SEP 20 '22 AM 10:28 RCVD

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The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

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September 12, 2022

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court
State House
Concord, NH

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to accept and expend $649,000 in federal funds from the United States Environmental Protection Agency's Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) Program to fund investments in wastewater infrastructure for combined sewer overflow projects, effective upon Fiscal Committee and Governor & Council approval through June 30, 2023. Funding is 100% Federal Funds.

The Budget Table is shown below.

OSG Program
03-44-44-442010-6362
Fiscal Year 2023

Class	Budget Category	Current Budget	Requested Action	Revised Budget
Income				
000-404646	Federal Funds	$0	($649,000)	($649,000)
Expenditures				
41-500801	Audit Set-Aside	$0	$649	$649
72-500574	Grants – Federal	$0	$648,351	$648,351
	Total	$0	$649,000	$649,000

www.des.nh.gov
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-2867 TDD Access: Relay NH 1-800-735-2964

EXPLANATION

The United States Environmental Protection Agency's (EPA) Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) Program was reauthorized on October 23, 2018, when the America's Water Infrastructure Act of 2018 was signed into law and amended section 221 of the Federal Water Pollution Control Act (also known as the Clean Water Act). This legislation substantially amended the existing OSG Program expanding project eligibilities to include stormwater management projects and reauthorized appropriations for the program, among other modifications. This program is intended to address infrastructure needs for combined sewer overflows (CSO), sanitary sewer overflows (SSO), and stormwater management and awards grants to states to make sub-awards to eligible entities for eligible projects. This request includes New Hampshire's FFY 2020 and 2021 allotments.

States are required to prioritize funding projects for communities that are financially distressed, have a long-term municipal CSO or SSO control plan, or for projects that have requested a grant on their Clean Water State Revolving Fund (CWSRF) Intended Use Plan. Projects under this program will have many of the same program requirements as the CWSRF and, to the extent that eligible projects are available, at least 20 percent of a state's allocation must be used for green infrastructure, water and energy efficiency improvements, and other environmentally innovative activities.

EPA developed the allotment formula for the OSG program to best address CSOs, SSOs, and stormwater needs for each state, as determined by the data from the latest Clean Watersheds Needs Survey, along with supplemental data on population, urban population, and precipitation.

Current staffing resources are sufficient to administer this program. These funds were not included in the FY22/23 operating budget, as the program did not anticipate the availability of these funds at the time the budget was created.

This grant requires matching funds of 20% which will be provided by the grant recipient in a manner approved by EPA.

NHDES is requesting to budget these funds as shown below:

Class 041	To cover the cost of Audit Set-Aside charges related to the federal program.
Class 072	To cover grants to entities for infrastructure projects.

We respectfully request your approval of this item.

Robert R. Scott, Commissioner

NH DEPARTMENT OF ENVIRONMENTAL SERVICES
OSG Program
FISCAL SITUATION FY23
03-44-44-442010-63620000

Total Federal Award	$649,000
Less Expenditures thru 06/30/22	$0
Remaining Authorization to Budget	$649,000
Less Current FY23 Budget Authorization	$0
Total Available for Budgeting	$649,000
REQUESTED ACTION	$649,000
Available to Budget at a later date	$0

Grant Award Number	Award Amount	Expenses to 06/30/2022	Balance
SO33000522	$649,000	$0	$649,000
TOTAL	$649,000	$0	$649,000

U.S. ENVIRONMENTAL PROTECTION AGENCY

Grant Agreement

GRANT NUMBER (FAIN): 33000522 **MODIFICATION NUMBER:** 0 **PROGRAM CODE:** SO	**DATE OF AWARD** 08/04/2022
TYPE OF ACTION New	**MAILING DATE** 08/09/2022
PAYMENT METHOD:	**ACH#** 10108

RECIPIENT TYPE: State	**Send Payment Request to:** Contact EPA RTPFC at: rtpfc-grants@epa.gov
RECIPIENT: New.Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 **EIN:** 02-6000618	**PAYEE:** New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095

PROJECT MANAGER	EPA PROJECT OFFICER	EPA GRANT SPECIALIST
Kathie Bourret 29 Hazen Drive Concord, NH 03302 **Email:** kathleen.Bourret@des.nh.gov **Phone:** 603-271-2902	Jason Turgeon 5 Post Office Square, Suite 100, 6-WO Boston, MA 02109 **Email:** Turgeon.Jason@epa.gov **Phone:** 617-918-1637	Trevor Tavano Grants Management Branch, 05-5 5 Post Office Square, Suite 100 Boston, MA 02109 **Email:** Tavano.Trevor@epa.gov **Phone:** 617-918-1235

PROJECT TITLE AND DESCRIPTION

NH 2020 + 2021 combined OSG

See Attachment 1 for project description.

BUDGET PERIOD	PROJECT PERIOD	TOTAL BUDGET PERIOD COST	TOTAL PROJECT PERIOD COST
10/01/2022 - 09/30/2024	10/01/2022 - 09/30/2024	$811,250.00	$811,250.00

NOTICE OF AWARD

Based on your Application dated 06/21/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards $649,000.00. EPA agrees to cost-share 80.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of $649,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)	AWARD APPROVAL OFFICE
ORGANIZATION / ADDRESS	**ORGANIZATION / ADDRESS**
U.S. EPA, Region 1 , EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912	U.S. EPA, Region 1, EPA New England R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digitally signed and applied by EPA Award Official Arthur Johnson - Director, Mission Support Division Fred Weeks - Deputy Director, Mission Support Division	**DATE** 08/04/2022