



**FEMA**

May 14, 2021

Mark S. Ghilarducci, Director  
Governor's Authorized Representative  
California Governor's Office of Emergency Services  
3650 Schriever Avenue  
Mather, CA 95655

Reference: Application Approval, HMGP DR-4344-703-150R  
Nevada County  
Access and Functional Needs Program, Phase One  
FIPS Code: 057-99057, Supplement 187

Dear Mr. Ghilarducci:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) approves and issues Hazard Mitigation Grant Program (HMGP) funds for the Nevada County (sub-recipient), HMGP DR-4344-703-150R, Access and Functional Needs Program, Phase One.

The total project cost for Phase One is \$664,223.05. As shown in the enclosed Obligation Report - Supplement 187, we are obligating \$498,167.29 for the 75 percent Federal share; the 25 percent non-Federal share is \$166,055.76. These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

| <b>Project Phase:</b>     | <b>Federal Share:</b> | <b>Non-Federal Share:</b> | <b>Total Project Cost:</b> |
|---------------------------|-----------------------|---------------------------|----------------------------|
| Phase One, Supplement 187 | \$ 498,167.29         | \$ 166,055.76             | \$ 664,223.05              |

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

- 1. Scope of Work (SOW)** – Nevada County will provide residents with defensible space treatments by reducing hazardous vegetation around their residences. Phase One will consist of defensible space treatment on 45 properties that have expressed interest and have been pre-inspected for eligibility, along with pre-inspections of an additional 365 homes that would be eligible for treatment in Phase Two and Community Fire Mitigation Training. The treatment prescription is for the management of vegetation within 100-300 feet of structures is dependent upon home siting, vegetation model, and overall fuel loading, as well as 10 feet along the road/driveway shoulder with a 15-foot vertical clearance for emergency equipment response. The hazardous vegetation piles will be processed through a woodchipper, blown back onto the property, and can be used as mulch or hauled offsite based on recommendations from the program manager.

The following Phase One activities and deliverables are expected:

| <b>Phase One Activity</b>                  | <b>Estimated Timeline</b> |
|--|---------------------------|
| Defensible Space Treatments                | 14 Months                 |
| Pre-Inspections & Eligibility Verification | 14 Months                 |
| Community Fire Mitigation Training         | 14 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 One Completion Date** – The work schedule included with the project application indicates that Phase One will take 14 months to complete; therefore, the Phase One completion date is July 14, 2022. All Phase One project deliverables must be submitted to the assigned FEMA HMA Specialist by the Phase One 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 Two Approval** – Please inform the sub-recipient that Phase Two approval is contingent on programmatic review and Environmental and Historical Preservation (EHP) approval. Phase Two activities may not commence until written approval has been received. Any Phase Two activities completed prior to approval may be de-obligated. In addition, if Phase Two is unapproved, federal funds may be de-obligated for previously completed Phase One activities.
- 4. Record of Environmental Considerations (REC)** – Project activities are covered in the FEMA 2014 Programmatic Environmental Assessment for Recurring Actions in Arizona, California, and Nevada as described in Section 2.5.1 (Mechanical or Hand Clearing of Vegetation). As the proposed action would not result in substantial impacts to the environment beyond those described in the PEA, no additional NEPA-specific public noticing or documentation is required. Any changes to this scope of work must be resubmitted to FEMA for review prior to initiation of any work. Noncompliance with these requirements may jeopardize federal 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.

If you have any questions or need further assistance please contact Thomas Berry, Sr. Grants Management Specialist, by email [thomas.berry@fema.dhs.gov](mailto:thomas.berry@fema.dhs.gov), or phone (510) 627-7180.

Sincerely,

**KATHRYN J LIPIECKI**

Digitally signed by KATHRYN J  
LIPIECKI

Date: 2021.05.14 15:59:10 -07'00'

Kathryn Lipiecki  
Director, Mitigation Division  
FEMA Region IX

Enclosures (4):

Obligation Report - Supplement 187  
Project Management Report  
Record of Environmental Considerations (REC)  
Standard Mitigation Grant (HMGP) Conditions

cc:

Jennifer Hogan, State Hazard Mitigation Officer, California Governor's Office of Emergency Services  
Noah Aiona, Program Officer, California Governor's Office of Emergency Services  
Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region IX

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANTS PROGRAM  
Obligation Report w/ Signatures**

| Disaster No | FEMA Project No | Amendment No | State Application ID | Action No | Supplemental No | State | Recipient |
|-------------|-----------------|--------------|----------------------|-----------|-----------------|-------|-----------|
| 4344        | 150 R           | 0            | 703                  | 1         | 187             | CA    | Statewide |

Subrecipient: Nevada (County)  
Subrecipient FIPS Code: 057-99057

Project Title : Nevada County Access and Functional Needs Program/Community Fire Mitigation Trai

| Total Amount Previously Allocated | Total Amount Previously Obligated | Total Amount Pending Obligation | Total Amount Available for New Obligation |
|-----------------------------------|-----------------------------------|---------------------------------|---|
| \$498,167.29                      | \$498,167.29                      | \$0.00                          | \$0.00                                    |

| Project Amount | Subrecipient Management Cost Amount | Total Obligation | IFMIS Date | IFMIS Status | FY   |
|----------------|-------------------------------------|------------------|------------|--------------|------|
| \$498,167.29   | \$0.00                              | \$498,167.29     | 04/26/2021 | Accept       | 2021 |

**Comments**

Date: 04/23/2021 User Id: SSCOTT39

Comment: Approved funding for Nevada County, Nevada County access and functional needs program, \$498,167.29.

**Authorization**

Preparer Name: STEVEN SCOTT

Preparation Date: 04/23/2021

HMO Authorization Name: THOMAS BERRY

HMO Authorization Date: 04/26/2021

**KATHRYN J LIPIECKI** Digitally signed by KATHRYN J LIPIECKI  
Date: 2021.05.14 15:59:49 -0700

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Authorizing Official Signature

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Authorization Date

**Project Management Report**

|                 |                     |                  |            |           |                  |
|-----------------|---------------------|------------------|------------|-----------|------------------|
| Disaster Number | FEMA Project Number | Amendment Number | App ID     | State     | Recipient        |
| <b>4344</b>     | <b>150 - R</b>      | <b>0</b>         | <b>703</b> | <b>CA</b> | <b>Statewide</b> |

Subrecipient: Nevada (County)

FIPS Code: 057-99057

Project Title : Nevada County Access and Functional Needs Program/Community Fire Mitig

**Mitigation Project Description**

**Amendment Status :** Approved

**Approval Status:** Approved

Project Title : Nevada County Access and Functional Needs Program/Community Fire Mitig

**Recipient :** Statewide

**Subrecipient :** Nevada (County)

Recipient County Name : Nevada

Subrecipient County Name : Nevada

Recipient County Code : 57

Subrecipient County Code : 57

Recipient Place Name : Nevada (County)

Subrecipient Place Name : Nevada (County)

Recipient Place Code : 0

Subrecipient Place Code : 99057

Project Closeout Date : 00/00/0000

**Work Schedule Status**

| Amend # | Description   | Time Frame | Due Date   | Revised Date | Completion Date |
|---------|---|------------|------------|--------------|-----------------|
| 0       | e 1 - Work plan reviw, Tasking, Responsibilities, sched | 14m        | 00/00/0000 | 00/00/0000   | 00/00/0000      |
| 0       | 2 - hazardous vegetation removal and post-inspection    | 13m        | 00/00/0000 | 00/00/0000   | 00/00/0000      |
| 0       | Grant Closure   | 5m         | 00/00/0000 | 00/00/0000   | 00/00/0000      |

**Approved Amounts**

| Total Approved Net Eligible | Federal Share Percent | Total Approved Federal Share Amount | Non-Federal Share Percent | Total Approved Non-Fed Share Amount |
|-----------------------------|-----------------------|-------------------------------------|---------------------------|-------------------------------------|
| \$664,223.05                | 75.00000000           | \$498,167.29                        | 25.00000000               | \$166,055.76                        |

**Allocations**

| Allocation Number | IFMIS Status | IFMIS Date | Submission Date | FY   | ES/DFSC Support Req | ES/DFSC Amend Nr | Proj Alloc Amount Fed Share | Subrecipient Management Cost | Total Alloc Amount    |
|-------------------|--------------|------------|-----------------|------|---------------------|------------------|-----------------------------|------------------------------|-----------------------|
| 81                | A            | 04/23/2021 | 04/23/2021      | 2021 | 3220124             | 14               | \$498,167.29                | \$0.00                       | \$1,197,068.29        |
| <b>Total</b>      |              |            |                 |      |                     |                  | <b>\$498,167.29</b>         | <b>\$0.00</b>                | <b>\$1,197,068.29</b> |

**Obligations**

| Action Nr    | IFMIS Status | IFMIS Date | Submission Date | FY   | SFS Support Req ID | SFS Amend Number | Suppl Nr | Project Obligated Amt - Fed Share | Subrecipient Management Cost | Total Obligated Amount |
|--------------|--------------|------------|-----------------|------|--------------------|------------------|----------|-----------------------------------|------------------------------|------------------------|
| 1            | A            | 04/26/20   | 04/26/2021      | 2021 | 3505152            | 0                | 187      | \$498,167.29                      | \$0.00                       | \$498,167.29           |
| <b>Total</b> |              |            |                 |      |                    |                  |          | <b>\$498,167.29</b>               | <b>\$0.00</b>                | <b>\$498,167.29</b>    |



## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** HMGP 4344-703-150 (Phase 1)

**Title:** Access and Functional Defensible Space (Phase 1)

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| <b>Environmental Law/<br/>Executive Order</b>   | <b>Status</b> | <b>Description</b>  | <b>Comment</b>  |
|---|---------------|---|---|
| Executive Order 11990 -<br>Wetlands   | Completed     | No effects on wetlands and project outside wetlands - Review concluded  |   |
| Executive Order 12898 -<br>Environmental Justice for Low<br>Income and Minority Populations | Completed     | Low income or minority population in or near project area   |   |
|   | 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            | FEMA has determined the proposed actions would result in No Effect to federally protected 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. - egosline - 01/06/2021 17:53:43 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  |   |
|   | 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 | David Cohen, PhD, reviewed this Undertaking per the Programmatic Agreement among the Federal Emergency Management Agency (FEMA), State Historic Preservation Office (SHPO) and California Office of Emergency Services (Cal OES), signed October 29, 2019. Per Stipulation I.B.1.a of the Agreement, Dr. Cohen meets the Secretary of the Interior's Professional Qualifications for archaeology. The Undertaking meets the following |

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** HMGP 4344-703-150 (Phase 1)

**Title:** Access and Functional Defensible Space (Phase 1)

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**Environmental Law/  
Executive Order**

**Status**

**Description**

**Comment**

Programmatic Allowances in Appendix B of the Agreement: II.F.2.a (creation of defensible space around structures) and II.F.2.d (chipping and broadcasting of vegetative debris). Thus, the Undertaking does not require SHPO review, and FEMA has no further Section 106 responsibilities in accordance with the Agreement. - dcohen3 - 03/23/2021 06:50:50 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:**

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.