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The State of New Hampshire
Department of Environmental Services



Thomas S. Burack, Commissioner

July 1, 2015

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

REQUESTED ACTION

Authorize the Department of Environmental Services (DES) to **RETROACTIVELY** enter into a **SOLE SOURCE** Joint Funding Agreement with the U.S. Geological Survey (USGS), Pembroke, NH, (VC # 175772), in the amount of \$181,550.00 for streamflow gaging, effective as of July 1, 2015 through June 30, 2016, upon Governor & Council approval. 67% General Funds and 33% Interagency Funds.

Funds to support this request are anticipated to be available in the following account in State FY 2016 upon the availability and continued appropriation of funds in the future operating budget:

	<u>FY 2016</u>
03-44-44-442010-3800-102-500731	\$181,550.00
Dept. of Environmental Services, Dam Bureau Administration, Contracts for Program Services	

EXPLANATION

Under the Joint Funding Agreement with USGS, in order to maintain the 26 streamflow gages currently in the network, USGS had to obtain additional federal funding than what was originally available in their annual budget to avoid losing a gage station. This request is **retroactive** because USGS had to wait until late in June to assure additional funding would be available. This agreement is **sole source** because USGS is the only provider that operates the Streamflow Gaging Program in New Hampshire and because USGS is funding 45.7% of the cost of the program. See Attachment A for the list of gage stations.

The state's participation in the USGS Cooperative Streamflow Gaging Program is authorized under RSA 482:85. Under the Cooperative Streamflow Gaging Program, the USGS operates and maintains gaging stations throughout New Hampshire and collects and publishes data on the flows in rivers and streams in the state. The data are used by numerous state and federal programs as well as municipalities and private industry. The data support emergency response, flood control and water management, planning activities, permitting, and hydraulic structure design.

Under this agreement the USGS will provide \$152,570.00 (45.7%) in funds towards the total cost of \$334,120.00 to operate stream gaging network for the year, with the balance of \$181,550.00 (54.3%) being provided by DES. This Agreement has been approved by the Department of Justice as to form, content and execution.

We respectfully request your approval.

for Thomas S. Burack
Commissioner

Form 9-1366
(April 2015)

**U.S. DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY**

JOINT FUNDING AGREEMENT

Customer #: 6000000093
 Agreement #: 15ENMENH000000
 Project #: LG40FDZ
 TIN #: 02-6000618
 Fixed Cost Agreement YES

FOR
WATER RESOURCES INVESTIGATIONS

THIS AGREEMENT is entered into as of the, 1ST day of JULY, 2015 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the STATE OF NEW HAMPSHIRE, DEPARTMENT OF ENVIRONMENTAL SERVICES, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation AN INVESTIGATION OF THE WATER RESOURCES OF THE STATE OF NEW HAMPSHIRE, SPECIFICALLY THE OPERATION AND MAINTENANCE OF A STREAMGAGING NETWORK herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of
 - (a) by the party of the first part during the period

Amount	Date	to	Date
\$152,570.00	July 1, 2015		June 30, 2016

 - (b) by the party of the second part during the period

Amount	Date	to	Date
\$181,550.00	July 1, 2015		June 30, 2016

 - (c) Contributions are provided by the party of the first part through other USGS regional or national programs, i the amount of:

 Description of the USGS regional/national program:

 - (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

 - (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the part of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

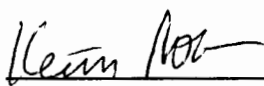

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner either party may terminate this agreement upon 60 days written notice to the other party.

9-1366 (Continuation) Customer #: 600000093 Agreement #: 15ENMENH000002

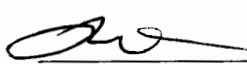
- 7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
- 8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
- 9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered QUARTERLY. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

<p>U.S. Geological Survey United States Department of the Interior <u>USGS Point of Contact</u></p>	<p>State of New Hampshire Department of Environmental Services <u>Customer Point of Contact</u></p>
<p>Name: Richard G. Kiah Address: 331 Commerce Way Pembroke, NH 03275 Telephone: 603-226-7819 Email: rkiah@usgs.gov</p>	<p>Name: James W. Gallagher, Jr. Address: NH DES, Water Division 29 Hazen Drive Concord, NH 03302 Telephone: 603-271-3406 Email: jgallagher@des.state.nh.us</p>

Signatures and Date

<p>Signature:  Date: 6/11/15 Name: Keith W. Robinson Title: Director</p>	<p>Signature:  Date: 6/30/15 Name: Thomas S. Burack Title: Commissioner, Dept of Environmental Service</p>
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Approved as to form & substance

<p>Signature:  Date: 7-13-15 Name: Lauren J. Naeher Title: Sr Assistant Attorney General</p>	<p>Signature: _____ Date: _____ Name: _____ Title: _____</p>
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Number	Station name	TOTAL COST	July 2015 to June 2016		Notes
			USGS COST	STATE COST	
010642505	Saco River at River Street at Bartlett, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01064801	Bear Camp River near South Tamworth, NH	13790	6297.00	7493.00	GOES/Modem Telemetric site, Real-time Precip
01072870	Isinglass River nr Dover, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01073000	Oyster River at Durham, NH	13790	6297.00	7493.00	GOES Telemetric site
01073319	Lamprey River at Raymond, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01073500	Lamprey River at Newmarket, NH	13790	6297.00	7493.00	GOES Telemetric site
010735562	Exeter River at Odell Road near Sandown, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01073587	Exeter River nr Exeter, NH	13790	6297.00	7493.00	GOES/Modem Telemetric site
01073785	Winnicut River at Greenland, NH	13790	6297.00	7493.00	GOES Telemetric site
01074520	E Branch Pemigewasset River at Lincoln, NH	13790	6297.00	7493.00	GOES Telemetric Site
01077400	Cockermouth River nr Groton, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01081000	Winnepesaukee River at Tilton, NH	13790	6297.00	7493.00	GOES/Modem Telemetric site
01091000	S Branch Piscataquog R nr Goffstown, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01092000	Merrimack River near Goffs Falls, NH	13790	6297.00	7493.00	GOES Telemetric site.
01093852	Souhegan River nr Milford, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
010965852	Beaver Brook at North Pelham, NH	13790	6297.00	7493.00	GOES Telemetric site
01129200	Connecticut River bel Indian Stream	1580	721.00	859.00	Real time unit value water temperatures only
01129500	Connecticut River at North Strafford, NH	1580	721.00	859.00	Real time unit value water temperatures only
01130000	Upper Ammonoosuc River near Groveton, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01131500	Connecticut River near Dalton, NH	13790	6297.00	7493.00	GOES/Modem Telemetric site
01138500	Connecticut River at Wells River, VT	13790	6297.00	7493.00	GOES Telemetric site
01152500	Sugar River at West Claremont, NH	13790	6297.00	7493.00	GOES/Modem Telemetric site
01154500	Connecticut River at North Walpole, NH	13790	6297.00	7493.00	GOES Telemetric site.
01154950	Cold River at High Street at Alstead, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01157000	Ashuelot River near Gilsom, NH	13790	6297.00	7493.00	GOES Telemetric site, Real-time Air and Water Temp
01161000	Ashuelot River at Hinsdale, NH	13790	6297.00	7493.00	GOES Telemetric site
TOTAL		334120	152570	181550	