



FEMA

January 10, 2023

Ryan Buras, Deputy Director
Governor's Authorized Representative
California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, CA 95655

Reference: Application Approval, HMGP DR-4558-389-056R
Humboldt Bay Municipal Water District (HBMWD)
HBMWD Turbidity Reduction Facility Power Resiliency Generator Project, Phase 1
FIPS Code: 023-04A9F, Supplement 65

Dear Ryan Buras:

We approve and issue Hazard Mitigation Grant Program (HMGP) funds for the Humboldt Bay Municipal Water District (sub-recipient), HMGP DR-4558-389-056R, HBMWD Turbidity Reduction Facility Power Resiliency Generator Project, Phase 1.

The total project cost for Phase 1 is \$332,775.00. As shown in the enclosed Obligation Report - Supplement 65, we are obligating \$249,581.25 for the 75 percent Federal share; the 25 percent non-Federal share is \$83,193.75. We are obligating \$16,638.75 for the 100% Federal share Subrecipient Management Costs. These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

Project Phase:	Federal Share:	Non-Federal Share:	Total Project Cost:
Phase 1, Supplement 65	\$249,581.25	\$83,193.75	\$332,775.00
Phase 1, Management Costs	\$16,638.75	\$0	\$16,638.75

This HMGP project approval and obligation of funds are subject to the following conditions:

- 1. Scope of Work (SOW)** – This grant will fund the necessary environmental surveys, permitting, geotechnical investigation, and preliminary engineering design required to install an emergency generator at the Humboldt Bay Water District (HBMWD) Turbidity Reduction Facility (TRF). The geotechnical investigation will consist of two – three borings to a depth of approximately 20 feet in previously disturbed area within the HMBWD facility. This project will ensure the HBMWD TRF can continue to provide potable water to the 88,000 customers within its service area in the case of a power outage.

The following Phase 1 activities and deliverables are expected:

Phase 1 Activity	Estimated Timeline
Preliminary surveys, geotechnical investigation, and engineer designs	7 months
Environmental studies and CEQA documentation	5 months

Please provide the above-referenced deliverables once completed to the assigned FEMA Hazard Mitigation Assistant (HMA) Specialist for review and inclusion within the official grant file.

- 2. Phase 1 Completion Date** – The work schedule included with the project application indicates that Phase 1 will take 12 months to complete; therefore, the Phase 1 completion date is January 13, 2024. All Phase 1 project deliverables must be submitted to the assigned FEMA HMA Specialist by the Phase 1 completion date. Please inform the sub-recipient that work completed after this date is not eligible for Federal funding, and that Federal funds may be de-obligated for work completed outside the completion date when there is no approved time extension.
- 3. Phase 2 Approval** – Please inform the sub-recipient that Phase 2 approval is contingent on programmatic review and Environmental and Historical Preservation (EHP) approval. Phase 2 activities may not commence until written approval has been received. Any Phase 2 activities completed prior to approval may be de-obligated. In addition, if Phase 2 is unapproved, Federal funds may be de-obligated for previously completed Phase 1 activities.
- 4. Record of Environmental Considerations (REC)** – Phase 1 of this project has been determined to be Categorical Excluded from the need to prepare either an Environmental Assessment or an Environmental Impact Statement in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents) and A7 (the commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature) have been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. Please reference the enclosed REC for further information.
- 5. Standard Conditions** – This project approval is subject to the enclosed *Standard Mitigation Grant Program (HMGP) Conditions*, amended August 2018. Please note that Federal funds may be de-obligated for work that does not comply with these conditions.

Ryan Buras
January 10, 2023
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If you have any questions, please contact Emily Baumgartner, Sr. Grants Management Specialist, by email emily.baumgartner@fema.dhs.gov, or phone (202) 322-5375.

Sincerely,

Kathryn Lipiecki
Director, Mitigation Division
FEMA Region 9

Enclosures (3):

Obligation Report - Supplement 65
Record of Environmental Considerations (REC)
Standard Mitigation Grant (HMGP) Conditions

cc: Jacy Hyde, Ph.D., Acting State Hazard Mitigation Officer, California Governor's Office of
Emergency Services
Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4558	56 -R	0	389	1	65	CA	Statewide

Subrecipient: HUMBOLDT BAY MUNICIPAL WATER DISTRICT Project Title : Humboldt Bay Municipal Water District Turbidity Reduction Facility
Subrecipient FIPS Code: 023-04A9F Power Resili

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$249,581.25	\$249,581.25	\$0.00	\$0.00

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$249,581.25	\$16,638.75	\$266,220.00	01/03/2023	Accept	2023

Comments

Date: 01/03/2023 User Id: SSCOTT39

Comment: Approved funding for HMGP 4558-389-56R-Humboldt County-Humboldt Bay Municipal Water District-\$249,581.25 Federal Share and \$16,638.75 Sub Recipient Management Costs.

Authorization

Preparer Name: STEVEN SCOTT

Preparation Date: 01/03/2023

HMO Authorization Name: EMILY BAUMGARTNER

HMO Authorization Date: 01/03/2023

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4558-0056-CA (4558-389-056) (1)

Title: Humboldt Bay Municipal Water District Turbidity Reduction Facility Power Resili

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project is located in an attainment area - Review concluded	The project is in Humboldt County that is within an attainment area for all criteria pollutants according to the U. S. Environmental Protection Agency (USEPA) (https://www3.epa.gov/airquality/greenbook/ancl.html), updated 9/30/2022 The SOW associated with this project is exempt from a conformity determination under the General Conformity Rule. - ktorres4 - 12/12/2022 22:09:24 GMT
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	EO 11988: Per Flood Insurance Rate Map (FIRM) panel 06023C0687F, dated 11/04/2016, the project is located outside the Special Flood Hazard Area Project is outside floodplain. See Attached Map. - ktorres4 - 12/12/2022 22:11:01 GMT
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	EO 11990: Per the U.S. Fish and Wildlife Service Wetland Mapper viewed on 9/12/2022, the project is located outside of wetlands and not likely to result in any potential direct impacts that will adversely affect wetlands. - ktorres4 - 12/12/2022 22:12:04 GMT
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	EO 12898: The actions associated with this project will not result in any disproportionately high or adverse impact on low income or minority populations. - ktorres4 - 12/12/2022 22:13:18 GMT
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	A No Effect Memorandum has been prepared as it has been determined that the proposed actions would result in No Effect to federally listed species or designated critical habitat. Consultation with the US Fish and Wildlife Service and/or the National Marine Fisheries Service is not required. See attached No Effect Memorandum. **Attach No Effect Memorandum. - ktorres4 - 12/12/2022 22:

16:07:19

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4558-0056-CA (4558-389-056) (1)

Title: Humboldt Bay Municipal Water District Turbidity Reduction Facility Power Resili

Environmental Law/ Executive Order	Status	Description	Comment
			01:03 GMT
	Completed	No effect to species or designated critical habitat (See comments for justification) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	The project does not have the potential to take migratory birds. - ktorres4 - 12/12/2022 22:10:02 GMT
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded	NHPA: The Undertaking was reviewed by Lisa Holm and Karla Torres, who meet the applicable Secretary of the Interior Professional Qualifications in accordance with Stipulation I.B.1.a. of the Programmatic Agreement among the Federal Emergency Management Agency (FEMA), State Historic Preservation Office (SHPO) and California Office of Emergency Services signed 10/29/19. The Undertaking complies with Second Tier Programmatic Allowance (s) II.A.5.b (Appendix B) of the Agreement. Thus, the Undertaking does not require SHPO review or notification per Stipulation II.A.1. of the Agreement. - ktorres4 - 12/12/2022 21:58:54 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Standard Conditions:

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4558-0056-CA (4558-389-056) (1)

Title: Humboldt Bay Municipal Water District Turbidity Reduction Facility Power Resili

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Standard Mitigation Grant Program (HMGP) Conditions

FEMA Region IX, August, 2018

The following list applies to Recipients and Subrecipients accepting HMGP funds from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS):

1. **Applicable Federal, State, and Local Laws and Regulations.** The Recipient/Subrecipient must comply with all applicable Federal, State, and Local laws and regulations, regardless of whether they are on this list or other project documents. DHS financial assistance Recipients and Subrecipients are required to follow the provisions of the State HMGP Administrative Plan, applicable Hazard Mitigation Assistance Uniform Guidance, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2 of the Code of Federal Regulations (CFR) Part 200, adopted by DHS in 2 CFR 3002.
2. **Financial Management Systems.** The Recipient and Subrecipient must maintain financial management systems to account for and track funds, as referenced in 2 CFR 200.302.
3. **Match or Cost Share.** Non-federal match or cost share must comply with 2 CFR 200.306, the scope of work (SOW), and any agreements among the Subrecipient, the Recipient, and FEMA.
4. **Budget Changes.** Unanticipated adjustments are permitted within the approved total cost. However, if costs exceed the federal share, the Subrecipient must notify the Governor's Authorized Representative (GAR) of overruns before implementation. The GAR shall submit a written request for approval to FEMA Region IX. The subaward must continue to meet HMGP requirements, including cost effectiveness and cost share. Refer to 2 CFR 200.308 for additional information.
5. **Real Property and Land.** The acquisition, use, and disposition must comply with 2 CFR 200.311.
6. **Equipment.** The acquisition, use, and disposition must comply with 2 CFR 200.313.
7. **Supplies.** Upon project completion, FEMA must be compensated for unused supplies, exceeding \$5,000 (fair market value), and not needed for other federal programs. Refer to 2 CFR 200.314.
8. **Procurement.** Procurement procedures must be in conformance with 2 CFR 200.318-320.
9. **Monitoring and Reporting Program Performance.** The Recipient and Subrecipient must submit quarterly progress reports, as referenced in the 2 CFR 200.328 and State HMGP Administrative Plan.
10. **Records Retention.** In accordance with 2 CFR 200.333, financial/ programmatic records related to expenditures must be maintained at least 3 years after the date of Recipient's final expenditure report.
11. **Enforcement and Termination.** If the Recipient or Subrecipient fails to comply with the award or subaward terms, whether stated in a Federal statute or regulation, the State HMGP Administrative Plan, subapplication, a notice of award, an assurance, or elsewhere, FEMA may take one or more of the actions outlined in 2 CFR 200.338, including termination or partial termination of the award or subaward outlined in 2 CFR 200.339.
12. **Allowable Costs.** Funds are to be used for allowable costs in compliance with 2 CFR 200.403, the approved SOW, and any agreements among the Subrecipient, Recipient, and FEMA.

13. **Non-Federal Audit.** The Recipient and Subrecipient are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 2 CFR 200.501.
14. **Debarred and Suspended Parties.** Recipients and Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 CFR 180. These regulations restrict federal financial assistance awards, subawards, and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in the federal assistance programs or activities.
15. **Equipment Rates.** Rates claimed for use of Subrecipient-owned equipment in excess of the FEMA-approved rates must be approved under State guidelines issued by the State Comptroller's Office or must be certified by the Recipient to include only those costs attributable to equipment usage less any fixed overhead and/or profit.
16. **Duplication of Funding between Public Assistance (PA) and HMGP.** Funding for PA Section 406 and HMGP Section 404 are permitted on the same facility/location, but the activities identified under each program must be distinct with separately accounted funds. At closeout, FEMA may adjust the funding to ensure the Subrecipient was reimbursed for eligible work from only one funding source.
17. **Historic Properties and Cultural Resources.** In compliance with 2 CFR 800, if a potential historic property or cultural resource is discovered during construction, the Subrecipient must cease work in the area and take all reasonable measures to avoid or minimize harm to the discovered property/resource. During construction, the Subrecipient will monitor ground disturbance activity, and if any potential archeological resources are discovered, will immediately cease work in that area, and notify the Recipient and FEMA. Construction in the area may resume with FEMA's written approval after FEMA's consultation, if applicable, with the State Historic Preservation Officer (SHPO).
18. **NEPA and Changes to the Scope of Work (SOW).** To comply with the National Environmental Policy Act (NEPA), and other Laws and Executive Orders, any change to the approved SOW shall be re-evaluated before implementation. Construction associated with a SOW change, prior to FEMA approval, may be ineligible for funding. Acceptance of federal funding requires environmental permits and clearances in compliance with all appropriate federal, state and local laws, and failure to comply may jeopardize funding.

Within their authority, the Recipient and Subrecipient must use of all practicable means, consistent with other essential policies, to create and maintain productive harmony for people and nature, and fulfill the social, economic, and other needs of present and future generations of Americans.