



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Joint Fiscal Committee Members  
From: Nathan Lavery, Fiscal Analyst  
Date: July 18, 2012  
Subject: Grant Requests

Enclosed please find two (2) items that the Joint Fiscal Office has received from the administration. **These items are on the agenda for discussion at the July 20 Joint Fiscal Committee meeting. If desired, the Committee may take action to approve acceptance of these items at this meeting.**

**JFO #2570** – \$100,000 grant the Vermont Community Foundation and Water Wheel Fund to the Vermont Agency of Agriculture, Food and Markets. This grant will fund **one limited service position** to assist farmers adversely affected by Tropical Storm Irene, and provide support in disaster preparedness efforts by the Agency of Agriculture.

*[JFO received 7/17/12]*

**JFO #2571** – \$914,806 grant the Federal Emergency Management Agency to the Vermont Agency of Transportation. This grant will provide disaster assistance for damages caused by the severe storm and flooding of May 29, 2012 in Addison County, Lamoille County and Orleans County.

*[JFO received 7/17/12]*

Please review the enclosed materials and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; [nlavery@leg.state.vt.us](mailto:nlavery@leg.state.vt.us)) if you have questions or would like an item held for Joint Fiscal Committee review. Unless we hear from you to the contrary by August 1 we will assume that you agree to consider as final the Governor's acceptance of these requests.

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

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

Agency of Administration

JFO 2571

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

|   |              |  |                             |              |                 |
|---|--------------|--|-----------------------------|--------------|-----------------|
| <b>Grant Summary:</b>                         |              | To provide federal disaster assistance for damages from the severe storm and flooding of May 29, 2012 in Addison, Lamoille and Orleans County.             |                             |              |                 |
| <b>Date:</b>                                  |              | 5/29/2012  |                             |              |                 |
| <b>Department:</b>                            |              | AOT - Public Assistance Grant Program 8100005500   |                             |              |                 |
| <b>Legal Title of Grant:</b>                  |              | FEMA-4043-DR-VT  |                             |              |                 |
| <b>Federal Catalog #:</b>                     |              | 97.036   |                             |              |                 |
| <b>Grant/Donor Name and Address:</b>          |              | Federal Emergency Management Agency  |                             |              |                 |
| <b>Grant Period:</b>                          |              | <b>From:</b>   | <b>To:</b>                  |              |                 |
|   |              | 5/29/2012  |                             |              |                 |
| <b>Grant/Donation</b>                         |              | \$914,806 based on 75% of \$1,219,741 initial estimate; amounts to be determined as damage estimates progress.   |                             |              |                 |
|   | <b>SFY 1</b> | <b>SFY 2</b>   | <b>SFY 3</b>                | <b>Total</b> | <b>Comments</b> |
| <b>Grant Amount:</b>                          | \$914,806    | \$   | \$                          | \$           | Estimated       |
| <b>Position Information:</b>                  |              | <b># Positions</b>   | <b>Explanation/Comments</b> |              |                 |
|   |              |  |                             |              |                 |
| <b>Additional Comments:</b>                   |              | The state match of \$152,468 (at an estimated percentage of 12.5%) is not a requirement to receive this grant, but is an outcome of existing state policy. |                             |              |                 |
| <b>Department of Finance &amp; Management</b> |              | 7/11/12  |                             | (Initial)    |                 |
| <b>Secretary of Administration</b>            |              | 07/11/12   |                             | (Initial)    |                 |
| <b>Sent To Joint Fiscal Office</b>            |              | 7/17/12  |                             | Date         |                 |

**RECEIVED**  
 JUL 17 2012  
  
**JOINT FISCAL OFFICE**

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

| BASIC GRANT INFORMATION  |                    |                        |              |                 |
|--|--------------------|------------------------|--------------|-----------------|
| <b>1. Agency:</b>  |                    | Transportation         |              |                 |
| <b>2. Department:</b>  |                    | Operations             |              |                 |
| <b>3. Program:</b>   |                    | Public Assistance      |              |                 |
| <b>4. Legal Title of Grant:</b>  |                    | FEMA-4066-DR-VT        |              |                 |
| <b>5. Federal Catalog #:</b>   |                    | 97.036                 |              |                 |
| <b>6. Grant/Donor Name and Address:</b><br>Federal Emergency Management Agency<br>99 High Street<br>Boston, MA 02109-4595  |                    |                        |              |                 |
| <b>7. Grant Period:</b>  |                    | <b>From:</b> 5/29/2012 | <b>To:</b>   |                 |
| <b>8. Purpose of Grant:</b><br>To provide federal disaster assistance for damages caused by the severe storm and flooding of May 29, 2012 in Addison County, Lamoille County and Orleans County. |                    |                        |              |                 |
| <b>9. Impact on existing program if grant is not Accepted:</b><br>State, local governments and eligible non-profit agencies may have to bear the full cost of damages.                           |                    |                        |              |                 |
| 10. BUDGET INFORMATION   |                    |                        |              |                 |
|  | <b>SFY 1</b>       | <b>SFY 2</b>           | <b>SFY 3</b> | <b>Comments</b> |
| <b>Expenditures:</b>   | <b>FY 2013</b>     | <b>FY</b>              | <b>FY</b>    |                 |
| Personal Services  | \$                 | \$                     | \$           |                 |
| Operating Expenses   | \$                 | \$                     | \$           |                 |
| Grants   | \$1,219,741        | \$                     | \$           | TOTAL           |
| <b>Total</b>   | \$                 | \$                     | \$           |                 |
| <b>Revenues:</b>   |                    |                        |              |                 |
| State Funds:   | \$152,468          | \$                     | \$           | ERAF            |
| Cash   | \$                 | \$                     | \$           |                 |
| In-Kind  | \$152,468          | \$                     | \$           | Local           |
| Federal Funds:   | \$914,806          | \$                     | \$           | FEMA            |
| (Direct Costs)   | \$                 | \$                     | \$           |                 |
| (Statewide Indirect)   | \$                 | \$                     | \$           |                 |
| (Departmental Indirect)  | \$                 | \$                     | \$           |                 |
| Other Funds:   | \$                 | \$                     | \$           |                 |
| Grant (source )  | \$                 | \$                     | \$           |                 |
| <b>Total</b>   | \$1,219,741        | \$                     | \$           | TOTAL           |
| <b>Appropriation No:</b>   | 8100005500 - 20150 | <b>Amount:</b>         | \$914,806    |                 |
|  |                    |                        | \$           |                 |
|  |                    |                        | \$           |                 |
|  |                    |                        | \$           |                 |
|  |                    |                        | \$           |                 |
|  |                    |                        | \$           |                 |
|  |                    |                        | \$           |                 |

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

|  |                          |
|--|--------------------------|
|  | <b>Total</b>   \$914,806 |
|--|--------------------------|

**PERSONAL SERVICE INFORMATION**

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

Appointing Authority Name: \_\_\_\_\_ Agreed by: \_\_\_\_\_ (initial)

| 12. Limited Service Position Information: | # Positions | Title |
|---|-------------|-------|
|   | 0           |       |
|   |             |       |
|   |             |       |
| <b>Total Positions</b>                    |             |       |

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

**13. AUTHORIZATION AGENCY/DEPARTMENT**

|  |   |                      |
|--|---|----------------------|
| I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable): | Signature: <i>B. N. [Signature]</i>               | Date: <i>6/27/12</i> |
|  | Title: <i>Secretary, Agency of Transportation</i> |                      |
|  | Signature: _____                                  | Date: _____          |
|  | Title: _____                                      |                      |

**14. SECRETARY OF ADMINISTRATION**

Approved: \_\_\_\_\_ (Secretary or designee signature) \_\_\_\_\_ Date: *7/17/12*

**15. ACTION BY GOVERNOR**

Check One Box: Accepted

Rejected \_\_\_\_\_ (Governor's signature) \_\_\_\_\_ Date: *7/17/12*

**16. DOCUMENTATION REQUIRED**

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

**End Form AA-1**

(\*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).

# DECLARED JUNE 22, 2012

## SUMMARY

STATE: Vermont  
NUMBER: FEMA-4066-DR  
INCIDENT: Severe Storm, Tornado, and Flooding  
INCIDENT PERIOD: May 29, 2012  
DATE REQUESTED BY GOVERNOR: June 12, 2012  
FEDERAL COORDINATING OFFICER: James N. Russo  
National FCO Program

### DESIGNATIONS AND TYPES OF ASSISTANCE:

#### INDIVIDUAL ASSISTANCE (Assistance to individuals and households):

Not Requested.

#### PUBLIC ASSISTANCE (Assistance for emergency work and the repair or replacement of disaster-damaged facilities):

Addison, Lamoille, and Orleans Counties. Direct federal assistance is authorized.

#### HAZARD MITIGATION GRANT PROGRAM (Assistance for actions taken to prevent or reduce long term risk to life and property from natural hazards):

All counties in the State of Vermont are eligible to apply for assistance under the Hazard Mitigation Grant Program.

OTHER: Additional designations may be made at a later date if requested by the state and warranted by the results of further damage assessments.

THE WHITE HOUSE  
WASHINGTON

June 22, 2012

The Honorable Peter Shumlin  
Governor of Vermont  
Montpelier, Vermont 05609

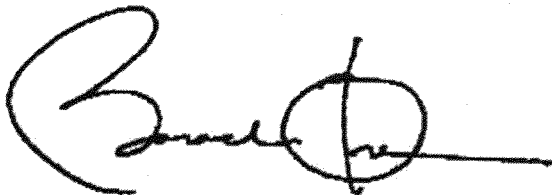
Dear Governor Shumlin:

I have declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the "Stafford Act"), for the State of Vermont due to damage resulting from a severe storm, tornado, and flooding on May 29, 2012. I have authorized Federal relief and recovery assistance in the affected area.

Public Assistance and Hazard Mitigation will be provided. Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs in the designated areas.

The Department of Homeland Security, Federal Emergency Management Agency (FEMA), will coordinate Federal assistance efforts and designate specific areas eligible for such assistance. The Federal Coordinating Officer will be Mr. James N. Russo of FEMA. He will consult with you and assist in the execution of the FEMA-State Agreement for disaster assistance governing the expenditure of Federal funds.

Sincerely,

A handwritten signature in black ink, appearing to be "Barack Obama", written in a cursive style. The signature is positioned below the word "Sincerely,".

THE WHITE HOUSE  
WASHINGTON

June 22, 2012

The Honorable W. Craig Fugate  
Administrator  
Federal Emergency Management Agency  
Department of Homeland Security  
500 C Street, S.W.  
Washington, D.C. 20472

Dear Mr. Fugate:

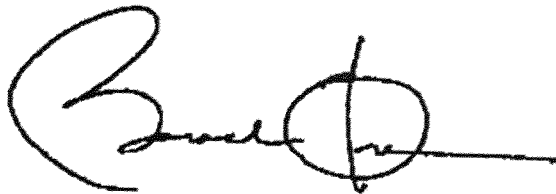
I have determined that the damage in certain areas of the State of Vermont resulting from a severe storm, tornado, and flooding on May 29, 2012, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the "Stafford Act"). Therefore, I declare that such a major disaster exists in the State of Vermont.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Direct Federal assistance is authorized. Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

Sincerely,

A handwritten signature in black ink, appearing to be Barack Obama's signature, written over a horizontal line.

**PETER SHUMLIN**  
Governor



State of Vermont  
**OFFICE OF THE GOVERNOR**

June 12, 2012

The Honorable Barack Obama  
President of the United States  
The White House  
Washington, D. C. 20500

Through: Don Boyce  
Regional Administrator  
FEMA Region I  
99 High Street  
Boston, Massachusetts 02110

Dear Mr. President,

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5208 (Stafford Act), and implemented by 44 CFR § 206.36, I request that you declare a major disaster for the State of Vermont as a result of a severe storm and flooding that impacted the State on May 29, 2012 (one day incident period).

In the pre-dawn and morning hours of May 29th, a series of thunderstorms, associated with a warm front moving across Vermont, deposited 1 to 2 inches of rainfall across portions of the northern half of the state. (Please see attached memorandum from the National Weather Service dated June 7, 2012)

In the early afternoon and evening the same day, additional severe weather in two bands, including excessive rainfall, large hail, damaging winds and dangerous cloud-to-ground lightning, travelled across Vermont. The storms brought rainfall amounts up to 5 inches in some areas. The northern band affected eastern Franklin, northern Lamoille, Orleans and Essex counties from Fairfield, Belvidere, Eden, Lowell into Island Pond, while the southern band affected portions of Addison County from Shoreham/Cornwall in the Champlain Valley to Ripton/Hancock in the mountains. As a result of these storms an EF-0 tornado touched down in West Glover, resulting in minor damage. Other storms produced large hail of 1 to 1.5 inch diameter size, as well as tree branches or trees downed by thunderstorm winds. The main damage was caused by significant flash flooding as repeated thunderstorms traveled over the same regions, a process called "training." High winds caused power outages for as many as 3,500 customers. There were several state and local road closures reported in at least 9 different towns. Some major road closures included Route 74 at VT 22A in Shoreham, Hazen's Notch Road in Lowell, and Route 30 in Cornwall. The cloud-to-ground lightning caused a few fires in homes. The towns of Cambridge and Montpelier opened their emergency operations centers in response to the storms. The State Emergency Operations Center was activated to a Level 2 at 1430 hours and remained at that level until 2000 hours in response to the storms.

Specific towns impacted include Cornwall, Ripton, Shoreham, Milton, Fairfax, Fletcher, Belvidere, Cambridge, Eden, Waterville, Albany, Barton, Glover, Lowell, and Newfane. Road closures included 7



roads in Shoreham, 3 roads in Lowell, 1 road in Ripton, 2 roads in Cornwall, 3 roads in Shaftsbury, and 1 road each in Dorset and Albany.

Although flash flooding and wind damage was widespread, the counties most severely affected were Addison, Lamoille, and Orleans.

In response to the situation, I have taken appropriate action under State law through the Commissioner of the Department of Public Safety and directed the execution of the State Emergency Operations Plan on 5/29/2012 in accordance with Section 401 of the Stafford Act.

The State of Vermont has a State Hazard Mitigation Plan that was approved by FEMA in November 2010. Approximately 85% of Vermont communities have FEMA approved local mitigation plans with the remaining communities' plans in various stages of draft form.

On June 5, 2012 I requested a Joint Federal, State, and local preliminary damage assessment of the damaged areas in Addison, Lamoille, Orleans, and Windham Counties. Preliminary assessments by FEMA and State officials indicated the most severe impacts were to local and state roads that sustained water damage as a result of the excessive amount of rainfall to occur in one day. Estimates of damages to public infrastructure total approximately \$1.2 million.

I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that supplementary Federal assistance is necessary. I am specifically requesting Public Assistance (all categories) for Addison, Lamoille, and Orleans Counties, as well as Hazard Mitigation statewide. I am not requesting Individual Assistance at this time.

Preliminary estimates of the types and amount of assistance needed under the Stafford Act are tabulated in Attachment A.

The following information is furnished on the nature and amount of State and local resources that have been or will be used to alleviate the conditions of this disaster. The State Department of Public Safety, Division of Emergency Management activated the State Emergency Operations Center and maintained situation awareness, as well as communication with the affected towns in need of assistance. The Agency of Transportation made repairs to damaged roads and infrastructure and reported on the current status of state roads. The Vermont State Police Public Safety Answering Points provided information on conditions during the storm and gave the SEOC information about the situation it might not otherwise have. All state support functions were advised to monitor and be available for activation on short notice. Local first responders, public works departments and road crews performed emergency protective measures in the impacted areas.

The following information was furnished on federal agency efforts and resources that have been or will be used in responding to this incident: FEMA provided a five-member FEMA Preliminary Damage Assessment Team. The Red Cross created a new incident in National Shelter System Database. One (1) shelter in the State was on standby and the region's Shelter Support Team completed a weekend call down for availability. A shelter team was on standby if needed. The American Red Cross provided assistance and resources in the management of the State shelter.

I certify that for this major disaster, the State and local governments will assume all applicable non-Federal share of costs required by the Stafford Act. Total expenditures are expected to exceed \$304,935, in accordance with the table in Attachment C.

I request direct Federal assistance for work and services to save lives and protect property. Fiscal and financial impacts are greater than what can be met with current available funding capacity at the state and local level. Specifically, I am requesting technical and advisory assistance and debris removal.

In accordance with 44 CFR § 206.208, the State of Vermont agrees that it will, with respect to direct Federal assistance:

1. Provide without cost to the United States all lands, easements and rights-of-ways necessary to accomplish the approved work;
2. Hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work;
3. Provide reimbursement to FEMA for the non-Federal share of the cost of such work in accordance with the provisions of the FEMA-State Agreement; and
4. Assist the performing Federal agency in all support and local jurisdictional matters.

In addition, I anticipate the need for debris removal, which poses an immediate threat to lives, public health, and safety.

Pursuant to Sections 403 and 407 of the Stafford Act, 42 U.S.C. §§ 5170b & 5173, the State agrees to indemnify and hold harmless the United States of America for any claims arising from the removal of debris or wreckage for this disaster. The State agrees that debris removal from public and private property will not occur until the landowner signs an unconditional authorization for the removal of debris.

I have designated Joseph Flynn, Director, Vermont Emergency Management as the State Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessments and may provide further information or justification on my behalf.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Shumlin", with a long horizontal flourish extending to the right.

Peter Shumlin  
Governor, State of Vermont

Enclosures

- Attachment A: Damage Assessment Worksheet (Public Assistance)
- Attachment B: Estimated Requirements for Other Federal Agency Programs
- Attachment C: Governor's Certification
- Attachment D: National Weather Service Memorandum



**ATTACHMENT B TO MAJOR DISASTER REQUEST**

**Estimated Requirements for Other Federal Agency Programs**

| <b>County</b> | <b>SBA Home<br/>Loans</b> | <b>SBA<br/>Business<br/>Loans</b> | <b>FSA<br/>Loans</b> | <b>NRCS</b> | <b>FHWA</b> | <b>USACE</b> | <b>OTHER</b> |
|---------------|---------------------------|-----------------------------------|----------------------|-------------|-------------|--------------|--------------|
| Addison       | 0                         | 0                                 | 0                    | 0           | 0           | 0            | 0            |
| Lamoille      | 0                         | 0                                 | 0                    | 0           | 0           | 0            | 0            |
| Orleans       | 0                         | 0                                 | 0                    | 0           | 0           | 0            | 0            |
|               |                           |                                   |                      |             |             |              |              |
| <b>Totals</b> |                           |                                   |                      |             |             |              |              |

*Note: Provide numbers and amounts, as appropriate.*

**ATTACHMENT C TO MAJOR DISASTER REQUEST**

Governor's Certification

I certify that for this current disaster, State and local government expenditures and obligations will include the non-Federal share of costs required by the Stafford Act. As stated in my basic letter, and based on information available at this time, tabulation of these estimated expenditures and obligations are as follows:

| CATEGORY OF ASSISTANCE  | AMOUNT    |           |
|---|-----------|-----------|
|   | STATE     | LOCAL     |
| <b>Individual Assistance:</b>                                   |           |           |
| "Other Assistance" under the Individuals and Households Program | 0         | 0         |
| Other (specify)   | 0         | 0         |
| <b>Total:</b>   |           |           |
| <b>Public Assistance:</b>                                       |           |           |
| Category A - Debris Removal                                     | \$3,863   | \$3,863   |
| Category B - Emergency Protective Measures                      | \$3,260   | \$3,260   |
| Category C - Roads and Bridges                                  | \$145,345 | \$145,345 |
| Category D - Water Control Facilities                           | 0         | 0         |
| Category E - Buildings and Equipment                            | 0         | 0         |
| Category F - Utilities  | 0         | 0         |
| Category G - Other (Parks, Recreational Facilities, etc.)       | 0         | 0         |
| <b>Total:</b>   | \$152,468 | \$152,468 |
| <b>Grand Total:</b>   | \$304,935 |           |