



# **RESOLUTION No. 23-221**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**RESOLUTION APPROVING ACCEPTANCE OF THE FEMA HAZARD MITIGATION GRANT PROGRAM FUNDS FOR THE HMGP DR-4344-704-151R ROADSIDE VEGETATION MANAGEMENT PROGRAM PHASE 1 IN THE AMOUNT OF \$752,135.22 FOR USE DURING THE PERIOD APRIL 3, 2023 THROUGH SEPTEMBER 24, 2024 AND AUTHORIZING THE DIRECTOR OF OFFICE OF EMERGENCY SERVICES TO EXECUTE THE GRANT AGREEMENT AND ALL ADDITIONAL DOCUMENTS REQUIRED TO FULFILL THE REQUIREMENTS OF THE GRANT ON BEHALF OF THE COUNTY OF NEVADA**

WHEREAS, the County of Nevada has a severe and present danger from wildfire presenting a threat to public health and safety and the Federal Emergency Management Agency ("FEMA") released Hazard Mitigation Grant Program (HMGP) funding to reduce their losses from natural hazards; and

WHEREAS, Emergency Preparedness is an objective of the County of Nevada Board of Supervisors with a focus on wildfire by improving evacuation routes and safety, and early warning systems, creating more defensible space around private properties and driveways, building a network of maintained fuel breaks, engaging residents in emergency preparedness and fire-safe stewardship, and enhancing critical infrastructure; and

WHEREAS, the Roadside Vegetation Management Program mitigates the danger posed by wildfire by increasing safety along County-maintained ingress and egress routes through vegetation abatement; and

WHEREAS, The Office of Emergency Services submitted a Phase 1 planning grant to the FEMA HMGP on December 8, 2020, for the Roadside Vegetation Management Program; and

WHEREAS, FEMA awarded funds for this project on April 3, 2023 through the grant HMGP DR-4344-704-151R; and

WHEREAS, FEMA grant HMGP DR-4344-704-151R includes \$752,135.22 Federal Share and Management Costs of \$50,142.34; and

WHEREAS, a 25% local match (\$250,711.74) is required for this project that shall be satisfied by General Fund allocated to the Office of Emergency Services for grant-funded project needs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, accepts FEMA Hazard Mitigation Grant Program Funds for HMGP DR-4344-704-151R Roadside Vegetation Management Program Phase 1 in the amount of \$752,135.22 provided by FEMA for the term of April 3, 2023 through September 24, 2024, and authorizes the Director of Office of Emergency Services to execute the Grant Agreement and all additional documents required to fulfill the requirements of the grant on behalf of the County of Nevada.

Funding:  
0101-20702-414-1000      446700

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 23rd day of May, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout,  
Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

5/23/2023 cc:

OES\*  
AC\*

  
Edward C. Scofield, Chair



May 2, 2023

Craig Griesbach  
OES Director  
Nevada County  
950 Maidu Avenue  
Nevada City, CA 95959

Subject: **Notification of Subapplication Approval**  
Hazard Mitigation Grant Program  
FEMA-**4344**-DR-CA, Project #**PJ0704**, FIPS #**057-00000**,  
Supplement #**357**

Dear Mr. Griesbach:

The California Governor's Office of Emergency Services (Cal OES) received notification that the Federal Emergency Management Agency (FEMA) has approved your organization's subaward application in the amount of **\$752,135.22**. A copy of the FEMA award package is enclosed for your records. In order to receive payment as a grant subrecipient, your organization must have the following on file with the Recovery Financial Processing Unit:

- A valid, current (approved within the last 3 years) Governing Body Resolution
- A Project Assurances for Federal Assistance agreement
- A Supplemental Grant Subaward Information sheet
- A current Federal Funding Accountability and Transparency Act (FFATA) Financial Disclosure form. This form must be submitted each fiscal year.
- An active registration with the federal System for Award Management (SAM) website. The registration must remain active for the duration of this grant subaward.

For your convenience, this subapplication approval package includes the required post-obligation documents as well as guides to completing and renewing a SAM registration. Please complete the documents and mail copies to the address listed at the end of this letter, keeping the originals with your records. Alternatively, you may scan and email the completed documents to the Recovery Financial Processing Unit at [HMGraintsPayments@CalOES.ca.gov](mailto:HMGraintsPayments@CalOES.ca.gov). Electronic copies of the post-obligation documents can also be requested at the same address.



3650 SCHRIEVER AVENUE • MATHER, CA 95655  
RECOVERY FINANCIAL PROCESSING UNIT  
(916) 845-8110

Payments will be made on a reimbursement basis using the enclosed Hazard Mitigation Reimbursement Request Form. A ten percent (10%) retention will be withheld from all reimbursement payments and will be released as part of the subaward closeout process.

Reimbursements can be made only for items listed on the approved subaward application. Expenditures for any other work should be separately maintained and are the sole responsibility of the subrecipient. Any funds received in excess of current needs or approved amounts, or those found owed as a result of a final inspection or audit, must be refunded to the State within 30 days of receipt of an invoice from Cal OES.

When mailing documents to the Recovery Financial Processing Unit, please use the following address:

California Governor's Office of Emergency Services  
Attention: Recovery Financial Processing Unit  
3650 Schriever Avenue  
Mather, CA 95655

For further assistance regarding post-obligation documents or the reimbursement request process, please contact the Recovery Financial Processing Unit at (916) 845-8110 or at [HMGraintsPayments@caloes.ca.gov](mailto:HMGraintsPayments@caloes.ca.gov). For program-related questions, please contact the Hazard Mitigation Grants Programs Unit at (916) 328-7450.

Recovery Financial Processing Unit

Enclosures

c: Subrecipient's Project File

\*The Recovery Financial Processing Unit has the County's universal resolution, passed on 9/28/21, on file. A copy of the resolution is included in this package for your review. With your permission, the resolution can be applied to this project.





May 2, 2023

Craig Griesbach  
OES Director  
Nevada County  
950 Maidu Avenue  
Nevada City, CA 95959

Subject: **Notification of Approval for Subrecipient Management Cost Funding**  
Hazard Mitigation Grant Program  
FEMA-**4344**-DR-CA, Project #**PJ0704**, FIPS #**057-00000**,  
Supplement #**357**

Dear Mr. Griesbach:

The California Governor's Office of Emergency Services (Cal OES) received notification that the Federal Emergency Management Agency (FEMA) has approved **\$50,142.34** in funding for subrecipient management costs (SRMC). SRMC are costs incurred while administering a Hazard Mitigation grant subaward. A copy of FEMA's letter is enclosed for your records.

Payments are made on a reimbursement basis using the specialized Subrecipient Management Cost Reimbursement Request Form. Subrecipients are reminded to document their SRMC separately from direct project expenditures. To qualify for SRMC reimbursement, subrecipients must first incur and seek reimbursement for direct project expenditures via the specialized Project Expenditures Reimbursement Request Form. Reimbursement for SRMC is capped at five percent of a project's cumulative direct project expenditures. Please note that your organization must maintain an active registration in the SAM.gov (System for Award Management) database for the duration of this grant subaward.

Please read the enclosed supplement. In accordance with Title 44 Code of Federal Regulations, Part 206.440, if you disagree with FEMA's obligated amount or scope of work listed in the supplement, you can appeal. All appeals must be in writing and received by Cal OES within 60 days from the receipt of this letter. If you have any questions or need assistance, please contact the Recovery Financial Processing Unit at (916) 845-8110 or at [HMGrantsPayments@caloes.ca.gov](mailto:HMGrantsPayments@caloes.ca.gov).

Recovery Financial Processing Unit  
Enclosures  
c: Subrecipient's Project File



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RECOVERY FINANCIAL PROCESSING UNIT  
(916) 845-8110



**FEMA**

April 3, 2023

Ryan Buras, Deputy Director  
Governor's Authorized Representative  
California Governor's Office of Emergency Services  
3650 Schriever Avenue  
Mather, CA 95655

**RECEIVED**  
**APR 17 2023**  
**FINANCIAL PROCESSING UNIT**

Reference: Application Approval, HMGP DR-4344-704-151R  
Nevada County, California  
Roadside Vegetation Management Program, Phase 1  
FIPS Code: ~~057-99057~~, Supplement 357  
**057-00000 (AC)**

Dear Ryan Buras:

We approve and issue Hazard Mitigation Grant Program (HMGP) funds for the Nevada County, HMGP DR-4344-704-151R, Roadside Vegetation Management Program, Phase 1.

The total project cost for Phase 1 is \$1,002,846.96. As shown in the enclosed Obligation Report - Supplement 357, we are obligating \$752,135.22 for the 75 percent Federal share; the 25 percent non-Federal share is \$250,711.74. We are obligating \$50,142.34 for the 100 percent Federal share of Subrecipient Management Costs (SRMC). These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

Project Phase:	Federal Share:	Non-Federal Share:	Total Project Cost:
Phase 1, Supplement 51	\$752,135.22	\$250,711.74	\$1,002,846.96
Phase 1, SMRC	\$ 50,142.34	\$ 0.00	\$ 50,142.34

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

- 1. Scope of Work (SOW)** – This grant will fund hazardous fuels reduction activities along approximately 300 miles of roadway. Overall, the grant will be performed in two phases. Phase 1 will include project management, field surveys, and mapping to define and digitize Nevada County right-of-way; treatment prescription design; biological, botanical, and archeological surveys to satisfy environmental permitting pursuant to the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA); and submission of Phase 1 deliverables. Phase 2 will consist of project management; implementation of hazardous fuels reduction activities; development of a plan for maintenance; biomass disposal; and project close-out activities. No ground disturbing activities are proposed during Phase 1 of the project, and none are permitted without prior notice to FEMA. The following Phase 1 activities and deliverables are expected:

Phase 1 Activity	Estimated Timeline
Map County Right-of-Way	18 Months
Develop Treatment Plan	18 Months
Biological & Botanical Survey	18 Months
Archeological & Cultural Resources Survey	18 Months
CEQA Documentation	18 Months

Please provide the above-referenced deliverables once completed to the assigned FEMA Grants Management Specialist for review and inclusion within the official grant file.

2. **Phase 1 Completion Date** – The work schedule included with the project application indicates that Phase 1 will take 18 months to complete. All Phase 1 project deliverables must be submitted to the assigned FEMA HMA Specialist by the Phase 1 completion date of September 24, 2024. 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 2 Approval** – Please inform the sub-recipient that Phase 2 approval is contingent on programmatic review and Environmental and Historical Preservation (EHP) approval. Phase 2 activities may not commence until written approval has been received. Any Phase 2 activities completed prior to approval may be de-obligated. In addition, if Phase 2 is unapproved, federal funds may be de-obligated for previously completed Phase 1 activities.
4. **Record of Environmental Considerations (REC)** – This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents) has been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance, including funding.
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 Aaron Lim, Hazard Mitigation Specialist, by email [Aaron.Lim@fema.dhs.gov](mailto:Aaron.Lim@fema.dhs.gov), or phone (510) 627-7036.

Sincerely,

KATHRYN J LIPIECKI

Kathryn Lipiecki  
Director, Mitigation Division  
FEMA Region 9

Digitally signed by KATHRYN J

LIPIECKI

Date: 2023.04.03 20:56:42 -07'00'

Ryan Buras  
April 3, 2023  
Page 3 of 3

Enclosures (3):

Obligation Report - Supplement 357  
Record of Environmental Considerations (REC)  
Standard Mitigation Grant (HMGP) Conditions

cc: Blythe Denton, Acting State Hazard Mitigation Officer, California Governor's Office of  
Emergency Services  
Ron Miller, Acting State Hazard Mitigation Officer, California Governor's Office of  
Emergency Services  
Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9



3/22/2023

10:11 AM

## FEDERAL EMERGENCY MANAGEMENT AGENCY

HMGP-OB-01

## HAZARD MITIGATION GRANT PROGRAM

## Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4344	151 R	0	704	1	357	CA	Statewide

Subrecipient: Nevada (County)

Project Title : Roadside Vegetation Management Program

Subrecipient FIPS Code: 057-99057

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$752,135.22	\$752,135.22	\$0.00	\$0.00

  

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$752,135.22	\$50,142.34	\$802,277.56	03/21/2023	Accept	2023

Comments

Date: 03/21/2023 User Id: SSCOTT39

Comment: Approved funding for HMGP 4344-704-151R-Nevada County-Roadside Vegetation Management for \$752,135.22 Federal Share and \$50,142.34 Sub Recipient Management Costs.

Authorization

Preparer Name: STEVEN SCOTT

Preparation Date: 03/21/2023

HMO Authorization Name: THOMAS BERRY

HMO Authorization Date: 03/21/2023

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4344-0151-CA (4344-704-151) (1)

Title: Nevada County Roadside Vegetation Management (Phase 1)

## NEPA DETERMINATION

Non Compliant Flag: No	EA Draft Date:	EA Final Date:
EA Public Notice Date:	EA Fonsi	Level: CATEX
EIS Notice of Intent	EIS ROD Date:	

**Comment** The Nevada County Department of Public Works (DPW or Subrecipient) has identified approximately 300 miles of roadway that would be subject to hazardous fuels reduction activities under the proposed Roadside Vegetation Management Project. The project will target high-traffic public road corridors that serve as key emergency evacuation routes. DPW also will partner with the Truckee Fire Protection District, which has identified 17.5 miles of roadway and 3.5 acres in six subdivisions in need of treatment to create fuel breaks and safety corridors for use in evacuations. These areas have been targeted as having the highest risk while providing the greatest benefits to local communities. Upon completion, the project will result in improved evacuation outcomes for residents in western and eastern Nevada County in the event of a wildfire. Due to the size, complexity, and planning needs required by the project, it will be implemented in two phases. Phase 1 will include project management, field surveys, and mapping to define and digitize Nevada County right-of-way; treatment prescription design; biological, botanical, and archeological surveys to satisfy environmental permitting pursuant to the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA); and submission of Phase 1 deliverables. Phase 2 will consist of project management; implementation of hazardous fuels reduction activities; development of a plan for maintenance; biomass disposal; and project close-out activities. No ground disturbing activities are proposed during Phase 1 of the project, and none are permitted without prior notice to FEMA.

This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents) has been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance, including funding. - lholm2 - 02/13/2023 18:38:14 GMT

## CATEX CATEGORIES

Catex Category Code	Description	Selected
a4	(a4) Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents. If any of these activities result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include but are not limited to: (a) Document mailings, publication and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions. (b) Studies, reports, proposals, analyses, literature reviews; computer modeling; and non-intrusive intelligence gathering activities.	Yes

## EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

# **RECORD OF ENVIRONMENTAL CONSIDERATION (REC)**

**Project** HMGP-4344-0151-CA (4344-704-151) (1)

**Title:** Nevada County Roadside Vegetation Management (Phase 1)

<b>Environmental Law/ Executive Order</b>	<b>Status</b>	<b>Description</b>	<b>Comment</b>
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	Phase 1 of the project includes non-ground disturbing surveys, mapping, and treatment prescription design, which does not involve potential impacts to the floodplain. See Attached Maps. - lholm2 - 02/13/2023 18:23:35 GMT Phase 1 of the project includes non-ground disturbing surveys, mapping, and treatment prescription design, which does not involve potential impacts to wetlands. See Attached Map. - lholm2 - 02/13/2023 18:25:43 GMT ***COMMENT ABOVE IS VOID***Phase 1 of the project includes non-ground disturbing surveys, mapping, and treatment prescription design, which does not involve potential impacts to the floodplain. See Attached Maps. - lholm2 - 02/13/2023 18:32:19 GMT
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	Phase 1 of the project includes non-ground disturbing surveys, mapping, and treatment prescription design, which does not involve potential impacts to wetlands. See Attached Map. - lholm2 - 02/13/2023 18:27:43 GMT
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	FEMA has determined that Phase 1 project activities will have limited or no potential to affect minority or low-income populations and FEMA has no further EO 12898 responsibilities with regards to them. - lholm2 - 02/12/2023 03:31:05 GMT
	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	The proposed action would involve non-ground disturbing surveys, mapping, and treatment prescription design and would result in no impacts to endangered species. The proposed scope of work for Phase 1 of this project will not destroy or adversely modify suitable habitat and will

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4344-0151-CA (4344-704-151) (1)

Title: Nevada County Roadside Vegetation Management (Phase 1)

Environmental Law/ Executive Order	Status	Description	Comment
			not affect any listed or proposed species. It is therefore determined that the proposed action would have "No Effect" on listed species, and consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service (the Services) under Section 7 of the Endangered Species Act is not required. - lholm2 - 02/12/2023 03:25:46 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	The project is in the Flyway, however, based on the project scope of work there is no potential for take of migratory birds. - lholm2 - 02/12/2023 03:28:31 GMT
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project located in or near Essential Fish Habitat	The project would overlap Essential Fish Habitat (EFH) for Chinook salmon associated with the Upper Yuba River watershed, however there is no potential to adversely affect EFH during Phase 1 project activities. - lholm2 - 02/12/2023 03:29:10 GMT
	Completed	Project does not adversely affect Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Not type of activity with potential to affect historic properties - Review concluded	The Undertaking complies with Stipulation I.A.7.F (assistance provided for planning, studies, design, and engineering costs) of 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 30, 2019. Thus, the Undertaking does not require SHPO review, and FEMA has no further Section 106 responsibilities in accordance with 36 CFR 800.3(a)(1). - lholm2 - 02/12/2023 03:24:59 GMT

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4344-0151-CA (4344-704-151) (1)

Title: Nevada County Roadside Vegetation Management (Phase 1)

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Environmental Law/ Executive Order	Status	Description	Comment
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.