

DEPARTMENT OF MILITARY AFFAIRS
DISASTER & EMERGENCY SERVICES DIVISION

www.dma.mt.gov/des

Steve Bullock, Governor



STATE OF MONTANA

(406) 324-4777

1956 Mt. Majo Street, P.O. Box 4789

Fort Harrison, Montana 59636-4789

1 October 2013

Commissioner Pamela Holmquist
800 South Main St
Kalispell, MT 59901

Re: Project Approval-FEMA DR-1996-MT-P-40-R, Whitefish Stage Road Hazard Mitigation Project

Commissioner Holmquist:

Congratulations. The Federal Emergency Management Agency (FEMA) has approved the Hazard Mitigation Grant Program (HMGP) Whitefish Stage Road Hazard Mitigation project. The amount approved for the entire project is \$400,000.00. Of that amount, the Federal share is \$298,000.00 and the local share is \$102,000.00. This represents the 75/25% cost share required by Congress. Additionally, you are authorized an administrative cost allowance of \$5,960.00 (see administrative instructions section E for details).

We at Disaster and Emergency Services (DES) share in your enthusiasm about this grant and recognize your hard work and perseverance in the preparation of your application. We look forward to assisting you throughout your project.

Outlined within enclosures to this letter are specific HMGP administrative instructions for financial management of all funds associated with this grant. We request you thoroughly review these instructions before beginning project work.

We also request that any changes in your work schedule and/or scope of work be submitted to the DES as soon as possible. Additional changes, updates and/or modifications to your "match" plans must also be submitted to our HMGP Office as soon as possible, and all update information will need to be included in your January 10, 2013 first quarterly report to DES.

Your points of contact at this office will be Kent Atwood, State Hazard Mitigation Officer (SHMO), 324-4782, katwood@mt.gov as well as Nadene Wadsworth, Hazard Mitigation Grants Officer (HMGO), 324-4785, nwadsworth@mt.gov.

Please advise this office of your project start date and any changes with respect to your Mitigation Project Work Schedule and Quarterly Reports.

Sincerely,

Ed Tinsley
Administrator



FEMA

R8-MT

September 10, 2013

Mr. Ed Tinsley, Division Administrator
Montana Disaster and Emergency Services
P.O. Box 4789
Fort Harrison, MT 59636-4789

Attention: Kent Atwood, SHMO

Re: PROJECT APPROVAL – FEMA DR-1996-MT, HMGP Project 40-R
Whitefish Stage Landslide Mitigation Project

Dear Mr. Tinsley:

The above referenced HMGP project is approved for funding. The federal share for the project is \$298,000.00. The Grantee must award the project within 45 days from the date of this letter. The subgrantee must then begin the project immediately.

All projects should be completed within 36 months of award and closeout documentation submitted to FEMA within 90 days of project completion. When the Grantee extends sub-grant periods of performance (POPs), changing the approved work schedule, FEMA must be informed either by letter or in the quarterly report. Also, subgrant POPs must be monitored closely to ensure individual sub-grant POPs are not approved beyond the grant POP. Quarterly reports must be completed until the project is officially reconciled by FEMA. Quarterly performance and financial reports are due on January 31, April 30, July 31, and October 31.

Enclosed are environmental document(s) applicable to this project. In your award letter to the subgrantee, please send them a copy of these documents and make them aware of the importance of complying with all conditions written in the Record of Environmental Consideration (REC) or the Finding of No Significant Impact (FONSI). Failure to comply with these conditions could delay or jeopardize federal funding and the success of the project.

As you know, a project cannot be changed in any way without authorization from FEMA. Any changes to the design, permitting, or construction of the project as described in the REC or FONSI must be reported to FEMA and will require additional environmental review. Any correspondence between the subgrantee and federal, state or local agencies related to environmental issues post award must also be reported.

Ed Tinsley
September 10, 2013
Page 2

It is also the responsibility of the subgrantee to monitor the environmental conditions stated in the environmental documents and report compliance in their quarterly reports. Once the project is completed and ready to be submitted for closeout, FEMA requires a description of how the environmental conditions were met, a signed copy of the enclosed Environmental Closeout Declaration form, and any copies of required permits not previously submitted with quarterly reports.

We will work closely with you and your staff to ensure the success of the project. FEMA's goal is for all approved projects to begin immediately and to be completed within the timeframes specified in the project sub-application. Please be aware that this project and future projects may be disallowed for non-performance per 44 CFR Part 13.43, or for violation of any federal, state, or local environmental law or regulation.

If you have any questions or concerns regarding the award of this project, please call Donna Boreck, Montana's program manager, at 303-235-4930.

Sincerely,

Mike Hillenburg
HMA Branch Chief

Enclosures:
Obligation Report
Environmental REC
Environmental Closeout Procedures
Environmental Closeout Declaration Form

HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Grantee
1996	40-R	0	53	1	38	MT	Statewide

Subgrantee: Kalispell

Project Title : Whitefish Stage Landslide Mitigation

Subgrantee FIPS Code: 029-40075

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$298,000	\$298,000	\$0	\$0

Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$298,000	\$0	\$0	\$298,000	09/09/2013	Accept	2013

Comments

Date: 09/09/2013 User Id: DBORECK

Comment: Obligation of funds for approved activities for 1996 P 40 R for \$298,000 FS for Whitefish Stage Landslide Mitigation Project which inc pre-award costs and engineering design.

Authorization

Preparer Name: DONNA BORECK

Preparation Date: 09/09/2013

HMO Authorization Name: MICHAEL HILLENBURG

HMO Authorization Date: 09/09/2013

Authorizing Official Signature

Authorizing Official Title

Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

10:36 AM

Environmental Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1996	40-R	0	53	MT	Statewide

Subgrantee: Kalispell

FIPS Code: 029-40075

Project Title : Whitefish Stage Landslide Mitigation

FEMA Laws/EOs

Laws/EOs	Status
Coastal Barriers Resources Act (CBRA)	Not Applicable
Clean Water Act (CWA)	Completed
Comment: The incorrect project location, T29N, R21W Sec. 21, was submitted to USACE for review in the initial solicitation letters. The project may require USACE permits; applicant shall consult with USACE regulatory office in Helena, MT to determine any project requirements.-DJONES58-09/04/2013 15:22 GMT	
Coastal Zone Management Act (CZMA)	Not Applicable
Endangered Species Act (ESA)	Completed
Comment: Based on coordination with USFWS-Kalispell Field Office on 8/13/13, FEMA has determined that the proposed project will have <i>no</i> effect <i>to</i> threatened and endangered species or critical habitat due to the semi-urban location of the proposed project, the fact the majority of the project occurs in previously disturbed areas, and that the storm water management pond appears to have no connection to a flowing stream.-DJONES58-09/04/2013 15:35 GMT	
Fish and Wildlife Coordination Act (FWCA)	Completed
National Historic Preservation Act (NHPA)	Completed
Comment: On 8/20/13 (MT SHPO Ref #2013021903), The MT SHPO concurred with FEMA's determination of <i>no</i> Historic Properties Affected <i>as</i> long as the conditions listed as part of this review are met.-DJONES58-09/04/2013 15:39 GMT	
Clean Air Act (CAA)	Completed
State Fish, Wildlife and Natural Heritage Laws	Completed
State Water and Soil Laws	Completed
E.O. 11988: Floodplains	Completed
Comment: Per FIRM panel number 30029C1810H, the project is located in Zone X.-DJONES58-09/04/2013 16:06 GMT	
E.O. 11990: Wetlands	Completed
Comment: Construction activities will not result in permanent adverse impacts to wetlands. The project will ultimately restore wetland areas filled by the failing hillside.-DJONES58-09/04/2013 16:12 GMT	
E.O. 12898: Environmental Justice for Low Income and Minority Populations	Completed

10:36 AM

Environmental Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1996	40-R	0	53	MT	Statewide

Subgrantee: Kalispell

FIPS Code: 029-40075

Project Title : Whitefish Stage Landslide Mitigation

Required Conditions Resulting from Environmental Review

Law	Entered By	Monitoring Required	Monitoring Completed Date	By
CWA	Daniel N. Jones	<input type="checkbox"/>	00/00/0000	
Conditions Required (4000)	The incorrect project location, T29N, R21W Sec. 21, was submitted to USACE for review in the initial solicitation letters. This project may require a Section 404 permit from the Corps of Engineers. The applicant shall consult with USACE regulatory office in Helena, MT to determine any project requirements. The Applicant is responsible for obtaining any needed permits and verifying and complying with all permit requirements, including wetland mitigation, any permit conditions, pre-construction notification requirements, and regional conditions as provided by the Army Corps of Engineers. The applicant is responsible for implementing, monitoring, and maintaining all Best Management Practices (BMPs) and Pre-Construction Notification (PCN) conditions of applicable NWP. This is to include any requirements per the Montana Dept of Environmental Quality 401 Water Quality Certification for Clean Water Act permits.			
EO11990	Daniel N. Jones	<input type="checkbox"/>	00/00/0000	
Conditions Required (4000)	Appropriate erosion and sediment control measures/best management practices must be implemented during construction.			
NHPA	Daniel N. Jones	<input type="checkbox"/>	00/00/0000	
Conditions Required (4000)	<ol style="list-style-type: none"> 1. If cultural materials are inadvertently discovered during construction, the applicant must cease activity and contact FEMA and the Montana Historical Society immediately. 2. Any gravel and rip-rap must be obtained from Montana SHPO approved sources. 			
SFW&NH	Daniel N. Jones	<input type="checkbox"/>	00/00/0000	
Conditions Required (4000)	The incorrect project location, T29N, R21W Sec. 21, was submitted to Montana Fish, Wildlife and Parks for review in the initial solicitation letters. The applicant is responsible for coordinating the correct location with Montana Fish, Wildlife and Parks and following any project requirements, as well as obtaining any necessary permits (SPA 124) prior to construction.			
SW&S	Daniel N. Jones	<input type="checkbox"/>	00/00/0000	
Conditions Required (4000)	The applicant is responsible for obtaining any required water quality permits from the Montana Department of Environmental Quality. This is to include, but not limited to, turbidity 318 Authorization permits and MPDES (Montana Pollutant Discharge Elimination System) storm water permits if surface disturbances amount to greater than one acre.			

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

10:36 AM

Environmental Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Grantee
1996	40-R	0	53	MT	Statewide

Subgrantee: Kalispell

FIPS Code: 029-40075

Project Title : Whitefish Stage Landslide Mitigation

FEMA NEPA Process

FEMA Status

Catex - Completed

2 CATEX Type Code

If an extraordinary circumstance exists and leads to a significant environmental impact (see 44CFR 10.8 (d) (3)), an Environ.Assesment shall be prepared.

No Extraordinary Circumstances Requiring an EA.

Documentation Complete:09/04/2013

15. Repair, replace, restore, retrofit, upgrade to current codes and standards, or replace a facility (xv)

16. Improvements to existing facilities and the construction of small scale hazard mitigation measures

Standard Conditions

1. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
2. 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.
3. 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.

Comment:

The proposed project scope of work will stabilize and reconstruct the hillside, adding subsurface and surface drainage to abate further slope erosion.-DJONES58-09/04/2013 16:33 GMT

ENVIRONMENTAL CLOSEOUT PROCEDURES

Because the environmental laws fall within FEMA's area of responsibility, verification that the requirements of the environmental documents were met must be provided at the time of grant closeout. The applicant or applicant's agent must certify the conditions stated in the Catex or Fonsi document were met, attach all copies of permits and other required documentation, and submit to FEMA with the closeout packet.

Examples of conditions of environmental documents (not all inclusive):

1. Stormwater permits (EPA's NPDES; Section 401 of the Clean Water Act)
2. Dike permit
3. Army Corps of Engineers Section 10 or 404 permits
4. Floodplain development permit
5. Local permits for debris removal; abandonment of private wells, asbestos, etc.
6. Documentation that agency recommendations such as Best Management Practices (mitigation) were followed
7. Documentation that applicant received coordinated approvals from agencies on final design or plan where requested

This process begins at the time of grant award by the State. The applicant will have already received a copy of the environmental documentation from FEMA staff outlining the conditions to be met. The State should further emphasize the applicant's responsibilities. The HMA quarterly Performance Report must reflect the progress being made on environmental conditions.

The applicant must sign FEMA's Environmental Closeout Declaration and attach a statement or explanation of what action was taken to address each condition or explain why an action was not required. Copies of all permits must be attached.

Funding will be jeopardized if environmental conditions are not followed and required permits are not obtained.

ENVIRONMENTAL CLOSEOUT DECLARATION:

This form must be signed after project completion and submitted as part of the grant closeout documentation. Also, please provide comments to each of the stipulations explaining how the requirements were met.

I attest that all conditions listed in the approved project's environmental document were followed and the appropriate permits and documentation are attached.

Project Title

Name of Applicant or Applicant's Agent (Print)

Title

Signature of Applicant or Applicant's Agent

Date