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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

August 8, 2014

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Pursuant to RSA 21-P:43, the Department of Safety, Division of Homeland Security and Emergency Management, requests authorization to amend the Memorandum of Agreement (MOA) with the NH Department of Environmental Services (DES) [VC#177894-B001]. This amendment will extend the completion date from September 18, 2014 to September 17, 2015, and will also change the number of years that the Grantee is required to maintain financial records from four (4) years to seven (7) years. The MOA was initially approved by the Governor and Executive Council on May 9, 2012, item #108. Effective upon Governor and Council approval. Funding source: 100% Federal Funds.

Explanation

This request for the period of performance extension was made by the Department of Environmental Services (DES) to NH HSEM in March of 2014 and was approved by FEMA on June 16, 2014. DES requested this extension in order to complete the Fluvial Erosion Hazard (FEH) study for the communities within the Merrimack River and Sugar River watersheds and integrate the studies within the local hazard mitigation plans. Delays were caused due to working with the various communities, planning commissions and contractor commitments. It was agreed that a period of performance extension of one year would allow the DES and the Regional Planning Commission adequate time to complete the FEH study and the local hazard mitigation plans. FEMA also now requires Grantees to maintain financial records for seven years; it was previously required to keep financial records for only four years. HSEM has reviewed this request with the Federal Emergency Management Agency (FEMA) and it has been determined that the change of the effective date will not affect Federal funding.

There are no General funds required with this request. In the event that FEMA funds become no longer available, General funds and/or Highway funds will not be requested to support this program.

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

Respectfully submitted,


Thomas S. Burack
Commissioner of Environmental Services

Memorandum of Agreement Amendment

Extension of Performance Period & Correction to Length of Time to Maintain Financial Records, Supporting Documents, and All Other Pertinent Records

It is hereby agreed that the initial Memorandum of Agreement (MOA) approved by Governor and Council on May 9, 2012, Item #108, between the Department of Safety, Division of Homeland Security & Emergency Management and the Department of Environmental Services to provide support for the Fluvial Erosion Hazard (FEH) Assessment Program, which prepares and conducts assessments for the delineation of FEH zones in New Hampshire, is amended as follows:

1. IV. SCOPE OF WORK

Delete first sentence in the last paragraph and replace with:

The DES shall maintain financial records, supporting documents, and all other pertinent records for a period of *seven (7) years*.

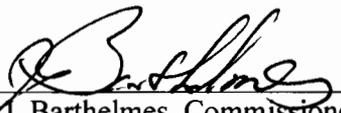
2. VII. DURATION

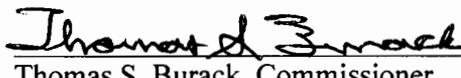
Delete this section in its entirety and replace with:

This agreement shall continue in effect from the date of Governor and Council approval until *September 17, 2015*, unless terminated earlier by either party.

3. All other provisions of the contract, approved by Governor and Council on May 9, 2012, Item #108 shall remain in full force and effect.

EFFECTIVE DATE OF THE AMENDMENT: This Amendment shall be effective upon its approval by the Governor and Executive Council of the State of New Hampshire. If approval is withheld, this document shall become null and void, with no further obligation or recourse to either party. IN WITNESS WHEREOF, the parties have hereunto set their hands:


John J. Barthelmes, Commissioner
Department of Safety


Thomas S. Burack, Commissioner
Department of Environmental Service

Approval by State of New Hampshire Attorney General as to form, substance, and execution:

By:  , Assistant Attorney General, on 01/12/2014 .

Approval by State of New Hampshire Governor and Executive Council:

By: _____, on _____.



FEMA

June 16, 2014

Mr. Perry E. Plummer
Director
New Hampshire Department of Safety
Homeland Security and Emergency Management
33 Hazen Drive,
Concord, NH 03305

Subject: First Extension Request for EMB-2011-PC-0001
Sub-Award: PDMC-PL-01-NH-2011-001 - Local Hazard Mitigation Plans
Sub-Award: PDMC-PL-01-NH-2011-006 - Sohegan Plans
Sub-Award: PDMC-PL-01-NH-2011-007 - Local Hazard Mitigation Plans

Dear Director Plummer:

This letter serves as official notification from FEMA that the New Hampshire Department of Safety's request to extend the period of performance for the above referenced FY11 Pre-Disaster Mitigation (PDM) projects, award #EMB-2010-PC-0001, has been approved. The new period of performance is September 19, 2011 through September 17, 2015.

Should you have any questions or concerns, please do not hesitate to contact Patrick Mooney, Grants Management Specialist, at 617-832-4798 or patrick.mooney@fema.dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul F. Ford".

Paul F. Ford
Acting Regional Administrator

PFF/pwm

cc: Elizabeth Peck, New Hampshire Homeland Security and Emergency Management
Donna Nelson, Hazard Mitigation Specialist, FEMA



State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

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JOHN J. BARTHELMES
COMMISSIONER

March 30, 2012

His Excellency, Governor John H. Lynch
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Pursuant to RSA 21-P:43, the Department of Safety, Division of Homeland Security and Emergency Management requests authorization to enter into two Memorandums of Agreement with the NH Department of Environmental Services (VC#177894-B001), one in the amount of 178,941.58 and one in the amount of 230,467.95, for a total amount of \$409,409.53 for implementation of projects identified through the evaluation of natural hazards. Effective upon Governor and Council approval through September 18, 2014. Funding source: 100% Federal Funds.

Funding is available in the SFY 2012 operating budget as follows:

02-23-23-236010-43930000	Dept. of Safety	HSEM	Pre-Disaster Mitigation
072-500576-Grants-Federal - Grants to other State agencies - Federal			\$ 409,409.53
Activity Code: 23PDM114393			

Explanation

The Pre-Disaster Mitigation (PDM) Grant provides funding to states and communities (sub-grantees) for cost-effective hazard mitigation activities that complement a comprehensive mitigation program. The Federal Emergency Management Agency (FEMA) provides PDM funds to states that, in turn, provide sub-grants or contracts for a variety of mitigation activities, such as planning and the implementation of projects identified through the evaluation of natural hazards. The program cost share is 75% federal funds, 25% applicant soft-match. The sub-grantees will provide and document the program match requirements.

The State of New Hampshire solicits applications statewide. Notification of availability of PDM funds is made to every community by e-mail and by letters sent to the chief elected official of each community. The State of New Hampshire submits all applications received for program funding to FEMA for their final approval. Applications that are determined to be cost effective and program eligible are then funded by FEMA in full; not every application submitted is determined to be program eligible. However, all applications that are determined to be eligible are funded at the requested dollar amount listed in their application, pending availability of adequate program funding.

There are no general funds required with this request. In the event that PDM funds become no longer available, General funds and/or Highway funds will not be requested to support this program.

Respectfully submitted,

John J. Barthelmes
Commissioner of Safety

Respectfully submitted,

Thomas S. Burack
Commissioner of Environmental Services

**MEMORANDUM OF AGREEMENT
BETWEEN
New Hampshire Department of Environmental Services
AND
THE NEW HAMPSHIRE DEPARTMENT OF SAFETY**

FFY'11 Pre-Disaster Mitigation Competitive Grant – Souhegan Hazard Mitigation and Fluvial Erosion
Hazard Planning Project

I. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to obtain funding in the amount of \$178,941.58 for the Fluvial Erosion Hazard Planning project for eight (8) communities listed below that are located wholly or in part within the Souhegan River watershed, where riverine flood hazards pose a high priority risk, to sufficiently address and execute mitigation projects intended to decrease fluvial erosion hazard risks.

Communities within the Souhegan River Watershed

1. Amherst
2. Greenville
3. Mason
4. Merrimack
5. Milford
6. New Ipswich
7. Wilton

II. PARTIES

The parties to this agreement are NH Homeland Security and Emergency Management (hereinafter NH HSEM) and The Department of Environmental Services (hereinafter DES).

III. AUTHORITY

The Pre-Disaster Mitigation – Competitive (PDMC) grant program provides funding for cost-effective hazard mitigation activities that complement the comprehensive mitigation program, reduce injuries, loss of life and damage and destruction of property. The DES meets the requirements of the State of New Hampshire's Natural Hazards Mitigation Plan and therefore complies with all Federal Emergency Management Agency (FEMA) guidelines and criteria for natural hazards mitigation planning and the Emergency Management Accreditation Program (EMAP) standards.

IV. SCOPE OF WORK

The effects caused by flooding, both from inundation and erosion, is a high severity, high-risk natural hazard threatening New Hampshire. Damage to infrastructure from fluvial erosion adjacent to the state's rivers causes increased post-disaster rehabilitation costs. Increased planning efforts are crucial to minimize risks to existing and new encroachments in areas prone to fluvial erosion. Fluvial erosion is a natural process that occurs as rivers during large floods. Many developed areas in New Hampshire lie within river floodplains. This project will allow New Hampshire to continue to address the risks posed to citizens by river and erosion hazards throughout the state, including the incorporation of data into hazard mitigation plans. The fluvial erosion hazard (FEH) assessment will be conducted on rivers and tributaries in these communities, overseen by the New Hampshire Geological Survey. This information will then be incorporated into each of the communities with in the FEH study, hazard mitigation plans. Upon submittal to, and approval by, FEMA for the revised Hazard Mitigation Plans that were updated with the new information by contracted Regional Planning Commissions, Southwest Region Planning Commission (SWRPC) and Nashua Regional Planning Commission (NRPC), local communities will use the adopted plans for hazard mitigation project implementation. This implementation will further enhance the treatment of risks and add to the list of project partners already listed in the existing mitigation plans.

NH HSEM agrees to provide financial assistance to the DES in support of the tasks listed above, in accordance with paragraph V. The financial assistance to be provided by NH HSEM under this MOA

requires a contribution of 25% of the total amount in matching funds from The DES. The match requirement will be met by through September 18, 2014.

The DES shall maintain financial records, supporting documents, and all other pertinent records for a period of four (4) years. In these records, the DES shall maintain documentation of the 25% cost share required by this grant and agreed upon by the DES.

V. FUNDING

Payments shall be made by NH HSEM to the DES quarterly through submittal of invoices for services rendered. The DES agrees to document \$59,647.19 in matching expenditures.

VI. TERMINATION

This agreement may be terminated by either party by providing notice to the other thirty (30) days prior to termination.

VII. DURATION

This agreement shall continue in effect from the date of Governor and Council approval until September 18, 2014, unless terminated earlier by either party.

VIII. AGREEMENT

In WITNESS THEREOF, the parties hereto have executed this agreement, which shall become effective on the date the Governor and Executive Council of the State of New Hampshire approve the agreement.

NH Department of Environmental Services

NH Department of Safety

Thomas S. Burack
Thomas S. Burack
Commissioner

John J. Barthelmes
John J. Barthelmes
Commissioner

3/27/2012
Date

4/3/12
Date

Approved by the Attorney General this 16th day of April, 2012, as to form, execution and substance.

OFFICE OF THE ATTORNEY GENERAL

[Signature]

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 21-P

DEPARTMENT OF SAFETY

Homeland Security and Emergency Management

Section 21-P:43

21-P:43 Appropriations and Authority to Accept Services, Gifts, Grants, and Loans. – Each political subdivision may make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for emergency management. Whenever the federal government or any federal agency or officer offers to the state, or through the state to any of its political subdivisions, services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor, commissioner, or such political subdivision, acting with the consent of the governor and through its executive officer, city council, or board of selectmen, may accept such offer, subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. Whenever any person, firm or corporation offers to the state or to any of its political subdivisions services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor, or such political subdivision, acting through its executive officer, city council, or board of selectmen, may accept such offer, subject to its terms.

Source. 2002, 257:7, eff. July 1, 2002.