



FEMA

# DR-4569-CA Initial Notice



English

**Notice Date**

October 16, 2020

Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2020-0001]**

**California; Major Disaster and Related Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major disaster for the State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** The declaration was issued October 16, 2020.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated October 16, 2020, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the “Stafford Act”), as follows:

I have determined that the damage in certain areas of the State of California resulting from wildfires beginning on September 4, 2020, and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the “Stafford Act”). Therefore, I declare that such a major disaster exists in the State of California.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and emergency protective measures (Category B), including direct Federal assistance, under the Public Assistance program in the designated areas; Hazard Mitigation throughout the State, and any other forms of assistance under the Stafford Act that you deem appropriate subject to completion of Preliminary Damage Assessments (PDAs).

Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance, Hazard Mitigation, and Other Needs Assistance under section 408 will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153,

shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Willie G. Nunn, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of California have been designated as adversely affected by this major disaster:

Fresno, Los Angeles, Madera, Mendocino, San Bernardino, San Diego, and Siskiyou Counties for Individual Assistance.

Fresno, Los Angeles, Madera, Mendocino, San Bernardino, San Diego, and Siskiyou Counties for emergency protective measures (Category B), including direct federal assistance, under the Public Assistance program.

All areas within the State of California are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Pete Gaynor,**

*Administrator,*

*Federal Emergency Management Agency.*

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Last updated February 13, 2021

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# DR-4569-CA Amendment 001

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English

<b>Notice Date</b>	October 22, 2020
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Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2020-0001]**

**California; Amendment No. 1 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** This amendment was issued October 22, 2020.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster declaration for the State of California is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of October 16, 2020.

Napa, Shasta, and Sonoma Counties for Individual Assistance.

Napa, Shasta, and Sonoma Counties for emergency protective measures (Category B), including direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Pete Gaynor,**

*Administrator,*

*Federal Emergency Management Agency.*

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# DR-4569-CA Amendment 002

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English

<b>Notice Date</b>	November 17, 2020
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Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2020-0001]**

**California; Amendment No. 2 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** This amendment was issued November 20, 2020.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the incident period for this disaster is closed effective November 17, 2020.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown

Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Pete Gaynor,**

*Administrator,*

*Federal Emergency Management Agency.*

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# DR-4569-CA Amendment 003

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English

<b>Notice Date</b>	November 25, 2020
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Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2020-0001]**

**California; Amendment No. 3 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** This amendment was issued November 25, 2020.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster declaration for the State of California is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of October 16, 2020.

Del Norte County for Public Assistance, including direct federal assistance.

Fresno, Madera, Mendocino, Napa, Shasta, Siskiyou, and Sonoma Counties for debris removal [Category A] and permanent work [Categories C-G] (already designated for Individual Assistance and emergency protective measures [Category B], including direct federal assistance, under the Public Assistance program).

Yuba County for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Pete Gaynor,**

*Administrator,*

*Federal Emergency Management Agency.*

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# DR-4569-CA Amendment 004

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English

<b>Notice Date</b>	May 14, 2021
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Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2021-0001]**

**California; Amendment No. 4 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** This change occurred on May 14, 2021.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Andrew Grant, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Willie G. Nunn as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Deanne Criswell**

*Administrator,*

*Federal Emergency Management Agency*

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# FEMA Award Package



**FEMA**

October 7, 2022

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-4569-498-018R  
San Bernardino County Flood Control District  
San Bernardino County Flood Mitigation  
FIPS Code: 071-91103, Supplement 18

Dear Mark Ghilarducci:

We approve and issue Hazard Mitigation Grant Program (HMGP) funds for the San Bernardino County Flood Control District, HMGP DR-4569-498-018R, San Bernardino County Flood Mitigation.

The total project cost is \$1,500,000. As shown in the enclosed Obligation Report – Supplement 18, we are obligating \$1,125,000 for the 75 percent Federal share; the 25 percent non-Federal share is \$375,000. These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

<b>Total Project Cost:</b>	<b>Federal Share (75%):</b>	<b>Non-Federal Share (25%):</b>
\$1,500,000	\$1,125,000	\$375,000


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

- 1. Scope of Work (SOW)** – The San Bernardino County Flood Control District, with the help of a consultant, will complete hydrology and hydraulic studies of identified hazard areas in several watersheds, provide engineering and design of proposed mitigation projects, and submit a subapplication that includes a final schedule, cost estimate, and BCA.
- 2. Project Completion Date** – The work schedule included with the project application indicates that the project will take 36 months to complete. 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. **Project Closeout** – Within 120 days of project completion, all project funds must be liquidated and final closeout documentation for the project must be submitted to FEMA. Please note the project must comply with Code of Federal Regulations Title 2, Part 200 reporting requirements at the time of closeout.
4. **Record of Environmental Considerations (REC)** – This Advance Assistance funding 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 Jocelyn Madison-Kelly, Grants Management Specialist, by email [jocelyn.madisonkelly@fema.dhs.gov](mailto:jocelyn.madisonkelly@fema.dhs.gov), or phone (202) 717- 0135.

Sincerely,

for   
Digitally signed by ROBERT  
P MCCORD  
Date: 2022.10.07 13:42:17  
-07'00'

Kathryn Lipiecki  
Director, Mitigation Division  
FEMA Region 9

Enclosures (3):

Obligation Report - Supplement 18  
Project Management Report  
Record of Environmental Clearance (REC)  
Standard Mitigation Grant (HMGP) Conditions

cc:

Jennifer Hogan, State Hazard Mitigation Officer, California Governor's Office of  
Emergency Services  
Jacy Hyde Ph.D., Branch Chief, California Governor's Office of Emergency Services  
Anna Foley, Hazard Mitigation Grants Specialist, California Governor's Office of  
Emergency Services  
Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9

## HAZARD MITIGATION GRANT PROGRAM

**Obligation**

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4569	18-R	0	498	1	18	CA	Statewide

Subrecipient: SAN BERNARDINO COUNTY FLOOD CONTRO Project Title : San Bernardino County Flood Mitigation - Advance Assistance

Subrecipient FIPS Code: 071-U3M2V

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$1,125,000.00	\$1,125,000.00	\$0.00	\$0.00

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$1,125,000.00	\$75,000.00	\$1,200,000.00	09/28/2022	Accept	2022

**Comments**

Date: 09/23/2022 User Id: SSCOTT39

Comment: Approved funding for for HMGP 4569-498-18R San Bernardino County-Flood Mitigation Advance Assistance for \$1,125,000 Federal Share and \$75,000 Sub Recipient Management Costs = \$1,200,000.

**Authorization**

Preparer Name: STEVEN SCOTT

Preparation Date: 09/23/2022

HMO Authorization Name: EMILY BAUMGARTNER

HMO Authorization Date: 09/28/2022



## HAZARD MITIGATION GRANT PROGRAM

## Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4569	18-R	0	498	CA	Statewide

Subrecipient: SAN BERNARDINO COUNTY FLOOD CON

FIPS Code: 071-U3M2V

Project Title : San Bernardino County Flood Mitigation - Advance Assistance

**Mitigation Project Description**

Amendment Status : Approved

Approval Status: Approved

Project Title : San Bernardino County Flood Mitigation - Advance Assistance

Recipient : Statewide

Subrecipient : SAN BERNARDINO COUNTY FLO

Recipient County Name : San Bernardino

Subrecipient County Name : San Bernardino

Recipient County Code : 71

Subrecipient County Code : 71

Recipient Place Name : San Bernardino (County)

Subrecipient Place Name : San Bernardino (County)

Recipient Place Code : 0

Subrecipient Place Code : 99071

Project Closeout Date : 00/00/0000

**Work Schedule Status**

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0	Plan Initiation & Develop Planning Team	2 months	00/00/0000	00/00/0000	00/00/0000
0	Consultant Procurement	3 months	00/00/0000	00/00/0000	00/00/0000
0	Field Investigation	2 months	00/00/0000	00/00/0000	00/00/0000
0	Field Investigation	2 months	00/00/0000	00/00/0000	00/00/0000
0	Risk Assessment	3 months	00/00/0000	00/00/0000	00/00/0000
0	Planning, Hydrology and Hydraulic Studies	7 months	00/00/0000	00/00/0000	00/00/0000
0	Mitigation Options/Strategies/Feasibility	3 months	00/00/0000	00/00/0000	00/00/0000
0	Preliminary (65%) Design and Engineering	8 months	00/00/0000	00/00/0000	00/00/0000
0	Environmental Documentation (CEQA & EHP Review)	7 months	00/00/0000	00/00/0000	00/00/0000
0	Subapplication Development	2 months	00/00/0000	00/00/0000	00/00/0000
0	Grant Close-out	3 months	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
\$1,500,000.00	75.000000000	\$1,125,000.00	25.00000000	\$375,000.00

**Allocations**

Allocation Number	IFMIS Status	IFMIS Date	Submission Date	FY	ES/DFSC Support Req ID	ES/DFSC Amend Nr	Proj Alloc Amount Fed Share	Subrecipient Management Cost	Total Alloc Amount
11	A	09/23/2022	09/23/2022	2022	7832324	0	\$1,125,000.00	\$75,000.00	\$1,200,000.00
Total							\$1,125,000.00	\$75,000.00	\$1,200,000.00

**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	09/28/202	09/28/2022	2022	7980078	0	18	\$1,125,000.00	\$75,000.00	\$1,200,000.00
Total								\$1,125,000.00	\$75,000.00	\$1,200,000.00

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0018-CA (4569-498-018) (1)

Title: Advance Assistance - San Bernardino Co. Flood Mitigation

## NEPA DETERMINATION

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

**Comment** San Bernardino County Flood Control District needs to perform hydrology, hydraulic, and Feasibility studies to determine areas most vulnerable in communities affected by the El Dorado Fire and perform preliminary engineering and design of future flood and debris mitigation measures.

This Advance Assistance funding 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 Exclusion 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. - tyoun949  
- 08/24/2022 23:20:23 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

Environmental Law/ Executive Order	Status	Description	Comment
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	

03:16:51

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0018-CA (4569-498-018) (1)

Title: Advance Assistance - San Bernardino Co. Flood Mitigation

Environmental Law/ Executive Order	Status	Description	Comment
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	
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	No Low income or minority population in, near or affected by the project - 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	Based on the type of activities as described in the scope of work, this project has been determined to have no effect on Federally listed threatened and endangered species or critical habitat. - tyoun49 - 08/24/2022 23:14:51 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	Activities associated with this Undertaking do not have the potential to take migratory birds. - tyoun49 - 08/24/2022 23:16:27 GMT
	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	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

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** HMGP-4569-0018-CA (4569-498-018) (1)**Title:** Advance Assistance - San Bernardino Co. Flood Mitigation

Environmental Law/ Executive Order	Status	Description	Comment
			Federal Emergency Management Agency (FEMA), State Historic Preservation Office (SHPO), and California Office of Emergency Services (Cal OES), signed October 29, 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). - tyoun49 - 08/24/2022 23:14:25 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, subpplication, 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.