

STATE OF VERMONT JOINT FISCAL OFFICE

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management

From: Nathan Lavery, Fiscal Analyst

Date: September 18, 2008

Subject: JFO #2335

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

JFO #2335 — \$458,935 grant from the United States Department of Homeland Security to the Vermont Department of Public Safety. These grant monies will fund the installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown in order to allow passage of water and reduce the rise of flood waters. [*JFO received 08/19/08*]

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since this item was submitted to the Joint Fiscal Committee, the Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Linda Morse, Administrative Assistant Thomas Tremblay, Commissioner



STATE OF VERMONT JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members

From: Nathan Lavery, Fiscal Analyst

Date: August 20, 2008

Subject: Grant Request

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

JFO #2334 — \$69,502 grant from the United States Department of Justice to the Vermont Department of Public Safety (DPS). These grant funds will be used to expand anti-gang enforcement and prevention efforts under the Project Safe Neighborhoods initiative. DPS erroneously considered this grant to be a continuation of a previous grant, and it was not submitted for JFC approval prior to commencement of spending against the grant amount. Commissioner Reardon has attached a memorandum of explanation. Additionally, this submission includes a follow-on grant of \$96,660 which would not normally come before the JFC. [JFO received 08/19/08]

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

[*JFO received 08/19/08*]

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

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at 802/828-1488; <u>nlavery@leg.state.vt.us</u> or Stephen Klein at 802/828-5769; <u>sklein@leg.state.vt.us</u>) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by <u>September 2</u> we will assume that you agree to consider as final the Governor's acceptance of this request.

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

STATE OF VERMONT GRANT ACCEPTANCE FORM

JFU 2335

DEPARTMENT: Public Safety

DATE: <u>August 1, 2008</u>

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

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

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

AMOUNT/VALUE:	
Federal Funding	\$ 458,935
Local Match	\$ 145,700

POSITIONS REQUESTED (LIMITED SERVICE): None

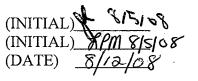
ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

Attached Form AA-1 provides details.

I recommend acceptance of this grant. $\mathcal{D}\mathcal{D}$

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



RECEIVED

AUG 1 9 2008

JOINT FISCAL OFFICE

STATE OF VERMONT FORM AA-1 **REQUEST FOR GRANT ACCEPTANCE** (Rev. 9-90) (use additional sheets as needed) Agency: Public Safety 2. Department: Program: **Emergency Management** 3. Hazard Mitigation Grant Program - FEMA-DR-1698-VT Legal Title of Grant: 4. Federal Catalog No.: 97.039 5. 6. Grantor and Office Address: U.S. Department of Homeland Security FEMA Region 1 99 High Street, 6th Floor Boston, MA 02110-2132 5/18/2010 5/19/2008 To: **Grant Period:** From: Purpose of Grant: (attach additional sheets if needed) 8. Installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown area. This will allow the passage of water and keep flood waters down. Impact on Existing Programs if Grant is not Accepted: 9. If not accepted, the site area would continue to suffer the impact of flooding events. This would include further damage to structures and the nearby roads and downtown Montpelier area. (2nd State FY) (3rd State FY) 10. Budget Information: (1st State FY) FY 2011 FY 2009 FY 2010 EXPENDITURES: 4,590.00 \$ 0.00 4,589.00 \$ \$ Personal Services \$ \$ 0.00 \$ **Operating Expenses** 297,728.00 \$ 0.00 Grants \$ 297,728.00 \$ 302,317.00 \$ 0.00 TOTAL \$ \$ 302,318.00 ~ **REVENUES:** State Funds: \$ 0.00 \$ Cash \$ \$ 0.00 \$ \$ In-Kind Federal Funds: \$ 0.00 229,467.00 \$ 229,468.00 (Direct Costs) \$ \$ 0.00 \$ (Statewide Indirect) \$ (Department Indirect) \$ \$ \$ 0.00 Other Funds: \$ 0.00 \$ 72,850.00 \$ 72,850.00 Local Funds Match \$ 0.00 TOTAL \$ 302,317.00 \$ 302,318.00 Appropriation Nos. Amounts \$ 458,935.00 2140031000 \$ \$ -over-

C.

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12008 JUL 3 1 2008

Form	n AA-1			Page 2
11.	Will grant monies be spent by	one or more personal se	vice contracts?	
	YES	X NO		
	If YES, signature of appointing at	uthority here indicates inte	nt to follow	
	current guidelines on bidding.			
	X			
12a	Please list any requested Limit	ed Service positions:		
	· ····································			
	Titles		Number of Positi	ons
	N/A		NI/A	·
	N/A		N/A	
				[
	тоти	AL Positions	0	
12b.	Equipment and space for these	e positions:		
	Is presently available.	-		
	Can be obtained with availat	ole funds.		
10	Circulation of Annointing Autho			
13.	Signature of Appointing Autho	nty		
certi	ify that no funds have	Thur f-	Twenty 7/28	108
	expended or committed in	(Signature)		(Date)
	ipation of Joint Fiscal	(Signature)		
Comr	mittee approval of this grant.		>	· · ·
		(Title)		
	· · · · · · · · · · · · · · · · · · ·			
14.	Action by Governor:			. /
ī	Approved	Cannot /		8/8/08
	Rejected	(Signature)	<u> </u>	(Date)
I		(Ogridiare)		(Date)
15.	Secretary of Administration:			
		f.	P. Mecht	
	Request to JFO	(Signature)	1. That	(Data)
l		(Signature)		(Date)
16.	Action by Joint Fiscal Commit	tee:	(Dates)	
,			、 <i>、 、</i>	
	Request to be placed on JFC			
	Approved (not placed on age Approved by JFC	inda in 30 days	<u> </u>	·
	Rejected by JFC		<u> </u>	
	Rejected by JFC Approved by Legislature			
	Rejected by JFC Approved by Legislature		<u> </u>	
	Rejected by JFC Approved by Legislature			
	Rejected by JFC Approved by Legislature	(Signature)		(Date)
	Rejected by JFC Approved by Legislature	(Signature)		(Date)

U.S. Department of Homeland Security Region I 99 High Street, Sixth Floor Boston, MA 02110-2132



May 19, 2008

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

RECEIVED							
MAY 28 2008							
VT EMERGENCY MANAGEMENT							

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

Dear Ms. Farr:

Enclosed please find the Regional Environmental Officer's Record of Environmental Consideration and the Allocation, Obligation, Financial Activity and Project Management reports for the following Hazard Mitigation Grant Program project: 25% Match = \$145,700

1698-2	City of Montpelier
	Ice Jam Mitigation Project
	HM subgrantee admin
	HM grantee admin
	Total:

If you have any questions, please do not hesitate to call Judith Maloney at our Hazard Mitigation Office at (617) 832-4797. #604,635 Fed + NonFe

Sincerely,

\$ 437,100

12,656

9,179 \$ 458,935

\$

\$

Kevin M. Merli, Director Mitigation Division

Attachment

05/20/2008

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FEDERAL EMERGENCY MANAGEMENT AGENCY

HMGP-AL-01

HAZARD MITIGATION GRANT PROGRAM

Allocation Request

Disaster Number: 1698			Allocation Number : 1		IFMIS Status : Accept			IFMIS Date :05/13/2008		
FEMA Project Number	Proj Amend Number	Stat App ID		Project Amount	Grantee Admin Est	Subgrantee Admin Est	Totał Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$O
		т	OTALS	\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

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

Authorization

Preparer Name : JUDITH MALONEY

HMO Authorization Name : KERRI ANN TIRRELL

Preparation Date : 05/13/2008 HMO Authorization Date : 05/13/2008

Admin Calculation

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

Justification:

Sliding Scal	e Percentage:		
up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		=	0.50%

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

Allocation Request with Signature

Disaster Number: 169		В	Allocation Num	mber : 1 IFMIS Status : Accept			IFMIS Date: 05/13/2008			
FEMA Project Number	Proj Amend Number	State Appl ID	-	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
		Т	OTALS	\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

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

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

Admin Calculation

Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

M

Authorizing Official Signature

viv !

Authorizing Official Signature

Authorizing Official Title

Authorizing Official Title

Authorization Date

Sliding Scale Percentage: up to \$100,000 = 3.00% \$1,000,000 2.00% up to · = up to \$5,000,000.00 1.00% = Excess 0.50% =

HMGP-AL-02

FEDERAL EMERGENCY MANAGEMENT AGENCY

HMGP-OB-01

HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID		Supplemental No	State	e Grantee
1698	2-R	0	1	1	1	VT	Statewide
Subgrantee: Montpelier					Project Title : N	Iontpel	elier Ice Jam Mitigation Project

Subgrantee: Montpelier

Subgrantee FIPS Code: 023-46000

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availabl for New Obligation	е		
\$437,100	\$437,100	\$0	\$0			
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

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

05/19/2008 User Id: KTIRRELL Date:

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

Authorization

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

Admin Calculation

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

Sliding Scale Percentage:

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

9:44

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

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

Subgrantee FIPS Code: 023-46000

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availab for New Obligation	le		
\$437,100	\$437,100	\$0	\$0	too a family system in a description of a spec	448 4	
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

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

Date: 05/19/2008 User Id: KTIRRELL

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

Authorization

Preparer Name: JUDITH MALONEY

HMO Authorization Name: KERRI ANN TIRRELL

Preparation Date: 05/19/2008

HMO Authorization Date: 05/19/2008

Sliding	Scale	Percentage:	

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

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FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

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

Subgrantee: Montpelier Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

Admin Calculation

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

Justification:

K. Much

Authorizing Official Signature

Mit Div Dir

Authorization Date

Authorizing Official Title

Authorization Date

Authorizing Official Signature

Authorizing Official Title

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

05/20/2008 9:42 AM

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

Funding Estimate Financial Activity Report

Disaster Number: 1698	State: VT	Region: 1 Dec	claration Date: 05/04/200	7 Grantee : Statev	vide
	Projected	Total Allocated in NEMIS	Available	Total Obligated in NEMIS	Available
	Α	В	C (A - B)	D	E (A - D)
HMGP Project Funds	\$519,457	\$515,625	\$3,832	\$515,625	\$3,832
Regular Projects	\$516,662	\$515,625	\$1,037	\$515,625	\$1,037
Initiative Projects	\$0	\$0	\$0	\$0	\$0
Planning Projects	\$0	\$C	\$0	\$0	\$0
State Management Costs	\$2,795	\$C	\$2,795	\$0	\$2,795
Estimated Ceiling	\$519,457	\$515,625	\$3,832	\$515,625	\$3,832
Grantee Admin Costs	\$55,121	\$11,628	\$43,493	\$11,628	\$43,493
Subgrantee Admin Costs	\$92,999	\$15,750	\$77,249	\$15,750	\$77,249
Admin Cost Sub Total	\$148,120	\$27,378	\$120,742	\$27,378	\$120,742
TOTALS	\$667,577	\$543,003	\$124,574	\$543,003	\$124,574

~ ·05/20/2008

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FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

HMGP-AP-01

· ·			Proj	ect Manager	nent Report
Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1698	2-R	0	1	VT	Statewide
Subgrantee:	Montpelier				
FIPS Code:	023-46000	F	Project Title : I	Montpelier Ice	e Jam Mitigation Project

Mitigation Project Description

Amendment Status : A	pproved .	Approval Status:	Approved
Project Title :	Montpelier Ice Jam Mitigation Project		
Grantee :	Statewide	Subgrantee :	Montpelier
Grantee County Name :	Washington	Subgrantee County Name :	Washington
Grantee County Code :	23	Subgrantee County Code :	23
Grantee Place Name :	Montpelier	Subgrantee Place Name :	Montpelier
Grantee Place Code :	0	Subgrantee Place Code :	46000
Project Closeout Date :	00/00/0000		

Work Schedule Status

Amend #	Description	<u>Time Frame</u>	<u>Due Date</u>	Revised Date	Completion Date
0 construction		90 DAYS	00/00/0000	00/00/0000	00/00/0000

Approved Amounts

Total Approved	Federal	Total Approved	Non-Federal	Total Approved
Net Eligible	Share Percent	Federal Share Amount	Share Percent	Non-Fed Share Amount
\$582,800	75.000000000	\$437,100	25.00000000	

<u>Allocations</u>

Allocation Number	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Proj Alloc Amount Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Alloc Amount
1	А	05/13/2008	05/13/2008	2008	1389497	2	\$437,100	\$9,179	\$12,656	\$458,935
						Total	\$437,100	\$9,179	\$12,656	\$458,935

Obligations

Action Nr	IFMIS Status		Submission Date	FY	ES Support Req ID	ES Amend Number	Suppl Nr	Project Obligated Amt - Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Obligated Amount
1	Α	05/19/2008	05/19/2008	2008	1477656	1	1	\$437,100	\$9,179	\$12,656	\$458,935
							Total	\$437,100	\$9,179	\$12,656	\$458,935

Reviewer Name: Judith A. Maloney Disas er/Emergency/Program/Project Title: FEMA-HMGP-1698

Wastewater Treatment Plant Discharge Pumping Project

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

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

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

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

Documentation Requirements

No Documentation Required (Review Concluded)

- RECEIVES DULI232003
- (Short version) All consultation and agreements implemented to comply with the National Historic Press, pion Acc Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply (Review Concluded)
- (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

National Environmental Policy Act (NEPA) Determination

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

Comments:

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

Reviewer and Approvals

FEMA Environmental Reviewer Name: Judith A. Maloney

Applicant: City of Montpelier, VT

Reviewer Name: Judith A. Guioney Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698

Wastewater Treatment Plant Discharge Pumping Project

4/28/08 Signature which a hubrey Date

FEMA Regional Environmental Officer or delegated approving official Name:

Signature_ alphille. Date 4/28/08
4. Compliance Review for Environmental Laws (other than NEPA)
A. National Historic Preservation Act
Not type of activity with potential to affect historic properties. (Review Concluded)
Applicable executed Programmatic Agreement . Otherwise, conduct standard Section 106 review.
Activity meets Programmatic Allowance
Are project conditions required? Yes (see section V) No (Review Concluded)
HISTORIC BUILDINGS AND STRUCTURES
\boxtimes No historic properties 50 years or older in project area. (Review Concluded)

Building or structure 50 years or older in project area and activity not exempt from review.

Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)

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

- Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments

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

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

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

Resolution of Adverse Effect completed. (MOA on file)

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

ARCHEOLOGICAL RESOURCES

Project affects only previously disturbed ground. (Review Concluded)

Project affects undisturbed ground.

Project area has no potential for presence of archeological resources

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

Project area has potential for presence of archeological resources

Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file) Are project conditions required Yes (see section V) No (Review Concluded)

Determination of historic properties affected

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

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

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

○ No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file) Are project conditions required? ○ Yes (see section V) ○ No (Review Concluded)

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

Resolution of Adverse Effect completed. (MOA on file)

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

Comments: Site visit on 4/21/08

Record of Environmental Consideration

(Review Concluded)

Wastewater Treatment Plant Discharge Pumping Project

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

B. Endangered Species Act

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

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

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

May affect, but not likely to adversely affect species or designated critical habitat (FEMA

determination/USFWS/NMFS concurrence on file) (Review Concluded)

Likely to adversely affect species or designated critical habitat

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

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

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

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

C. Coastal Barrier Resources Act

Project is not located in Coastal Barriers Resource System or Otherwise Protected Area.

Project does not affect a coastal barrier within the COBRA System (regardless of in or out) (Review Concluded)

Project is located in a coastal barrier system and/or affects a coastal barrier. (FEMA determination/USFWS consultation on file)

Proposed action an exception under Section 3505.a.6? (Review Concluded)

Proposed action not excepted under Section 3505.a.6.

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

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

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

D. Clean Water Act

Project site located outside of and would not affect any waters of the U.S. (Review Concluded)

Project site located in or would affect waters, including wetlands, of the U.S.

Project exempted as in kind replacement or other exemption. (Review Concluded)

Project requires Section 404/401/10 permit, including qualification under Nationwide Permits.

Are project conditions required? XES (see section V) NO (Review Concluded)

Comments:

Project improvements may require permits from appropriate local, state, and federal agencies. Additionally, construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the US Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed.

Correspondence / Consultation / References: Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, (Re: determinations and acquisition of appropriate permits), and local Conservation Commission regulations.

E. Coastal Zone Management Act

Project does not affect a coastal zone area (regardless of in or out)- (Review concluded)

Project is not located in a coastal zone area – (Review concluded)

Project is located in a coastal zone area and/or affects the coastal zone

State administering agency does not require consistency review. (Review Concluded).

State administering agency requires consistency review.

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

Reviewer Name: Judith A. Maloney Applicant: City of Montpelier, VT
Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698
Wastewater Treatment Plant Discharge Pumping Project
Comments: This project is not in or near a coastal area.
Correspondence/Consultation/References: Coastal Barrier Resources Act, N.E. maps
F. Fish and Wildlife Coordination Act
Project is not located in or affects a waterway/body of water. (Review Concluded)
Project affects, controls or modifies a waterway/body of water.
Coordination with USFWS conducted
No Recommendations offered by USFWS. (Review Concluded) Recommendations provided by USFWS.
Recommendations provided by USFWS. Are project conditions required? YES (see section V) NO (Review Concluded)
Are project conditions required? [] TES (see section v) [] NO <u>Ineview Concluded</u>
Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed
that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife
are known to occur in the vicinity of the areas of proposed projects.
Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site
G. Clean Air Act
Project will not result in permanent air emissions. (Review Concluded)
Project is located in an attainment area. (Review Concluded)
Project is located in a non-attainment area.
Coordination required with applicable state administering agency. Are project conditions required? YES (see section V) NO (Review Concluded)
Are project conditions required? If the (see section v) I no (keview concluded)
Commute Any aminging from construction againment will be temporary in nature Only minimal temporary dust and
<i>Comments:</i> Any emissions from construction equipment will be temporary in nature. Only minimal, temporary dust and increased emissions from construction vehicles caused by a routine construction project might occur.
Correspondence/Consultation/References: project description
Correspondence consultation References. project description
H. Farmlands Protection Policy Act
Project does not affect prime or unique farmland. (Review Concluded)
Project causes unnecessary or irreversible conversion of prime or unique farmland.
Coordination with Natural Resource Conservation Commission required.
Farmland Conversion Impact Rating, Form AD-1006, completed.
Are project conditions required? YES (see section V) NO (Review Concluded)
Comments: No commitment of farm lands
Correspondence/Consultation/References: The project is in a forested area far from farm lands. See enclosed pictures of
project area and project description.
I. Migratory Bird Treaty Act
Project not located within a flyway zone. (Review Concluded)
\boxtimes Project located within a flyway zone.
Project does not have potential to take migratory birds. (Review Concluded)
Project has potential to take migratory birds.
Contact made with USFWS
Are project conditions required? YES (see section V) NO (Review Concluded)
Comments: N/A This project will not result in the migratory taking of birds.
Correspondence/Consultation/References: The Migratory Bird Treaty Act and Executive Order 13186, project description

J. Magnuson-Stevens Fishery Conservation and Management Act

4

Record of Environmental Consideration

·
Reviewer Name: Judith A. Maloney Applicant: City of Montpelier, VT
Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698
Wastewater Treatment Plant Discharge Pumping Project
Project not located in or near Essential Fish Habitat. (Review Concluded)
Project located in or near Essential Fish Habitat.
Project does not adversely affect Essential Fish Habitat. (Review Concluded)
Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
NOAA Fisheries provided no recommendation(s) (Review Concluded).
NOAA Fisheries provided recommendation(s)
Written reply to NOAA Fisheries recommendations completed.
Are project conditions required? YES (see section V) NO (Review Concluded)
Comments: No Essential Fish habitat is adversely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish
and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered
species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed
projects.
Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site
K. Wild and Scenic Rivers Act
Project is not along and does not affect a Wild or Scenic River - (Review Concluded)
Project is along or affects Wild or Scenic River
Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action.
(NPS/USFS/USFWS/BLM consultation on file)
Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
Are project conditions required? YES (see section V) NO (Review Concluded)
Comments: Winooski River is not a designated river.
Correspondence/Consultation/References: Review of Web site: <u>http://www.rivers.gov/wildriverslist.html#vt</u>
L. Other Relevant Laws and Environmental Regulations
Identify relevant law or regulations, resolution and any consultation/references: N/A
II. Compliance Review for Executive Orders
A. E.O. 11988 - Floodplains
Outside Floodplain and No Effect on Floodplains/Flood levels - (Review Concluded)
Icontent in Floodplain or Effects on Floodplains/Flood levels
\boxtimes Executed in record burlet of the received to the second terms \boxtimes No adverse effect on floodplain or can be adversely affected by the floodplain. (Review Concluded),
Beneficial Effect on Floodplain Occupancy/Values (Review Concluded).
Denericial Effects associated with investment in floodplain, occupancy or modification of floodplain
environment

- 8 Step Process Complete documentation on file
 - Are project conditions required? YES (see section V) NO (Review Concluded)

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

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

B. E.O. 11990 - Wetlands

Outside Wetland and No Effect on Wetland(s) - (Review Concluded)

Located in Wetland or effects Wetland(s)

Beneficial Effect on Wetland - (Review Concluded)

Possible adverse effect associated with constructing in or near wetland

Reviewer Name: Judith A. K. Joney Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698

Wastewater Treatment Plant Discharge Pumping Project

Review completed as part of floodplain review

8 Step Process Complete - documentation on file

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

Comments: Review of National Wetlands Inventory and topographical maps show wetlands in the general vicinity of the project area. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the U.S. Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed and before work begins. *Correspondence/Consultation/References:* <u>http://wetlandsfws.er.usgs.gov/wtlnds/launch.html</u>; Topographical map of the area.

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

No Low income or minority population in, near or affected by the project - (Review Concluded) Low income or minority population in or near project area

No disproportionately high and adverse impact on low income or minority population- (Review Concluded)

Disproportionately high or adverse effects on low income or minority population

Are project conditions required? [] YES (see section V) [] NO (Review Concluded)

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

III. Other Environmental Issues

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

Comments: A review of the scoping guidance indicates no other environmental concerns. **Correspondence/Consultation/References:**

IV. Extraordinary Circumstances

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

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

Yes

Π

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;

Name: Judith A. Ivaloney Applicant: City of Montpelier, V Emergency/Program/Project Title: FEMA-HMGP-1698 Wastewater Wastewater Vision Compared to the second se
(vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
(viii) Potential for adverse effects on health or safety; and
(ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
(x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

VI

Comments:

V. Environmental Review Project Conditions

General comments:

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

Project Conditions:

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

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

Reviewer Name: Judith A. Maioney

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

Wastewater Treatment Plant Discharge Pumping Project

forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

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

Project Review and Conditions Status

FEMA-DR-1698

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

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

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

Environmental Review Project Conditions

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

Other Required Project Specific Conditions

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

Monitoring Requirements:

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

Funding

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

Period of Performance

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

- All permits must be obtained and forwarded to FEMA before any work begins.
- Any deviation from this scope of work, conditions or funding must be approved in advance, in writing.
- Applicants must comply with HMGP requirements, grants management procedures in 44 CFR Part 13, the grant agreement, and applicable Federal State, and lows and standards.

Dept. of Public Safety Administration Division Accounting Unit

Memo

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

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

If you have any questions, please contact me at 802-241-5574 or email at tbedard@dps.state.vt.us.

Thank you.



STATE OF VERMONT JOINT FISCAL OFFICE

MEMORANDUM

To: Representative Donna Sweaney

From: Nathan Lavery

Date: August 20, 2008

Subject: JFO #2335 (Ice Jam Mitigation Project)

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

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

STATE OF VERMONT GRANT ACCEPTANCE FORM

DEPARTMENT: Public Safety

DATE: <u>August 1, 2008</u>

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

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

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

AMOUNT/VALUE:	
Federal Funding	\$ 458,935
Local Match	\$ 145,700

POSITIONS REQUESTED (LIMITED SERVICE): None

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

COMMENTS:

Attached Form AA-1 provides details.

I recommend acceptance of this grant. $\mathcal{D}\mathcal{D}$

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

(INITIAL)	8015108
(INITIAL)_	XPM 8/5/08
(DATE) _	8/12/08

RECEIVED

AUG 1 9 2008

JOINT FISCAL OFFICE

STATE OF VERMONT **REQUEST FOR GRANT ACCEPTANCE** FORM AA-1 (Rev. 9-90) (use additional sheets as needed) 1. Agency: **Public Safety** 2. Department: **Emergency Management** 3. Program: Hazard Mitigation Grant Program - FEMA-DR-1698-VT Legal Title of Grant: 4. 97.039 5. Federal Catalog No.: Grantor and Office Address: U.S. Department of Homeland Security 6. FEMA Region 1 99 High Street, 6th Floor Boston, MA 02110-2132 **Grant Period:** From: 5/19/2008 To: 5/18/2010 (attach additional sheets if needed) Purpose of Grant: 8. Installation of a permanent method that will open channels through ice in the Winooski River downstream from the Montpelier downtown area. This will allow the passage of water and keep flood waters down. 9. Impact on Existing Programs if Grant is not Accepted: If not accepted, the site area would continue to suffer the impact of flooding events. This would include further damage to structures and the nearby roads and downtown Montpelier area. (3rd State FY) (2nd State FY) (1st State FY) 10. Budget Information: FY 2009 FY 2010 FY 2011 EXPENDITURES: 4,590.00 4,589.00 \$ 0.00 **Personal Services** \$ \$ \$ \$ \$ 0.00 **Operating Expenses** 297,728.00 \$ 0.00 \$ 297,728.00 \$ Grants TOTAL \$ 302,317.00 302,318.00 \$ 0.00 \$ ~ **REVENUES:** State Funds: \$ \$ \$ 0.00 Cash \$ \$ 0.00 In-Kind \$ Federal Funds: 229,467.00 229,468.00 \$ 0.00 (Direct Costs) \$ \$ (Statewide Indirect) \$ \$ \$ 0.00 \$ 0.00 \$ (Department Indirect) \$ Other Funds: Local Funds Match 72,850.00 \$ 72,850.00 \$ 0.00 \$ TOTAL 302,317.00 302,318.00 \$ 0.00 \$ \$ Appropriation Nos. Amounts 2140031000 \$ 458,935.00 \$ \$ -over-

Ċ.,

12008 3 1 2008

Form ʿAA-1		Page 2
11. Will grant monies be spent by	one or more personal service contracts?	
YES	XNO	
	authority here indicates intent to follow	
current guidelines on bidding.		
X		
12a. Please list any requested Limi	ited Service nositions:	
Titles	Number of Po sition s	
N/A	N/A	
тот	AL Positions 0	
12b. Equipment and space for thes	se positions:	
Can be obtained with availa	ble funds.	
13. Signature of Appointing Authority	ority	
certify that no funds have	Thur & Think 7/28/08	
		(Deta)
been expended or committed in		(Date)
been expended or committed in anticipation of Joint Fiscal		(Date)
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U.S. Department of Homeland Security Region I 99 High Street, Sixth Floor Boston, MA 02110-2132



May 19, 2008

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

RECEIVED	
MAY 28 2008	
VT EMERGENCY MANAGEMENT	

SUBJECT: FEMA-DR-1698-VT Hazard Mitigation Grant Program Project #2R

Ice Jam Mitigation Project, City of Montpelier, VT

Dear Ms. Farr:

Enclosed please find the Regional Environmental Officer's Record of Environmental Consideration and the Allocation, Obligation, Financial Activity and Project Management reports for the following Hazard Mitigation Grant Program project: 25% Match =\$145,700

1698-2 City of Montpelier Ice Jam Mitigation Project HM subgrantee admin HM grantee admin Total:

If you have any questions, please do not hesitate to call Judith Maloney at our Hazard Mitigation Office at (617) 832-4797. #604,635 Fed + Non Fe

Sincerely,

437,100

\$ 458,935

12,656

9,179

\$

\$

\$

Kevin M. Merli, Director Mitigation Division

Attachment

05/20/2008 9:43 AM

FEDERAL EMERGENCY MANAGEMENT AGENCY

HAZARD MITIGATION GRANT PROGRAM Allocation Request

Disaster Number: 1698			Allocation Numb	per:1	IFMIS	Status : Accept		IFMIS Date	e :05/13/2008	
FEMA Project Number	Proj Amend Number	State Appl ID	FY	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
		Т	OTALS	\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

User Id: KTIRRELL Date: 05 / 13 / 2008

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

Authorization

Preparer Name : JUDITH MALONEY

HMO Authorization Name : KERRI ANN TIRRELL

Admin Calculation

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

Justification:

Sliding Scale Percentage:						
up to	\$100,000	=				
up to	\$1,000,000	=				
up to	\$5,000,000.00	=				

Excess

3.00% 2.00% 1.00%

0.50%

=

HMGP-AL-01

Preparation Date : 05/13/2008

HMO Authorization Date : 05/13/2008

9:43 AM

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

Allocation Request with Signature

Disaster Number : 1698		В	Allocation Num	ber: 1	IFMIS Status : Accept			IFMIS Date : 05/13/2008		
FEMA Project Number	Proj Amend Number	State Appl ID		Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
		Т	OTALS	\$437,100	\$9,179	\$12,656	\$458,935			

<u>Comments</u>

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

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

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

M Authorizing Official Sig

5/21/08

Authorizaton Date

Authorizing Official Signature

Authorizing Official Title

Authorizing Official Title

Authorization Date

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

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FEDERAL EMERGENCY MANAGEMENT AGENCY

HAZARD MITIGATION GRANT PROGRAM

•		Obligation
		Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1698	2-R	0	1	1	1	VT	Statewide
Subgrant	tee: Montpelie	er			Project Title : N	Iontpeli	er Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availabl for New Obligation	e		
\$437,100	\$437,100	\$0	\$0	ana tana genergen gegege y for a served		
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date:	05/19/2008	User Id:	JMALONE2
Dale.	00/10/2000	0361 10.	JWINLOWLZ

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

Date: 05/19/2008 User Id: KTIRRELL

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

Authorization

 Preparer Name:
 JUDITH MALONEY
 Preparation Date:
 05/19/2008

 HMIO Authorization Name:
 KERRI ANN TIRRELL
 HMO Authorization Date:
 05/19/2008

Admin Calculation

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

Justification:

Sliding Scale Percentage:

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

9:44

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State		Grantee	
1698	2-R	0	1	1	1	VT	Statewide		
•	tee: Montpelie ee FIPS Code				Project Title : N	Nontpel	ier Ice Jam Mitigatio	on Project	

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availabl for New Obligation	le		
\$437,100	\$437,100	\$0	\$0	nd Mitter a confision province and a second second second	NY 1476-1677 1989-1994 1994 1994 1994 1994 1994 1994 1994 1994 1994 1994 1994 1994	
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

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

Date: 05/19/2008 User Id: KTIRRELL

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

<u>Authorization</u>

Preparer Name: JUDITH MALONEY

HMO Authorization Name: KERRI ANN TIRRELL

Preparation Date: 05/19/2008

HMO Authorization Date: 05/19/2008

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

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

9:44 ,

Obligation Report w/ Signatures

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

Subgrantee: Montpelier

Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

Admin Calculation

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

Justification:

K. Much

Authorizing Official Signature

Mit

Authorizing Official Title

Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

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

05/20/2008 9:42 AM

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

Funding Estimate Financial Activity Report

Disaster Number: 1698	State: VT	Region: 1	Decla	ration Date: 05/04/200	7 Grantee : Statew	ide
	Projected A	Total Alloca in NEMIS B	ted	Available C (A - B)	Total Obligated in NEMIS D	Available E (A - D)
HMGP Project Funds	\$519,457	\$515	625	\$3,832	\$515,625	\$3,832
Regular Projects	\$516,662	\$515	,625	\$1,037	\$515,625	\$1,037
Initiative Projects	\$0	}	\$0	\$0	\$0 <mark>,</mark>	\$0
Planning Projects	\$0	}	\$0	\$0	\$0	\$0
State Management Costs	\$2,795		\$0	\$2,795	\$0	\$2,795
Estimated Ceiling	\$519,457	\$515	,625	\$3,832	\$515,625	\$3,832
Grantee Admin Costs	\$55,121	\$11	,628	\$43,493	\$11,628	\$43,493
Subgrantee Admin Costs	\$92,999	\$15	,750	\$77,249	\$15,750	\$77,249
Admin Cost Sub Total	\$148,120	\$27	,378	\$120,742	\$27,378	\$120,742
TOTALS	\$667,577	\$543	,003	\$124,574	\$543,003	\$124,574

∽ '05/ຂ່0/2້008 9:41 AM		FI			IANAGEMENT AGENCY GRANT PROGRAM	1	HMGP-AP-01
ş. 4	•		Proje	ect Manage	ment Report		
Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee		
1698	2-R	0	1	VT	Statewide		
0	Montpelier 023-46000	F	Project Title : N	Aontpelier Ic	e Jam Mitigation Project		
Mitigatio	n Project Description	1					
Amend	Iment Status : Approv	ed		•	Approval Status:	Approved	
	Project Title: Mont	tpelier Ice Jam Mit	igation Projec	t			
	Grantee : State	ewide			Subgrantee :	Montpelier	
Grantee	County Name : Was	hington		Sul	bgrantee County Name :	Washington	
Grantee	e County Code: 23			Su	bgrantee County Code :	23	
Grantee	e Place Name : Mont	tpelier		S	ubgrantee Place Name :	Montpelier	

Grantee Place Code: 0

Project Closeout Date : 00/00/0000

Work Schedule Status

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0 construction		90 DAYS	00/00/0000	00/00/0000	00/00/0000

Subgrantee Place Code: 46000

Approved Amounts

Total Approved	Federal	Total Approved	Non-Federal	Total Approved
Net Eligible	Share Percent	Federal Share Amount	Share Percent	Non-Fed Share Amount
\$582,800	75.000000000	\$437,100	25.00000000	\$145,700

Allocations

Allocation Number			Súbmission Date	FY	ES Support Req ID	ES Amend Number	Proj Alloc Amount Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Alloc Arnount
1	А	05/13/2008	05/13/2008	2008	1389497	2	\$437,100	\$9,179	\$12,656	\$458,935
		•				Total	\$437,100	\$9,179	\$12,656	\$458,935

Obligations

	IFMIS Status		Submission Date	FY	ES Support Req ID	ES Amend Number		Project Obligated Amt - Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Obligated Amount
1	А	05/19/2008	05/19/2008	2008	1477656	1	1	\$437,100	\$9,179	\$12,656	\$458,935
							Total	\$437,100	\$9,179	\$12,656	\$458,935

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

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

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

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

Documentation Requirements

No Documentation Required (Review Concluded)



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

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. (Review Concluded) $\overline{\mathbb{X}}$
 - Categorical Exclusion Category xvi
 - No Extraordinary Circumstances exist.
 - Are project conditions required? Xes (see section V) Review Concluded)
 - Extraordinary Circumstances exist (See Section IV).
 - Extraordinary Circumstances mitigated. (See Section IV comments)
 - Are project conditions required? Yes (see section V) No (Review Concluded)
 - Environmental Assessment required. See FONSI for determination, conditions and approval.
- \square Environmental Assessment required. See FONSI for determination, conditions and approval.

Comments:

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

Reviewer and Approvals

FEMA Environmental Reviewer Name: Judith A. Maloney

1

Reviewer Name: Judith A	Applicant: City of Montpelier, V
Disaster/Emergency/Program/Project Title:	
•	Wastewater Treatment Plant Discharge Pumping Project
Signature Julich a. hubrey	
Signature which U, hubrey	Date $\frac{7/28/08}{2}$
FEMA Regional Environmental Officer or dele	wated approving official
Name 4	
	and a second sec
Signature and Sulta	Date
//	<u>or Environmental Laws (other than NEPA)</u>
A. National Historic Preservation	
Not type of activity with potential to affect	
Activity meets Programmatic Allow	ent . Otherwise, conduct standard Section 106 review.
Are project conditions required?	Yes (see section V) D No (Review Concluded)
Alle project conditions required.	
HISTORIC BUILDINGS AND S	STRUCTURES
No historic properties 50 years or older in p	roject area. (Review Concluded)
	oject area and activity not exempt from review.
Determination of No Historic Prop	erties Affected (FEMA finding/SHPO/THPO concurrence on file)
	Yes (see section V) No (Review Concluded)
	es Affected (FEMA finding/SHPO/THPO concurrence on file)
— • •	ric Landmark and National Park Service was provided early notification
	ocess. If not, explain in comments
	nination (FEMA finding/SHPO/THPO concurrence on file).
	uired? Yes (see section V) No <u>(Review Concluded)</u> ation (FEMA finding/SHPO/THPO concurrence on file)
	dverse Effect completed. (MOA on file)
	ditions required Yes (see section V) No (Review Concluded)
	·
ARCHEOLOGICAL RESOURC	CES
Project affects only previously disturbed gro	ound. (Review Concluded)
Project affects undisturbed ground.	
Project area has no potential for pr	
	ric properties affected (FEMA finding/SHPO/THPO concurrence or
consultation on file). (Rev	
Project area has potential for prese	oric properties affected (FEMA finding/SHPO/THPO concurrence on file)
	equired \square Yes (see section V) \square No <u>(Review Concluded)</u>
Determination of historic	•
	ces not present (FEMA finding/SHPO/THPO concurrence on file).
	nditions required Yes (see section V) No (Review Concluded)
	irces present in project area. (FEMA finding/ SHPO/THPO concurrence on
file)	
	e Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
	conditions required? Yes (see section V) No (<u>Review Concluded</u>)
	ffect Determination . (FEMA finding/ SHPO/THPO concurrence on file)
	Resolution of Adverse Effect completed. (MOA on file)
	Are project conditions required? Yes (see section V) No (Review Concluded)
Comments: Site visit on 4/21/08	
Comments. Sile visit on 4/21/00	

Record of Environmental Consideration

Wastewater Treatment Plant Discharge Pumping Project

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

B. Endangered Species Act

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

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

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

May affect, but not likely to adversely affect species or designated critical habitat (FEMA

determination/USFWS/NMFS concurrence on file) (Review Concluded)

Likely to adversely affect species or designated critical habitat

Formal consultation concluded. (Biological Assessment and Biological Opinion on file) Are project conditions required? YES (see section V) NO (Review Concluded)

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

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

C. Coastal Barrier Resources Act

Project is not located in Coastal Barriers Resource System or Otherwise Protected Area.

Project does not affect a coastal barrier within the COBRA System (regardless of in or out) (Review Concluded)

Project is located in a coastal barrier system and/or affects a coastal barrier. (FEMA determination/USFWS consultation on file)

Proposed action an exception under Section 3505.a.6? (Review Concluded)

Proposed action not excepted under Section 3505.a.6.

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

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

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

D. Clean Water Act

Project site located outside of and would not affect any waters of the U.S. (Review Concluded) Project site located in or would affect waters, including wetlands, of the U.S.

Project exempted as in kind replacement or other exemption. (Review Concluded)

Project requires Section 404/401/10 permit, including qualification under Nationwide Permits.

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

Comments:

Project improvements may require permits from appropriate local, state, and federal agencies. Additionally, construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the US Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed.

Correspondence / Consultation / References: Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, (Re: determinations and acquisition of appropriate permits), and local Conservation Commission regulations.

E. Coastal Zone Management Act

Project does not affect a coastal zone area (regardless of in or out)- (Review concluded)

Project is not located in a coastal zone area – (Review concluded)

Project is located in a coastal zone area and/or affects the coastal zone

State administering agency does not require consistency review. (Review Concluded).

State administering agency requires consistency review.

Are project conditions required? [] YES (see section V) [] NO (Review Concluded)

Reviewer Name: Judith A. Maloney Applicant: City of Montpelier, VT
Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698
Wastewater Treatment Plant Discharge Pumping Project
Comments: This project is not in or near a coastal area.
Correspondence/Consultation/References: Coastal Barrier Resources Act, N.E. maps
F. Fish and Wildlife Coordination Act
Project is not located in or affects a waterway/body of water. (Review Concluded)
Project affects, controls or modifies a waterway/body of water.
Coordination with USFWS conducted
No Recommendations offered by USFWS. (Review Concluded)
Recommendations provided by USFWS.
Are project conditions required? YES (see section V) NO (Review Concluded)
Are project containons required? [] TES (see section v) [] NO <u>[Review Concluded]</u>
Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed
that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife
are known to occur in the vicinity of the areas of proposed projects.
Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site
· · · · · · · · · · · · · · · · · · ·
C. Clean Air Act
G. Clean Air Act
Project will not result in permanent air emissions. (Review Concluded)
Project is located in an attainment area. (Review Concluded)
Project is located in a non-attainment area.
Coordination required with applicable state administering agency.
Are project conditions required? 🗌 YES (see section V) 🗌 NO (Review Concluded)
Comments: Any emissions from construction equipment will be temporary in nature. Only minimal, temporary dust and
increased emissions from construction vehicles caused by a routine construction project might occur.
Correspondence/Consultation/References: project description
Correspondence/Consultation/References. project description
H. Farmlands Protection Policy Act
Project does not affect prime or unique farmland. (Review Concluded)
Project causes unnecessary or irreversible conversion of prime or unique farmland.
Coordination with Natural Resource Conservation Commission required.
Farmland Conversion Impact Rating, Form AD-1006, completed.
Are project conditions required? YES (see section V) NO (Review Concluded)
Comments: No commitment of farm lands
Correspondence/Consultation/References: The project is in a forested area far from farm lands. See enclosed pictures of
project area and project description.
I. Migratory Bird Treaty Act
Project not located within a flyway zone. (Review Concluded)
Project located within a flyway zone.
Project does not have potential to take migratory birds. (Review Concluded)
Project has potential to take migratory birds.
Contact made with USFWS
Are project conditions required? PYES (see section V) NO (Review Concluded)
Comments: N/A This project will not result in the migratory taking of birds.
Correspondence/Consultation/References: The Migratory Bird Treaty Act and Executive Order 13186, project description
Correspondence/Consultation/References. The will alory bir a Treaty Act and Executive Order 15100, project description

J. Magnuson-Stevens Fishery Conservation and Management Act

4

Record of Environmental Consideration

Disaster/Emergency/Program/Project Title: FEMA-HMCP-1698 Wastewater Treatment Plant Discharge Pumping Project Project located in or near Essential Fish Habitat. (Review Concluded) Project located in or near Essential Fish Habitat. (Review Concluded) Project does not adversely affect Essential Fish Habitat. (Review Concluded). NOAA Fisheries provided no recommendation(s) Written reply to NOAA Fisheries recommendation of USE WeSNMFS concurrence on file) NOAA Fisheries provided recommendation required? Comments: No Essential Fish habitat is adversely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Breatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife Service Endangered Species web site K. Wild and Scenic Rivers Act Project is along and does not affect a Wild or Scenic River - (Review Concluded) Project is along and does not affect a Wild or Scenic River - (Review Concluded) Project onditions required? YESUSTES/USFWSBLM consultation on file) Are project conditions required? More Stute Strain River is not a designated tiver. Comments: Winooski River is not a designated tiver. Le Completians, resolution and any consultation on file Ar	Reviewer Name: Judith A. Maloney	Applicant: City of Montpelier, VT
Project not located in or near Essential Fish Habitat. [Review Concluded] Project does not adversely affect Essential Fish Habitat. [Review Concluded] NOAA Fisheries provided no recommendation(s) [Review Concluded] NOAA Fisheries provided recommendation(s) [Review Concluded] Comments: No Essential Fish habitat is adversely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife service Endangered Species web site revealed that no fdeerally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife Service Endangered Species web site K. Wild and Scenic Rivers Act Project is along or affects Wild or Scenic River - (Review Concluded) Project is along or affects Wild or Scenic River - (Review Concluded) Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action. (NPS/USF/USFW/SIEM consultation on file) Project is along or affects Wild or Scenic River - (Review Concluded) Are project conditions required? YES (see section V) NO (Review Concluded) Comments: Winooski River is not a designated river. Correspondence/Consultation/References: Review of Web site: http://www.rivers.gov/wildrivgrafist.htmlffwt L. Other Relevant Laws and Environmental Regulations [I. Compliance Review for Executive Orders A set or regulations, resolution and any consultation/references: N/A [Descibe adverse effects ansociated with investment in floodplain, Ceview Concluded), Bosibe adverse effects ansociated with investreely affected by the floodplain. Review Concluded) Bosi		FEMA-HMGP-1698
□ Project located in or near Essential Fish Habitat. [Review Concluded] □ Project does not adversely affect Essential Fish Habitat. (FEMA determination/USFWS/NMFS concurrence on file) □ NOAA Fisheries provided no recommendation(s) ① NOAA Fisheries provided recommendation(s) [Review Concluded]. ○ Mather neply to NOAA Fisheries recommendation(s) (Review Concluded). △ Are project conditions required? □ YES (see section V) □ NO (Review Concluded). Comments: No Essential Fish habitat is adversely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species. Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site K. Wild and Scenic Rivers Act ○ Project is and and does not affect a Wild or Scenic River - (Review Concluded) □ Project is and and does not affect a Wild or Scenic River - (Review Concluded) □ Project adversely affect WSR. (NPS/USFS/USFW/BLM consultation on file) △ Are project conditions required? □ YES (see section V) □ NO (Review Concluded) □ Project adversely affect on Floodplains/Flood levels - (Review Concluded) ○ Review Concluded) ○ Comments: Winooski River is not a designated river. Correspondence/Consultation/References: Review of Web site: http://www.rivers.gow/wildriverslist.htmliftyt		Wastewater Treatment Plant Discharge Pumping Project
and Wildlife Service Endangered Species web site revealed that no federally listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife are known to occur in the vicinity of the areas of proposed projects. Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site K. Wild and Scenic Rivers Act Project is not along and does not affect a Wild or Scenic River - (Review Concluded) Project deversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action. (NPS/USFS/USFWS/BLM consultation on file) Are project conditions required? YES (see section V) NO (Review Concluded) Comments: Winooski River is not a designated river. Correspondence/Consultation/References: Review of Web site: http://www.rivers.gov/wildriverslist.htmltbvt L. Other Relevant Laws and Environmental Regulations Identify relevant law or regulations, resolution and any consultation/references: N/A M L. Compliance Review for Executive Orders A. E.O. 11988 - Floodplains Outside Floodplain and No Effect on Floodplains/Flood levels - (Review Concluded). M No adverse effect on Floodplains/Flood levels M No adverse effect on Floodplain or can be adversely affected by the floodplain. (Review Concluded). M No adverse effect on Floodplain or can be adversely affected by the floodplain. M No adverse effect on Floodplain or can be adversely affected by th	Project located in or near Essential Fish Hat Project does not adversely affect E Project adversely affects Essential NOAA Fisheries provided NOAA Fisheries provided Written reply to Are project cond	bitat. Essential Fish Habitat. <u>(Review Concluded)</u> Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file) d no recommendation(s) <u>(Review Concluded).</u> d recommendation(s) NOAA Fisheries recommendations completed. litions required? YES (see section V) NO <u>(Review Concluded)</u>
projects. Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site K. Wild and Scenic Rivers Act Project is not along and does not affect a Wild or Scenic River - (Review Concluded) Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action. (NPS/USFS/USFW/SILM consultation on file) Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file) Are project conditions required? Comments: Winooski River is not a designated river. Correspondence/Consultation/References: Review of Web site: http://www.rivers.gov/wildriverslist.html#vt L. Other Relevant Laws and Environmental Regulations Identify relevant law or regulations, resolution and any consultation/references: N/A II. Compliance Review for Executive Orders A. E.O. 11988 - Floodplains Outside Floodplain and No Effect on Floodplains/Flood levels - (Review Concluded) No adverse effect on floodplains/Flood levels No adverse effect on Floodplains/Flood levels No adverse effect on Floodplain Occupancy/Values (Review Concluded). Beneficial Effect on Floodplain Occupancy/Values (Review Concluded). Beneficial Effect on Floodplain Cocupancy/Values (Review Concluded). Beneficial Effect on Floodplain Cocupancy/Values (Review Concluded). Beneficial Effect on Floodplain required? YES (see s	and Wildlife Service Endangered Species web s	site revealed that no federally listed or proposed threatened and endangered
Correspondence/Consultation/References: U.S. Fish and Wildlife Service Endangered Species web site K. Wild and Scenic Rivers Act Project is not along and does not affect a Wild or Scenic River - (Review Concluded) Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action. (NPS/USFS/USFWS/BLM consultation on file) Project does not adversely affect USK. (NPS/USFS/USFWS/BLM consultation on file) Are project conditions required? VES (see section V) NO (Review Concluded) Comments: Winooski River is not a designated river. Correspondence/Consultation/References: Review of Web site: http://www.rivers.gov/wildriverslist.html#vt L. Other Relevant Laws and Environmental Regulations Lettic Floodplains Outside Floodplain and No Effect on Floodplains/Flood levels - (Review Concluded) Located in Floodplain or Effects on Floodplains/Flood levels Dessible adverse effect on floodplain occupancy/Values (Review Concluded). Dessible adverse effect on Floodplain occupancy/Values (Review Concluded). Dessible adverse effect on Floodplain occupancy/Values (Review Concluded). Dessible adverse effect ano Floodplain or sequired? YES (see section V) NO (Review Conclud	-	nd Wildlife are known to occur in the vicinity of the areas of proposed
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	Correspondence/Consultation/References: Flo of 4, Effective Date March 1, 1984.	bod Insurance Rate Map Community-Panel Number 600116 0001C, Panel I

B. E.O. 11990 - Wetlands

Outside Wetland and No Effect on Wetland(s) - (Review Concluded)

Located in Wetland or effects Wetland(s)

Beneficial Effect on Wetland - <u>(Review Concluded)</u> Possible adverse effect associated with constructing in or near wetland

Reviewer Name: Judith A. K. Joney Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698

Wastewater Treatment Plant Discharge Pumping Project

Review completed as part of floodplain review

8 Step Process Complete - documentation on file

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

Comments: Review of National Wetlands Inventory and topographical maps show wetlands in the general vicinity of the project area. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the U.S. Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed and before work begins. **Correspondence/Consultation/References:** <u>http://wetlandsfws.er.usgs.gov/wtlnds/launch.html</u>; Topographical map of the area.

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

No Low income or minority population in, near or affected by the project - <u>(Review Concluded)</u> Low income or minority population in or near project area

No disproportionately high and adverse impact on low income or minority population- (Review Concluded)

Disproportionately high or adverse effects on low income or minority population

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

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

III. Other Environmental Issues

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

Comments: A review of the scoping guidance indicates no other environmental concerns. Correspondence/Consultation/References:

IV. Extraordinary Circumstances

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

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

Yes

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(i) Greater scope or size than normally experienced for a particular category of action

(ii) Actions with a high level of public controversy

- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;

Name: Judith A. 114aloney Emergency/Program/Project Title: FEMA-HMGP-1698	Applicant:	City of Montpelier, VT
Wastewater Treatment Plant Discharge	e Pumping Pro	oject
(vii) Actions with the potential to affect special status areas adversely or o	ther critical re	esources
 such as wetlands, coastal zones, wildlife refuge and wildernes	ss areas, wild	and scenic rivers,
sole or principal drinking water aquifers;		
(viii) Potential for adverse effects on health or safety; and		
(ix) Potential to violate a federal, state, local or tribal law or requirement i	imposed for th	e
protection of the environment.		
(x) Potential for significant cumulative impact when the proposed action is	s combined w	ith
other past, present and reasonably foreseeable future actions,	even though t	he impacts of the
proposed action may not be significant by themse	elves.	

V. Environmental Review Project Conditions

General comments:

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

Project Conditions:

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

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

Record of Environmental Consideration

Reviewer Name: Judith A. Maioney

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

Wastewater Treatment Plant Discharge Pumping Project

forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

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

8

Project Review and Conditions Status

FEMA-DR-1698

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

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

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

Environmental Review Project Conditions

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

Other Required Project Specific Conditions

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

Monitoring Requirements:

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

Funding

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

Period of Performance

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

- All permits must be obtained and forwarded to FEMA before any work begins.
- Any deviation from this scope of work, conditions or funding must be approved in advance, in writing.
- Applicants must comply with HMGP requirements, grants management procedures in 44 CFR Part 13, the grant agreement, and applicable Federal State, and lows and standards.

Dept. of Public Safety Administration Division Accounting Unit

Memo

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

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

If you have any questions, please contact me at 802-241-5574 or email at tbedard@dps.state.vt.us.

Thank you.

STATE OF VERMONT GRANT ACCEPTANCE FORM

JFU 2335

DEPARTMENT: Public Safety

DATE: <u>August 1, 2008</u>

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

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

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

AMOUNT/VALUE:	
Federal Funding	\$ 458,935
Local Match	\$ 145,700

POSITIONS REQUESTED (LIMITED SERVICE): None

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

COMMENTS: Attached Form AA-1 provides details.

I recommend acceptance of this grant. DB

DEPT. FINANCE AND MANAGEMENT: SECRETARY OF ADMINISTRATION: SENT TO JOINT FISCAL OFFICE: (INITIAL) 8/5/08 (INITIAL) 8/15/08 (DATE) 8/12/08

RECEIVED

AUG 1 9 2008

JOINT FISCAL OFFICE

		DEC		TATE OF VER				
				FOR GRANT litional sheet				FORM AA (Rev. 9-9
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ι.	Agency:							
2.	Department:	F	Public S	Safety				
3.	Program:	E	Emerge	ency Managen	nent			
	Legal Title of Grant:			Mitigation G	rant F	Program - FEMA-E	R-1698-VT	
i.	Federal Catalog No.:	-	7.039					
	Grantor and Office Address			epartment of H	lomela	and Security		
				Region 1 Street, 6th Fl				
				MA 02110-2				
	Grant Period:	F	rom:	5/19/2008	To	5/18/2010		
				additional she				
ý.	area. This will allow the passa Impact on Existing Program If not accepted, the site area v	is if Grant is i	not Ac	cepted:				
D.	nearby roads and downtown M Budget Information:	Montpelier are	(1st	State FY) Y 2009		(2nd State FY) FY 2010	(3rd State FY) FY 2011	
				1 2005		112010	112011	
X	PENDITURES:							
X	PENDITURES: Personal Services		\$	4,589.00	\$	4,590.00	\$ 0.00	
X			\$	4,589.00	\$ \$	4,590.00	\$ 0.00 \$ 0.00	
X	Personal Services		\$	4,589.00 297,728.00		4,590.00 297,728.00		
X	Personal Services Operating Expenses	TOTAL	\$		\$		\$ 0.00	
	Personal Services Operating Expenses Grants	TOTAL	\$ \$	297,728.00	\$ \$	297,728.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES:	TOTAL	\$ \$	297,728.00	\$ \$	297,728.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: <u>State Funds:</u>	TOTAL	\$ \$_ \$	297,728.00	\$ \$ \$	297,728.00	\$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES:	TOTAL	\$ \$	297,728.00	\$ \$	297,728.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: <u>State Funds:</u> Cash In-Kind	TOTAL	\$ \$ \$	297,728.00	\$ \$ \$	297,728.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds:	TOTAL	\$ \$ \$ \$	297,728.00 302,317.00	\$ \$ \$	297,728.00 302,318.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind <u>Federal Funds:</u> (Direct Costs)	TOTAL	\$\$ \$ \$ \$ \$ \$	297,728.00	\$	297,728.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind <u>Federal Funds:</u> (Direct Costs) (Statewide Indirect)	TOTAL	\$\$ \$ \$ \$ \$ \$	297,728.00 302,317.00	\$	297,728.00 302,318.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind <u>Federal Funds:</u> (Direct Costs)	TOTAL	\$ \$ \$ \$	297,728.00 302,317.00	\$ \$ \$	297,728.00 302,318.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:	TOTAL	\$\$ \$ \$ \$ \$ \$	297,728.00 302,317.00	\$	297,728.00 302,318.00 229,468.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect)	TOTAL	\$\$ \$ \$ \$ \$ \$	297,728.00 302,317.00	\$	297,728.00 302,318.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:	TOTAL	\$\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,317.00	\$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,318.00 229,468.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:		\$ \$ \$ \$	297,728.00 302,317.00 229,467.00 72,850.00 302,317.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,318.00 229,468.00 72,850.00 302,318.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:		\$ \$ \$ \$	297,728.00 302,317.00 229,467.00 72,850.00 302,317.00 Appropriation	\$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,318.00 229,468.00 72,850.00 302,318.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:		\$ \$ \$ \$	297,728.00 302,317.00 229,467.00 72,850.00 302,317.00	\$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,318.00 229,468.00 72,850.00 302,318.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:		\$ \$ \$ \$	297,728.00 302,317.00 229,467.00 72,850.00 302,317.00 Appropriation	\$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,318.00 229,468.00 72,850.00 302,318.00	\$ 0.00 \$ 0.00	
	Personal Services Operating Expenses Grants VENUES: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Department Indirect) Other Funds:		\$ \$ \$ \$	297,728.00 302,317.00 229,467.00 72,850.00 302,317.00 Appropriation	\$ \$ \$ \$ \$ \$ \$ \$	297,728.00 302,318.00 229,468.00 72,850.00 302,318.00	\$ 0.00 \$ 0.00	

: 0

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For	m AA-1			Pag
11.	Will grant monies be spent by or YES If YES, signature of appointing aut current guidelines on bidding.	X NO	ollow	
10-				
12a	Please list any requested Limite	Service positions:		
	Titles		Number of Positions	
	N/A	N/A		
	TOTAL	Positions 0		
120.	Equipment and space for these Is presently available. Can be obtained with available Signature of Appointing Authori	funds.		
beer antic	tify that no funds have n expended or committed in cipation of Joint Fiscal nmittee approval of this grant.	(Signature) <u>Commosioner</u> (Title)	7/28/08	(D
beer antic Com	n expended or committed in cipation of Joint Fiscal nmittee approval of this grant.	(Signature) (Signature)	7/28/08	(D
beer antic	n expended or committed in cipation of Joint Fiscal	(Signature) (Signature)	7/28/08 	<i>/</i> 08
beer antic Com	Action by Governor:	(Signature) <u>Commosioner</u> (Title)	1/28/08 	(Da
beer antic Com	Action by Governor: Approved Rejected Secretary of Administration:	(Signature)	8/8	<i>/</i> 08
beer antic Com	Approved Rejected	(Signature) <u>Commosioner</u> (Title)	8/8	<i>/</i> 08
beer antic Com	Action by Governor: Approved Rejected Secretary of Administration: Request to JFO	(Signature) (Signature) (Signature) (Signature)	8/8	/08 (D
beer antic Com 14.	Action by Governor: Approved Rejected Secretary of Administration: Request to JFO Information to JFO	(Signature) (Signature) (Signature) (Signature) (Signature) genda	8/8 Moht	/08 (D

U.S. Department of Homeland Security Region I 99 High Street, Sixth Floor Boston, MA 02110-2132



May 19, 2008

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

REC	E	VED	
MAY	28	2008	

VT EMERGENCY MANAGEMENT

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

Dear Ms. Farr:

Enclosed please find the Regional Environmental Officer's Record of Environmental Consideration and the Allocation, Obligation, Financial Activity and Project Management reports for the following Hazard Mitigation Grant Program project: 25% Match = \$145,700

1698-2 City of Montpelier Ice Jam Mitigation Project HM subgrantee admin HM grantee admin Total:

If you have any questions, please do not hesitate to call Judith Maloney at our Hazard Mitigation #604,635 Fed + Non Fe Office at (617) 832-4797.

Sincerely,

437,100

\$ 458,935

12,656

9,179

\$

\$

\$

Kevin M. Merli, Director Mitigation Division

Attachment

05/20/2008

9:43 AM

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FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

HMGP-AL-01

Allocation Request

Disaster N	Disaster Number : 1698			Allocation Numb	per:1	IFMIS Status : Accept			IFMIS Date :05/13/2008		
FEMA Project Number	Proj Amend Number	Stat App ID		Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc	
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0	
		Т	OTALS	\$437,100	\$9,179	\$12,656	\$458,935				

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

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

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

HMO Authorization Date : 05/13/2008

Admin Calculation

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

Justification:

Sliding	Scale	Percent	tage:

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

05/20/2008

9:43 AM

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

Allocation Request with Signature

Disaster Number : 1698 Allocation Number :			er: 1	IFMIS Status : Accept			IFMIS Date : 05/13/2008			
FEMA Project Number	Proj Amend Number	State Appl ID	-	Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Allocation	Proj Total Fed Share	Proj Fed Share Prev Alloc	Max Avail for Curr Alloc
2 - R	0	1	2008	\$437,100	\$9,179	\$12,656	\$458,935	\$437,100	\$437,100	\$0
		Ţ	OTALS	\$437,100	\$9,179	\$12,656	\$458,935			

Comments

Date: 05 / 13 / 2008 User Id: JMALONE2

Comment: , \$458,935 total approved

Date: 05 / 13 / 2008 User Id: KTIRRELL

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

Authorization

Preparer Name : JUDITH MALONEY

Preparation Date : 05/13/2008

HMO Authorization Date : 05/13/2008

HMO Authorization Name : KERRI ANN TIRRELL

Admin Calculation

Admin Cost Calculation: Sliding Scale

Calculation Percentage: N/A

Justification:

M

Authorizing Official Signature

Dir

Authorizaton Date

Authorizing Official Signature

Authorizing Official Title

Authorizing Official Title

Authorization Date

Sliding Scale Percentage: up to \$100,000 =

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

3.00%

HMGP-AL-02

FEDERAL EMERGENCY MANAGEMENT AGENCY

HMGP-OB-01

HAZARD MITIGATION GRANT PROGRAM

Obligation

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

Subgrantee: Montpelier Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availab for New Obligation	le		
\$437,100	\$437,100	\$0	\$0	····		
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

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

Date: 05/19/2008 User Id: KTIRRELL

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

Authorization

Preparer Name: JUDITH MALONEY

HMO Authorization Name: KERRI ANN TIRRELL

Preparation Date: 05/19/2008

HMO Authorization Date: 05/19/2008

Admin Calculation

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

 Justification:
 Calculation Percentage: N/A

Sliding Scale Percentage:

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

9:44

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

Disaster No F	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	e Grantee	
1698	2-R	0	1	1	1	VT	Statewide	
Subgrantee	e: Montpelie	er			Project Title : N	Iontpel	elier Ice Jam Mitigation Project	
Subgrantee	FIPS Code	: 023-46000						

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availab for New Obligation	le		
\$437,100	\$437,100	\$0	\$0		fat i e konte por konte anogor par avant dar	
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$437,100	\$9,179	\$12,656	\$458,935	05/19/2008	Accept	2008

Comments

Date: 05/19/2008 User Id: JMALONE2

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

Date: 05/19/2008 User Id: KTIRRELL

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

Authorization

Preparer Name: JUDITH MALONEY

HMO Authorization Name: KERRI ANN TIRRELL

Preparation Date: 05/19/2008

HMO Authorization Date: 05/19/2008

Sliding S	Scale	Percen	tage:
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up to	\$100,000	=	3.00%
up to	\$1,000,000	=	2.00%
up to	\$5,000,000.00	=	1.00%
Excess		E	0.50%

9:44

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

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

Subgrantee: Montpelier Project Title : Montpelier Ice Jam Mitigation Project

Subgrantee FIPS Code: 023-46000

Admin Calculation

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

Justification:

Authorizing Official Signature

ЛЛ

Authorizing Official Title

Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

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

05/20/2008

9:42 AM .

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

Funding Estimate Financial Activity Report

Disaster Number: 1698	State: VT	Region: 1 D	Declarati	on Date: 05/04/2007	Grantee : Statewi	de
	Projected A	Total Allocate in NEMIS B	d	Available C (A - B)	Total Obligated in NEMIS D	Available
HMGP Project Funds		· · · · · · · · · · · · · · · · · · ·	and (E (A - D)
	\$519,457	\$515,6	25	\$3,832	\$515,625	\$3,832
Regular Projects	\$516,662	\$515,6	525	\$1,037	\$515,625	\$1,037
Initiative Projects	\$0		\$0	\$0	\$0	\$0
Planning Projects	\$0		\$0	\$0	\$0	\$0
State Management Costs	\$2,795		\$0	\$2,795	\$0	\$2,795
Estimated Ceiling	\$519,457	\$515,6	25	\$3,832	\$515,625	\$3,832
Grantee Admin Costs	\$55,121	\$11,6	28	\$43,493	\$11,628	\$43,493
Subgrantee Admin Costs	\$92,999	\$15,7	50	\$77,249	\$15,750	\$77,249
Admin Cost Sub Total	\$148,120	\$27,3	78	\$120,742	\$27,378	\$120,742
TOTALS	\$667,577	\$543,0	03	\$124,574	\$543,003	\$124,574

∽ ເວ5/ຂ່0/2ໍ່008 9:41 AM		FI			ANAGEMENT A			HMGP-AP-01
J.417 W					nent Report			
Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee			
1698	2-R	0	1	VT	Statewide			
Subgrantee: FIPS Code:	•	P	roject Title : Mo	ntpelier Ice	e Jam Mitigation F	Project		
Mitigation	Project Description							
Amendr	ment Status : Approve	ed	•		Approval S	tatus: Approved		
	Project Title : Mont	pelier Ice Jam Miti	igation Project					
	Grantee : State	wide			Subgra	ntee : Montpelie	r	
Grantee	County Name : Wash	nington		Sub	grantee County N	lame : Washingto	on	
Grantee	County Code: 23			Sul	ograntee County (Code: 23		
Grantee	Place Name : Mont	pelier		Su	bgrantee Place N	ame : Montpelie	r	
Grantee	e Place Code : 0			S	ubgrantee Place (Code: 46000		
Proiect (Closeout Date : 00/00	/0000						
•								
Work Sched						Due Date	n de line	O maletine Date
Amend #	Description		Time Frame	2				Completion Date
0 constructi			90 DAYS			00/00/0000	00/00/0000	00/00/0000
Approved A Total Ap Net El	proved Fe		Total Approved Ieral Share Amo		lon-Federal hare Percent	Total Approve	ed mount	
r	······ / /·····					Non-Fed Share A	······································	
[\$582,800 75	5.000000000	\$437,1		25.00000000	·····	5,700	
Allocations	\$582,800 75	5.000000000	\$437,1			····	······································	
Allocations Allocation IF Number St	MIS IFMIS Sul		ES Support ES	00		····	······································	
Allocation IF Number St	MIS IFMIS Sul	omission I Date FY	ES Support ES	00 Amend F	25.00000000	\$145 Grantee	5,700 Subgrante	unt Alloc Amount
Allocation IF Number St	MIS IFMIS Sut tatus Date	omission I Date FY	ES Support ES Req ID N	Amend F umber	25.00000000 Proj Alloc Amount Fed Share	Grantee Admin Amount	5,700 Subgrante Admin Amo	unt Alloc Amount 556 \$458,935
Allocation IF Number St	MIS IFMIS Sut tatus Date	omission I Date FY	ES Support ES Req ID N	Amend F umber 2	25.00000000 Proj Alloc Amount Fed Share \$437,100	Grantee Admin Amount \$9,179	5,700 Subgrante Admin Amo \$12,0	unt Alloc Amount 556 \$458,935
Allocation IF Number St	MIS IFMIS Sub tatus Date A 05/13/2008 05/	omission Date FY 13/2008 2008 sion ES Su	ES Support ES Req ID N 1389497 pport ES Amen	Amend F umber 2 [Total] d Suppl 1	25.00000000 Proj Alloc Amount Fed Share \$437,100	Grantee Admin Amount \$9,179	5,700 Subgrante Admin Amo \$12,0	Alloc Amount Alloc Amount \$458,935 656 \$458,935 Total Obligated

Total

\$437,100

\$9,179

\$12,656

\$458,935

Disas er/Emergency/Program/Project Title: FEMA-HMGP-1698 Wastewater Treatment Plant Discharge Pumping Project

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

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

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

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

Documentation Requirements

No Documentation Required (Review Concluded)

JULI2 3 2008

- (Short version) All consultation and agreements implemented to comply with the National Historic Press, which are completed and no other laws apply (Review Concluded)
- (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

National Environmental Policy Act (NEPA) Determination

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

Comments:

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

Reviewer and Approvals

FEMA Environmental Reviewer Name: Judith A. Maloney

Record of Environmental Consideration

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

Wastewater Treatment Plant Discharge Pumping Project

Signature_ julich d. hubrey____ Date _ 4/28/08

FEMA Regional Environmental Officer or delegated approving official Name: a 1 1 11

Signature_	Jash Sulli	Date 4/28/	Ug .	
-				
(1. Compliance Reviev	<u>v for Environmental </u>	<u>Laws (other than</u>	<u>1 NEPA)</u>

A. National Historic Preservation Act

Not type of activity with potential to affect historic properties. (Review Concluded) Applicable executed Programmatic Agreement . Otherwise, conduct standard Section 106 review. Activity meets Programmatic Allowance Are project conditions required?
Yes (see section V)
No (Review Concluded) HISTORIC BUILDINGS AND STRUCTURES No historic properties 50 years or older in project area. (Review Concluded) Building or structure 50 years or older in project area and activity not exempt from review. Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file) Yes (see section V) No (Review Concluded) Are project conditions required? Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file) Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file). Are project conditions required? Yes (see section V) No (Review Concluded) Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file) Resolution of Adverse Effect completed. (MOA on file) Are project conditions required Yes (see section V) No (Review Concluded) ARCHEOLOGICAL RESOURCES Project affects only previously disturbed ground. (Review Concluded) Project affects undisturbed ground. Project area has no potential for presence of archeological resources Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). (Review Concluded) Project area has potential for presence of archeological resources Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file) Are project conditions required [] Yes (see section V) [] No (Review Concluded) Determination of historic properties affected NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file). Are project conditions required Yes (see section V) No (Review Concluded) NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file) No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file) Are project conditions required? Yes (see section V) No (Review Concluded) Adverse Effect Determination . (FEMA finding/ SHPO/THPO concurrence on file) Resolution of Adverse Effect completed. (MOA on file) Are project conditions required? [] Yes (see section V) [] No (Review Concluded)

Comments: Site visit on 4/21/08

Wastewater Treatment Plant Discharge Pumping Project

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

B. Endangered Species Act

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

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

May affect, but not likely to adversely affect species or designated critical habitat (FEMA

determination/USFWS/NMFS concurrence on file) (Review Concluded)

Likely to adversely affect species or designated critical habitat

Formal consultation concluded. (Biological Assessment and Biological Opinion on file) Are project conditions required? YES (see section V) NO (Review Concluded)

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

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

C. Coastal Barrier Resources Act

Project is not located in Coastal Barriers Resource System or Otherwise Protected Area.

Project does not affect a coastal barrier within the COBRA System (regardless of in or out) (Review Concluded)

Project is located in a coastal barrier system and/or affects a coastal barrier. (FEMA determination/USFWS consultation on file)

Proposed action an exception under Section 3505.a.6? (Review Concluded)

Proposed action not excepted under Section 3505.a.6.

Are project conditions required? [] YES (see section V) [] NO (Review Concluded)

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

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

D. Clean Water Act

Project site located outside of and would not affect any waters of the U.S. (Review Concluded)

Project site located in or would affect waters, including wetlands, of the U.S.

Project exempted as in kind replacement or other exemption. (Review Concluded)

Project requires Section 404/401/10 permit, including qualification under Nationwide Permits.

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

Comments:

Project improvements may require permits from appropriate local, state, and federal agencies. Additionally, construction activities that result in disturbed ground must be protected against erosion into the stream. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the US Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed.

Correspondence / Consultation / References: Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, (Re: determinations and acquisition of appropriate permits), and local Conservation Commission regulations.

E. Coastal Zone Management Act

Project does not affect a coastal zone area (regardless of in or out)- (**Review concluded**)

- Project is not located in a coastal zone area (Review concluded)
- Project is located in a coastal zone area and/or affects the coastal zone
 - State administering agency does not require consistency review. (Review Concluded).
 - State administering agency requires consistency review.

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

Reviewer Name: Judith A. Maloney	Applicant: City of Montpelier, VT
Disaster/Emergency/Program/Project Title: FEMA-HMGP-1698 Wastewater Treatment I	Plant Discharge Pumping Project
wastewater i reathent i	
Comments: This project is not in or near a coastal area.	· · · · · · · · · · · · · · · · · · ·
Correspondence/Consultation/References: Coastal Barrier Resources	Act, N.E. maps
F. Fish and Wildlife Coordination Act	
 Project is not located in or affects a waterway/body of water. (Revie Project affects, controls or modifies a waterway/body of water. 	ew Concluded)
Coordination with USFWS conducted	
No Recommendations offered by USFWS. (Review	w Concluded)
Recommendations provided by USFWS.	
Are project conditions required?	ction V) [] NO <u>(Review Concluded)</u>
Comments: Review by Judith Maloney, FEMA, of U.S. Fish and Wildli	
that no federally listed or proposed threatened and endangered species up	nder the jurisdiction of the U.S. Fish and Wildlife
are known to occur in the vicinity of the areas of proposed projects. Correspondence/Consultation/References: U.S. Fish and Wildlife Serv	vice Endangered Species web site
Correspondence/Consultation References. 0.3. Fish and whatte Serv	The Endangered Species web site
C. Clean Ain Act	
G. Clean Air Act	ad)
 Project will not result in permanent air emissions. (Review Conclude) Project is located in an attainment area. (Review Concluded) 	
Project is located in a non-attainment area.	
Coordination required with applicable state administering ag	
Are project conditions required?] NO (Review Concluded)
Comments: Any emissions from construction equipment will be tempora	ry in nature. Only minimal, temporary dust and
increased emissions from construction vehicles caused by a routine const	
Correspondence/Consultation/References: project description	
H. Farmlands Protection Policy Act	n.
Project does not affect prime or unique farmland. (Review Conclude) Project causes unnecessary or irreversible conversion of prime or united to the prime of the	
Coordination with Natural Resource Conservation Commiss	
Farmland Conversion Impact Rating, Form AD-10	
Are project conditions required? I YES (see sec	
Comments: No commitment of farm lands	
Correspondence/Consultation/References: The project is in a forested a	rea far from farm lands. See enclosed nictures of
project area and project description.	
I. Migratory Bird Treaty Act	
Project not located within a flyway zone. (Review Concluded)	
Project located within a flyway zone.	
Project does not have potential to take migratory birds. (Rev	view Concluded)
Project has potential to take migratory birds.	
Contact made with USFWS Are project conditions required? I YES (see sect	ion V) MINO (Review Concluded)
Are project conditions required: [33] 1 23 (see sect	tion v) Estino Ineview Concluded)
Comments: N/A This project will not result in the migratory taking of his	-de

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

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J. Magnuson-Stevens Fishery Conservation and Management Act

Record of Environmental Consideration

Reviewer Name: Judith A. Maloney	Applicant: City of Montpelier, VT
Disaster/Emergency/Program/Project Title:	FEMA-HMGP-1698
	Wastewater Treatment Plant Discharge Pumping Project
Project not located in or near Essential Fish	a Habitat. (Review Concluded)
Project located in or near Essential Fish Ha	
Project does not adversely affect E	Essential Fish Habitat. (Review Concluded)
	Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
	d no recommendation(s) <u>(Review Concluded).</u>
NOAA Fisheries provide	NOAA Fisheries recommendations completed.
	ditions required? YES (see section V) NO (Review Concluded)
Comments: No Essential Fish habitat is advers	sely affected by this project. Review by Judith Maloney, FEMA, of U.S. Fish
and Wildlife Service Endangered Species web	site revealed that no federally listed or proposed threatened and endangered
	and Wildlife are known to occur in the vicinity of the areas of proposed
projects.	.S. Fish and Wildlife Service Endangered Species web site
K. Wild and Scenic Rivers Act	
N. White and Scenic Kivers Act Project is not along and does not affect a W	
Project is along or affects Wild or Scenic R	
	determined by NPS/USFS. FEMA cannot fund the action.
(NPS/USFS/USFWS/BLM consult	tation on file)
	WSR. (NPS/USFS/USFWS/BLM consultation on file)
Are project conditions required?	YES (see section V) NO (Review Concluded)
Comments: Winooski River is not a designated	1 river
	view of Web site: <u>http://www.rivers.gov/wildriverslist.html#vt</u>
L. Other Relevant Laws and Er	wironmental Regulations
Identify relevant laws and En	
Identity relevant law of regulations, resoluti	on and any consultation receives. 10/1
II Complian	nce Review for Executive Orders
<u>11. Compilar</u>	Re Review for Excentive orders
A. E.O. 11988 - Floodplains	
Outside Floodplain and No Effect on Flood	
Located in Floodplain or Effects on Floodplain or	can be adversely affected by the floodplain. (Review Concluded),
	ccupancy/Values (<u>Review Concluded).</u>
	with investment in floodplain, occupancy or modification of floodplain
environment	
8 Step Process Complete	
Are project conditions req	uired? YES (see section V) NO (Review Concluded)

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

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

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B. E.O. 11990 - Wetlands

Outside Wetland and No Effect on Wetland(s) - (Review Concluded)

Located in Wetland or effects Wetland(s)

Beneficial Effect on Wetland - (Review Concluded)

Possible adverse effect associated with constructing in or near wetland

Reviewer Name:	Judith A. I. Joney	
Disaster/Emerger	ncy/Program/Project Title:	FEMA-HMGP-I

Wastewater Treatment Plant Discharge Pumping Project

Review completed as part of floodplain review

8 Step Process Complete - documentation on file

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

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Comments: Review of National Wetlands Inventory and topographical maps show wetlands in the general vicinity of the project area. The Town must follow the Clean Water Act, "Best Management Practices BMP". The Town must contact the U.S. Army Corps of Engineers to inquire if a permit is required. The Town will need to obtain all necessary permits from relevant state agencies after the project specifications have been completed and before work begins. **Correspondence/Consultation/References:** <u>http://wetlandsfws.er.usgs.gov/wtlnds/launch.html</u>; Topographical map of the area.

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

No Low income or minority population in, near or affected by the project - (Review Concluded)

Low income or minority population in or near project area

No disproportionately high and adverse impact on low income or minority population- (Review Concluded)

] Disproportionately high or adverse effects on low income or minority population

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

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

III. Other Environmental Issues

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

Comments: A review of the scoping guidance indicates no other environmental concerns. Correspondence/Consultation/References:

IV. Extraordinary Circumstances

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

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

Yes	
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(i) Greater scope or size than normally experienced for a particular category of action

(ii) Actions with a high level of public controversy

- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
 - (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;

	Name: Judith A. Maloney Applicant: City of Montpelier Emergency/Program/Project Title: FEMA-HMGP-1698 Wastewater Treatment Plant Discharge Pumping Project
	(vii) Actions with the potential to affect special status areas adversely or other critical resources
	such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers,
	sole or principal drinking water aquifers;
	(viii) Potential for adverse effects on health or safety; and
Н	(ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the
	protection of the environment.
	(x) Potential for significant cumulative impact when the proposed action is combined with
	other past, present and reasonably foreseeable future actions, even though the impacts of the
	proposed action may not be significant by themselves.
	proposed action may not be significant by meniscities.

V. Environmental Review Project Conditions

General comments:

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

Project Conditions:

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

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

Record of Environmental Consideration

Applicant: City of Montpelier, VT

Reviewer Name: Judith A. Matoney

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

Wastewater Treatment Plant Discharge Pumping Project

forwarded to FEMA. The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and/or obtain proper local, state, and federal permit concerning this project. Any conditions of this process or these regulations, laws, and policies become conditions of this grant, project, and environmental review.

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

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Project Review and Conditions Status

FEMA-DR-1698

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

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

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

Environmental Review Project Conditions

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

Other Required Project Specific Conditions

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

Monitoring Requirements:

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

Funding

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

Period of Performance

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

- All permits must be obtained and forwarded to FEMA before any work begins.
- Any deviation from this scope of work, conditions or funding must be approved in advance, in writing.
- Applicants must comply with HMGP requirements, grants management procedures in 44 CFR Part 13, the grant agreement, and applicable Federal State, and lows and standards.

Dept. of Public Safety Administration Division Accounting Unit

Memo

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

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

If you have any questions, please contact me at 802-241-5574 or email at tbedard@dps.state.vt.us.

Thank you.