



Texas Division of Emergency Management Recovery, Mitigation and Standards

Section 404 Hazard Mitigation Grant Program (HMGP) Application Introduction, Instruction, and Information

INTRODUCTION

The Hazard Mitigation Grant Program (HMGP) assists states and local communities in implementing long-term hazard mitigation measures following a major disaster. The funding for this program is based on a 75% federal and 25% local cost share. Further information concerning Texas' involvement in the HMGP can be found in the current Texas Division of Emergency Management (TDEM) Hazard Mitigation Grant Administrative Plan.

If you require technical assistance with this application, or to request a copy of the current TDEM Hazard Mitigation Grant Program Administrative Plan please contact Texas Division of Emergency Management, Recovery, Mitigation and Standards (TDEM/RMS), Mitigation Section at (512) 377-0023 or TDEM-Mitigation@dps.texas.gov.

INSTRUCTIONS

The application and attachments can be found on the following websites:

<http://www.dps.texas.gov/dem/ThreatAwareness/hurricaneHarveyInfo.htm>

<https://grants.dps.texas.gov/>

Please complete ALL sections and provide the documents requested. All questions must be answered completely and accurately. TDEM and the Federal Emergency Management Administration (FEMA) staff reviewing the application will not be familiar with your community, the specific project area, and the need for the proposed project. Therefore, it is the responsibility of the applicants to ensure the application addresses all of the questions and requirements. This is particularly important given the competitive nature of the grant program. If you are unsure as to the meaning of a particular question, contact TDEM for clarification.

ELIGIBILITY

TDEM, as the grantee, is responsible for ensuring applicants meet the eligibility requirements and projects are eligible for HMGP funding.

Applicant Eligibility:

1. HMGP projects must be from an eligible applicant. (i.e., Municipality, City, County, Special District, Tribe, Eligible Nonprofit Agency, or Organization).
2. Applicant must have an approved hazard mitigation plan. For private non-profit organizations, the community where the project is located must have an adopted plan.

Project Eligibility:

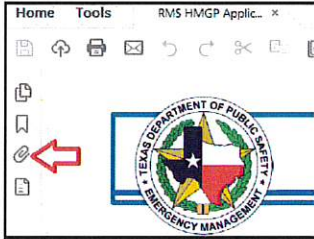
1. Projects cannot be retroactively funded through HMGP. Therefore, projects already in progress or completed will not be considered.
2. HMGP projects must comply with the FEMA approved state and applicable local hazard mitigation plan.
3. HMGP projects must meet all applicable codes and standards for the project locale (i.e., construction, public notifications, etc.).
4. HMGP projects must have a direct beneficial impact upon the designated disaster area, whether or not the project is located in the designated area.
5. HMGP projects must comply with 44 Code of Federal Regulations (CFR) part 9, Floodplain Management and Protection of Wetlands and 44 CFR, part 10, Environmental Considerations.
6. HMGP projects must solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed. Projects that merely identify or analyze hazards or problems are not eligible.
7. HMGP projects must be cost effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster.
8. HMGP projects must provide the best solution. Sub-applicants must demonstrate that after consideration of a range of options for the mitigation measure, it has been determined that the proposed project is the most practical, effective, and environmentally sound solution.

Project Eligibility - Continued

9. HMGP projects must contribute to a long-term solution that is the most practicable. Ideally, it should integrate hazard mitigation principles with existing programs and overall community planning.
10. HMGP projects must consider long-term effects. Projects should address, when applicable, long-term changes to the areas and entities it protects, and ensure manageable future maintenance and modification requirements.
11. HMGP projects must address a problem that has been repetitive or that possesses a significant risk if left unsolved.
12. HMGP projects must cost less than the anticipated value of the reduction in both direct damage and subsequent negative impacts to the area if future disasters occur.

ATTACHMENTS

Below are the attachments related to this application. You can access the attachments by clicking the paper clip symbol on the left side of the form (see image below).



Attachment List

1. Budget Worksheet
2. Budget Worksheet Instructions
3. Designation of Subrecipient Agent (DSA) Form (Note: See Grant Management System for additional information below)
4. Environmental Historical Preservation (EHP) Checklist
5. FEMA Benefit Cost Analysis (BCA) Toolkit Instructions to Install
6. Property Site Inventory Worksheet (Required for Acquisition, Elevation, and Mitigation Reconstruction projects)
7. Three SF424 Forms (SF424-Application for Federal Assistance, SF424B-Non-Construction Assurances and SF424D-Construction Assurances)
8. FEMA Form Certifications Regarding Lobbying
9. FEMA Form Disclosure of Lobbying Activities

REQUIRED DOCUMENTATION

Below is the minimum required documentation that must be submitted with the application.

Note: **This is not an all inclusive list** since requirements may vary depending on project type and the sub-applicant.

1. Application (with supporting documents used for additional space or to clarify answers)
2. Map(s), Photo(s), Drawing(s), etc. as required in the application
3. EHP Checklist
4. FEMA Insurance Rate Map (FIRM) per the EHP Checklist
5. Supporting Documentation per EHP Checklist
6. Budget Worksheet
7. Property Site Inventory Worksheet (Required for Acquisition, Elevation and Mitigation Reconstruction projects)
8. BCA zip file
9. Certification and Signature of Authorized Agent (page 10 of the application)
10. Floodplain Manager Authorization Form (page 11 of the application)
11. DSA Form
12. All three SF424 forms (SF424, SF424B and SF424D)
13. FEMA Form Certifications Regarding Lobbying (also includes Debarment, Suspension and Other Responsibility Matters; and Drug Free Workplace Requirements)
14. FEMA Form Disclosure of Lobbying Activities (Complete to disclose lobbying activities pursuant to 31U.S.C.1352)

GRANT MANAGEMENT SYSTEM (GMS)

The Division of Emergency Management uses the GMS on-line system to manage the HMGP and other FEMA grant programs. For more information and to register for access please visit <https://grants.dps.texas.gov/index.cfm>.

Note: The DSA Form provides the information needed to set up the contact information in the system.



Texas Division of Emergency Management Recovery, Mitigation and Standards

Section 404 Hazard Mitigation Grant Program (HMGP) Application Form

Disaster Declaration #: FEMA-4332-DR-TX

Declaration Date: August 25, 2017

SUB-APPLICANT INFORMATION

Name of Sub-applicant Organization/Agency: Fort Bend County

Address: 401 Jackson

City: Richmond County: Fort Bend State: TX Zip: 77469

Primary Contact Name: doug.barnes@fortbendcountytexas.gov Title: Sr. Planning Coordinator

Email: doug.barnes@fortbendcountytexas.gov Office Phone: (281) 342-6185 Cell: _____

Secondary Contact Name: Mark Flathouse Title: EMC

Email: mark.flathouse@fortbendcountytexas.gov Office Phone: (281) 342-6185 Cell: _____

Check One:

- State Government Local Government Federally Recognized Tribe Private Non-Profit

Tax ID #: 74-6001969 DUNS #: 081497075 FIPS Code: 157
(Data Universal Numbering System)

State Legislative House District(s): 28 State Legislative Senate District(s): 18

Congressional House District(s): 22

National Flood Insurance Program (NFIP) Community Identification #: 480228
(This number can be obtained from the FIRM map for your area)

NFIP Community Rating System Class # (if available): _____

PROJECT INFORMATION

Project Title: Flat Bank Creek Diversion

Application Type: (select from the following)

- Standard HMGP 5% Initiative Planning Phased Project

Project Type: (select from the following)

- Acquisition Elevation Residential Saferoom Community Saferoom
 Drainage Generator Wildfire Structural Retrofit
 Other: _____

Hazards to be Mitigated: (select from the following)

- Flood Wind Wildfire Subsidence Storm Surge
 Other: _____

Note: A Property Site Inventory Worksheet (see attached) is required for Acquisition, Elevation, and Mitigation Reconstruction projects)

SCOPE OF WORK**Project Description:**

Description must include: what hazard(s) the project will address, type of project (drainage, safe room, fuel reduction, buy-out, etc., and/or infrastructure), step by step description of the major elements of the project (contracting, construction elements, close-out, etc.), and how the project will be accomplished by the end of the 36 month period of performance (PoP). Attach extra pages as necessary.

Flat Bank Creek diversion channel is located in Missouri City, Texas in Fort Bend County (FBC) and provides drainage for Oyster Creek. The diversion channel runs between Flat Bank Creek and Steep Bank Creek until it reaches a confluence with Snake Slough and ultimately drains into the Brazos River. High flood stages in the Brazos River currently pose a flooding hazard to communities as water backs up through open drainage channels and inundates low lying areas. The proposed project would construct control structures across Flat Bank Creek Diversion Channel and Lower Oyster Creek at Peninsula Drive and the installation of a stormwater pump station to evacuate local rainfall runoff during high river events when Flat Bank Creek cannot drain by gravity.

The location of structures can be refined during the Phase 1 of this project with appropriate engineering studies with adequate engineering design to document the studies and a cost estimate based on the engineering design shall be prepared. Appropriate environmental assessment shall along with approvals as needed in compliance of the Environmental studies shall be performed along with approvals from pertinent agencies. This shall be accomplished within the 12-month time process as required for this type of grant application. An early meeting and constant coordination with the agencies shall ensure that the necessary permits are obtained prior to the construction. Fort Bend County shall be contracting with the firms capable of adhering to the schedule and in production of quality documents as needed for this Phase 1

Upon authorization and approval of the Phase 1, Phase 2 which is the construction of the project shall begin with a public bid of the prepared Engineering design and necessary permits which are required from various public entities. This construction schedule shall be to 23.5 months.

Upon completion of the construction this project the necessary project close out documents shall be completed and reported back to TDEM and FEMA within 0.5 months.

Project Objectives - Problem Solutions/Hazard Reduction:

Description must include: how the project will independently solve the problem, the level of protection provided by the project, how the project will increase the level of protection to the citizens and/or properties, the number of people and properties that will directly benefit from the project, and how the project will ultimately reduce the costs associated with recovery from future disasters. Attach extra pages as necessary.

The objective of the project is to minimize the flooding during a 100-year flood event and ensure the community is resilient for a future 100-year flood event. The proposed project would construct control structures across Flat Bank Creek Diversion Channel and Lower Oyster Creek at Peninsula Drive and the installation of a stormwater pump station to evacuate local rainfall runoff during high river events when Flat Bank Creek cannot drain by gravity and save approximately 445 home in 100-year flood event from flooding which shall reduce future disaster costs.

Project Objectives - Outcome, Level of Effort and Milestones:

Description must include: major milestones for the project (contracting complete, final engineering/design complete, mobilization for construction, construction phase(s), activities associated with these steps, percentage of total project budget or dollar amounts associated with these steps. Attach extra pages as necessary.

See attached schedule for the phase 1 of the project with major milestones. The construction shall commence upon authorization and shall be completed within the 2-year time frame.

Phase 1 shall be complete within 12 months upon execution of the contract with TDEM, environmental assessment, engineering studies and design, cost estimates

Review and approval of the Phase 1 from TDEM and FEMA estimated time of 6 months

Begin, award construction of the project, construction 23.5 months

Project close out 0.5 months

Milestones/Timeline:

List the major milestones (e.g. designing, engineering, permitting, etc.) for the project by providing an estimated timeline for the critical activities not to exceed a 36 months. These milestones should correspond with the Project Objective description above and budget. For the Starting Month column below, please enter the month (1 through 24) you will begin this milestone once you receive your award (i.e. Month 1 would be the same month as your performance period start date, Month 36 is the last month of your performance period.) For the Mos. to Complete column, please enter the number of months it will take to complete the milestone. (See examples below)

	Milestone	Starting Month	Est. Mos. to Complete
1.	Engineering Design/Analysis and Cost Estimates, Environmental Ass. - Phase 1	Month 1	12 months
2.	TDEM/FEMA review of Phase 1	Month 1	6 months
3.	Begin Construction of the authorized project - Phase 2	Month 1	23 1/2 months
4.	Project close out	Month 1	1/2 month
5.		Month #	# Mos to Comp
6.		Month #	# Mos to Comp
7.		Month #	# Mos to Comp
8.		Month #	# Mos to Comp
9.		Month #	# Mos to Comp
10.		Month #	# Mos to Comp

Project Objectives - Project Staff and Management:

Description must include: how the sub-applicant will organize and manage the project to ensure successful completion within the project period of performance, a brief description of all staff associated with the project by position and what their role and responsibilities are for completing the project within the period of performance. Attach extra pages as necessary.

The county shall select a qualified firm with appropriate work experience in meeting the schedule, design, Analysis, Environmental Assessment, knowledge of the grant process, TDEM/FEMA Compliance. The construction shall begin with the approval of the engineering design and shall be publicly bid and a contractor selected based on the low bid. The construction administration and the project management shall ensure the project is built according to the design and completed as scheduled.

MAPS

Two maps must be provided with your application. One must show the general location of the project site and the other must show the specific project site. In certain cases when there are no maps available, substitute with an overview photo, drawing or sketch. Ensure it is legible, shows magnetic north, and has major landmarks noted for orientation.

Map Depicting Project Site: (check the boxes to indicate what type of maps are attached)

- City, County, or District scale map showing the entire project area with the project site and structures marked on the map.
- USGS 1:24,000 topographical map with project site marked on the map. (Map depicting relationship to existing features – natural and otherwise)
1. Rivers, lakes, streams, wetlands, saltwater, etc.
 2. Geologic features, steep slopes, unstable areas
 3. Roads, bridges, buildings, etc.
- For acquisition or elevation projects**, include a copy of the Parcel Map (Tax Map, Property Identification Map, etc). with each property in the project clearly marked on the map. **Use SAME ID number as in the Property Site Inventory Worksheet**.

NOTE: On one or both of the maps and depending on the type of project, you may depict multiple requirements that are listed below, instead of a separate map for each.

Photos, Sketches, Drawings, Engineer Designs, etc:

These help clarify the project setting and the potential impacts of the project on the environment (soils, vegetation, hydrology, wildlife) and they assist in understanding the written description of the project, especially if contours and elevations are provided. The photographs should be representative of the project area, including any relevant streams, creeks, rivers, drainage areas, etc; which affect the project site or will be affected by the project. If photos are provided, then FEMA may not need to conduct a site visit, thereby, reducing the review time. Include ALL engineering calculations and quantity determinations for this project. These are in addition to any map substitutions. Please check the box below for the items you are attaching to your application, if any:

- Photographs Engineering Designs (including calculation and quantity determinations)
- Sketches/Drawings Other

ENVIRONMENTAL HISTORICAL PRESERVATION (EHP) COMPLIANCE

Please complete the EHP Checklist (see attachment) and include in the application submission.

As a Federal agency, the Department of Homeland Security (DHS) / Federal Emergency Management Agency (FEMA) is required to consider the effects of its actions on the environment and/or historic properties to ensure that all activities and programs funded by the agency, including grants-funded projects, comply with Federal EHP regulations, laws, and Executive Orders, as applicable. Grant recipients proposing projects that have the potential to impact the environment, including but not limited to construction of communication towers, modification or renovation of existing buildings, structures and facilities (including installation of equipment), or new construction including replacement of facilities, must participate in the DHS/FEMA EHP review process. More information about the EHP requirement can be found at the following links:

<https://www.fema.gov/environmental-planning-and-historic-preservation-compliance>

<https://www.fema.gov/media-library/assets/documents/26621>

Maps will also be required for this portion of the application. If you have photos, sketches, drawings, engineer designs, etc. that will help clarify the project location and structures, please be sure to include them with your application.

BUDGET INFORMATION

Please complete the Budget Worksheet attachment by following the attached "Budget Worksheet Instructions". You can access the attachment by clicking on the paper clip on the left side of the form.

Once the budget has been completed, provide the following information from the worksheet:

(Note: Enter numbers only (no \$ or comma's) as the fields is automatically formatted)

Total Project Costs:	<u>\$ 45,000,000.00</u>
Applicants Cost Share:	<u>\$ 11,250,000.00</u>
Federal Amount:	<u>\$ 33,750,000.00</u>

Reminder: Applicant must include the Budget Worksheet when submitting the application

BENEFIT COST ANALYSIS

Applicants must demonstrate mitigation projects are cost effective. The Benefit Cost Tool Version 5.3 is used to perform benefit cost analysis for applications submitted under FEMA's Hazard Mitigation Assistance Grant Programs. To use this tool, you must first download the file from the website (see link below). If you have any questions about the new BCA software program, please contact the BC Helpline at bchelpine@dhs.gov or at 1-855-540-6744.

<https://www.fema.gov/media-library/assets/documents/128334>

Once the BCA has been completed, provide following information from the BCA:

(Note: Enter numbers only (no \$ or comma's) as the fields is automatically formatted)

Total Project Cost:	<u>\$ 45,000,000.00</u>
Total Value of Project Benefits:	<u>\$ 99,622,716.00</u>
Benefit Cost Ratio:	<u>2.21</u>

Reminder: Applicant must include a zip file of the BCA when submitting the application

BCA Exceptions

- **Acquisition Projects** - The acquisition of structures that are declared Substantially Damaged (from any origin) and located in a riverine Special Flood Hazard Area (SFHA) on a preliminary or effective FIRM is considered cost effective.
- **Residential Safe Room Projects** - The pre-calculated benefit provides standardized Benefit-Cost Analysis (BCA) benefit values associated with residential safe rooms so that individual BCAs are not required, as long as the project costs do not exceed \$5,421.32 (in Texas).
- **Acquisition and Elevation Projects** - The national average for benefits for acquisition and elevation projects is \$276,000 for acquisition projects and \$175,000 for elevation projects. **FEMA determined the acquisition or elevation of a structure located in the 100-year floodplain for which costs are equal to or less than the amount of benefits noted above is cost effective.** For projects that contain multiple structures, the average cost of all structures in the project must meet this criterion. There is no need for recipients to conduct a separate BCA for a structure that meets this criterion.
- A wind retrofit project is considered cost effective as long as the total project costs are less than the costs listed below:

<u>Mitigation Package Type</u>	<u>Roof Replacement Project</u>	<u>Maximum Costs</u>
Intermediate Protection	No	\$13,153
Intermediate Protection	Yes	\$24,920
Advanced Protection	No	\$40,252
Advanced Protection	Yes	\$52,018

CERTIFICATION AND SIGNATURE OF AUTHORIZED AGENT FORM

The Chief Elected Official (jurisdiction) or Executive Director (non-jurisdiction) must certify the following statements before the project listed below will be considered for Hazard Mitigation Grant Program (HMGP) funding.

Name of Sub-Applicant (jurisdiction/non-jurisdiction) Identified in the Application:
(auto-populated from the first page of the application)

Fort Bend County

Project Titles Identified in the Application:
(auto-populated from the first page of the application)

Flat Bank Creek Diversion


To certify, please check the boxes and sign below:

- The undersigned will ensure all State and Federal requirements related to the HMGP funding are fulfilled.
- The undersigned understands that the jurisdiction/non-jurisdiction applying for this grant is liable for the required matching funds (local share) related to the project listed above.
- The undersigned has reviewed and approved the project and information contained in the application.

Signature of the Authorized Agent

Name: KP George

Title: County Judge

Signature:  Date: 01/31/19

FLOODPLAIN MANAGER AUTHORIZATION FORM

Please provide the following information for the designated Floodplain Manager for the project listed below.

Date: 01/30/19

Sub-Applicant: Fort Bend County

Disaster Declaration: **FEMA 4332-DR-TX**

Project Title: Flat Bank Creek Diversion

Project Number (if known): _____

Floodplain Manager Contact Information:

Name: Richard W. Stolleis, P.E. Title: County Engineer

Organization: Fort Bend County

Address: 301 Jackson

City: Richmond State: TX Zip: 77469

Email: richard.stolleis@fortbendcountytexas.gov Office Phone: (281) 633-7506 Cell: _____

Floodplain Manager Certification Information:

CFM Certification Number: _____

If not a CFM, please enter the date of attendance for:

CFM - 1 Week Course: _____

Floodplain 101 Course: _____

Certification:

By signing below, the above Floodplain Manager is authorized to represent and act on behalf of the sub-applicant in all floodplain matters related to the project and grant listed above

Rick J. Staigle, PE
Signature of Authorized Official/Project Officer

1/31/2019
Date

Rick Staigle for Richard W. Stolleis,
Printed Name P.E.

First Assistant County Engineer
Title

Please submit completed form(s) with the application email as an attachment.

SUBMITTAL INSTRUCTIONS:

- Review the application and ensure all questions are answered and all documents are attached. Below is the minimum required documentation. **Note:** This is not an all inclusive list since requirements may vary depending on project type and the subgrantee.
 1. Application (with supporting documents used for additional space or to clarify answers)
 2. Map(s), Photo(s), Drawing(s), etc. as required in the application
 3. EHP Checklist
 4. FIRM Map(s) per the EHP Checklist
 5. Supporting Documentation per EHP Checklist
 6. Budget Worksheet
 7. Property Site Inventory Worksheet (*Required for Acquisition, Elevation, and Mitigation Reconstruction projects*)
 8. BCA zip file
 9. Certification and Signature of Authorized Agent (page 10 of the application)
 10. Floodplain Manager Authorization Form (page 11 of the application)
 11. DSA Form
 12. All three SF424 forms (SF424, SF424B and SF424D)
- Upon completion of the application, save your file by clicking the Save As button below and name your file with the following structure:

Disaster# Grant - Jurisdiction/Organization Name - Project Type

Example: 4332 HMGP - Test, City of - Generator

Save As

- Submit completed application via email by clicking on this link: TDEM-Mitigation@dps.texas.gov

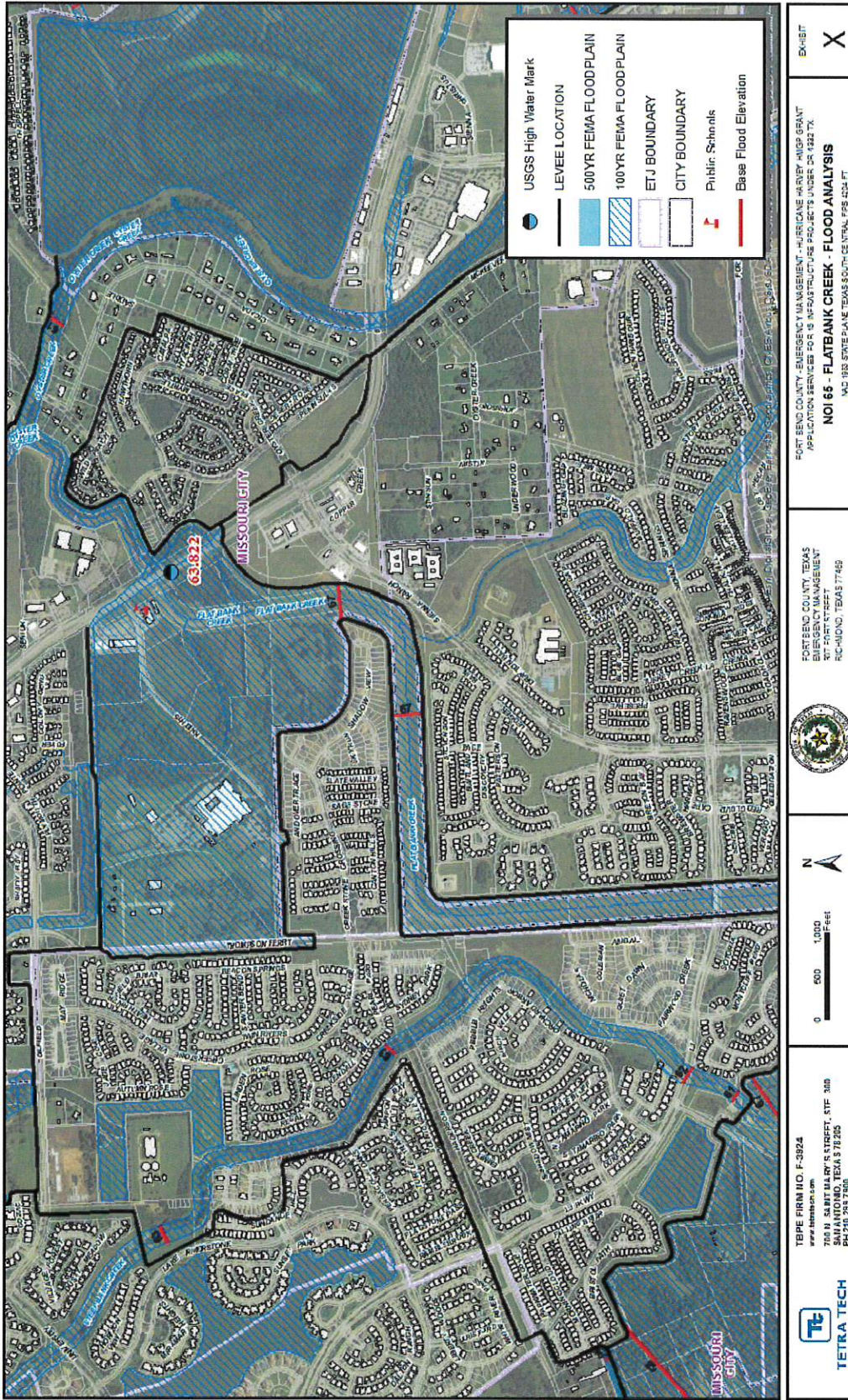
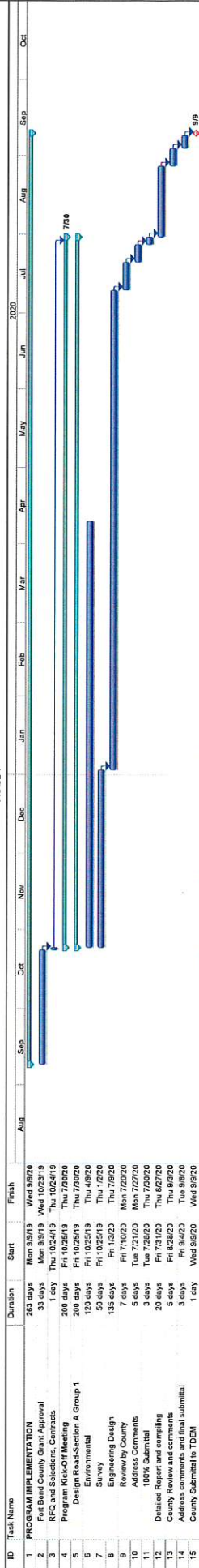


Figure 1 Flood Analysis for Flat Bank Creek Diversion Structure Project

Fort Bend County
 HURRICANE HARVEY DRAINAGE/ FLOOD MITIGATION PROGRAM - Flat Bank Creek
 PHASE 1



APPLICANT INFORMATION

(Please enter the name of the organization and project title as is appears on the application form)

Name of Organization:

Fort Bend County

Project Title:

Hurricane Harvey Flood Mitigation Program - Flat Bank Creek Detention

BUDGET SUMMARY

(THE INFORMATION BELOW IS AUTO-CALCULATED - PLEASE FILL IN EACH TAB AT THE BOTTOM)

Materials and Equipment Total	\$33,660,000.00
Labor Costs Total	\$5,940,000.00
Other Costs Total	\$5,400,000.00

Project Total	\$45,000,000.00
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Federal Percentage	75%
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Federal Amount	\$33,750,000.00
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Non-Federal (<i>local Match</i>) Percentage	25%
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Local Match Amount	\$11,250,000.00
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Page 1 of 1

Designation of Subrecipient Agent – Primary Contacts

Texas Department of Public Safety - Texas Division of Emergency Management

Subrecipient: Fort Bend County

Disaster Number(s): DR-4332

Grant Program: HMGP

Primary Agent

Serves as the primary point of contact for projects.

Name: Doug Barnes

Office Number: (281) 342-6185

Position/Job Title: Sr. Planning Coordinator

Fax Number:

Organization/employer: Fort Bend County

Cell Number:

Email* doug.barnes@fortbendcountytexas.gov

The Primary Agent will have full GMS access

Secondary Agent

Serves as the secondary point of contact for projects.

Name: Mark Flathouse

Office Number: (281) 342-6185

Position/Job Title: EMC

Fax Number:

Organization/employer: Fort Bend County

Cell Number:

Email* mark.flathouse@fortbendcountytexas.gov

The Secondary Agent will have full GMS access

Primary Finance Agent

Serves as the primary point of contact for financial matters.

Name: Ed Sturdivant

Office Number: (281) 341-3760

Position/Job Title: County Auditor

Fax Number:

Organization/employer: Fort Bend County

Cell Number:

Email* ed.sturdivant

The Primary Finance Contact will have full GMS access

Certifying Official

Serves as the official representative of the organization.

Must possess the authority to obligate funds & enter into contracts for the organization.

Name: KP George

Office Number: (281) 344-3994

Position/Job Title: County Judge

Fax Number:

Organization/employer: Fort Bend County


Cell Number:

Email* frances.desmond@fortbendcountytexas.gov

GMS Access (pick 1) Full Read Only None

The above Primary and Secondary Agents are hereby authorized to execute and file the application on behalf of this organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or otherwise available. Primary Financial Agent and the Certifying Official are authorized to represent and act for this organization in all financial operations pertaining to this grant with the State of Texas.

*Note: All email addresses must be unique to user



KP George

Signature of Certifying Official

Print Name

1/31/19
Date

(Must be a Mayor, Judge, or Executive Director with the authority to obligate funds & enter into contracts for the organization)

ENVIRONMENTAL AND HISTORICAL PRESERVATION CHECKLIST

Please provide the following information as it appears on your application.

Disaster Declaration #: FEMA-4332-DR-TX

Name of Sub-Applicant Organization/Agency: Fort Bend County

Project Title: Flat Creek Detention

MAINTENANCE ASSURANCE DESCRIPTION:

1. Identify any maintenance activities required to preserve the long-term mitigation effectiveness of the project. Below provide the annual cost of maintenance before mitigation and what the maintenance will include. Not needed if project is not tied to an existing capital improvement. (Either describe in 1,500 characters or less or attach a separate Word document).
2. Attach a maintenance schedule, estimated costs, and a signed maintenance commitment letter, if required, to the application submission. (See sample Maintenance letter on page 8 of this document).

Fort Bend County shall maintain the facility similar to the existing channels and pump stations that are maintained. This project is not tied to an existing capital improvement program

NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

1. Is the community where the project is located participating in the NFIP? YES NO

If "YES", are they in good standing? YES NO

NFIP Community ID Number: 48157

2. Is this project located in a floodplain/floodway designated on a FEMA Flood Insurance Rate Map (FIRM)? YES NO

(Note: Maps can be obtained from the Map Service Center at <https://msc.fema.gov/portal>.)

If "YES", please mark the project location(s) and structure(s) on the FIRM and **attach with the application** and provide the following information:

A. FIRM Panel Number(s): 48157C00280L, 285L, 295L

B. FIRM Zone Designations:

Special Flood Hazard Area (SFHA):

A AO AH A1-30 AE A99 AR AR/AE

AR/AO AR/A1-30 AR/A V VE V1-30

Moderate Flood Hazard Area (shaded): B X

Minimal Flood Hazard Area (unshaded): C X

Floodway:

Coastal Barrier Resource Act (CBRA) Zone:

(Federal regulations strictly limit Federal funding for projects in this Zone. Coordinate check with your state agency before submitting an application for a CBRA Zone project)

- C. If a FIRM map is not available, please check the box:

ENVIRONMENTAL QUESTIONNAIRE

SECTION I – REGULATIONS

The Council on Environmental Quality (CEQ) has developed regulations to implement the National Environmental Policy Act (NEPA). These regulations, as set forth in Title 40, Code of Federal Regulations (CFR), Parts 1500-1508, require an investigation of the potential environmental impacts of a proposed federal action and an evaluation of alternatives as part of the environmental assessment process. The FEMA regulations that establish the agency-specific process for implementing NEPA are set forth in 44 CFR, Part 10. FEMA will assist in obtaining NEPA clearance.

Environmental data is required for project applications when submitting a project to the Texas Division of Emergency Management for the FEMA Hazard Mitigation Grant Program.

Please Note: Environmental review is typically the most time consuming aspect of project funding approval.

SECTION II - ENVIRONMENTAL CHECKLIST

Environmental Checklist Instructions

Select appropriate answer by clicking the appropriate box (an X should appear in the box).

Provide a detailed response to each question and attach supporting documentation in order to comply with FEMA's front loading requirements discussed in [Hazard Mitigation Assistance Unified Guidance 2015](#).

YES NO N/A NATIONAL HISTORIC PRESERVATION ACT

- Are any structures involved in the project? **If yes**, provide construction dates of all structures
Dates: _____
- Was consultation with the State Historic Preservation Officer (SHPO) conducted?
If yes, provide date _____ and attach all formal correspondence with application.
- Was consultation with the Tribal Historic Preservation Officer (THPO) conducted?
If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: *The SHPO and/or THPO*

YES NO N/A ARCHEOLOGICAL RESOURCES PRESERVATION ACT

- Will there be any ground disturbance?
- Will there be any potential disturbance to cultural resources?
- Was consultation with SHPO/THPO conducted?
If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: *The SHPO and/or THPO*

YES NO N/A ENDANGERED SPECIES ACT

- Will there be any disturbance to the physical environment?
- Are any threatened or endangered species present in the project area?
- Has critical habitat been identified in the project area?
- Was consultation with U.S. Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) conducted?
If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: *The USFWS and TPWD*

YES NO N/A FISH AND WILDLIFE COORDINATION ACT

- Is the project located in or near a waterway or body of water?
- Will the project cause any modification to the waterway or body of water?
- Was consultation with USFWS, National Marine Fisheries Service (NMFS), and TPWD conducted?
If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: USFWS, TPWD and NMFS

YES NO N/A FARMLANDS PROTECTION POLICY ACT

- Is the project located in or near designated prime and unique farmlands?
- Will the project convert any designated prime and or unique farmlands?
- Was consultation with Natural Resources Conservation Service (NRCS) conducted?
If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: U.S. Dept. of Agriculture's NRCS, Dept. of Conservation (Division of Land Resource Protection)

YES NO N/A CLEAN AIR ACT

- Will the project result in temporary or permanent air emissions?
- Was consultation Texas Commission on Environmental Quality (TCEQ) conducted?
If yes, provide date _____ and attach all formal correspondence with application. **Coordinating**

Agency: Environmental Protection Agency (EPA) and TCEQ

YES NO N/A CLEAN WATER ACT (Section 404), RIVERS AND HARBORS ACT (Section 10)

- Will the project involve dredging or disposal of dredged material, excavation, adding fill material or result in any modification to waters* of the U.S.?
- Will the project involve bank stabilization or installing transmission in waters* of the U.S.?
- Will the project be near or in navigable waters*?
- Was consultation with the U.S. Army Corps of Engineers (USACE) conducted?
If yes, provide date _____ and attach all formal correspondence with application.
- Will a permit be required?
- Have you submitted an application to the USACE?
If yes, attach all formal correspondence with application.
- Does a nationwide permit apply?
- Does a general permit apply?

* "waters" includes waters subject to ebb and flow of tide, wetlands, lakes, rivers, streams, mudflats, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments, tributaries, territorial seas, and wetlands adjacent to waters previously identified.

Coordinating Agency: USACE

YES NO N/A WILD AND SCENIC RIVERS ACT

- Is the project located near or in a designated wild or scenic river?
- Was consultations TPWD ro USFWS conducted?

If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: USFWS and the U.S. Forest Service within their jurisdiction and TPWD.

YES NO N/A WILDERNESS ACT

- Is the project located near or in a designated wilderness or coastal wildlife area?
- Was consultations with TPWD or USFWS conducted?

If yes, provide date _____ and attach all formal correspondence with application.

Coordinating Agency: USFWS, National Park Service and the Bureau of Land Management (BLM), General Land Office and TPWD.

YES NO N/A OTHER RELEVANT LAWS AND ENVIRONMENTAL REGULATIONS

- Do any other laws and/or regulations apply to the project?

If yes, please reference the regulation below and attach proper documentation to application.

Regulation: _____

Coordinating Agency: Applicable State Statutory Requirements, Executive and Administrative Orders and any local environmental requirements.

EXECUTIVE ORDERS**YES NO N/A E.O. 11988 – FLOODPLAINS**

- Is the project located in a FEMA-identified 100-year or 500-year floodplain?
- Is the project located in a FEMA-identified floodway?
- Is the project depicted on a FEMA Flood Insurance Rate Map (FIRM)?

If yes, attach the map with application

- Was consultation with local floodplain administrator and state water control agency conducted?

If yes, provide date _____ and attach all formal correspondence with application.

Comments: A letter is required from the State Community Assistance Program Coordinator indicating the community is in good standing with the NFIP.

Coordinating Agency: Local community floodplain administrator and the Texas Water Development Board.

YES NO N/A E.O. 11990 – WETLANDS

- Is the project in an area that is inundated or saturated by surface or ground water (e.g. swamps, marshes, bogs, etc.) or in or near identified wetlands*?
- Is the project depicted on a National Wetlands Inventory (NWI) map?

If yes, attach the map and all formal correspondence with application

* "Wetlands" are identified by obtaining a National Wetlands Inventory (NWI) map from the USFWS, the USACE, or their websites. The Natural Resource Conservation Service also has wetland maps for agricultural land.

Coordinating Agency: USFWS, USACE and NRCS

YES NO N/A E.O. 12898 – ENVIRONMENTAL JUSTICE

- Is the project in an area of low income or minority populations?
- Will the project disproportionately impact any low income or minority populations?
- Is any socio-economic data attached?

Comments: *If the project would disproportionately adversely affect low income or minority populations, or would disproportionately assist higher income populations at the exclusion of lower income or minority populations, then E.O. 12898 must be addressed.*

Coordinating Agency: *Local census office*

EXTRAORDINARY CIRCUMSTANCES (FEMA 44 CFR §10.8 (d)(3))

If Extraordinary Circumstances exist within an area affected by an action, such that an action that is categorically excluded from NEPA compliance may have a significant adverse environmental impact, an environmental assessment shall be prepared. Please answer "Yes" or "No" to the questions below:

YES NO

- Greater scope or size than normally experienced for a particular category of action;
- Actions with a high level of public controversy;
- Potential for degradation, even though slight, of already existing poor environmental conditions;
- Employment of unproven technology with the potential adverse effects or actions involving unique or unknown environmental risks;
- Presence of endangered or threatened species or their critical habitat, or archaeological cultural, historical or other protected resources;
- Presence of hazardous or toxic substances at levels which exceed Federal, State, or local regulations or standards requiring action or attention;
- Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- Potential for adverse effects on health or safety; and
- Potential to violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.
- Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

SECTION III - ALTERNATIVES NARRATIVE

Alternative #1 – No Action Alternative - evaluates the consequences of taking no action and leaving conditions as they currently exist. Please describe the benefits of this action and the shortfalls or gaps associated with this action. *(Either describe in 1,500 characters or less or attach a separate Microsoft Word document)*

If No action than there will be future flood losses and as such action is required

ALTERNATIVE #2 - Proposed Action – this is the sub-applicant's proposed project. Explain why the proposed action is the preferred alternative. Identify how the preferred alternative would solve a problem, why the preferred alternative is the best solution and benefits the community, why and how the alternative is environmentally preferred and why the project is the economically preferred alternative. Also include the shortfalls or gaps associated with the proposed action. *(Either describe in 1,500 characters or less or attach a separate Microsoft Word document)*

Flat Bank Creek diversion channel is located in Missouri City, Texas in Fort Bend County (FBC) and provides drainage for Oyster Creek. The diversion channel runs between Flat Bank Creek and Steep Bank Creek until it reaches a confluence with Snake Slough and ultimately drains into the Brazos River. High flood stages in the Brazos River currently pose a flooding hazard to communities as water backs up through open drainage channels and inundates low lying areas. The proposed project would construct control structures across Flat Bank Creek Diversion Channel and Lower Oyster Creek at Peninsula Drive and the installation of a stormwater pump station to evacuate local rainfall runoff during high river events when Flat Bank Creek cannot drain by gravity.

ALTERNATIVE #3 – Second Alternative - is the second alternative to the Proposed Project above and would also solve the problem. It would be a viable project that could be substituted in the event the proposed project is not chosen. Identify how this project would solve the problem, the community benefits and why it is an environmental and economical alternative. Also include the shortfalls or gaps associated with this action. *(Either describe in 3,500 characters or less or attach a separate Microsoft Word document.)*

SECTION IV – PUBLIC NOTICE PROCEDURES

NEPA is a planning and disclosure process. Therefore both NEPA and EO 11988 require notification of the public

- A. when a project and its alternatives are initially being developed and scoped; and
- B. after the completion of the final draft environmental assessment, and before the signing of the Finding of No Significant Impacts (FONSI) and any action taken.

The requirements of (A), which is referred to as a NOTICE OF INTENT, can usually be met by one of the following:

- 1. Publishing at the beginning of a disaster FEMA's General Notice for a Presidential Declaration, which issues notification that funds will be provided under the Stafford Act to undertake projects.
- 2. Publishing a NOTICE OF INTENT in a local newspaper to undertake a project, providing the alternatives, and then giving the public 15 days to respond.
- 3. Holding one or more public meetings on the project to solicit public comments.

Exactly which of the above vehicles is used to meet the requirements of (A) will usually be determined by the scope of the proposed project, agency coordination, and previous notification and scoping work performed by the applicant. Any comments received during this phase of notification should be addressed in the Environmental Assessment (EA).

The requirements of (B), which is referred to as a FINAL NOTICE, can usually be met by the following:

- 1. Publishing a FINAL NOTICE in a local newspaper and giving the public 15 days to respond.
- 2. If no comments are received, the FONSI can be signed and the project can proceed.
- 3. If comments are received they can be addressed individually and/or in a rewrite of the EA.
- 4. If significant negative comments are received, the project should be put on hold until the issues are resolved.

An example of a Final Public Notice can be found on page 9.

Note: The above requirements are also to be applied to a project deemed to be a categorical exclusion (CATEX) from the preparation of an EA, but involves EO 11988 (floodplains) and/or EO 11990 (wetlands) and/or potentially or existing contentious issues.

SECTION V – PROJECT CONDITIONS AND CERIFICATIONS

Indicate by checking each box below that you will adhere to these listed project conditions.

- If during implementation of the project, ground-disturbing activities occur and artifacts or human remains are uncovered, all work will cease and FEMA, TDEM, and the State Historic Preservation Officer (SHPO) will be notified.
- If deviations from the approved scope of work result in design changes, the need for additional ground disturbance, additional removal of vegetation, or will result in any other unanticipated changes to the physical environment, FEMA will be contacted and a re-evaluation under NEPA and other applicable environmental laws will be conducted.
- If wetlands or waters of the U.S. are encountered during implementation of the project, not previously identified during project review, all work will cease and FEMA will be notified.

Print Name: KP George
(Name of Authorized Official/Project Officer)

Title: 1/31/19

Signature: *KP George*

Date: 01/31/19

Application for Federal Assistance SF-424

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
---	---	--

* 3. Date Received: <input type="text" value="01/31/2019"/>	4. Applicant Identifier: <input type="text"/>
---	---

5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>
---	--

State Use Only:

6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>
--	--

8. APPLICANT INFORMATION:

* a. Legal Name: <input type="text" value="Fort Bend County"/>

* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="74-6001969"/>	* c. Organizational DUNS: <input type="text" value="0814970750000"/>
---	--

d. Address:

* Street1: <input type="text" value="301"/>
Street2: <input type="text"/>
* City: <input type="text" value="Jackson"/>
County/Parish: <input type="text"/>
* State: <input type="text" value="TX: Texas"/>
Province: <input type="text"/>
* Country: <input type="text" value="USA: UNITED STATES"/>
* Zip / Postal Code: <input type="text" value="77469-3108"/>

e. Organizational Unit:

Department Name: <input type="text"/>	Division Name: <input type="text"/>
---	---

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: <input type="text"/>	* First Name: <input type="text" value="Doug"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="Barnes"/>	
Suffix: <input type="text"/>	

Title: <input type="text"/>

Organizational Affiliation: <input type="text"/>
--

* Telephone Number: <input type="text" value="281-342-6185"/>	Fax Number: <input type="text"/>
--	---

* Email: <input type="text" value="doug.barnes@fortbendcountytexas.gov"/>
--

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

FEMA/DHS

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

4332

* Title:

HMGP

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**


Flat Bank Creek Diversion

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant: <input type="text" value="9,22"/>	* b. Program/Project: <input type="text" value="22"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
17. Proposed Project:	
* a. Start Date: <input type="text" value="02/01/2019"/>	* b. End Date: <input type="text" value="12/31/2021"/>
18. Estimated Funding (\$):	
* a. Federal	<input type="text" value="33,750,000.00"/>
* b. Applicant	<input type="text" value="11,250,000.00"/>
* c. State	<input style="background-color: yellow; border: 1px solid red;" type="text"/>
* d. Local	<input style="background-color: yellow; border: 1px solid red;" type="text"/>
* e. Other	<input style="background-color: yellow; border: 1px solid red;" type="text"/>
* f. Program Income	<input style="background-color: yellow; border: 1px solid red;" type="text"/>
* g. TOTAL	<input type="text" value="45,000,000.00"/>
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/> .	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input type="text"/>	* First Name: <input type="text" value="KP"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="George"/>	
Suffix: <input type="text"/>	
* Title: <input type="text" value="County Judge"/>	
* Telephone Number: <input type="text" value="281-344-3994"/>	Fax Number: <input type="text"/>
* Email: <input type="text" value="frances.desmond@fortbendcountytexas.gov"/>	
* Signature of Authorized Representative: 	* Date Signed: <input type="text" value="01/31/2019"/>

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE County Judge
APPLICANT ORGANIZATION Fort Bend County	DATE SUBMITTED 1/31/19

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 01/31/2019

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE County Judge
APPLICANT ORGANIZATION Fort Bend County	DATE SUBMITTED 01/31/2019

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE
REQUIREMENTS**

O.M.B NO. 1660-0025
Expires September 30, 2017

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 1.7 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, and submitting the form. This collection of information is required to obtain or retain benefits. You are not required to submit to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472-3100, and Paperwork Reduction Project (1660-0025). **NOTE: Do not send your completed form to this address.**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 28 CFR Part 17, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the transaction, grant, or cooperative agreement.

1. LOBBYING

As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperating agreement over \$ 100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Standard Form-LLL "Disclosure of Lobbying Activities" attached

(This form must be attached to certification if non-appropriated funds are to be used to influence activities.)

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS (DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A.

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE (GRANTEE OTHER THAN
INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620-

A. The applicant certifies that it will continue to provide a drug-free workplace by;

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about-

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the term of the statement; and

(2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such convictions;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation act of 1973, as amended; or

(2) Requiring such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

There are workplaces on file that are not identified

Sections 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a state wide certification.

Signature of Applicant Agent



Date:

1/31/19

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
4040-0013

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
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4. Name and Address of Reporting Entity:

Prime SubAwardee

* Name:

* Street 1: Street 2:

* City: State: Zip:

Congressional District, if known:

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency: <input type="text" value="FEMA"/>	7. * Federal Program Name/Description: <input type="text" value="Hazard Mitigation Grant Program"/> CFDA Number, if applicable: <input type="text"/>
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8. Federal Action Number, if known: <input type="text"/>	9. Award Amount, if known: \$ <input type="text"/>
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10. a. Name and Address of Lobbying Registrant:

Prefix: * First Name: Middle Name:
 * Last Name: Suffix:
 * Street 1: Street 2:
 * City: State: Zip:

b. Individual Performing Services (including address if different from No. 10a)

Prefix: * First Name: Middle Name:
 * Last Name: Suffix:
 * Street 1: Street 2:
 * City: State: Zip:

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* Signature:

* Name: Prefix: * First Name: Middle Name:
 * Last Name: Suffix:

Title: Telephone No.: Date: