



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: James Reardon, Commissioner of Finance & Management  
From: Nathan Lavery, Fiscal Analyst  
Date: September 29, 2008  
Subject: JFO #2336

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

**JFO #2336** — \$609,708.47 grant from the Federal Emergency Management Agency (FEMA) to the Agency of Transportation – Operations Division. These grant funds will be used to repair public facilities (state, local, and non-profit) in Addison and Franklin Counties damaged by the storms of June 14-17, 2008.  
[JFO received 08/29/08]

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  
David Dill, Secretary



STATE OF VERMONT  
GRANT ACCEPTANCE FORM

JFO 2336

DATE: August 20, 2008

DEPARTMENT: AOT - Operations

GRANT/DONATION (brief description and purpose):

FEMA Disaster Assistance Grant FEMA-1778-DR-VT  
Addison and Franklin Counties - for flooding resulting from the storms of June 14 - June 17, 2008.

GRANTOR/DONOR: FEMA

GRANT PERIOD: N/A

AMOUNT/VALUE: \$609,708.47

POSITIONS REQUESTED (LIMITED SERVICE): 0

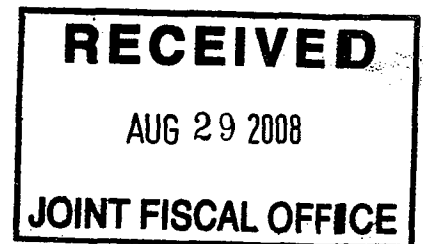
ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

State match estimated at \$105,068.48 (ERAF) is needed.

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

(INITIAL) SM  
(INITIAL) BRD  
(DATE) 8/26/08



STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE FORM AA-1

1. Date: **8/5/2008**
2. Agency: **Transportation**
3. Department: **Operations**
4. Program: **Public Assistance Program**
6. Legal Title of Grant: **Disaster Assistance Grant  
FEMA-1778-DR-VT**
8. Grantor and Office/Address:  
**Federal Emergency Management Agency  
99 High Street  
Boston, MA 02109-4595**
5. Type of Grant:  
 New     Supplemental  
 Renewal     Modification
7. Federal Catalog No.: **97-036**
9. State Grant Administrator:  
**Agency of Transportation  
Operations Division**
10. Grant Period: From: **June 14, 2008** To: **Completion**
11. Purpose of Grant: (attach additional sheets if needed)  
**To provide federal disaster assistance to repair damage to public facilities; state, local and non-profit, caused by the storms of June 14-17, 2008. See attached pages.**
12. Impact on Existing Programs if Grant is not Accepted:  
**State and local governments and eligible non-profit agencies may have to bear the full cost of repair to public facilities, road, and bridges; the cost of debris removal; and for emergency response.**
13. Budget Information: (Expenditures expected to occur in FY09 – FY10)

EXPENDITURES:

Statutory Administrative Costs	25,994.72
Other (recovery costs - estimated)	778,285.00
<b>TOTAL</b>	<b>\$804,279.72</b>

REVENUES

State Funds (Estimates - see attached schedule)	
Emergency Relief and Assistance Fund	105,068.48
Federal Funds: (Federal share is 75% of the total damage estimate)	
Federal Projects	583,713.75
Federal Administrative	25,994.72
Other Funds: (Estimates - see attached schedule)	
Local government	89,502.77
<b>TOTAL</b>	<b>\$804,279.72</b>

Grant will be allocated to these appropriation expenditure accounts: (excludes local share)

<u>DEPT ID</u>	<u>Program</u>	<u>Fund</u>	<u>Amount</u>
8100005500	59700	20150	\$609,708.47
8100005500	59700	21555	\$105,068.48

REC'D AUG 1 \*2008

14. Will grant monies be spent on one or more personal service contracts?  
 YES  NO

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

- 15a. Please list any requested Limited Service positions:

Titles	Number of Positions
NONE	
TOTAL	

- 15b. Equipment and space for these positions:  
 Is presently available.  
 Can be obtained with available funds.

16. Signature of Appointing Authority

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

David C. Dine                      8/13/08  
 (Signature)                                      (Date)

17. Action by Governor:  
 Approved  
 Rejected

[Signature]                      8/25/08  
 (Signature)                                      (Date)

18. Secretary of Administration:  
 Request to JFO  
 Information to JFO

Ronda P. McComb                      8/20/08  
 (Signature)                                      (Date)

19. 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 \_\_\_\_\_

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

**FEMA-1778-DR-VT June 14-17, 2008**

	Damage (from PDA)		
	Total	FEMA	Administrative
Addison	\$ 500,286.00	\$ 375,214.50	\$ 16,709.55
Franklin	\$ 277,999.00	\$ 208,499.25	\$ 9,285.17
	<u>\$ 778,285.00</u>	<u>\$ 583,713.75</u>	<u>\$ 25,994.72</u>

\$ 583,713.75 = Total FEMA support to applicants

\$ 25,994.72 = Total Administrative support to State

\$ 609,708.47 = Total anticipated FEMA Support for PA

State Funds (ERAF): Est. Avg (13.5%) - Towns receive either 12.5% or 15% from ERAF  
ERAF: \$ 105,068.48

Applicant Share: \$ 89,502.77

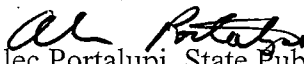

Total (federal, state, & local): \$ 804,279.72



State of Vermont  
Operations Division  
One National Life Drive  
Montpelier, VT 05633-5001  
sam.lewis@state.vt.us

Agency of Transportation  
Maintenance Programs  
[phone] 802-828-2709  
[fax] 802-828-2848  
[ttd] 800-253-0191

**To:** Michael K. Smith, Secretary of Administration  
(Governor's Authorized Representative, FEMA PA Program)  
via Neale F. Lunderville, Secretary of Transportation

**From:**   
Alec Portalupi, State Public Assistance Officer, FEMA PA Program  
via Samuel B. Lewis, Director of Operations,  


**Date:** August 11, 2008

**Subject:** FEMA 1778-DR-VT, June 14-17 Flooding

We are requesting your approval and signature on the attached documents for the State to apply for and receive federal assistance under the subject federal disaster declaration.

If you have any questions about these documents or need additional information, please contact Alec Portalupi at 828-3889. Thank you.

Attachments

Standard Form 424  
FEMA Form 20-16 (w/ 20-16A&B)  
State of Vermont Form AA-1  
Various Correspondence between State and FEMA Region 1



# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-C

<b>1. TYPE OF SUBMISSION:</b> Application <input checked="" type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<b>2. DATE SUBMITTED</b> August 5, 2008	Applicant Identifier
	<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
	<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier

**5. APPLICANT INFORMATION**

<b>Legal Name:</b> State of Vermont - Agency of Administration <b>Address (give city, county, State, and zip code):</b> Pavilion Office Building Montpelier, Vermont 05609-0201	<b>Organizational Unit:</b> Vermont Agency of Transportation <b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Alec Portalupi, 802-828-3889
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<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 03 - 6000274	<b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <input checked="" type="checkbox"/> A A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify _____)
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____	<b>9. NAME OF FEDERAL AGENCY:</b> Federal Emergency Management Agency

<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE Disaster Recovery - Public Assistance 97 - 036	<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Public Assistance for flood/storm damage that occurred during the events of June 14-17, 2008. Damage is to State, Local, and non-profit infrastructure.
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Addison and Franklin Counties	

<b>13. PROPOSED PROJECT:</b> Disaster Recovery	<b>14. CONGRESSIONAL DISTRICTS OF:</b> Vermont
Start Date: 6-14-2008 Ending Date: Completion	a. Applicant: Vermont Agency of Transportation b. Project: Disaster Recovery - Public Assistance

<b>15. ESTIMATED FUNDING:</b> a. Federal \$ 609,708.47 b. Applicant \$ c. State \$ 105,068.48 d. Local \$ 89,502.77 e. Other \$ f. Program Income \$ g. TOTAL \$ 804,279.72	<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b> a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No

**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.**

<b>a. Type Name of Authorized Representative</b> Michael Smith	<b>b. Title</b> Secretary of Administration (& GAR)	<b>c. Telephone Number</b> (802) 828-3322
<b>d. Signature of Authorized Representative</b> <i>Ronda P. McWater, alternate GAR</i>		<b>e. Date Signed</b> 8/20/08



FEDERAL EMERGENCY MANAGEMENT AGENCY  
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

O.M.B. No. 3067-0206  
Expires February 28, 2007

FOR  
FY 2008

CA FOR (Name of Applicant)  
State of Vermont, Agency of Administration

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.

An applicant must check each item that they are certifying to:

- Part I  FEMA Form 20-16A, Assurances-Nonconstruction Programs
- Part II  FEMA Form 20-16B, Assurances-Construction Programs
- Part III  FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Part IV  SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Michael K. Smith  
Typed Name of Authorized Representative

Secretary of Administration (& GAR)  
Title

Ronda P. Monte, alternate GAR  
Signature of Authorized Representative

8/20/08  
Date Signed

**NOTE:** By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

**Paperwork Burden Disclosure Notice**

"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration) 5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchase.
12. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Section 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333) regarding labor standards for federally assisted construction subagreements.

14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

20. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

21. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the cost of the project, use of space, or functional layout, that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

22. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

23. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117. - 1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

24. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transfer, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

25. In making subgrants with nonprofit institutions under this Comprehensive Cooperative Agreement, it agrees that such grants will be subject to OMB Circular A-122, "Cost Principles for Non-profit Organizations" included in Vol. 49, Federal Register, pages 18260 through 18277 (April 27, 1984).



**FEMA**

## **Designated Counties for Vermont Severe Storms and Flooding**

**Disaster Summary For FEMA-1778-DR, Vermont**

**Declaration Date:** July 15, 2008

**Incident Type:** Severe Storms and Flooding

**Incident Period:** June 14-17, 2008

### **Individual Assistance**

*(Assistance to individuals and households):*

None.

### **Public Assistance**

*(Assistance to State and local governments and certain private nonprofit organizations for emergency work and the repair or replacement of disaster-damaged facilities):*

Addison and Franklin Counties.

### **Hazard Mitigation Grant Program**

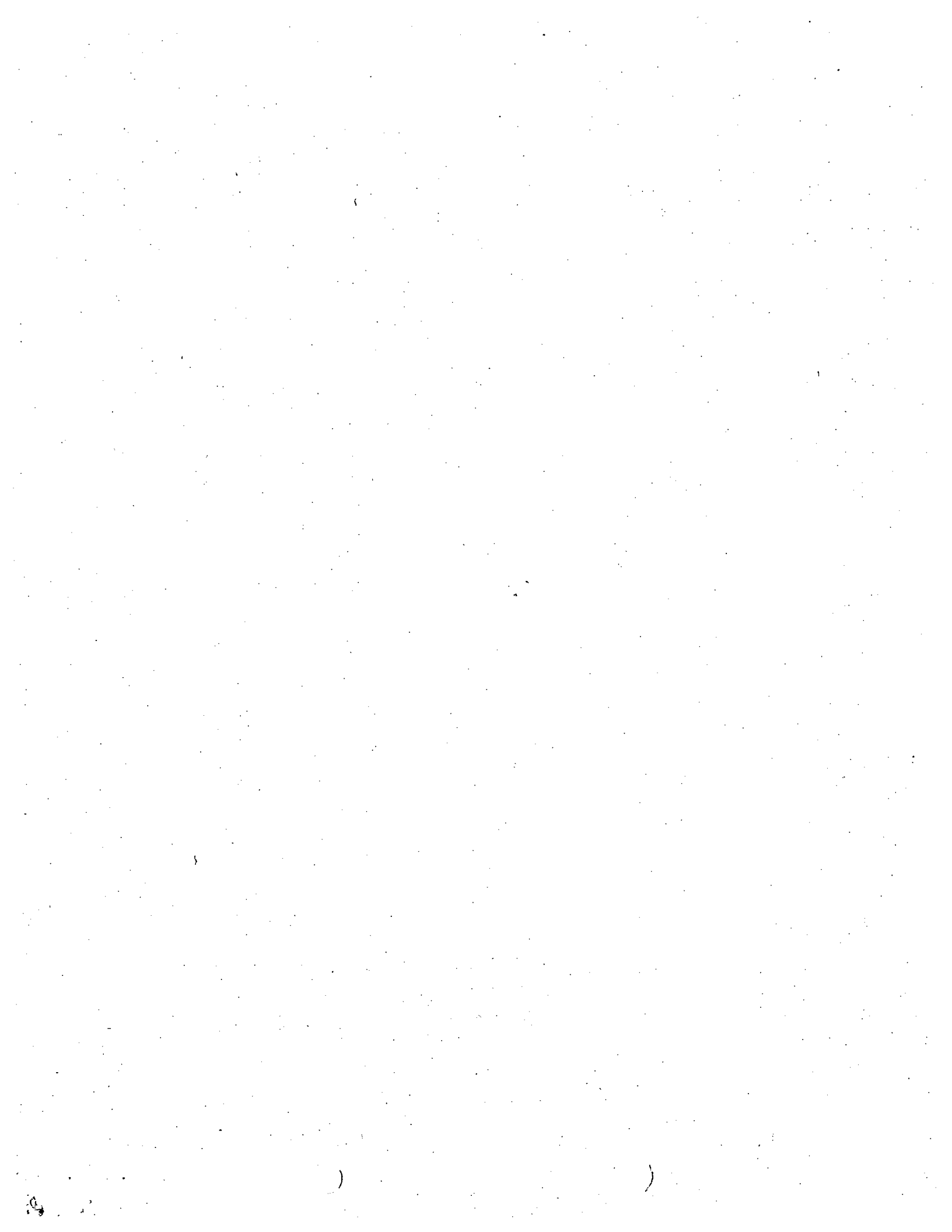
*(Assistance to State and local governments and certain private nonprofit organizations for actions taken to prevent or reduce long term risk to life and property from natural hazards):*

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 after further evaluation.

More information about Vermont Severe Storms and Flooding



*D - Sam Lewis*  
*Alec - FYI*

U.S. Department of Homeland Security  
Region I  
99 High St, 6th Floor  
Boston, MA 02110-2320

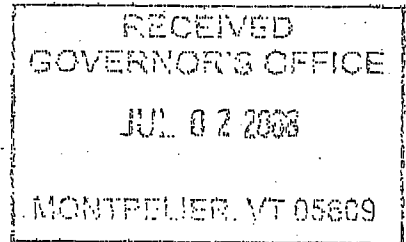


**FEMA**

Response Due	_____
Action Taken	_____
FIS Code #	_____

June 30, 2008

Governor James Douglas  
109 State Street, Pavilion  
Montpelier, VT 05609-0101



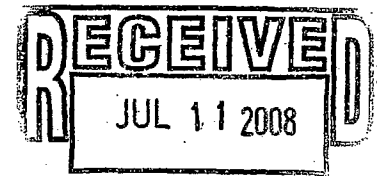
Dear Governor Douglas:

This acknowledges receipt of your June 27, 2008 letter to President Bush requesting a Major Disaster declaration for the State of Vermont as result of excessive rainfall, which resulted in flash flooding and extensive road damage in certain areas throughout the State of Vermont. Your request specifically ask for the Counties of Addison and Franklin to be considered for Federal assistance under the Pubic Assistance Program,( Section 406) and Hazard Mitigation Grant Program (Section 404), statewide, under the Robert T. Stafford Act.

We understand that while your request is being considered you will be providing assistance to your citizens. As you are engaging in work that may be eligible for reimbursement if the requested Federal assistance is approved, the applicant and sub-applicant must comply with all applicable laws and regulations, including applicable environmental and historic preservation requirements. We especially note the contracting requirements of 44 CFR Part 13 and the necessity to obtain applicable permits. We are available for technical assistance if needed. If you have any concerns or questions, please feel free to contact me at (617) 956-7506.

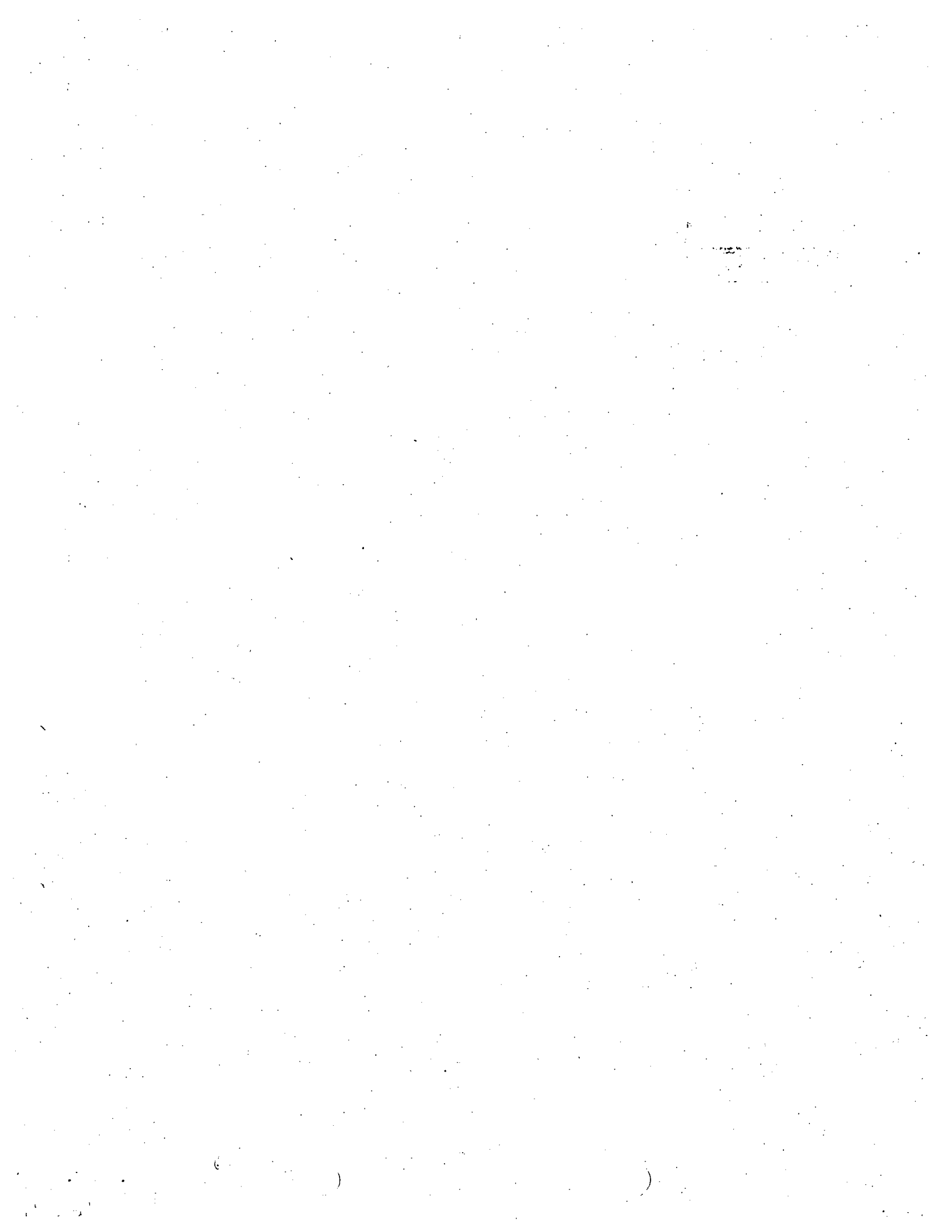
Sincerely,

*Arthur W. Cleaves*  
Arthur W. Cleaves  
Regional Administrator



OFFICE OF THE SECRETARY OF TRANSPORTATION





Congress of the United States  
Washington, DC 20510

June 30, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, DC 20500

Dear Mr. President:



From June 14<sup>th</sup> to June 17<sup>th</sup>, a tremendous rain storm led to flooding and severe public infrastructure damage across the State of Vermont. We hope that you will approve the State's request and make a major disaster declaration for Vermont, which would make the State eligible for a range of Federal aid.

The full range of local and State services-- from police to fire -- were deployed to deal with the damage that resulted from the storms. The scope and severity of the storms, especially in Addison and Franklin counties, were so great that Federal resources are necessary to help communities across the State recover. An initial survey indicated particularly acute damage to public roads, as well as many private homes and State office buildings. At least 14 homes and 11 businesses received extensive damage, while damage to at least one State office displaced more than 180 State workers.

A range of Federal aid would help the State of Vermont recover from these storms. Public Assistance funding would help to replace roads, while an SBA declaration would support the businesses which face considerable rebuilding expenses. The SBA declaration will also assist residential property owners, a help for downtown residents in Rutland. Communities across the State would greatly benefit from funding from the Hazard Mitigation Grant program, which is critical for limiting the damage from future emergencies.

We appreciate your swift consideration of the State of Vermont's appeal, and we hope you will approve its request. We look forward to discussing this important matter with you in the days and weeks ahead.

Sincerely,



PATRICK LEAHY  
U.S. Senator

BERNARD SANDERS  
U.S. Senator



PETER WELCH  
U.S. Representative

COPY

JAMES H. DOUGLAS  
Governor



State of Vermont  
OFFICE OF THE GOVERNOR

June 27, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, D.C. 20500

Through: Arthur W. Cleaves  
Regional Administrator  
FEMA Region I  
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. §§ 5121-5206 (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 excessive rainfall, that caused flash flooding and extensive road damage in certain areas throughout the State on June 14-17, 2008. The Vermont counties impacted to the highest degree of qualifying damage include Addison and Franklin.

In response to the situation, I have taken appropriate action under State law and directed, through the Commissioner of the Vermont Department of Public Safety, the execution of the State Emergency Operations Plan beginning on June 14, 2008 and continuing in operation at the current time in accordance with Section 401 of the Stafford Act. In accordance with the State Emergency Operations Plan, the following State Agency Support functions were activated: Department of Public Safety, Vermont Emergency Management Division and Vermont State Police, State Agency of Transportation, Vermont Agency of Human Services, Vermont Agency of Human Resources, State Buildings and General Services, Vermont Department of Health, and the American Red Cross. The local community of Ripton, Vermont requested a local declaration of emergency due to excessive damage to their public road system and private roads as well.

The State of Vermont has a State Mitigation Plan that was approved by FEMA in November of 2007. Approximately 85% of Vermont communities have FEMA approved local mitigation plans with the rest in various forms of draft stages.

On June 17, 2008, I requested a joint Federal, State, and local survey of the damaged areas. Preliminary assessments by State and Local officials indicated the most severe impacts were to town and state roads that received road damage by flash floods.

The Honorable George W. Bush  
June 27, 2008  
Page Two

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 Federal assistance utilizing the following federal programs: Public Assistance for the counties of Addison and Franklin, Vermont. The State of Vermont also requests the Hazard Mitigation Grant Program (Section 404), available throughout the State.

Preliminary estimates of the types and amount of assistance needed under the Stafford Act are tabulated in Enclosure 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 following State agencies were directed to provide immediate assistance as a result of flash flooding: Department of Public Safety, Vermont Emergency Management Division and Vermont State Police, State Agency of Transportation, Vermont Agency of Human Services, Vermont Agency of Human Resources, State Department of Buildings and General Services, Vermont Department of Health, and the American Red Cross. Town and State road crews worked for several days to repair the damage to allow residents who had been cut off to come and go from their homes once again and to open access routes for emergency vehicles. The City of Rutland received extensive damage to local homes, businesses and two state buildings. A Red Cross Shelter was opened to accommodate several families that had been impacted by the flash flooding.

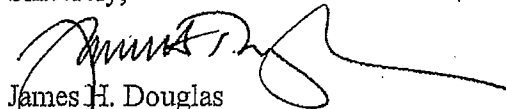
The Small Business Administration has completed its Preliminary Damage Assessment of Rutland County and there is sufficient damage to qualify Rutland and the contiguous counties of Addison, Windsor, and Bennington Counties for an SBA declaration. Total private property damage in Rutland is estimated to be over \$500,000 and includes at least 14 homes and 11 businesses. The extensive damage to State office buildings displaced 180 state workers. The Town of Ripton, Vermont received severe damage to its local roads and two private roads that prevented residents from access to emergency services. I am proud to report that due largely to emergency services and response, not a single life was lost or serious injury sustained during or after the storm.

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 state/local share expenditures are expected to exceed \$240,000.

The Honorable George W. Bush  
June 27, 2008  
Page Three

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

Sincerely,



James H. Douglas  
Governor

JHD/msy  
Enc.

Enclosure A

Damage from Flash Flooding June 14-17, 2008

Date: 06/27/2008	PUBLIC DAMAGE									
Report #:	A	B	C	D	E	F	G	TOTAL	POP. '00	\$/CAP.
<b>VT STATE TOTALS</b>									<b>608,827</b>	<b>1.58</b>
Addison CO		\$15,392	\$484,894					\$500,286	35,974	13.91
Franklin CO			277,999					\$277,999	45,417	6.12
Orleans CO		500	39,377					\$39,877	26,277	1.52
Rutland CO		18,930	9,751		100,000	13,500		\$142,181	63,400	2.24
<b>County Totals</b>	<b>\$0</b>	<b>\$34,822</b>	<b>\$812,021</b>	<b>\$0</b>	<b>\$100,000</b>	<b>\$13,500</b>	<b>\$0</b>	<b>\$960,343</b>		

NOTES: PDA

FEMA tabulation by Brian Collins



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

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

June 18, 2008

Art Cleaves, Regional Administrator  
DHS Federal Emergency Management Agency  
99 High Street  
Boston, MA 02110

Dear Mr. Cleaves,

I respectfully request that my letter to you yesterday requesting a PDA for Rutland and Addison Counties in Vermont also include a PDA for Franklin County for the Public Assistance and Hazard Mitigation Programs.

This request is based upon the preliminary damage reports from flood damage in the towns of Richford and Montgomery from flash flooding from a continued storm system that occurred on 6/18 as verified by the National Weather Service out of Burlington, Vermont. Over \$110,000 in additional public road damage is reported. With this assessment I have determined that this incident is of such magnitude in the rural communities that a PDA is necessary.

Your consideration for this request is greatly appreciated.

Sincerely,

Sincerely,

Barbara Farr, Director  
Vermont Emergency Management



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

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

June 17, 2008

Art Cleaves, Regional Administrator  
DHS Federal Emergency Management Agency  
99 High Street  
Boston, MA 02110

Dear Mr. Cleaves,

Please be advised that I request the Federal Emergency Management Agency to conduct a Preliminary Damage Assessment, SBA Disaster Assistance and Hazard Mitigation Assistance in the Vermont Counties of Addison and Rutland.

Excessive rainfall during the period of June 14-15, 2008 resulted in serious flash flooding impacting communities in these counties. The National Weather Service had issued a warning for most of Vermont and flooding was most prevalent in Addison and Rutland Counties. Approximately 80 homes and businesses have had damage to their basements and first floors. Approximately 20 persons had been displaced over the weekend and several have not been able to return due to damage and electrical issues. A State Office building housing 180 state employees have been displaced through at least the end of the month. Initial estimates exceed \$1,000,000 in cleanup costs for the State Office building. Two communities have reported another \$675,000 in local road damages. No deaths or injuries have been reported.

Your assistance is requested for the purpose of determining the impact of the disaster at this time. The damage estimated by the state and local officials indicate a need for Federal assistance. If the losses are confirmed, I intend to consider a request for a Major Disaster Declaration for the impacted area for Public Assistance and Hazard Mitigation along with SBA Disaster Assistance.

Sincerely,

Barbara Farr, Director  
Vermont Emergency Management







**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Joint Fiscal Committee Members  
From: Nathan Lavery, Fiscal Analyst  
Date: August 29, 2008  
Subject: Grant Request

Enclosed please find one (1) request which the Joint Fiscal Office recently received from the Administration:

**JFO #2336** — \$609,708.47 grant from the Federal Emergency Management Agency (FEMA) to the Agency of Transportation – Operations Division. These grant funds will be used to repair public facilities (state, local, and non-profit) in Addison and Franklin Counties damaged by the storms of June 14-17, 2008.

*[JFO received 08/29/08]*

The Joint Fiscal Office has reviewed this submission 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 12 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  
David Dill, Secretary



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

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**STATE OF VERMONT**  
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cc: James Reardon, Commissioner  
Linda Morse, Administrative Assistant  
David Dill, Secretary

STATE OF VERMONT  
GRANT ACCEPTANCE FORM

JFO 2336

DATE: August 20, 2008

DEPARTMENT: AOT - Operations

GRANT/DONATION (brief description and purpose):

FEMA Disaster Assistance Grant FEMA-1778-DR-VT  
Addison and Franklin Counties - for flooding resulting from the storms of June 14 - June 17, 2008.

GRANTOR/DONOR: FEMA

GRANT PERIOD: N/A

AMOUNT/VALUE: \$609,708.47

POSITIONS REQUESTED (LIMITED SERVICE): 0

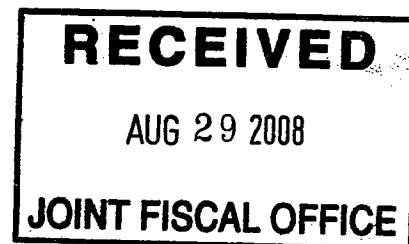
ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

State match estimated at \$105,068.48 (ERAF) is needed.

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

(INITIAL) SM  
(INITIAL) RRD  
(DATE) 8/26/08



STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE      FORM AA-1

1. Date: **8/5/2008**
2. Agency: **Transportation**
3. Department: **Operations**
4. Program: **Public Assistance Program**
5. Type of Grant:  
[X] New    [ ] Supplemental  
[ ] Renewal [ ] Modification
6. Legal Title of Grant: **Disaster Assistance Grant  
FEMA-1778-DR-VT**
7. Federal Catalog No.: **97-036**
8. Grantor and Office/Address:  
**Federal Emergency Management Agency  
99 High Street  
Boston, MA 02109-4595**
9. State Grant Administrator:  
**Agency of Transportation  
Operations Division**
10. Grant Period: From: **June 14, 2008**      To: **Completion**
11. Purpose of Grant: (attach additional sheets if needed)  
**To provide federal disaster assistance to repair damage to public facilities; state, local and non-profit, caused by the storms of June 14-17, 2008. See attached pages.**
12. Impact on Existing Programs if Grant is not Accepted:  
**State and local governments and eligible non-profit agencies may have to bear the full cost of repair to public facilities, road, and bridges; the cost of debris removal; and for emergency response.**
13. Budget Information: (Expenditures expected to occur in FY09 – FY10)

EXPENDITURES:

Statutory Administrative Costs	25,994.72
Other (recovery costs - estimated)	778,285.00
<b>TOTAL</b>	<b>\$804,279.72</b>

REVENUES

State Funds (Estimates - see attached schedule)	
Emergency Relief and Assistance Fund	105,068.48
Federal Funds: (Federal share is 75% of the total damage estimate)	
Federal Projects	583,713.75
Federal Administrative	25,994.72
Other Funds: (Estimates - see attached schedule)	
Local government	89,502.77
<b>TOTAL</b>	<b>\$804,279.72</b>

Grant will be allocated to these appropriation expenditure accounts: (excludes local share)

<u>DEPT ID</u>	<u>Program</u>	<u>Fund</u>	<u>Amount</u>
8100005500	59700	20150	\$609,708.47
8100005500	59700	21555	\$105,068.48

REC'D AUG 1 8 2008

STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE

FORM AA-1

14. Will grant monies be spent on one or more personal service contracts?  
 YES  NO

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

- 15a. Please list any requested Limited Service positions:

Titles	Number of Positions
NONE	
TOTAL	

- 15b. Equipment and space for these positions:  
 Is presently available.  
 Can be obtained with available funds.

16. Signature of Appointing Authority

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

David C. Wier  
(Signature)

8/13/08  
(Date)

17. Action by Governor:  
 Approved  
 Rejected

[Signature]  
(Signature)

8/25/08  
(Date)

18. Secretary of Administration:  
 Request to JFO  
 Information to JFO

Ronda P. McComb  
(Signature)

8/20/08  
(Date)

19. Action by Joint Fiscal Committee: (Dates)
- |   |       |
|---|-------|
| <input type="checkbox"/> Request to be placed on JFC agenda         | _____ |
| <input type="checkbox"/> Approved (not placed on agenda in 30 days) | _____ |
| <input type="checkbox"/> Approved by JFC                            | _____ |
| <input type="checkbox"/> Rejected by JFC                            | _____ |
| <input type="checkbox"/> Approved by Legislature                    | _____ |

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

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



**FEMA-1778-DR-VT June 14-17, 2008**

	Damage (from PDA)		
	Total	FEMA	Administrative
Addison	\$ 500,286.00	\$ 375,214.50	\$ 16,709.55
Franklin	\$ 277,999.00	\$ 208,499.25	\$ 9,285.17
	<u>\$ 778,285.00</u>	<u>\$ 583,713.75</u>	<u>\$ 25,994.72</u>

\$ 583,713.75 = Total FEMA support to applicants

\$ 25,994.72 = Total Administrative support to State

\$ 609,708.47 = Total anticipated FEMA Support for PA

State Funds (ERAF): Est. Avg (13.5%) - Towns receive either 12.5% or 15% from ERAF  
ERAF: \$ 105,068.48

Applicant Share: \$ 89,502.77

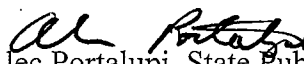

Total (federal, state, & local): \$ 804,279.72



**State of Vermont**  
**Operations Division**  
One National Life Drive  
Montpelier, VT 05633-5001  
[sam.lewis@state.vt.us](mailto:sam.lewis@state.vt.us)

*Agency of Transportation*  
**Maintenance Programs**  
[phone] 802-828-2709  
[fax] 802-828-2848  
[ttd] 800-253-0191

**To:** Michael K. Smith, Secretary of Administration  
(Governor's Authorized Representative, FEMA PA Program)  
via Neale F. Lunderville, Secretary of Transportation

**From:**   
Alec Portalupi, State Public Assistance Officer, FEMA PA Program  
via Samuel B. Lewis, Director of Operations,  


**Date:** August 11, 2008

**Subject:** FEMA 1778-DR-VT, June 14-17 Flooding

We are requesting your approval and signature on the attached documents for the State to apply for and receive federal assistance under the subject federal disaster declaration.

If you have any questions about these documents or need additional information, please contact Alec Portalupi at 828-3889. Thank you.

Attachments

Standard Form 424  
FEMA Form 20-16 (w/ 20-16A&B)  
State of Vermont Form AA-1  
Various Correspondence between State and FEMA Region 1



# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-C

<b>1. TYPE OF SUBMISSION:</b> Application <input checked="" type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> August 5, 2008	<b>Applicant Identifier</b>
		<b>3. DATE RECEIVED BY STATE</b>	<b>State Application Identifier</b>
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	<b>Federal Identifier</b>
<b>5. APPLICANT INFORMATION</b>			
<b>Legal Name:</b> State of Vermont - Agency of Administration		<b>Organizational Unit:</b> Vermont Agency of Transportation	
<b>Address (give city, county, State, and zip code):</b> Pavilion Office Building Montpelier, Vermont 05609-0201		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Alec Portalupi, 802-828-3889	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 03 - 6000274		<b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <input checked="" type="checkbox"/> A	
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award    B. Decrease Award    C. Increase Duration D. Decrease Duration    Other (specify): _____		A. State    H. Independent School Dist. B. County    I. State Controlled Institution of Higher Learning C. Municipal    J. Private University D. Township    K. Indian Tribe E. Interstate    L. Individual F. Intermunicipal    M. Profit Organization G. Special District    N. Other (Specify _____)	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE Disaster Recovery - Public Assistance    97 - 036		<b>9. NAME OF FEDERAL AGENCY:</b> Federal Emergency Management Agency	
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Addison and Franklin Counties		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Public Assistance for flood/storm damage that occurred during the events of June 14-17, 2008. Damage is to State, Local, and non-profit infrastructure.	
<b>13. PROPOSED PROJECT:</b> Disaster Recovery		<b>14. CONGRESSIONAL DISTRICTS OF:</b> Vermont	
<b>Start Date</b> 6-14-2008	<b>Ending Date</b> Completion	<b>a. Applicant</b> Vermont Agency of Transportation	<b>b. Project</b> Disaster Recovery - Public Assistance
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ 609,708.47	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:  DATE _____  b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
b. Applicant	\$		
c. State	\$ 105,068.48		
d. Local	\$ 89,502.77		
e. Other	\$		
f. Program Income	\$		
g. TOTAL	\$ 804,279.72		
<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No		<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>	
<b>a. Type Name of Authorized Representative</b> Michael Smith		<b>b. Title</b> Secretary of Administration (& GAR)	<b>c. Telephone Number</b> (802) 828-3322
<b>d. Signature of Authorized Representative</b> <i>Ronda P. McDaniel, alternate GAR</i>		<b>e. Date Signed</b> 8/20/08	

FEDERAL EMERGENCY MANAGEMENT AGENCY  
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

O.M.B. No. 3067-0206  
Expires February 28, 2007

FOR  
FY 2008

CA FOR (Name of Applicant)  
State of Vermont, Agency of Administration

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.

An applicant must check each item that they are certifying to:

Part I  FEMA Form 20-16A, Assurances-Nonconstruction Programs

Part II  FEMA Form 20-16B, Assurances-Construction Programs

Part III  FEMA Form 20-16C, Certifications Regarding Lobbying;  
Debarment, Suspension, and Other Responsibility  
Matters; and Drug-Free Workplace Requirements

Part IV  SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Michael K. Smith  
Typed Name of Authorized Representative

Secretary of Administration (& GAR)  
Title

Ronda P. McArthur, alternate GAR  
Signature of Authorized Representative

8/20/08  
Date Signed

NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

**Paperwork Burden Disclosure Notice**

"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration) 5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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11. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchase.
12. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Section 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333) regarding labor standards for federally assisted construction subagreements.

14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

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17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

20. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

21. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the cost of the project, use of space, or functional layout, that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

22. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

23. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117. - 1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

24. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transfer, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

25. In making subgrants with nonprofit institutions under this Comprehensive Cooperative Agreement, it agrees that such grants will be subject to OMB Circular A-122, "Cost Principles for Non-profit Organizations" included in Vol. 49, Federal Register, pages 18260 through 18277 (April 27, 1984).





**FEMA**

## **Designated Counties for Vermont Severe Storms and Flooding**

### **Disaster Summary For FEMA-1778-DR, Vermont**

**Declaration Date:** July 15, 2008

**Incident Type:** Severe Storms and Flooding

**Incident Period:** June 14-17, 2008

#### **Individual Assistance**

*(Assistance to individuals and households):*

None.

#### **Public Assistance**

*(Assistance to State and local governments and certain private nonprofit organizations for emergency work and the repair or replacement of disaster-damaged facilities):*

Addison and Franklin Counties.

#### **Hazard Mitigation Grant Program**

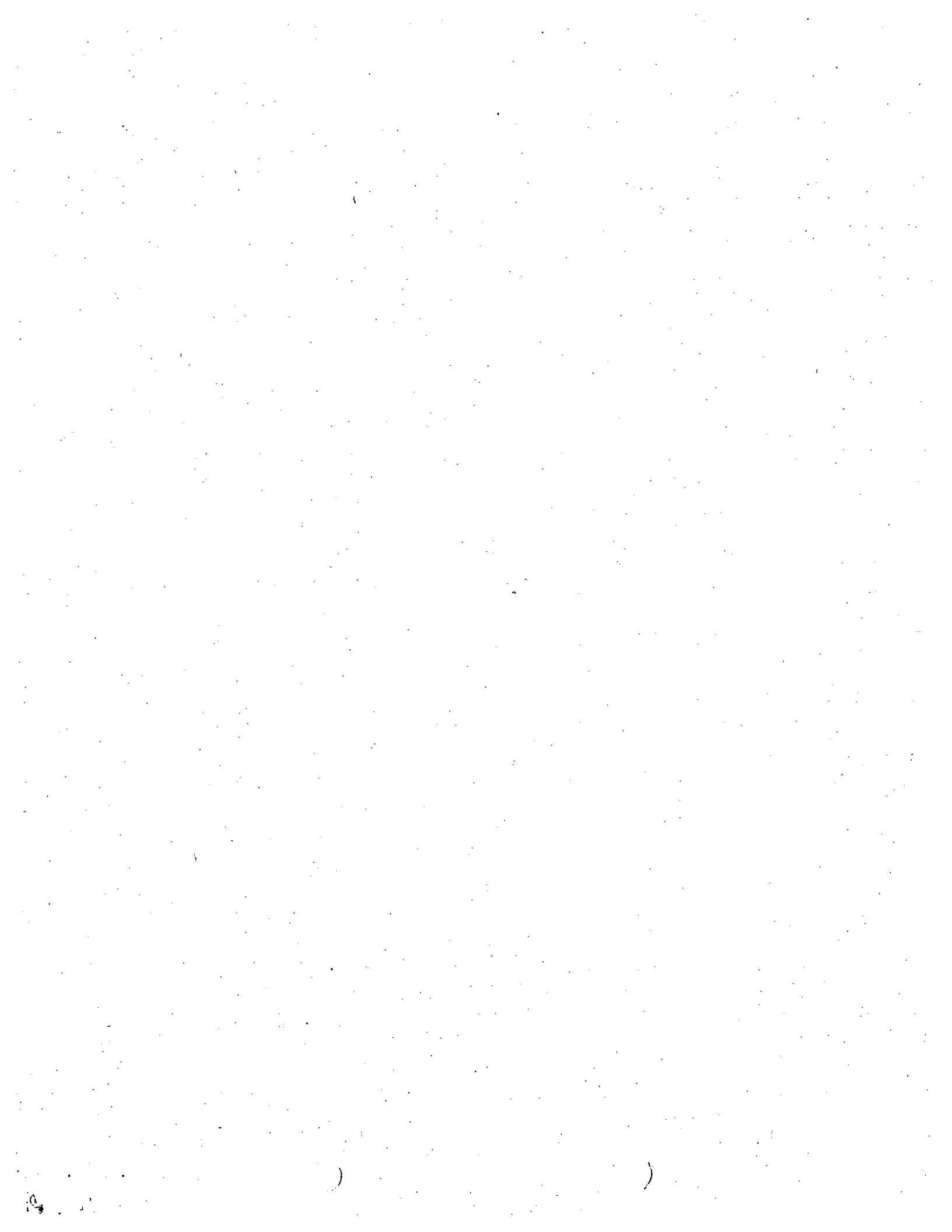
*(Assistance to State and local governments and certain private nonprofit organizations for actions taken to prevent or reduce long term risk to life and property from natural hazards):*

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 after further evaluation.

More information about Vermont Severe Storms and Flooding



*D - Sam Lewis*  
*Alec - FYI*

U.S. Department of Homeland Security  
Region I  
99 High St, 6th Floor  
Boston, MA 02110-2320

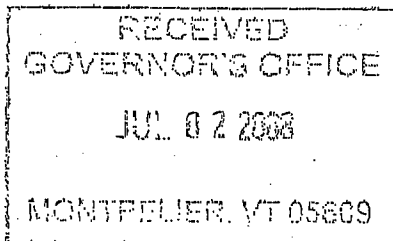


**FEMA**

Response Due	
Action Taken	
File Code #	

June 30, 2008

Governor James Douglas  
109 State Street, Pavilion  
Montpelier, VT 05609-0101



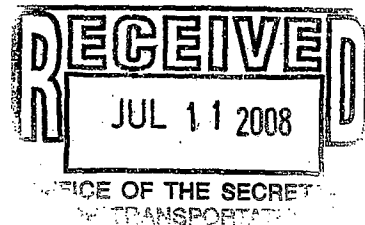
Dear Governor Douglas:

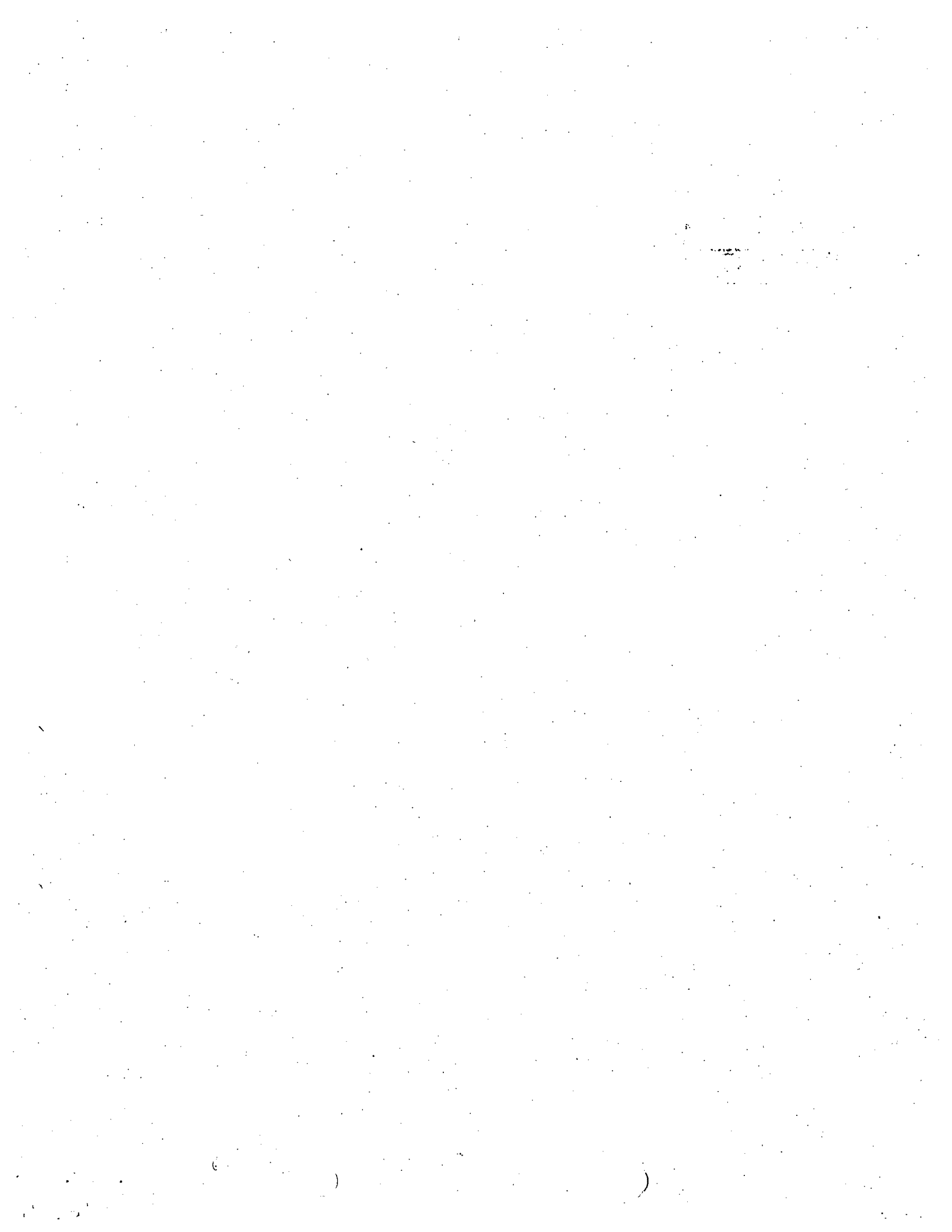
This acknowledges receipt of your June 27, 2008 letter to President Bush requesting a Major Disaster declaration for the State of Vermont as result of excessive rainfall, which resulted in flash flooding and extensive road damage in certain areas throughout the State of Vermont. Your request specifically ask for the Counties of Addison and Franklin to be considered for Federal assistance under the Pubic Assistance Program,( Section 406) and Hazard Mitigation Grant Program (Section 404), statewide, under the Robert T. Stafford Act.

We understand that while your request is being considered you will be providing assistance to your citizens. As you are engaging in work that may be eligible for reimburscment if the requested Federal assistance is approved, the applicant and sub-applicant must comply with all applicable laws and regulations, including applicable environmental and historic preservation requirements. We especially note the contracting requirements of 44 CFR Part 13 and the necessity to obtain applicable permits. We are available for technical assistance if needed. If you have any concerns or questions, please feel frec to contact me at (617) 956-7506.

Sincerely,

*Arthur W. Cleaves*  
Arthur W. Cleaves  
Regional Administrator





Congress of the United States  
Washington, DC 20510

June 30, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, DC 20500

Dear Mr. President:

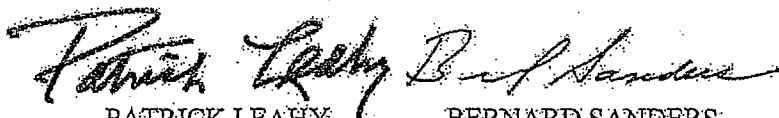
From June 14<sup>th</sup> to June 17<sup>th</sup>, a tremendous rainstorm led to flooding and severe public infrastructure damage across the State of Vermont. We hope that you will approve the State's request and make a major disaster declaration for Vermont, which would make the State eligible for a range of Federal aid.

The full range of local and State services -- from police to fire -- were deployed to deal with the damage that resulted from the storms. The scope and severity of the storms, especially in Addison and Franklin counties, were so great that Federal resources are necessary to help communities across the State recover. An initial survey indicated particularly acute damage to public roads, as well as many private homes and State office buildings. At least 14 homes and 11 businesses received extensive damage, while damage to at least one State office displaced more than 180 State workers.

A range of Federal aid would help the State of Vermont recover from these storms. Public Assistance funding would help to replace roads, while an SBA declaration would support the businesses which face considerable rebuilding expenses. The SBA declaration will also assist residential property owners, a help for downtown residents in Rutland. Communities across the State would greatly benefit from funding from the Hazard Mitigation Grant program, which is critical for limiting the damage from future emergencies.

We appreciate your swift consideration of the State of Vermont's appeal, and we hope you will approve its request. We look forward to discussing this important matter with you in the days and weeks ahead.

Sincerely,



PATRICK LEAHY  
U.S. Senator

BERNARD SANDERS  
U.S. Senator



PETER WELCH  
U.S. Representative

COPY

JAMES H. DOUGLAS  
Governor



State of Vermont  
OFFICE OF THE GOVERNOR

June 27, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, D.C. 20500

Through: Arthur W. Cleaves  
Regional Administrator  
FEMA Region I  
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. §§ 5121-5206 (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 excessive rainfall, that caused flash flooding and extensive road damage in certain areas throughout the State on June 14-17, 2008. The Vermont counties impacted to the highest degree of qualifying damage include Addison and Franklin.

In response to the situation, I have taken appropriate action under State law and directed, through the Commissioner of the Vermont Department of Public Safety, the execution of the State Emergency Operations Plan beginning on June 14, 2008 and continuing in operation at the current time in accordance with Section 401 of the Stafford Act. In accordance with the State Emergency Operations Plan, the following State Agency Support functions were activated: Department of Public Safety, Vermont Emergency Management Division and Vermont State Police, State Agency of Transportation, Vermont Agency of Human Services, Vermont Agency of Human Resources, State Buildings and General Services, Vermont Department of Health, and the American Red Cross. The local community of Ripton, Vermont requested a local declaration of emergency due to excessive damage to their public road system and private roads as well.

The State of Vermont has a State Mitigation Plan that was approved by FEMA in November of 2007. Approximately 85% of Vermont communities have FEMA approved local mitigation plans with the rest in various forms of draft stages.

On June 17, 2008, I requested a joint Federal, State, and local survey of the damaged areas. Preliminary assessments by State and Local officials indicated the most severe impacts were to town and state roads that received road damage by flash floods.

The Honorable George W. Bush  
June 27, 2008  
Page Two

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 Federal assistance utilizing the following federal programs: Public Assistance for the counties of Addison and Franklin, Vermont. The State of Vermont also requests the Hazard Mitigation Grant Program (Section 404), available throughout the State.

Preliminary estimates of the types and amount of assistance needed under the Stafford Act are tabulated in Enclosure 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 following State agencies were directed to provide immediate assistance as a result of flash flooding: Department of Public Safety, Vermont Emergency Management Division and Vermont State Police, State Agency of Transportation, Vermont Agency of Human Services, Vermont Agency of Human Resources, State Department of Buildings and General Services, Vermont Department of Health, and the American Red Cross. Town and State road crews worked for several days to repair the damage to allow residents who had been cut off to come and go from their homes once again and to open access routes for emergency vehicles. The City of Rutland received extensive damage to local homes, businesses and two state buildings. A Red Cross Shelter was opened to accommodate several families that had been impacted by the flash flooding.

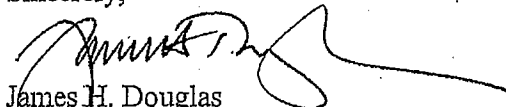
The Small Business Administration has completed its Preliminary Damage Assessment of Rutland County and there is sufficient damage to qualify Rutland and the contiguous counties of Addison, Windsor, and Bennington Counties for an SBA declaration. Total private property damage in Rutland is estimated to be over \$500,000 and includes at least 14 homes and 11 businesses. The extensive damage to State office buildings displaced 180 state workers. The Town of Ripton, Vermont received severe damage to its local roads and two private roads that prevented residents from access to emergency services. I am proud to report that due largely to emergency services and response, not a single life was lost or serious injury sustained during or after the storm.

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 state/local share expenditures are expected to exceed \$240,000.

The Honorable George W. Bush  
June 27, 2008  
Page Three

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

Sincerely,

  
James H. Douglas  
Governor

JHD/msy  
Enc.



Enclosure A

Damage from Flash Flooding June 14-17, 2008

Date: 06/27/2008	PUBLIC DAMAGE								POP. '00	\$/CAP.
Report #:	A	B	C	D	E	F	G	TOTAL		
<b>VT STATE TOTALS</b>									<b>608,827</b>	<b>1.58</b>
Addison CO		\$15,392	\$484,894					\$500,286	35,974	13.91
Franklin CO			277,999					\$277,999	45,417	6.12
Orleans CO		500	39,377					\$39,877	26,277	1.52
Rutland CO		18,930	9,751		100,000	13,500		\$142,181	63,400	2.24
<b>County Totals</b>	<b>\$0</b>	<b>\$34,822</b>	<b>\$812,021</b>	<b>\$0</b>	<b>\$100,000</b>	<b>\$13,500</b>	<b>\$0</b>	<b>\$960,343</b>		

NOTES: PDA

FEMA tabulation by Brian Collins



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

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

June 18, 2008

Art Cleaves, Regional Administrator  
DHS Federal Emergency Management Agency  
99 High Street  
Boston, MA 02110

Dear Mr. Cleaves,

I respectfully request that my letter to you yesterday requesting a PDA for Rutland and Addison Counties in Vermont also include a PDA for Franklin County for the Public Assistance and Hazard Mitigation Programs.

This request is based upon the preliminary damage reports from flood damage in the towns of Richford and Montgomery from flash flooding from a continued storm system that occurred on 6/18 as verified by the National Weather Service out of Burlington, Vermont. Over \$110,000 in additional public road damage is reported. With this assessment I have determined that this incident is of such magnitude in the rural communities that a PDA is necessary.

Your consideration for this request is greatly appreciated.

Sincerely,

Sincerely,

Barbara Farr, Director  
Vermont Emergency Management



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

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

June 17, 2008

Art Cleaves, Regional Administrator  
DHS Federal Emergency Management Agency  
99 High Street  
Boston, MA 02110

Dear Mr. Cleaves,

Please be advised that I request the Federal Emergency Management Agency to conduct a Preliminary Damage Assessment, SBA Disaster Assistance and Hazard Mitigation Assistance in the Vermont Counties of Addison and Rutland.

Excessive rainfall during the period of June 14-15, 2008 resulted in serious flash flooding impacting communities in these counties. The National Weather Service had issued a warning for most of Vermont and flooding was most prevalent in Addison and Rutland Counties. Approximately 80 homes and businesses have had damage to their basements and first floors. Approximately 20 persons had been displaced over the weekend and several have not been able to return due to damage and electrical issues. A State Office building housing 180 state employees have been displaced through at least the end of the month. Initial estimates exceed \$1,000,000 in cleanup costs for the State Office building. Two communities have reported another \$675,000 in local road damages. No deaths or injuries have been reported.

Your assistance is requested for the purpose of determining the impact of the disaster at this time. The damage estimated by the state and local officials indicate a need for Federal assistance. If the losses are confirmed, I intend to consider a request for a Major Disaster Declaration for the impacted area for Public Assistance and Hazard Mitigation along with SBA Disaster Assistance.

Sincerely,

Barbara Farr, Director  
Vermont Emergency Management



STATE OF VERMONT  
GRANT ACCEPTANCE FORM

JFO 2336

DATE: August 20, 2008

DEPARTMENT: AOT - Operations

GRANT/DONATION (brief description and purpose):

FEMA Disaster Assistance Grant FEMA-1778-DR-VT  
Addison and Franklin Counties - for flooding resulting from the storms of June 14 - June 17, 2008.

GRANTOR/DONOR: FEMA

GRANT PERIOD: N/A

AMOUNT/VALUE: \$609,708.47

POSITIONS REQUESTED (LIMITED SERVICE): 0

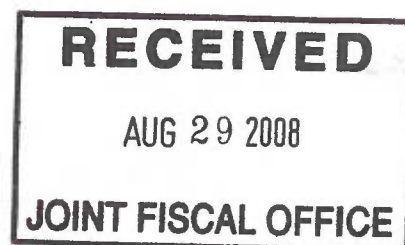
ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

State match estimated at \$105,068.48 (ERAF) is needed.

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

(INITIAL) SM  
(INITIAL) SPM  
(DATE) 8/26/08



STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE FORM AA-1

1. Date: **8/5/2008**
2. Agency: **Transportation**
3. Department: **Operations**
4. Program: **Public Assistance Program**
6. Legal Title of Grant: **Disaster Assistance Grant  
FEMA-1778-DR-VT**
8. Grantor and Office/Address:  
**Federal Emergency Management Agency  
99 High Street  
Boston, MA 02109-4595**
5. Type of Grant:  
 New     Supplemental  
 Renewal     Modification
7. Federal Catalog No.: **97-036**
9. State Grant Administrator:  
**Agency of Transportation  
Operations Division**
10. Grant Period: From: **June 14, 2008** To: **Completion**
11. Purpose of Grant: (attach additional sheets if needed)  
**To provide federal disaster assistance to repair damage to public facilities; state, local and non-profit, caused by the storms of June 14-17, 2008. See attached pages.**
12. Impact on Existing Programs if Grant is not Accepted:  
**State and local governments and eligible non-profit agencies may have to bear the full cost of repair to public facilities, road, and bridges; the cost of debris removal; and for emergency response.**
13. Budget Information: (Expenditures expected to occur in FY09 – FY10)

EXPENDITURES:

Statutory Administrative Costs	25,994.72
Other (recovery costs - estimated)	778,285.00
<b>TOTAL</b>	<b>\$804,279.72</b>

REVENUES

State Funds (Estimates - see attached schedule)	
Emergency Relief and Assistance Fund	105,068.48
Federal Funds: (Federal share is 75% of the total damage estimate)	
Federal Projects	583,713.75
Federal Administrative	25,994.72
Other Funds: (Estimates - see attached schedule)	
Local government	89,502.77
<b>TOTAL</b>	<b>\$804,279.72</b>

Grant will be allocated to these appropriation expenditure accounts: (excludes local share)

<u>DEPT ID</u>	<u>Program</u>	<u>Fund</u>	<u>Amount</u>
8100005500	59700	20150	\$609,708.47
8100005500	59700	21555	\$105,068.48

REC'D AUG 1 8 2008

STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE

FORM AA-1

14. Will grant monies be spent on one or more personal service contracts?

YES

NO

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

15a. Please list any requested Limited Service positions:

<u>Titles</u>	<u>Number of Positions</u>
NONE	
TOTAL	

15b. Equipment and space for these positions:

Is presently available.

Can be obtained with available funds.

16. Signature of Appointing Authority

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

David C. Dine

(Signature)

8/13/08

(Date)

17. Action by Governor:

Approved

Rejected

[Signature]

(Signature)

8/25/08

(Date)

18. Secretary of Administration:

Request to JFO

Information to JFO

Ronda P. McCants

(Signature)

8/20/08

(Date)

19. 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

(Signature)

(Date)

STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE

FORM AA-1

14. Will grant monies be spent on one or more personal service contracts?  
 YES  NO

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

- 15a. Please list any requested Limited Service positions:

<u>Titles</u>	<u>Number of Positions</u>
NONE	
TOTAL	

- 15b. Equipment and space for these positions:  
 Is presently available.  
 Can be obtained with available funds.

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David C. Dine  
(Signature)

8/13/08  
(Date)

17. Action by Governor:  
 Approved  
 Rejected

[Signature]  
(Signature)

8/25/08  
(Date)

18. Secretary of Administration:  
 Request to JFO  
 Information to JFO

Ronda P. McLeod  
(Signature)

8/20/08  
(Date)

19. 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 \_\_\_\_\_

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

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



**FEMA-1778-DR-VT June 14-17, 2008**

	Damage (from PDA)		
	Total	FEMA	Administrative
Addison	\$ 500,286.00	\$ 375,214.50	\$ 16,709.55
Franklin	\$ 277,999.00	\$ 208,499.25	\$ 9,285.17
	<u>\$ 778,285.00</u>	<u>\$ 583,713.75</u>	<u>\$ 25,994.72</u>

\$ 583,713.75 = Total FEMA support to applicants

\$ 25,994.72 = Total Administrative support to State

\$ 609,708.47 = Total anticipated FEMA Support for PA

State Funds (ERAF): Est. Avg (13.5%) - Towns receive either 12.5% or 15% from ERAF

ERAF: \$ 105,068.48

Applicant Share: \$ 89,502.77

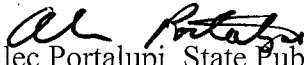

Total (federal, state, & local): \$ 804,279.72



**State of Vermont**  
**Operations Division**  
One National Life Drive  
Montpelier, VT 05633-5001  
[sam.lewis@state.vt.us](mailto:sam.lewis@state.vt.us)

*Agency of Transportation*  
**Maintenance Programs**  
[phone] 802-828-2709  
[fax] 802-828-2848  
[ttd] 800-253-0191

**To:** Michael K. Smith, Secretary of Administration  
(Governor's Authorized Representative, FEMA PA Program)  
via Neale F. Lunderville, Secretary of Transportation

**From:**   
Alec Portalupi, State Public Assistance Officer, FEMA PA Program  
via Samuel B. Lewis, Director of Operations,  


**Date:** August 11, 2008

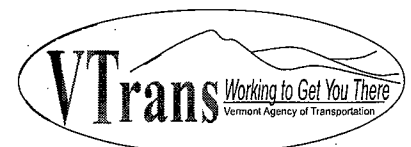
**Subject:** FEMA 1778-DR-VT, June 14-17 Flooding

We are requesting your approval and signature on the attached documents for the State to apply for and receive federal assistance under the subject federal disaster declaration.

If you have any questions about these documents or need additional information, please contact Alec Portalupi at 828-3889. Thank you.

Attachments

Standard Form 424  
FEMA Form 20-16 (w/ 20-16A&B)  
State of Vermont Form AA-1  
Various Correspondence between State and FEMA Region 1



# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-C

		2. DATE SUBMITTED <b>August 5, 2008</b>	Applicant Identifier
1. TYPE OF SUBMISSION:		3. DATE RECEIVED BY STATE	State Application Identifier
Application <input checked="" type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name: <b>State of Vermont - Agency of Administration</b>		Organizational Unit: <b>Vermont Agency of Transportation</b>	
Address (give city, county, State, and zip code): Pavilion Office Building Montpelier, Vermont 05609-0201		Name and telephone number of person to be contacted on matters involving this application (give area code) <b>Alec Portalupi, 802-828-3889</b>	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): <b>03 - 6000274</b>		7. TYPE OF APPLICANT: (enter appropriate letter in box) <b>A</b>	
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award    B. Decrease Award    C. Increase Duration D. Decrease Duration    Other (specify): _____		A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify _____)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE <b>Disaster Recovery - Public Assistance</b> <b>97 - 036</b>		9. NAME OF FEDERAL AGENCY: <b>Federal Emergency Management Agency</b>	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): <b>Addison and Franklin Counties</b>		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: <b>Public Assistance for flood/storm damage that occurred during the events of June 14-17, 2008. Damage is to State, Local, and non-profit infrastructure.</b>	
13. PROPOSED PROJECT: <b>Disaster Recovery</b>		14. CONGRESSIONAL DISTRICTS OF: <b>Vermont</b>	
Start Date <b>6-14-2008</b>	Ending Date <b>Completion</b>	a. Applicant <b>Vermont Agency of Transportation</b>	b. Project <b>Disaster Recovery - Public Assistance</b>
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ <b>609,708.47</b>	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:  DATE _____	
b. Applicant	\$	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
c. State	\$ <b>105,068.48</b>	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No	
d. Local	\$ <b>89,502.77</b>		
e. Other	\$		
f. Program Income	\$		
g. TOTAL	\$ <b>804,279.72</b>		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Type Name of Authorized Representative <b>Michael Smith</b>		b. Title <b>Secretary of Administration (&amp; GAR)</b>	c. Telephone Number <b>(802) 828-3322</b>
d. Signature of Authorized Representative <i>Michael P. McQuinn, alternate GAR</i>		e. Date Signed <b>8/20/08</b>	

FEDERAL EMERGENCY MANAGEMENT AGENCY  
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

O.M.B. No. 3067-0206  
Expires February 28, 2007

FOR  
FY 2008

CA FOR (Name of Applicant)  
State of Vermont, Agency of Administration

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.

An applicant must check each item that they are certifying to:

- Part I  FEMA Form 20-16A, Assurances-Nonconstruction Programs
- Part II  FEMA Form 20-16B, Assurances-Construction Programs
- Part III  FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Part IV  SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Michael K. Smith  
Typed Name of Authorized Representative

Secretary of Administration (& GAR)  
Title

Ronda P. Monte, alternate GAR  
Signature of Authorized Representative

8/20/08  
Date Signed

NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

Paperwork Burden Disclosure Notice

"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration) 5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchase.
12. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Section 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333) regarding labor standards for federally assisted construction subagreements.

14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

20. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

21. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the cost of the project, use of space, or functional layout, that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

22. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

23. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117, - 1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

24. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transfer, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

25. In making subgrants with nonprofit institutions under this Comprehensive Cooperative Agreement, it agrees that such grants will be subject to OMB Circular A-122, "Cost Principles for Non-profit Organizations" included in Vol. 49, Federal Register, pages 18260 through 18277 (April 27, 1984).





**FEMA**

## **Designated Counties for Vermont Severe Storms and Flooding**

### **Disaster Summary For FEMA-1778-DR, Vermont**

**Declaration Date:** July 15, 2008

**Incident Type:** Severe Storms and Flooding

**Incident Period:** June 14-17, 2008

#### **Individual Assistance**

*(Assistance to individuals and households):*

None.

#### **Public Assistance**

*(Assistance to State and local governments and certain private nonprofit organizations for emergency work and the repair or replacement of disaster-damaged facilities):*

Addison and Franklin Counties.

#### **Hazard Mitigation Grant Program**

*(Assistance to State and local governments and certain private nonprofit organizations 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 after further evaluation.

More information about Vermont Severe Storms and Flooding



*D - Sam Lewis*  
*Alec - FTI*

U.S. Department of Homeland Security  
Region I  
99 High St, 6th Floor  
Boston, MA 02110-2320

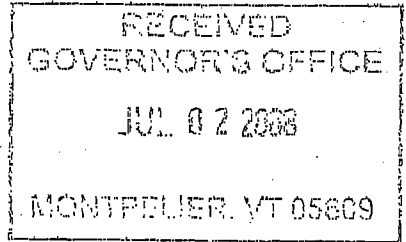


**FEMA**

Response Due	_____
Action Taken	_____
FIR Code #	_____

June 30, 2008

Governor James Douglas  
109 State Street, Pavilion  
Montpelier, VT 05609-0101



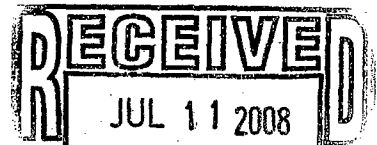
Dear Governor Douglas:

This acknowledges receipt of your June 27, 2008 letter to President Bush requesting a Major Disaster declaration for the State of Vermont as result of excessive rainfall, which resulted in flash flooding and extensive road damage in certain areas throughout the State of Vermont. Your request specifically ask for the Counties of Addison and Franklin to be considered for Federal assistance under the Pubic Assistance Program,( Section 406) and Hazard Mitigation Grant Program (Section 404), statewide, under the Robert T. Stafford Act.

We understand that while your request is being considered you will be providing assistance to your citizens. As you are engaging in work that may be eligible for reimbursement if the requested Federal assistance is approved, the applicant and sub-applicant must comply with all applicable laws and regulations, including applicable environmental and historic preservation requirements. We especially note the contracting requirements of 44 CFR Part 13 and the necessity to obtain applicable permits. We are available for technical assistance if needed. If you have any concerns or questions, please feel free to contact me at (617) 956-7506.

Sincerely,

Arthur W. Cleaves  
Regional Administrator



OFFICE OF THE SECRETARY OF TRANSPORTATION

Congress of the United States  
Washington, DC 20510

June 30, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, DC 20500

Dear Mr. President:

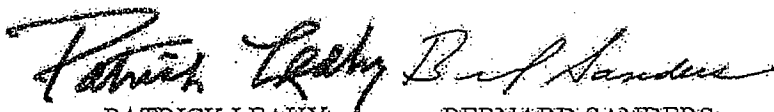
From June 14<sup>th</sup> to June 17<sup>th</sup>, a tremendous rainstorm led to flooding and severe public infrastructure damage across the State of Vermont. We hope that you will approve the State's request and make a major disaster declaration for Vermont, which would make the State eligible for a range of Federal aid.

The full range of local and State services -- from police to fire -- were deployed to deal with the damage that resulted from the storms. The scope and severity of the storms, especially in Addison and Franklin counties, were so great that Federal resources are necessary to help communities across the State recover. An initial survey indicated particularly acute damage to public roads, as well as many private homes and State office buildings. At least 14 homes and 11 businesses received extensive damage, while damage to at least one State office displaced more than 180 State workers.

A range of Federal aid would help the State of Vermont recover from these storms. Public Assistance funding would help to replace roads, while an SBA declaration would support the businesses which face considerable rebuilding expenses. The SBA declaration will also assist residential property owners; a help for downtown residents in Rutland. Communities across the State would greatly benefit from funding from the Hazard Mitigation Grant program, which is critical for limiting the damage from future emergencies.

We appreciate your swift consideration of the State of Vermont's appeal, and we hope you will approve its request. We look forward to discussing this important matter with you in the days and weeks ahead.

Sincerely,



PATRICK LEAHY  
U.S. Senator

BERNARD SANDERS  
U.S. Senator



PETER WELCH  
U.S. Representative

COPY

JAMES H. DOUGLAS  
Governor



State of Vermont  
OFFICE OF THE GOVERNOR

June 27, 2008

The Honorable George W. Bush  
President of the United States  
The White House  
Washington, D.C. 20500

Through: Arthur W. Cleaves  
Regional Administrator  
FEMA Region I  
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. §§ 5121-5206 (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 excessive rainfall, that caused flash flooding and extensive road damage in certain areas throughout the State on June 14-17, 2008. The Vermont counties impacted to the highest degree of qualifying damage include Addison and Franklin.

In response to the situation, I have taken appropriate action under State law and directed, through the Commissioner of the Vermont Department of Public Safety, the execution of the State Emergency Operations Plan beginning on June 14, 2008 and continuing in operation at the current time in accordance with Section 401 of the Stafford Act. In accordance with the State Emergency Operations Plan, the following State Agency Support functions were activated: Department of Public Safety, Vermont Emergency Management Division and Vermont State Police, State Agency of Transportation, Vermont Agency of Human Services, Vermont Agency of Human Resources, State Buildings and General Services, Vermont Department of Health, and the American Red Cross. The local community of Ripton, Vermont requested a local declaration of emergency due to excessive damage to their public road system and private roads as well.

The State of Vermont has a State Mitigation Plan that was approved by FEMA in November of 2007. Approximately 85% of Vermont communities have FEMA approved local mitigation plans with the rest in various forms of draft stages.

On June 17, 2008, I requested a joint Federal, State, and local survey of the damaged areas. Preliminary assessments by State and Local officials indicated the most severe impacts were to town and state roads that received road damage by flash floods.

The Honorable George W. Bush  
June 27, 2008  
Page Two

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 Federal assistance utilizing the following federal programs: Public Assistance for the counties of Addison and Franklin, Vermont. The State of Vermont also requests the Hazard Mitigation Grant Program (Section 404), available throughout the State.

Preliminary estimates of the types and amount of assistance needed under the Stafford Act are tabulated in Enclosure 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 following State agencies were directed to provide immediate assistance as a result of flash flooding: Department of Public Safety, Vermont Emergency Management Division and Vermont State Police, State Agency of Transportation, Vermont Agency of Human Services, Vermont Agency of Human Resources, State Department of Buildings and General Services, Vermont Department of Health, and the American Red Cross. Town and State road crews worked for several days to repair the damage to allow residents who had been cut off to come and go from their homes once again and to open access routes for emergency vehicles. The City of Rutland received extensive damage to local homes, businesses and two state buildings. A Red Cross Shelter was opened to accommodate several families that had been impacted by the flash flooding.

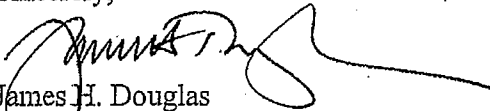
The Small Business Administration has completed its Preliminary Damage Assessment of Rutland County and there is sufficient damage to qualify Rutland and the contiguous counties of Addison, Windsor, and Bennington Counties for an SBA declaration. Total private property damage in Rutland is estimated to be over \$500,000 and includes at least 14 homes and 11 businesses. The extensive damage to State office buildings displaced 180 state workers. The Town of Ripton, Vermont received severe damage to its local roads and two private roads that prevented residents from access to emergency services. I am proud to report that due largely to emergency services and response, not a single life was lost or serious injury sustained during or after the storm.

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 state/local share expenditures are expected to exceed \$240,000.

The Honorable George W. Bush  
June 27, 2008  
Page Three

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

Sincerely,



James H. Douglas  
Governor

JHD/msy  
Enc.

**Enclosure A**

**Damage from Flash Flooding June 14-17, 2008**

Date: 06/27/2008	PUBLIC DAMAGE								POP. '00	\$/CAP.
Report #:	A	B	C	D	E	F	G	TOTAL		
<b>VT STATE TOTALS</b>									<b>608,827</b>	<b>1.58</b>
Addison CO		\$15,392	\$484,894					\$500,286	35,974	13.91
Franklin CO			277,999					\$277,999	45,417	6.12
Orleans CO		500	39,377					\$39,877	26,277	1.52
Rutland CO		18,930	9,751		100,000	13,500		\$142,181	63,400	2.24
<b>County Totals</b>	<b>\$0</b>	<b>\$34,822</b>	<b>\$812,021</b>	<b>\$0</b>	<b>\$100,000</b>	<b>\$13,500</b>	<b>\$0</b>	<b>\$960,343</b>		

NOTES: PDA

FEMA tabulation by Brian Collins





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

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

June 18, 2008

Art Cleaves, Regional Administrator  
DHS Federal Emergency Management Agency  
99 High Street  
Boston, MA 02110

Dear Mr. Cleaves,

I respectfully request that my letter to you yesterday requesting a PDA for Rutland and Addison Counties in Vermont also include a PDA for Franklin County for the Public Assistance and Hazard Mitigation Programs.

This request is based upon the preliminary damage reports from flood damage in the towns of Richford and Montgomery from flash flooding from a continued storm system that occurred on 6/18 as verified by the National Weather Service out of Burlington, Vermont. Over \$110,000 in additional public road damage is reported. With this assessment I have determined that this incident is of such magnitude in the rural communities that a PDA is necessary.

Your consideration for this request is greatly appreciated.

Sincerely,

Sincerely,

Barbara Farr, Director  
Vermont Emergency Management



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

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

June 17, 2008

Art Cleaves, Regional Administrator  
DHS Federal Emergency Management Agency  
99 High Street  
Boston, MA 02110

Dear Mr. Cleaves,

Please be advised that I request the Federal Emergency Management Agency to conduct a Preliminary Damage Assessment, SBA Disaster Assistance and Hazard Mitigation Assistance in the Vermont Counties of Addison and Rutland.

Excessive rainfall during the period of June 14-15, 2008 resulted in serious flash flooding impacting communities in these counties. The National Weather Service had issued a warning for most of Vermont and flooding was most prevalent in Addison and Rutland Counties. Approximately 80 homes and businesses have had damage to their basements and first floors. Approximately 20 persons had been displaced over the weekend and several have not been able to return due to damage and electrical issues. A State Office building housing 180 state employees have been displaced through at least the end of the month. Initial estimates exceed \$1,000,000 in cleanup costs for the State Office building. Two communities have reported another \$675,000 in local road damages. No deaths or injuries have been reported.

Your assistance is requested for the purpose of determining the impact of the disaster at this time. The damage estimated by the state and local officials indicate a need for Federal assistance. If the losses are confirmed, I intend to consider a request for a Major Disaster Declaration for the impacted area for Public Assistance and Hazard Mitigation along with SBA Disaster Assistance.

Sincerely,

Barbara Farr, Director  
Vermont Emergency Management

