



COMMONWEALTH OF VIRGINIA

Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

SHAWN G. TALMADGE

State Coordinator
Deputy Homeland Security Advisor

January 18, 2024

Ms. Mary Bunting
City Manager
City of Hampton
22 Lincoln Street
Hampton, VA, 23669

RE: City of Hampton - Elevation Project
FEMA-DR-4602-DR-VA-0008

Dear Ms. Bunting:

I am pleased to notify you that the Federal Emergency Management Agency (FEMA) has approved the project titled "City of Hampton Elevation Project." The funds have been obligated through the Hazard Mitigation Grant Program. Attached you will find the grant award package. Please read all documents carefully prior to initiating your project. As funded, the federal share is 90% and the state share is 10% of the total project costs.

Your project cannot begin until the authorized agent has signed the grant award package. No reimbursements will be made until the award package is signed and received by the Virginia Department of Emergency Management. Please sign the attached grant agreement and scan and email it to Jessica Scott, Hazard Mitigation Grant Administrator. Congratulations on the approval of this project. If you have questions regarding this award or the implementation of your project, please contact Jessica Scott at (804) 398-8707 or by e-mail at Jessica.Scott@vdem.virginia.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Adkins".

Cheryl J. Adkins
Alternate Governor's Authorized Representative

Enclosures

CJA/DJM/js



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Department of Emergency Management

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SHAWN G. TALMADGE

State Coordinator
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Hazard Mitigation Grant Program

Grant Agreement
FEMA-DR-4602-VA-0008

This Agreement is made as of this 20th day of December of 2023, by and between the Virginia Department of Emergency Management, hereinafter called "VDEM," and the City of Hampton, herein after called the "Sub-grantee." The UEI-EFT number for the City of Hampton is **C2M9Z8KTQW68**.

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

(1) GENERAL PROVISIONS:

This Agreement is a sub-grant award of federal funds from VDEM to the sub-grantee. VDEM has received a grant from the Department of Homeland Security, Federal Emergency Management Agency Hazard Mitigation Grant Program, Catalog of Federal Domestic Assistance Number 97.039. The sub-grantee shall implement the project as set forth in the grant Agreement documents. These documents consist of:

- (1) Executed Grant Agreement;
- (2) Scope of Services, Attachment A;
- (3) Project Budget, Attachment B;
- (4) Milestone Table, Attachment C; and
- (5) Grant Assistance Agreements and VDEM-FEMA General Terms and Conditions and Assurances; Attachment D.

State agencies acting as the sub-grantee shall report all federal funds received as part of this Agreement as federal pass-thru funds on their agency's Schedule of Federal Assistance.

Nothing in this Agreement shall be construed as authority for either party to make commitments, which will bind the other party beyond the Scope of Work contained herein. Furthermore, the sub-grantee shall assign, sublet, or subcontract any work related to this Agreement or any interest it may have herein with full compliance with federal and state procurement regulations. The schedule of service set forth in the Scope of Work and Milestone Table shall be deemed to have been consented to, as required by the preceding sentence, upon the execution of this Agreement by VDEM.

(2) SCOPE OF WORK:

The sub-grantee shall provide the service to VDEM set forth and summarized in the Scope of Work (Attachment A) and Milestone Table (Attachment C). All deliverables shall conform to accepted standards

and practices. If there is any change in the original scope of work, a formal request must be made to VDEM for review and approval prior to implementing the change. These attachments are consistent with the original VDEM-FEMA (Federal Emergency Management Agency) grant project application. The sub-grantee shall provide VDEM with quarterly reports and a final report on the progress of work set forth in the Scope of Work. The quarterly reports and final report shall contain the following components: (1) a narrative describing in detail the progress of the sub-grantee in fulfilling the provisions of the Scope of Work; (2) Reimbursement Requests as needed that itemize the expenses incurred by the sub-grantee, including separate columns for the federal, state, and the sub-grantee's matching contribution to the total cost of services as reflected in the Project Budget-Attachment B; and (3) the schedule of specific project tasks with target completion dates and actual completion dates (Milestone Table – Attachment C). The first quarterly report is due to VDEM at the end of the first complete quarter following the award of the grant.

<u>Reporting Period</u>	<u>Report Due to VDEM</u>
January 1 – March 31	no later than April 15
April 1 – June 30	no later than July 15
July 1 – September 30	no later than October 15
October 1 – December 31	no later than January 15

(3) TIME OF PERFORMANCE:

The services of the sub-grantee shall begin on the date of sub-grantee's signature of this document and terminate on **5-10-2025**, unless otherwise altered through provisions of this Agreement or extended by written authorization of VDEM. Requests for time of performance extension must be received in writing by VDEM within 75 days of termination date with reasons for requested time of performance extension and a revised Milestone Table – Attachment C. All time limits stated are of essence of this Agreement. All funds must be obligated no later than the project completion date. The final request for reimbursement must be received no later than 60 days after the completion date for the project.

(4) COMPENSATION:

The total grant award from VDEM is **\$3,152,564.00** provided through the Hazard Mitigation Grant Program, Disaster 4602, February 2021 Winter Storms. FEMA shall provide funds for the project identified in the Scope of Work (Attachment A) totaling **\$2,702,197.80**. FEMA shall also provide sub-recipient management cost funds in the amount of **\$150,122.00**. VDEM shall provide funds for the project identified in the Scope of Work (Attachment A) totaling **\$300,244.20**. The sub-grantee is aware of and shall comply with the cost-sharing requirements of federal mitigation grant assistance, specifically, that federal assistance is limited to 90 percent of eligible expenditures and state assistance is limited to 10% of eligible expenditures.

VDEM shall release the grant award to the sub-grantee on a cost-reimbursement basis upon receipt and approval of the sub-grantee's quarterly and final reports and deliverables as required by this Agreement or at other times agreed to by VDEM. Any cost overruns incurred by the sub-grantee during the time of performance shall be the responsibility of the sub-grantee. The sub-grantee shall spend the funds according to the specified categories of the contract budget. The sub-grantee shall use mitigation grant funds solely for the purposes for which these funds are provided and as approved by FEMA and VDEM. General policies for determining allowable costs are established in 44 Code of Federal Regulations (CFR), Part 13.22 (included in Attachment D) and the appropriate OMB circulars that identify cost principles for different kinds of organizations. Minor shifts of the funds among categories by the sub-grantee, not to

exceed 10% of any budget line item are permissible, but in no case can the total expenditures exceed the amount provided by this contract. Shifts in funds exceeding 10% among budget line items must be approved in writing by VDEM.

(5) ASSISTANCE:

VDEM agrees upon request of the sub-grantee to furnish, or otherwise make available to the sub-grantee, copies of existing non-proprietary materials in the possession of VDEM that are reasonably related to the subject matter of this Agreement and are necessary to the sub-grantee for completion of its performance under this Agreement. VDEM Recovery and Mitigation Division staff will provide technical support to the sub-grantee and make periodic site visits to monitor progress.

(6) ACKNOWLEDGEMENTS:

The role of the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) must be clearly stated in all press releases, news articles, requests for proposals, bid solicitations, and other documents describing this project, whether funded in whole or part.

Acknowledgement of financial assistance, with VDEM and FEMA logos, must be printed on all reports, studies, web sites, and other products (including map products) supported, in whole or in part, by this award or any sub-award. The sub-grantee is responsible for contacting VDEM staff in adequate time to obtain the logo in camera-ready or digital form. The final draft must be approved by VDEM staff prior to production. The acknowledgement should read as follows:

This report was funded by the Federal Emergency Management Agency through the Virginia Department of Emergency Management via grant Agreement number FEMA-DR-4602-VA-0008 for \$3,152,564.

(7) CREATION OF INTELLECTUAL PROPERTY:

To the extent that the copyright to any copyrightable material created pursuant to this Agreement is owned by the sub-grantee and/or the sub-grantee is empowered to license its use, VDEM agrees to grant to the sub-grantee, and hereby does grant to the sub-grantee, a license to use the materials so owned for public, not-for-profit purpose within the territory of the Commonwealth and shall execute and deliver such further documents as the Commonwealth may reasonably request for the purpose of acknowledging or implementing such license.

A copyright notice shall be placed in an appropriate location on any copyrightable material being distributed or published. Such notice shall include (1) either the symbol "©", the word "Copyright", or the abbreviation "Copr."; (2) the year of first publication; and (3) the name of the copyright owner (the Commonwealth of Virginia). This information shall be followed by the words, "all rights reserved."

(8) STRUCTURAL MITIGATION REQUIREMENTS:

Specific requirements must be adhered to for structural mitigation projects such as structural relocation, property acquisition and demolition and structural retrofitting or improvement as detailed in Attachment D. These requirements can include deed restrictions, operation and maintenance plans, and insurance requirements, as dictated by the specific grant and project requirements.

(9) BREACH AND TERMINATION:

In the event of breach by the sub-grantee of this Agreement, VDEM shall provide written notice to the sub-grantee specifying the manner in which the Agreement has been breached. If a notice of breach is given and the sub-grantee has not substantially corrected the breach within sixty (60) days of receipt of the written notice, VDEM shall have the right to terminate the Agreement. The sub-grantee shall be paid for no service rendered or expense incurred after receipt of the notice of termination, except such fees and expenses incurred prior to the effective date of termination that are necessary for curtailment of its work under the Agreement.

Termination of this Agreement can occur as an effect of one of two results: First, as a result of the proper completion and closeout of this project. Second, termination may occur as a result of *Termination for Convenience* or other termination as allowed or required by 44 CFR for projects, which cannot be completed as described in the FEMA-approved grant project application and the Scope of Work – Attachment, herein. Communication of this decision and information related to the project termination will be provided to the sub-grantee in coordination with FEMA through registered mail.

IN WITNESS THEREOF the parties have caused this Agreement to be executed by the following duly authorized officials:

Sub-grantee:

Grantor:

City of Hampton

Virginia Department of Emergency Management

By:

By:



Date:

01/18/2024

Date:

Authorized Sub-grantee Signatory

Alternate Governor's Authorized Representative

Attachment A

FEMA-DR-4602-VA-0008

Project Scope of Work

Project Sponsor: City of Hampton

Project Title: City of Hampton - Elevation Project

Project Description from VDEM-FEMA HMGP application:

This project seeks to elevate five (5) single family homes on Roane Drive and three (3) single family homes on W. Gilbert Street to mitigate against flooding. Elevation will be to the city's freeboard requirement above the Base Flood Elevation, which is currently three feet. Elevation will protect these structures against hurricanes, nor'easters, and extreme rain events. Completion of this project will reduce burden to the National Flood Insurance Program and remove structures from the Repetitive Flood Loss and Severe Repetitive Flood Loss lists. Most importantly, the project will protect eight families from flood risk to life and property and will lower flood insurance premiums for socially vulnerable citizens.

Street Number	Property Address	Subtotal
314	Roane Drive	\$328,000
402	Roane Drive	\$328,000
406	Roane Drive	\$328,000
407	Roane Drive	\$328,000
408	Roane Drive	\$328,000
408	W Gilbert Street	\$540,950
409	W Gilbert Street	\$374,892
411	W Gilbert Street	\$446,600

Special Conditions:

Executive Order 11988-Floodplains: Applicant must coordinate with the local Floodplain Administrator and obtain any required permits prior to initiating work. A copy of the approval/permit, or documentation (email, documented phone call, letter, etc.) from the permitting official that an approval/permit is not required, must be forwarded to the state and FEMA for inclusion in the administrative record.

Endangered Species Act (ESA): The project location is within range of federally listed bat species. This review does not include standing tree removal. If the scope of work changes to include removal of standing trees, EHP should be notified to allow for coordination with the U.S. Fish and Wildlife Service.

Magnuson-Stevens Fishery Conservation and Management Act (MSA): The project is located inland within Essential Fish Habitat. Appropriate erosion and sedimentation (E&S) control measures must be implemented during construction activities to prevent runoff of materials and soil into adjacent waterways. Work in water activities should not take place. If these conditions cannot be met, the applicant must notify FEMA EHP prior to the start of work to allow for the appropriate coordination with NOAA.

Attachment B

FEMA-DR-4602-VA-0008

Project Budget

Project Awarded Budget – Funding Source HMGP:

Federal Project Funds (90%)	\$2,702,197.80
State Project Funds (10%)	\$300,244.20
Sub-recipient Management Costs	\$150,122.00
Total Project Costs	\$3,152,564.00

Project Budget from VDEM-FEMA HMGP application:

Cost Type	Quantity	Unit Cost Average	Total
Construction Management Costs	8	\$13,980.88	\$111,847.00
Elevation/Lifting	8	\$103,496.25	\$827,970.00
Engineering Designs	8	\$40,000.00	\$320,000.00
Foundation	8	\$186,491.25	\$1,491,930.00
Temporary Relocation	8	\$6,000.00	\$48,000.00
Utility Disconnection and Reconnection	8	\$25,336.88	\$202,695.00
Total Project Costs			\$3,002,442.00

Cost Type	Quantity	Unit Cost Average	Total
Sub-Recipient Management Costs	1	\$150,122.00	\$150,122.00

Strategic Funds Management (SFM) Initiative.

This project complies with Strategic Funds Management (SFM) Initiative. The initial increment provided with this approval is \$900,000.00 with a 90% federal project cost share of \$810,000.00 and a 10% non-federal project cost share of \$90,000.00. In addition, the federal amount of \$45,036.60 is available for Sub-recipient management costs. A copy of the obligation report is enclosed for your records.

Strategic Funds Management Schedule	Total Project Costs	Federal Share	Non-Federal Share	Subrecipient Management Costs
November 2023	\$900,000.00	\$810,000.00	\$90,000.00	\$45,036.60
April 2024	\$2,000,000.00	\$1,800,000.00	\$200,000.00	\$99,080.52
April 2025	\$102,442.00	\$92,197.80	\$10,244.20	\$6,004.88
Totals	\$3,002,442.00	\$2,702,197.80	\$300,244.20	\$150,122.00

Attachment C

FEMA-DR-4602-VA-0008

Project Milestone Table

Task Description	Days
Grant Award, Process Resolution for City Council to Accept funding, Setup Financial Accounts	1 month
Pre-Bid Activities - Surveys, Site Visits, Engineering Designs	2 months
Invitation to Bid and Contracting - For Construction Services	2 months
Permitting, Construction, and Site Visits	12 months
Project Closeout	1 month
Total Days	18 months

Attachment D

FEMA-DR-4602-VA-0008

Administrative Requirements and Guidance

Federal Administration and Guidance Documents:

1. 2 CFR Part 200 Cost Principles for State, Local, Indian Tribal Governments
2. CATEX documentation (where required)
3. Structural Mitigation Project Requirements (where required)
4. Current Hazard Mitigation Assistance (HMA) Guidelines
5. FEMA Award Package

Federal Emergency Management Agency (FEMA) Contact:

Gail Gronlund

FEMA Region III

One Independence Mall, 6th Floor

615 Chestnut Street

Philadelphia, PA 19106-4404

Mobile: (771) 202-0535

gail.gronlund@fema.dhs.gov

Attachment E

FEMA-DR-4602-VA-0008

Hazard Mitigation Assistance

Non-Supplanting Certification

I certify that any funds awarded under Hazard Mitigation Assistance grants will be used to supplement existing funds for program activities and will not replace (supplant) non-federal funds.

Designated Agent

Name

Signature

Title

Agency

One Independence Mall
615 Chestnut Street, 6th floor
Philadelphia, PA 19106-4404



FEMA

December 20, 2023

Shawn Talmadge
Governor’s Authorized Representative
Virginia Department of Emergency Management (VDEM)
9711 Farrar Court, Suite 200
North Chesterfield, VA 23236

**Re: Project Approval Letter
FEMA-4602-DR-VA-0008
City of Hampton – Elevation of 8 Properties
Hazard Mitigation Grant Program (HMGP)**

Governor’s Authorized Representative Talmadge:

I am pleased to inform you that the elevation application for the **HMGP City of Hampton – Elevation of 8 Properties project (FEMA-4602-DR-VA-0008)** has been approved. This project seeks to elevate five (5) single family homes on Roane Drive and three (3) single family homes on West Gilbert Street, to mitigate against flooding. Elevations will be to the city's freeboard requirement above the Base Flood Elevation and will protect these structures against hurricanes and extreme rain events. The following properties will be elevated:

Address	Coordinates
314 Roane Drive, City of Hampton, VA 23669	37.0506310, -76.3547430
402 Roane Drive, City of Hampton, VA 23669	37.050980, -76.356089
406 Roane Drive, City of Hampton, VA 23669	37.051100, -76.356475
407 Roane Drive, City of Hampton, VA 23669	37.050753, -76.356650
408 Roane Drive, City of Hampton, VA 23669	37.051150, -76.356658
408 West Gilbert Street, City of Hampton, VA 23669	37.051990, -76.355939
409 West Gilbert Street, City of Hampton, VA 23669	37.051600, -76.356339
411 West Gilbert Street, City of Hampton, VA 23669	37.051660, -97.3656561

The total approved project cost is \$3,002,442.00 with a 90% federal project cost share of \$2,702,197.80 and a 10% non-federal project cost share of \$300,244.20. In addition, the federal amount of \$150,122.00 is available for Sub-recipient management costs.

This project complies with the Strategic Funds Management Initiative. The initial increment provided with this approval is \$900,000.00 with a federal project cost share of \$810,000.00 and a non-federal project cost share of \$300,244.20. In addition, the federal amount of \$45,036.60 is available for Sub-recipient management costs. The federal share amount of \$855,036.60 is available in the SMARTLINK system. A copy of the obligation report is enclosed for your records.

	Federal Share	Non-Federal Share	Total
Total Project Costs	\$2,702,197.80	\$300,244.20	\$3,002,442.00
Total Subrecipient Management Costs	\$150,122.00	\$0.00	\$150,122.00
Total	\$2,852,319.80	\$300,244.20	\$3,152,564.00

Strategic Funds Management Schedule	Total Project Costs	Federal Share	Non-Federal Share	Subrecipient Management Costs
November 2023	\$900,000.00	\$810,000.00	\$90,000.00	\$45,036.60
April 2024	\$2,000,000.00	\$1,800,000.00	\$200,000.00	\$99,080.52
April 2025	\$102,442.80	\$92,197.80	\$10,244.20	\$6,004.88
Totals	\$3,002,442.80	\$2,702,197.80	\$300,244.20	\$150,122.00

In implementing this project, VDEM as the recipient, shall ensure that City of Hampton, the sub-recipient, complies with the applicable FEMA-State Grant Agreement Articles and all applicable laws, assurances, and guidance.

Also, the sub-recipient must adhere to all requirements and conditions outlined in the attached Record of Environmental Consideration (REC) document. Special Conditions required on implementation of Project:

Executive Order 11988 – Floodplains: Applicant must coordinate with the local Floodplain Administrator and obtain any required permits prior to initiating work. A copy of the approval/permit, or documentation (email, documented phone call, letter, etc.) from the permitting official that an approval/permit is not required, must be forwarded to the state and FEMA for inclusion in the administrative record.

Endangered Species Act (ESA): The project location is within range of federally listed bat species. This review does not include standing tree removal. If the scope of work changes to include removal of standing trees, EHP should be notified to allow for coordination with the U.S. Fish and Wildlife Service.

Magnuson-Stevens Fishery Conservation and Management Act (MSA): The project is located inland within Essential Fish Habitat. Appropriate erosion and sedimentation (E&S) control measures

must be implemented during construction activities to prevent runoff of materials and soil into adjacent waterways. Work in water activities should not take place. If these conditions cannot be met, the applicant must notify FEMA EHP prior to the start of work to allow for the appropriate coordination with NOAA.

The Period of Performance (POP) for this award ends on **May 10, 2025**. All changes to this award must be submitted to our office in writing for review and approval prior to commencement of any change-related work. Please provide our office with a quarterly report thirty (30) days after the end of each federal fiscal year quarter.

If you have any questions concerning the approval of this project, please contact Sabrina Jefferson, HMGP Section Supervisor, at sabrina.jefferson@fema.dhs.gov.

Sincerely,

DUSTY R Digitally signed by
BROSIUS DUSTY R BROSIUS
Date: 2023.12.20
00:43:02 -05'00'

Dustin R. Brosius
Community Resilience and
Infrastructure Grants (CRAIG)
Branch Chief

Enclosure(s): Record of Environmental Consideration
Obligation Report

cc: Cheryl Adkins, CFO, Deputy State Coordinator
Dillon Taylor, Chief of Staff and Senior Counsel
Robert Coates, Director of Grant Management and Recovery
Debbie Messmer, State Hazard Mitigation Officer
Alexander Krupp, Deputy State Hazard Mitigation Officer
Maura Hannigan-Pierce, HMGP Branch Chief
Sabrina Jefferson, HMGP Section Supervisor
Gail Gronlund, HMGP Project Officer, VA FIT

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

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4602	8 -R	0	7	1	11	VA	Statewide

Subrecipient: Hampton
Subrecipient FIPS Code: 650-35000
Project Title : City of Hampton Elevation of 8 Properties

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation		
\$810,000.00	\$810,000.00	\$0.00	\$0.00		

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$810,000.00	\$45,036.60	\$855,036.60	11/21/2023	Accept	2024

Comments

Date: 11/21/2023 User Id: GGRONLU1

Comment: 4602-DR-VA-0008 City of Hampton Elevation of 8 Properties

Total Project Costs: \$3,002,442.00
90% Federal Share: \$2,702,197.80
10% Non-Federal Share: \$300,244.20
5% Sub Recipient Management Costs: \$150,122

Utilizing SFM.
First payment Federal Share: \$810,000
First payment Sub Recipient Management Costs: \$45,036.60

No LPN Required

Authorization

Preparer Name: GAIL GRONLUND

Preparation Date: 11/21/2023

HMO Authorization Name: CONNIE MILLS

HMO Authorization Date: 11/21/2023

_____ Authorizing Official Signature	_____ Authorizing Official Title	_____ Authorization Date
_____ Authorizing Official Signature	_____ Authorizing Official Title	_____ Authorization Date

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4602-0008-VA (1)

Title: City of Hampton - Hampton Elevation (8)

NEPA DETERMINATION

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

Comment Project is for the elevation of eight (8) residential properties located in City of Hampton: 314 Roane Dr (37.050610, -76.354730), 402 Roane Dr (37.050980, -76.356089), 406 Roane Dr (37.051100, -76.356475), 407 Roane Dr (37.050753, -76.356650), 408 Roane Dr (37.051150, -76.356658), 408 W Gilbert St (37.051990, -76.355939), 409 W Gilbert St (37.051600, -76.356339), and 411 W Gilbert St, Hampton, VA 23669 (37.051660, -76.356561). - joswalt1 - 11/02/2023 18:28:28 GMT

CATEX CATEGORIES

Catex Category Code	Description	Selected
*n7	(*n7) Federal Assistance for Structure and Facility Upgrades. Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).	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	
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 located in a coastal zone area and/or affects the coastal zone	Per the Virginia Department of Environmental Quality, FEMA federal assistance activities are not subject to consistency review. - joswalt1 -

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4602-0008-VA (1)

Title: City of Hampton - Hampton Elevation (8)

Environmental Law/ Executive Order	Status	Description	Comment
			08/31/2023 18:06:38 GMT
	Completed	State administering agency does not require consistency review - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	The project is located in Zone AE per City of Hampton FIRM Panel 5155270018H, dated 05/16/2016. See attached documentation. - joswalt1 - 09/01/2023 17:13:18 GMT
	Completed	Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment	
	Completed	8 Step Process Complete - documentation attached - Review concluded	
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	Per the National Wetland Inventory, the project is not in or near wetlands. - joswalt1 - 08/31/2023 18:21:24 GMT
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	This project has been determined to have limited or no potential to affect minority or low-income populations according to exemption II.v. in Step 1 of the EO 12898 Interim Guidance. FEMA has no further EO 12898 responsibilities with regard to these activities. - joswalt1 - 08/31/2023 18:32:10 GMT
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Per the attached determination table and self-certification letter, this project will not affect listed species. See attachments. - joswalt1 - 09/01/2023 19:49:50 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)	Not Applicable	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	

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4602-0008-VA (1)

Title: City of Hampton - Hampton Elevation (8)

Environmental Law/ Executive Order	Status	Description	Comment
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project located in or near Essential Fish Habitat	Per NOAA Essential Fish Habitat (EFH) Mapper, the project is located inland within EFH. Project will elevate eight residential properties in the floodplain. No work will occur in water. Ground disturbance will be limited to the existing footprint of the buildings and all work will be confined to the developed area; therefore, the project will not adversely affect EFH. See condition. - joswalt1 - 09/01/2023 17:18:52 GMT
	Completed	Project does not adversely affect Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement (enter date in comments).	Per a consultation letter dated October 3, 2023, FEMA determined this undertaking resulted in no historic properties affected. VA SHPO concurred with this determination on November 2, 2023. Documentation is attached. - jhathaw1 - 11/02/2023 16:23:34 GMT
	Completed	Historic Buildings and Structures	
	Completed	Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review	
	Completed	Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
	Completed	Archeological Resources	
	Completed	Project affects only previously disturbed ground - Review concluded	
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

22:08:05

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4602-0008-VA (1)**Title:** City of Hampton - Hampton Elevation (8)**Special Conditions required on implementation of Projects:**

Applicant must coordinate with the local Floodplain Administrator and obtain any required permits prior to initiating work. A copy of the approval/permit, or documentation (email, documented phone call, letter, etc.) from the permitting official that an approval/permit is not required, must be forwarded to the state and FEMA for inclusion in the administrative record.

Source of condition: Executive Order 11988 - Floodplains

Monitoring Required: No

The project location is within range of federally listed bat species. This review does not include standing tree removal. If the scope of work changes to include removal of standing trees, EHP should be notified to allow for coordination with the U.S. Fish and Wildlife Service.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

The project is located inland within Essential Fish Habitat. Appropriate erosion and sedimentation (E&S) control measures must be implemented during construction activities to prevent runoff of materials and soil into adjacent waterways. Work in water activities should not take place. If these conditions cannot be met, the applicant must notify FEMA EHP prior to the start of work to allow for the appropriate coordination with NOAA.

Source of condition: Magnuson-Stevens Fishery Conservation and Management Act (MSA)

Monitoring Required: No

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.