



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner

FIS 14 201



Burack
41

November 7, 2014

The Honorable Mary Jane Wallner, Chairperson
 Fiscal Committee of the General Court
 State House
 Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan
 and The Honorable Council
 State House
 Concord, NH 03301

[Signature]
 Approved by Fiscal Committee 1/23/15 Date

REQUESTED ACTION

Pursuant to RSA 14:30-a:VI, authorize the New Hampshire Department of Environmental Services (DES) to accept and expend federal funds in the amount of \$369,000 from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) to help complete safety assessments of 18 dams and a supplemental watershed plan/environmental evaluation for one dam, effective upon Fiscal Committee and Governor & Council approval through June 30, 2015. Funds are to be budgeted as follows:

**Dam Assessment and Rehabilitation
 03-044-442010-5421
 FY 2015**

Class	Title	Current Budget	Requested Action	Revised Budget
Income				
000-404222	Federal Funds	(\$ 33,759.00)	(\$369,000.00)	(\$402,759.00)
Expenditures				
040-500800	Indirect Costs	\$ 1,246.00	\$ 1,301.00	\$ 2,547.00
041-500801	Audit Fund Set Aside	\$ 0.00	\$ 369.00	\$ 369.00
042-500620	Additional Fringe Benefits	\$ 1,847.00	\$ 665.00	\$ 2,512.00
050-500109	Personnel Full-Time Temp	\$ 0.00	\$ 10,000.00	\$ 10,000.00
059-500117	Salary Temporary Employees	\$ 17,588.00	\$ 0.00	\$ 17,588.00
060-500601	Benefits	\$ 12,078.00	\$ 5,150.00	\$ 17,228.00
070-500705	In-State Travel	\$ 500.00	\$ 560.00	\$ 1060.00
080-500716	Out-of-State Travel	\$ 500.00	\$ 0.00	\$ 500.00
102-500731	Contracts for Program Services	\$ 0.00	\$350,955.00	\$350,955.00
	Total Expenditures	\$ 33,759.00	\$369,000.00	\$402,759.00

EXPLANATION

The USDA NRCS (formerly Soil Conservation Service) constructed 23 flood retarding dams in New Hampshire in the 1960s and early 1970s. Immediately following construction, the New Hampshire Water Resources Board (now DES) took ownership of these structures, and is responsible for operations and maintenance. In 2000, Congress passed legislation that authorized the NRCS to provide technical and cost-share assistance for rehabilitation of these and other dams throughout the United States that were originally constructed under USDA water resource programs.

DES has identified 18 flood retarding dams, the conditions of which are such that remedial action may be necessary to ensure that these dams can continue to safely provide flood control for the communities. The conditions of these dams do not pose any immediate threat, but detailed inspections and structural analyses are necessary to assess whether the dams meet current dam safety standards. NRCS hydrologic and geotechnical criteria have become more stringent, and advancements in technology since the 1960s (when these dams were designed) have provided improved methods for hydrologic analyses, which result in a more realistic estimate of the flood flows at these structures.

The funding from the NRCS will be used to complete the assessments of each of these 18 dams, including hydrologic analyses; safety inspections; and seepage, stability and seismic evaluations. These assessments will allow the NRCS to prioritize the need for rehabilitation at these dams, for possible future funding assistance of the actual construction work.

The dams to be studied are:

- Jericho Lake, Berlin, Dam No. 024.14 (High Hazard)
- Gunnerson Lake (Sugar Site D2), Goshen, Dam No. 095.25 (High Hazard)
- Souhegan Site 8 (James AG Putnam), Lyndeborough, Dam No. 147.28 (High Hazard)
- Souhegan Site 33, Wilton, Dam No. 254.34 (High Hazard)
- Souhegan Site 13, New Ipswich, Dam No. 175.20 (Low Hazard)
- Baker Site 11, Wentworth, Dam No. 249.13 (Significant Hazard)
- Baker Site 11A, Wentworth, Dam No. 249.14 (Significant Hazard)
- Baker Site 6, Wentworth, Dam No. 249.01 (Significant Hazard)
- Souhegan Site 10A, Wilton, Dam No. 254.33 (High Hazard)
- Souhegan Site 15, Wilton, Dam No. 254.30 (Significant Hazard)
- Souhegan Site 19, New Ipswich, Dam No. 175.19 (High Hazard)
- Souhegan Site 25B, Wilton, Dam No. 234.12 (High Hazard)
- Souhegan Site 26, Wilton, Dam No. 234.08 (High Hazard)
- Souhegan Site 35, New Ipswich, Dam No. 175.21 (High Hazard)
- Souhegan Site 12-A South, Temple, Dam No. 234.11 (High Hazard)
- Souhegan Site 12-A North, Temple, Dam No. 234.16 (High Hazard)
- Souhegan Site 28, Lyndeborough, Dam No. 147.26 (Significant Hazard)
- Cold River Site 1 (Basin Brook Dam), Chatham, Dam No. 043.04 (High Hazard)

In addition to the 18 dam assessments, DES will contract with an engineering firm to prepare a supplemental watershed plan/environmental evaluation for the Baker River Site 8 Dam (Dorchester, Dam No. 066.08, High Hazard). DES has already completed an assessment of that dam with previous funding from NRCS. That assessment indicated that modifications to the dam are needed to meet current dam safety standards. The consultant will prepare the supplemental watershed plan/environmental evaluation of the proposed modifications to support future funding for the actual rehabilitation of this dam.

The Honorable Mary Jane Wallner, Chairperson
Fiscal Committee of the General Court
Her Excellency, Governor Margaret Wood Hassan
And the Honorable Council
November 7, 2014
Page 3 of 3

DES is requesting to budget the new grant award as follows:

Class 40 Indirect Costs and Class 41 Audit Set-Aside are being increased by \$1,301 and \$369, respectively, to meet the state's guidelines for charges applicable to these classes.

Class 50 Personal Services is being increased by \$10,000. This money will not be used for new positions. These funds are available in support of the expanded project beyond the original budget scope. Employee support from another DES organization unit will be used to administer the program. These funds will be used to supplant funding of the following position, which is currently budgeted:

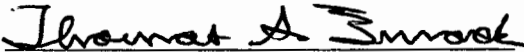
Postion #	Title	Budget Account 03-44-44-442010	Funding	Amount
43236	Civil Engineer VI	3800-010	100% General	\$10,000

Class 42 Additional Fringe Benefits and Class 60 Benefits are being increased by \$665 and \$5,150, respectively, to cover the costs of benefits of the DES personnel managing the project.

Class 70 In-state Travel is being increased by \$560 to cover the costs for travel to and from the dams to perform the inspections.

Class 102 Contract For Program Services is being increased by \$350,955 to cover the costs of a contract with an engineering firm for engineering services.

We respectfully request your approval.


Thomas S. Burack, Commissioner

**DAM ASSESSMENT
FISCAL SITUATION FY 2015
03-44-44-442010-5421**

Total Federal Awards	\$	569,000
Less Expenditures thru 6/30/14	\$	32,617
Remaining Authorization to Budget	\$	<u>536,383</u>
Less Current FY'15 Budget Authorization	\$	33,759
Total Available for Budgeting	\$	<u>502,624</u>
REQUESTED ACTION	\$	369,000
Available to Budget at a later date	\$	<u>133,624</u>

<u>Grant Award Number</u>	<u>Award Amount</u>	<u>Expenses to 6/30/14</u>	<u>Balance</u>
NA13NOS4190142	\$ 200,000	\$ 32,617	\$ 167,383
NRCS 6914281402	<u>369,000</u>	<u>-</u>	<u>\$ 369,000</u>
TOTAL	\$ 569,000	\$ 32,617	\$ 536,383

NOTICE OF GRANT AND AGREEMENT AWARD

1. Award Identifying Number 69-1428-14-02		2. Amendment No. 1	3. Award/Project Period Upon date of final sig - 10/31/2016	4. Type of Award Instrument Cooperative		
5. Agency: Natural Resources Conservation Service (NRCS) (Name and Address) NRCS 2 Madbury Rd. Durham, NH 03824			6. Recipient Organization: (Name and Address) NH Department of Environmental Services 29 Hazen Dr Concord, NH 03301-6510			
			<table border="1"> <tr> <td>DUNS: 042828025</td> <td>EIN: 026000618</td> </tr> </table>		DUNS: 042828025	EIN: 026000618
DUNS: 042828025	EIN: 026000618					
7. NRCS Program Contact: Jade Nield, State Engineer 603-271-3406		8. NRCS Administrative Contact: Kim Pedersen 530-792-5678		9. Recipient Program Contact: Jim Gallagher, Chief Engineer 603-271-1961		
				10. Recipient Administrative Contact: Kent Finemore, Asst. Chief Engineer 603-271-0566		
11. CFDA Number 10.916	12. Authority Watershed Protection Flood Prevention, 16 USC 1012; Cooperative, 31 USC 6305		13. Type of Action Amendment	14. Project Director Jade Nield, State Engineer		

15. Project Title/Description:
No Cost Time Extension from 6/30/2015 to 10/31/2016. Also to update the wording in the Statement of Work by removing the reference to video documentation in the dam inspection paragraph (Pg. 4, Par. 13) and to remove the paragraph referencing the requirement to perform sediments survey (Pg. 3, Par. 3). All other terms and conditions shall remain in effect.

16. Entity Type: Profit Nonprofit Higher Education Federal State/Local Indian/Native American
 Other

17. Select Funding Type:			18. Accounting and Appropriation Data			
<input type="checkbox"/> Federal	<input type="checkbox"/> Non-Federal		Financial Code	Amount	Fiscal Year	Treasury Symbol
Original Funds Total:						
Additional Funds Total:						
Grand Total:						

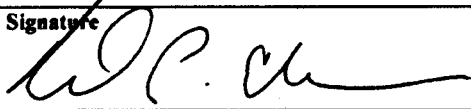
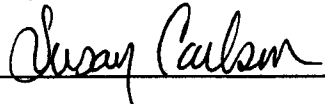
19. APPROVED BUDGET

Personnel	\$	Fringe Benefits	\$
Travel	\$	Equipment	\$
Supplies	\$	Contractual	\$
Construction	\$	Other	\$
Total Direct Cost\	\$	Total Indirect Cost	\$
		Total Non-Federal Funds	\$
		Total Federal Funds Awarded	\$ 369,000
		Total Approved Budget	\$ 369,000

This agreement is subject to applicable USDA NRCS statutory provisions and Financial Assistance Regulations. In accepting this award or amendment and any payments made pursuant thereto, the undersigned represents that he or she is duly authorized to act on behalf of the awardee organization, agrees that the award is subject to the applicable provisions of this agreement (and all attachments), and agrees that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by NRCS to have been overpaid, will be refunded or credited in full to NRCS.

(Continuation)

NOTICE OF GRANT AND AGREEMENT AWARD			
Award Identifying Number	Amendment No.	Award/Project Period	Type of Award Instrument
69-1428-14-02	1	Upon date of final sig - 10/31/2016	Cooperative

Name and Title of Authorized Government Representative Richard P. Ellsmore, State Conservationist	Signature 	Date 10/23/2014
Name and Title of Authorized Recipient Representative Susan Carlson, Chief Operating Officer	Signature 	Date 11/6/14

NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. Section 522a).

FORM CD-450 (REV 01/09)		<input type="checkbox"/> GRANT <input checked="" type="checkbox"/> COOPERATIVE AGREEMENT	
U. S. DEPARTMENT OF COMMERCE		AWARD NUMBER	
FINANCIAL ASSISTANCE AWARD		NA13NOS4190142	
RECIPIENT NAME Environmental Services, New Hampshire Department of			
STREET ADDRESS 29 Hazen Drive		FEDERAL SHARE OF COST \$200,000.00	
CITY, STATE, ZIP CODE Concord NH 03301-6510		RECIPIENT SHARE OF COST \$0.00	
AWARD PERIOD 10/01/2013-03/31/2015		TOTAL ESTIMATED COST \$200,000.00	
AUTHORITY 16 U.S.C. 1456b			
CFDA NO. AND PROJECT TITLE 11.419 NH Proposed FY 13 Project of Special Merit: Taking Action for Resilient Natural and Built Communities in Coastal New Hampshire through Applied Modeling and Development of a User-Driven Toolbox			
This award offer approved by the Grants Officer constitutes an obligation of Federal funding. By accepting this award offer, the Recipient agrees to comply with the award Terms and Conditions checked below. If this was a paper issued award offer, please send two signed documents to the Grants Officer and retain one set of signed award documents for your files. If this award offer is not accepted without modification within 30 days of receipt, the Grants Officer may unilaterally withdraw this award offer and de-obligate the funds.			
<input checked="" type="checkbox"/> Department of Commerce Financial Assistance Standard Terms and Conditions <input type="checkbox"/> Government Wide Research Terms and Conditions <input checked="" type="checkbox"/> Bureau Specific Administrative Standard Award Conditions <input checked="" type="checkbox"/> Award Specific Special Award Conditions <input checked="" type="checkbox"/> Line Item Budget <input type="checkbox"/> 15 CFR Part 14, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations <input checked="" type="checkbox"/> 15 CFR Part 24, Uniform Administrative Requirements for Grants and Agreements to States and Local Governments <input type="checkbox"/> OMB Circular A-21, Cost Principles for Educational Institutions <input checked="" type="checkbox"/> OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments <input type="checkbox"/> OMB Circular A-122, Cost Principles for Non-Profit Organizations <input checked="" type="checkbox"/> 48 CFR Part 31, Contract Cost Principles and Procedures <input checked="" type="checkbox"/> OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations <input checked="" type="checkbox"/> Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements REF: <u>77 FR 74634 (December 17, 2012)</u> <input checked="" type="checkbox"/> Other(s) This award is being made under competitive Federal Funding Opportunity Number NOAA-NOS-OCRM-2013-2003496 posted at Grants.gov on 01/08/2013.			
SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER		TITLE	DATE
Alan Conway		Grants Officer	08/08/2013
TYPE NAME AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL		TITLE	DATE
Susan Carlson			08/14/2013