The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

March 22, 2023

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The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

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

REQUESTED ACTIONS

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to accept Pass-Thru Federal funds in the amount of $810,733 from the Department of Safety, Division of Homeland Security and Emergency Management (HSEM), for designing the rehabilitation of the Dollof Dam in Nottingham and the Milton Three-Ponds Dam in Milton, effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. 100% Pass-Thru Federal Funds.

2. Pursuant to RSA 124:15 and contingent upon approval of Requested Action #1, authorize the NHDES to establish Class 046 -Consultants for the rehabilitation design of the Dollof and Milton Three-Pond dams, effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. 100% Pass-Thru Federal Funds

Funding is to be budgeted as follows:

Dam Rehabilitation
03-44-44-442010-88670000
FY 2023

Class	Budget Category	Current Budget	Requested Action	Revised Budget
Income				
009-401924	Agency Income	($39,330)	($810,733)	($850,063)
Expenditures				
046-500464	Consultants	$39,330	$810,733	$850,063
	TOTAL	$39,330	$810,733	$850,063

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

NHDES received dam rehabilitation funds from HSEM under two Memorandums of Agreement that were approved by the Governor and Executive Council in December of 2022. The funds are from a grant program established by the Federal Emergency Management Agency to fund the rehabilitation of High Hazard Dams.

The funds will be used to design the rehabilitation of Dollof Dam in Nottingham and Milton Three-Ponds Dam in Milton, both of which are classified as High Hazard dams because their failure would likely cause loss of life. At Dollof Dam, the rehabilitation design will address issues with seepage through the 180 year old dam, stability concerns, replacement of the low-level gate and inadequate spillway capacity. At the 200 year old Milton Three-Ponds Dam, the rehabilitation design will address instability issues and inadequate spillway capacity.

NHDES is requesting these grant funds to be budgeted as follows:

Class 046 – *Consultants* – for the services of an engineering firm to design the rehabilitation of the Dollof Dam and Milton Three-Ponds Dam.

The following information is provided in accordance with the Comptroller's Instructional memorandum dated September 21, 1981.

1. **List of personnel Involved**: This item involves working with engineering consultants. There are no NHDES personnel costs associated with this item.

2. **Nature, Need and Duration**: The nature and need is to provide engineering design work on the dams mentioned above given the poor condition of the dams. The duration is through September 14, 2024.

3. **Relationship to existing agency programs**: This supplements the work of the Dam Bureau.

4. **Has a similar program been requested of the Legislature and denied**: No

5. **Why wasn't funding included in the agency's budget request**? This funding was not available during the budget planning process.

6. **Can portions of the grant funds be utilized**? This is 100% pass-thru federal funds.

7. **Estimate the funds required to continue this position(s)**. There is no position related to this project.

The grants have a 35% match requirement from the NHDES of $283,765. The state match will be provided from a capital appropriation specifically for the repair and reconstruction of state-owned dams.

We respectfully request your approval.

Robert R. Scott, Commissioner

NH DEPARTMENT OF ENVIRONMENTAL SERVICES
DAM REHABILITATION
FISCAL SITUATION FY23
03-44-44-442010-88670000

Total Federal Awards	$1,197,398
Less Expenditures thru 06/30/2022	$347,335
Remaining Authorization to Budget	$850,063
Less Current FY23 Budget Authorization	$39,330
Total Available for Budgeting	$810,733
REQUESTED ACTION	$810,733
Available to Budget at a later date	$0

Grant Award Number	Award Amount	Expenses to 06/30/22	Balance
HSEM MOA G&C 09/23/2020 Item #118	$386,665	$347,335	$39,330
HSEM MOA G&C 12/21/2022 Item #118	$40,302	$0	$40,302
HSEM MOA G&C 12/21/2022 Item #119	$770,431	$0	$770,431
TOTAL	$1,197,398	$347,335	$850,063

DEC08'22 PM 2:08 RCVD 119 MLC

State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER

RICHARD C. BAILEY, JR.
ASSISTANT COMMISSIONER

EDDIE EDWARDS
ASSISTANT COMMISSIONER

November 16, 2022

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

REQUESTED ACTION

Authorize the Department of Safety, Division of Homeland Security and Emergency Management (HSEM) to enter into a Memorandum of Agreement (MOA) with the Department of Environmental Services (DES), Dam Bureau Water Division (VC#201164-B001), for the amount of $770,431.00, for activities to assist with the rehabilitation of eligible high hazard potential dams. Effective upon Governor and Council approval through September 14, 2024. 100% Federal Funds.

02-23-23-236010-56300000 Dept. of Safety – HSEM - HHPD Program	SFY 2023
085-588544 Interagency Transfers Fed Funds	$770,431.00
Activity Code: 23HHPD 2021	

EXPLANATION

This MOA between the Division of Homeland Security and Emergency Management (HSEM) and the Department of Environmental Services (DES) provides funding to utilize services of a consultant to prepare final designs to adequately address deficiencies of the Milton 3-Ponds Dam (NID No. NH00320) in Milton, NH and Dollof Dam (NID No. NH00134) in Nottingham, New Hampshire.

The MOA listed above is funded from the FFY 2021 High Hazard Potential Dam (HHPD) Program, which was awarded to the Department of Safety, HSEM from the Federal Emergency Management Agency (FEMA). The HHPD Program provides technical, planning, design, and construction assistance in the form of grants to states for non-Federal governmental organizations or nonprofit organizations for rehabilitation of eligible high hazard potential dams. For FFY 2021, the HHPD will provide assistance for technical, planning, design and construction activities. Grant guidance and applications are available to all Emergency Management Directors, eligible dam owners, and other qualified organizations in the State. Subrecipients submit applications to this office, which are reviewed by the State Hazard Mitigation Officer/Assistant Chief of Mitigation and Chief of Mitigation and Recovery and approved by the HSEM Director. The criteria for approval are based on grant eligibility in accordance with the grant's current guidance and the documented needs of the local jurisdictions.

The High Hazard Potential Dam Program is 65% federally funded by FEMA with a 35% match requirement supplied by the subrecipient. The subrecipient acknowledges their match obligation as part of Section V of the MOA.

In the event that Federal Funds are no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,

Robert R. Scott
Commissioner of Department of Environmental Services

Respectfully submitted,

Robert L. Quinn
Commissioner of Safety

DEC08'22 PM 2:10 RCVD 118 MLC

State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
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ROBERT L. QUINN
COMMISSIONER

RICHARD C. BAILEY, JR.
ASSISTANT COMMISSIONER

EDDIE EDWARDS
ASSISTANT COMMISSIONER

November 16, 2022

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

REQUESTED ACTION

Authorize the Department of Safety, Division of Homeland Security and Emergency Management (HSEM) to enter into a Memorandum of Agreement (MOA) with the Department of Environmental Services (DES), Dam Bureau Water Division (VC#201164-B001), for the amount of $40,302.00, for activities to assist with the rehabilitation of eligible high hazard potential dams. Effective upon Governor and Council approval through August 31, 2023. 100% Federal Funds.

02-23-23-236010-56300000 Dept. of Safety – HSEM – HHPD Program	SFY-2023
085-588544 Interagency Transfers Fed Funds	$40,302.00
Activity Code: 23HHPD 2020	

EXPLANATION

This MOA between the Division of Homeland Security and Emergency Management (HSEM) and the Department of Environmental Services (DES) provides funding to utilize services of a consultant to address deficiencies of the Dollof Dam (NID No. NH00134) in Nottingham, New Hampshire.

The MOA listed above is funded from the FFY 2020 High Hazard Potential Dam (HHPD) Program, which was awarded to the Department of Safety, HSEM from the Federal Emergency Management Agency (FEMA). The HHPD Program provides technical, planning, design, and construction assistance in the form of grants to states for non-Federal governmental organizations or nonprofit organizations for rehabilitation of eligible high hazard potential dams. For FFY 2020, the HHPD will provide assistance for technical, planning, design and construction activities. Grant guidance and applications are available to all Emergency Management Directors, eligible dam owners, and other qualified organizations in the State. Subrecipients submit applications to this office, which are reviewed by the State Hazard Mitigation Officer/Assistant Chief of Mitigation and Chief of Mitigation and Recovery and approved by the HSEM Director. The criteria for approval are based on grant eligibility in accordance with the grant's current guidance and the documented needs of the local jurisdictions.

The High Hazard Potential Dam Program is 65% federally funded by FEMA with a 35% match requirement supplied by the subrecipient. The subrecipient acknowledges their match obligation as part of Section V of the MOA.

In the event that Federal Funds are no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,

Robert R. Scott
Commissioner of Department of Environmental Services

Respectfully submitted,

Robert L. Quinn
Commissioner of Safety

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State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER OF
SAFETY

June 16, 2020

APPROVED G & C
DATE 23 September 2020
ITEM # 78

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301'

Requested Action

Pursuant to RSA 21-P:43, the Department of Safety, Division of Homeland Security and Emergency Management (HSEM) requests authorization to enter into a retroactive Memorandum of Agreement (MOA) with the Department of Environmental Services (DES), Dam Bureau Water Division (VC#177894-B001), in the amount of $386,665.00 for activities to assist with the rehabilitation of eligible high hazard potential dams. Effective upon Governor and Council approval for the period of September 15, 2019 through September 30, 2022. Funding source: 100% Federal Funds.

Funding is available in the SFY 2021 operating budget as follows:

02-23-23-236010-56300000	Dept. of Safety	Homeland Sec-Emer Mgmt	100% HHPD Local Match
072-500576 Grants to Other State Agencies - Federal			
Activity Code: 23HHPD 2019			$386,665.00

Explanation

This Memorandum of Agreement (MOA) is retroactive as the State concurrently received the federal award on September 15, 2019 and a required scope of work and budget amendment. This budget amendment was not approved until May 13, 2020 substantially delaying the ability to execute the state MOA process. This MOA between the Division of Homeland Security and Emergency Management (HSEM) and the Department of Environmental Services (DES) provides funding to utilize services of a consultant to prepare final designs to adequately address all deficiencies of the following two dams: Goose Pond Dam (NID No. NH00118) in Canaan, New Hampshire and Mendums Pond Dam (NID No. NH00133) in Nottingham, NH.

The MOA listed above is funded from the FFY 2019 High Hazard Potential Dam (HHPD) Program, which was awarded to the Department of Safety, HSEM from the Federal Emergency Management Agency (FEMA). The HHPD Program provides technical, planning, design, and construction assistance in the form of grants to states for non-Federal governmental organizations or nonprofit organizations for rehabilitation of eligible high hazard potential dams. For FFY 2019, the HHPD will provide assistance for technical, planning, design and other pre-construction activities. Grant guidance and applications are available to all Emergency Management Directors, eligible dam owners, and other qualified organizations in the State. Subrecipients submit applications to this office, which are reviewed by the State Hazard Mitigation Officer, Assistant Chief of Grants and Field Representatives and approved by the HSEM Director. The criteria for approval are based on grant eligibility in accordance with the grant's current guidance and the documented needs of the local jurisdictions.

The High Hazard Potential Dam Program is 65% federally funded by FEMA with a 35% match requirement supplied by the subrecipient. The subrecipient acknowledges their match obligation as part of Section V of the MOA.

In the event that Federal Funds are no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,

Robert R. Scott
Commissioner of Department of Environmental Services

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Robert L. Quinn
Commissioner of Safety