



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: September 5, 2013
Subject: Position Request

Enclosed please find one (1) item that the Joint Fiscal Office has received from the administration.

JFO #2637 – \$2,964,975 grant from the Federal Emergency Management Agency (FEMA) to the Vermont Agency of Transportation. These funds will be used to provide federal disaster assistance for damages caused by severe rain storms and flooding between Jun 25, 2013 and July 11, 2013 in Caledonia, Chittenden, Orange, Rutland, Washington and Windsor counties.
[JFO received 09/04/13]

This item will be placed on the agenda for action at the Joint Fiscal Committee's September 11, 2013 meeting.

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

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

Agency of Administration

JFO 2637

STATE OF VERMONT FINANCE & MANAGEMENT GRANT REVIEW FORM

Grant Summary:		To provide federal disaster assistance for damages caused by severe rain storms and flooding between June 25 and July 11, 2013 in Caledonia, Chittenden, Orange, Rutland, Washington and Windsor counties.			
Date:		9/3/2013			
Department:		AOT - Public Assistance Grant Program 8100005500			
Legal Title of Grant:		FEMA-4140-DR-VT			
Federal Catalog #:		97.036			
Grant/Donor Name and Address:		Federal Emergency Management Agency			
Grant Period:		From:	To:		
		6/25/2013			
Grant/Donation		\$2,964,975 based on 75% of initial estimate; amounts to be determined as damage estimates progress.			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$1,482,488	\$1,482,487	\$	\$	Estimated
Position Information:		# Positions	Explanation/Comments		
Additional Comments:		The state match of \$592,995 (at an estimated percentage of 15%) is not a requirement to receive this grant, but is an outcome of existing state policy.			
Department of Finance & Management		9/14/13		(Initial)	
Secretary of Administration		NC 09/04/13		(Initial)	
Sent To Joint Fiscal Office				Date	

RECEIVED

SEP 04 2013

JOINT FISCAL OFFICE



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

BASIC GRANT INFORMATION				
1. Agency:	Transportation			
2. Department:	Operations			
3. Program:	Public Assistance			
4. Legal Title of Grant:	FEMA-4140-DR-VT			
5. Federal Catalog #:	97.036			
6. Grant/Donor Name and Address:	Federal Emergency Management Agency 99 High Street Boston, MA 02109-4595			
7. Grant Period:	From:	6/25/2013	To:	
8. Purpose of Grant:	To provide federal disaster assistance for damages caused by severe rain storms and flooding between June 25 and July 11, 2013 in Caledonia, Chittenden, Orange, Rutland, Washington and Windsor counties.			
9. Impact on existing program if grant is not Accepted:	State, local governments and eligible private non-profit organizations may have to bear full cost of damages.			
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2014	FY 2015	FY	
Personal Services	\$	\$	\$	
Operating Expenses	\$	\$	\$	
Grants	\$	\$	\$	
Total	\$1,976,650	\$1,976,650	\$	
Revenues:				
State Funds:	\$296,497	\$296,498	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$1,482,488	\$1,482,487	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source local match)	\$197,665	\$197,665	\$	
Total	\$1,976,650	\$1,976,650	\$	
Appropriation No:	8100005500-59700-20150	Amount:	\$1,482,488	
	8100005500-59700-21555		\$296,497	
			\$	
			\$	
			\$	

AUG 30 2013

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

		\$
		\$
	Total	\$1,778,985

PERSONAL SERVICE INFORMATION

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

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

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

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

13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: <i>Aman M Minto</i>	Date: 8/27/12
	Title: <i>DEPUTY SECRETARY OF TRANSPORTATION</i>	
	Signature: _____	Date: _____
	Title: _____	

14. SECRETARY OF ADMINISTRATION

<input checked="" type="checkbox"/>	Approved:	(Secretary or designee signature) <i>[Signature]</i>	Date: 09/04/13
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15. ACTION BY GOVERNOR

<input checked="" type="checkbox"/>	Check One Box: Accepted	(Governor's signature) <i>[Signature]</i>	Date: 9/4/13
<input type="checkbox"/>	Rejected		

16. DOCUMENTATION REQUIRED

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

End Form AA-1

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



FEMA

FEMA-STATE AGREEMENT
FEMA-4140-DR-VT

On August 2, 2013, the President declared that a major disaster exists in the State of Vermont. This declaration was based on damage resulting from severe storms and flooding during the period of June 25 to July 11, 2013. This is the FEMA-State Agreement for this major disaster, designated FEMA-4140-DR, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (Stafford Act), in accordance with 44 CFR § 206.44.

1. No Federal assistance under the Stafford Act shall be approved unless the damage or hardship to be alleviated resulted from the major disaster that took place during the period of June 25 to July 11, 2013; except that reasonable expenses that were incurred in anticipation of and immediately preceding such event may be eligible.

2. Federal assistance under the Stafford Act and this Agreement shall be limited to the following areas of the State and such additional areas as may be subsequently designated by FEMA:

Caledonia, Chittenden, Orange, Orleans, Rutland, Washington, and Windsor Counties for Public Assistance.

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

3. Pursuant to Section 428 of the Stafford Act, FEMA has adopted several alternative procedures for the provision of Public Assistance. Pursuant to Section 428(f), FEMA is carrying out these procedures as a pilot program. The alternative procedures are delineated in the Public Assistance Alternative Procedures (PAAP) for Permanent Work Pilot Guide, dated May 20, 2013 and the PAAP for Debris Removal Pilot guide, dated June 28, 2013, the terms and conditions of which are hereby incorporated into this agreement. Participation in the alternative procedures is at the election of the applicant.

Any Federal funds provided under the Stafford Act for Public Assistance will be limited to 75 percent of total eligible costs in the designated area, with the exception of debris removal projects carried out, at the election of the applicant, pursuant the Accelerated Debris Removal-Increased Federal Cost Share and/or Debris Management Plan Alternative procedures as established by the PAAP for Debris Removal Pilot Guide. Projects properly carried out under either procedure will be subject to adjustments in the Federal cost share as established by the Pilot Guide.

4. Funds are available on a 75 percent Federal cost share basis for hazard mitigation measures that could substantially reduce the risk of future damage, hardship, loss or suffering in any areas designated for hazard mitigation within the State, subject to meeting the local mitigation plan requirement at 44 CFR 201.6 and 206.434(b)(1). Total Federal contributions are based on the estimated aggregate grant amount to be made under the Stafford Act for this disaster (less any associated administrative costs), and shall be: 15 percent for the first \$2,000,000,000 or less of such amounts; 10 percent of the portion of such amounts over \$2,000,000,000 and not more than \$10,000,000,000; and 7.5 percent of the portion of such amounts over \$10,000,000,000 and not more than \$35,333,000,000.

5. Pursuant to 44 CFR § 206.208, if direct Federal Assistance is requested by the State, the Governor certifies that the State will: 1) provide without cost to the United States all lands, easements, and rights-of-ways necessary to accomplish the approved work; 2) hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work; 3) provide reimbursement to FEMA for the nonfederal share of the cost of such work; and 4) assist the performing Federal Agency in all support and local jurisdictional matters.

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

7. Attached and also made part of this Agreement are:

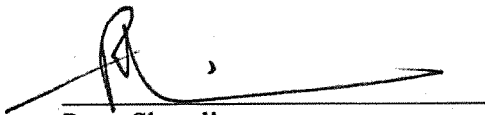
Exhibit A, State Certification Officers (A list of State officials authorized to execute certifications and otherwise to act on behalf of the State),

Exhibit B, General Conditions, and

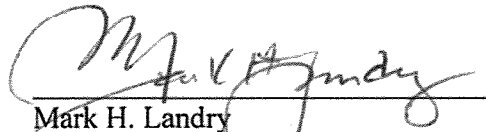
Exhibit C, Disaster Grant Agreement Articles

8. This Agreement may be amended at any time by written approval of both parties.

Agreed:



Peter Shumlin
Governor
State of Vermont
United States of America



Mark H. Landry
Federal Coordinating Officer
Disaster Recovery Manager
FEMA-4140-DR-VT

Date: 8/12/13

Date: 8/12/13

THE WHITE HOUSE
WASHINGTON

August 2, 2013

The Honorable Peter Shumlin
Governor of Vermont
Montpelier, Vermont 05609

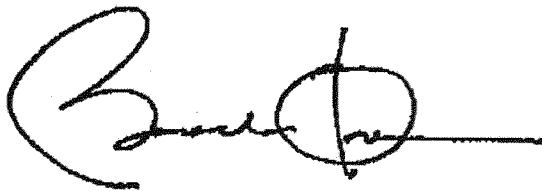
Dear Governor Shumlin:

I have declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the "Stafford Act"), for the State of Vermont due to damage resulting from severe storms and flooding during the period of June 25 to July 11, 2013. I have authorized Federal relief and recovery assistance in the affected areas.

Public Assistance and Hazard Mitigation will be provided. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs in the designated areas. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mark H. Landry", with a horizontal line extending to the right from the end of the signature.

SF-424

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED	Applicant Identifier 000-U7DZQ-00
1. TYPE OF SUBMISSION N/A	Pre-Application N/A	3. DATE RECEIVED BY STATE N/A	State Application Identifier N/A
		4. DATE RECEIVED BY FEDERAL AGENCY N/A	Federal Identifier
5. APPLICANT INFORMATION		Organizational Unit:	
Legal Name	VERMONT AGENCY OF	Department:	Vermont Department of
Organizational DUNS:	809376296	Division:	Vermont Division of
Address	Name and telephone number of person to be contacted on matters involving this application (give area code)		
Street:	103 South Main Street	Prefix: Mr	First Name: Ben
City:	Waterbury	Middle Name:	
County:	Washington	Last Name:	Rose
State: VT	Zip Code: 05671 4719	Suffix:	
Country:	United States of America	Email:	ben.rose@state.vt.us
		Phone Number: 802-585-4719	Fax Number:
6. FEDERAL EMPLOYER IDENTIFICATION NUMBER (EIN) 03-6000274		7. TYPE OF APPLICANT State Government	
8. TYPE OF APPLICATION Grant Application (SF-424)		9. NAME OF FEDERAL AGENCY Federal Emergency Management Agency	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBERS 97.036 Division:		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT N/A	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.) Caledonia, Chittenden, Orange, Orleans, Rutland, Statewide, Washington, Windsor			
13. PROPOSED PROJECT: Start Date: End Date:		14. CONGRESSIONAL DISTRICTS OF: a. Applicant VT01 b. Project	
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 2964975		
b. Applicant	\$ 0		
c. State	\$ 494163		
d. Local	\$ 494162		
e. Other	\$ 0		
f. Program income	\$ 0		
g. TOTAL	\$ 3953300		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.			
a. Name of Authorized Representative Brett Pierce	b. Title Public Assistance Coordinator	c. Telephone Number 802-233-9392	
d. Signature of Authorized Representative Brett Pierce		e. Date Signed 8/12/13	