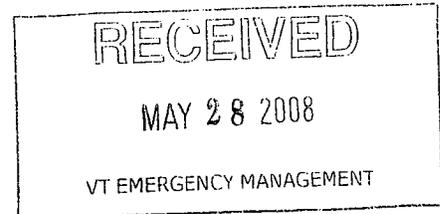
\_\_\_\_\_  
 (Signature) (Date)



**FEMA**

May 19, 2008

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



SUBJECT: FEMA-DR-1698-VT  
Hazard Mitigation Grant Program Project #2R  
Ice Jam Mitigation Project, City of Montpelier, 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:

1698-2	City of Montpelier	
	Ice Jam Mitigation Project	\$ 437,100
	HM subgrantee admin	\$ 12,656
	HM grantee admin	\$ 9,179
	<b>Total:</b>	<b>\$ 458,935</b>

25% Match  
= \$145,700

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

\$604,635  
Fed + Non Fe

Sincerely,

Kevin M. Merli, Director  
Mitigation Division

Attachment

Allocation Request

Disaster Number : 1698

Allocation Number : 1

IFMIS Status : Accept

IFMIS Date :05/13/2008

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
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
TOTALS				\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

Comment: HMO approval of 1698-2 allocation, Fed Share \$437,100, Sub-grantee \$12,656, grantee \$9,179, Total \$458,935

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale Calculation Percentage: N/A

Justification:

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANTS PROGRAM

Allocation Request with Signature

Disaster Number : 1698      Allocation Number : 1      IFMIS Status : Accept      IFMIS Date : 05/13/2008

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
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
TOTALS				\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008      User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008      User Id: KTIRRELL

Comment: HMO approval of 1698-2 allocation, Fed Share \$437,100, Sub-grantee \$12,656, grantee \$9,179, Total \$458,935

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale      Calculation Percentage: N/A

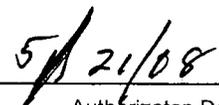
Justification:



Authorizing Official Signature



Authorizing Official Title



Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$437,100	\$437,100	\$0	\$0

Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

Comment: obligation of \$437,100 fed. share, \$9,179 gr. admin, \$12,656 gr. admin, \$437,100 total

Date: 05/19/2008 User Id: KTIRRELL

Comment: HMO approval 1698 obligation of \$437,100

Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 05/19/2008

HMO Authorization Name: KERRI ANN TIRRELL

HMO Authorization Date: 05/19/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale Calculation Percentage: N/A

Justification:

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

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
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

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
\$437,100	\$437,100	\$0	\$0	\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

Comment: obligation of \$437,100 fed. share, \$9,179 gr. admin, \$12,656 gr. admin, \$437,100 total

Date: 05/19/2008 User Id: KTIRRELL

Comment: HMO approval 1698 obligation of \$437,100

Authorization

Preparer Name: JUDITH MALONEY

Preparation Date: 05/19/2008

HMO Authorization Name: KERRI ANN TIRRELL

HMO Authorization Date: 05/19/2008

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

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
1698	2-R	0	1	1	1	VT	Statewide

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

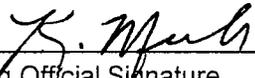
Subgrantee FIPS Code: 023-46000

Admin Calculation

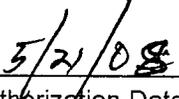
Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

  
 \_\_\_\_\_  
 Authorizing Official Signature

  
 \_\_\_\_\_  
 Authorizing Official Title

  
 \_\_\_\_\_  
 Authorization Date

\_\_\_\_\_  
 Authorizing Official Signature

\_\_\_\_\_  
 Authorizing Official Title

\_\_\_\_\_  
 Authorization Date

Sliding Scale Percentage:

up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

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

Disaster Number: 1698 State: VT Region: 1 Declaration Date: 05/04/2007 Grantee : Statewide

	Projected A	Total Allocated in NEMIS B	Available C (A - B)	Total Obligated in NEMIS D	Available E (A - D)
<b>HMGP Project Funds</b>	\$519,457	\$515,625	\$3,832	\$515,625	\$3,832
Regular Projects	\$516,662	\$515,625	\$1,037	\$515,625	\$1,037
Initiative Projects	\$0	\$0	\$0	\$0	\$0
Planning Projects	\$0	\$0	\$0	\$0	\$0
State Management Costs	\$2,795	\$0	\$2,795	\$0	\$2,795
<b>Estimated Ceiling</b>	<b>\$519,457</b>	<b>\$515,625</b>	<b>\$3,832</b>	<b>\$515,625</b>	<b>\$3,832</b>
Grantee Admin Costs	\$55,121	\$11,628	\$43,493	\$11,628	\$43,493
Subgrantee Admin Costs	\$92,999	\$15,750	\$77,249	\$15,750	\$77,249
<b>Admin Cost Sub Total</b>	<b>\$148,120</b>	<b>\$27,378</b>	<b>\$120,742</b>	<b>\$27,378</b>	<b>\$120,742</b>
<b>TOTALS</b>	<b>\$667,577</b>	<b>\$543,003</b>	<b>\$124,574</b>	<b>\$543,003</b>	<b>\$124,574</b>

9:41 AM

Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1698	2-R	0	1	VT	Statewide

Subgrantee: Montpelier

FIPS Code: 023-46000

Project Title : Montpelier Ice Jam Mitigation Project

Mitigation Project Description

Amendment Status : Approved

Approval Status: Approved

Project Title : Montpelier Ice Jam Mitigation Project

Grantee : Statewide

Subgrantee : Montpelier

Grantee County Name : Washington

Subgrantee County Name : Washington

Grantee County Code : 23

Subgrantee County Code : 23

Grantee Place Name : Montpelier

Subgrantee Place Name : Montpelier

Grantee Place Code : 0

Subgrantee Place Code : 46000

Project Closeout Date : 00/00/0000

Work Schedule Status

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0	construction	90 DAYS	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
\$582,800	75.000000000	\$437,100	25.000000000	\$145,700

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
1	A	05/13/2008	05/13/2008	2008	1389497	2	\$437,100	\$9,179	\$12,656	\$458,935
Total							\$437,100	\$9,179	\$12,656	\$458,935

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	05/19/2008	05/19/2008	2008	1477656	1	1	\$437,100	\$9,179	\$12,656	\$458,935
Total								\$437,100	\$9,179	\$12,656	\$458,935

# Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

**Project Name/Number:** FEMA-HMGP-1698-2-R Wastewater Treatment Plant Discharge Pumping Project, Montpelier, VT

**Project Location:** Along the Winooski River adjacent to lower State Street, starting from the confluence of Dog River and the Winooski River to approximately 5,300 linear feet upstream ending just above the Bailey Avenue Bridge.  
Latitude: N 44.256077 Longitude: -72.600425

**Project Description:** The City of Montpelier, VT proposes to install a permanent method of opening channels through the ice in the Winooski River downstream from the Montpelier downtown area. The purpose of opening the channels is to allow the passage of water to keep flood waters down. The technique involves installing a pumping system at the Montpelier Treatment Plant discharge manhole and a new force main extending to just upstream of the Bailey Avenue Bridge, with a total of six new discharge points along the river. The treated discharge water from the Montpelier Wastewater Plant will be pumped on to the ice to melt and break up the ice. The objective of this project is to prevent flooding damage caused by the ice jams on the river.



## 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
  - 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:**

**Correspondence/Consultation/References:** project Description, site visit. Based on information provided by the grantee, the scope of work for this project qualifies as a Categorical Exclusion (CATEX) under 44 CFR

## Reviewer and Approvals

FEMA Environmental Reviewer  
Name: Judith A. Maloney

Signature Judith A. [unclear] Date 4/28/08

FEMA Regional Environmental Officer or delegated approving official

Name: Signature [unclear] Date 4/28/08

**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. Otherwise, conduct standard Section 106 review.
  - Activity meets Programmatic Allowance
  - 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:** Site visit on 4/21/08

**Correspondence/Consultation/References:** Project description -Determination by Peter Thomas to SHPO 4/23 e-mail and SHPO concurrence from Scott Dillon 4/23/08

### 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.

**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 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 the stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the US Army Corps of Engineers to inquire if a permit is required. 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.

### 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:* No commitment of farm lands

*Correspondence/Consultation/References:* The project is in a forested area far from farm lands. See enclosed pictures of project area and 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

### 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:** Winooski River is not a designated river.

**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:** Project is located in B Zone (area between the limits of the 100 year flood and the 500-year flood or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile or areas protected by levees from the base flood.

**Correspondence/Consultation/References:** Flood Insurance Rate Map Community-Panel Number 600116 0001C, Panel 1 of 4, Effective Date March 1, 1984.

### 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:** Review of National Wetlands Inventory and topographical maps show wetlands in the general vicinity of the project area. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the U.S. Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed and before work begins.

**Correspondence/Consultation/References:** <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>; 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, sole 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, 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. 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

**Reviewer Name: Judith A. Maione**

**Applicant: City of Montpelier, VT**

**Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698**

**Wastewater Treatment Plant Discharge Pumping Project**

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.

# Project Review and Conditions Status

**FEMA-DR-1698**

**Project Name/Number:** FEMA-HMGP-1698-2-R Wastewater Treatment Plant  
Discharge Pumping Project, Montpelier, VT

**Project Location:** Along the Winooski River adjacent to lower State Street, starting from the confluence of Dog River and the Winooski River to approximately 5,300 linear feet upstream ending just above the Bailey Avenue Bridge.

Latitude: N 44.256077 Longitude: -72.600425

**Project Description:** The City of Montpelier, VT proposes to install a permanent method of opening channels through the ice in the Winooski River downstream from the Montpelier downtown area. The purpose of opening the channels is to allow the passage of water to keep flood waters down. The technique involves installing a pumping system at the Montpelier Treatment Plant discharge manhole and a new force main extending to just upstream of the Bailey Avenue Bridge, with a total of six new discharge points along the river. The treated discharge water from the Montpelier Wastewater Plant will be pumped on to the ice to melt and break up the ice. The objective of this project is to prevent flooding damage caused by the ice jams on the river.

## **Environmental Review Project Conditions**

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 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.
2. 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.
3. 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.
4. 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.

#### **Funding**

Total Cost of Project:	\$582,800
Federal Share:	\$437,100
Applicant Share:	\$145,700

#### **Period of Performance**

This project must be complete by: 6/30/10

- **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.**

**Dept. of Public Safety  
Administration  
Division  
Accounting Unit**

# Memo

**To:** David Beatty, Budget & Management Analyst  
**From:** Tracy Bedard, Programs Administration Supervisor   
**Date:** 07/29/08  
**CC:** file  
**Re:** Request for Grant Acceptance

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Attached you will find a Request for Grant Acceptance for the federal funding awarded to the State of Vermont for the Presidential declaration of major disaster # FEMA-DR-1698-VT.

If you have any questions, please contact me at 802-241-5574 or email at [tbedard@dps.state.vt.us](mailto:tbedard@dps.state.vt.us).

Thank you.