



State of New Hampshire

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

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LA VOIE
ASSISTANT COMMISSIONER

ROBERT L. QUINN
COMMISSIONER

June 10, 2024

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 Retroactively amend an existing Memorandum of Agreement (MOA) with the Department of Environmental Services (DES), Dam Bureau Water Division (VC# 201164-B001), 29 Hazen Drive, Concord, NH 03301. This amendment will extend the completion date from August 31, 2023 to August 31, 2024. The grant was initially approved by Governor and Council on December 21, 2022, Item #118. Effective upon Governor and Council approval. 100% Federal Funds. No additional funds being requested.

EXPLANATION

This request for a Retroactive extension is needed because of a delay in the award approval for Dollof Dam which delayed the start of the project to utilize services of a consultant to address deficiencies of the Dollof Dam. It was agreed that an extension to August 31, 2024, will provide the necessary time to complete the project. HSEM has reviewed this request with the Federal Emergency Management Agency (FEMA), and it was determined that the date extension will not affect federal funding.

If federal funds are no longer available, general funds and/or highway funds will not be requested to support this program.

Respectfully submitted,

Respectfully submitted,

Robert R. Scott
Commissioner of Environmental Services

Robert L. Quinn
Commissioner of Safety

High Hazard Potential Dam (HHPD) – CFDA #97.041
Grant Agreement Amendment
Extension of Performance Period

NH Department Of Environmental Services: Dam Bureau Water Division

It is hereby agreed that the Memorandum of Agreement approved by the Governor and Executive Council on December 21, 2022, Item #118, between the NH Department of Environmental Services, Dam Bureau Water Division as "Subrecipient" and the Department of Safety, Division of Homeland Security & Emergency Management as "State" for the completion of pre-design studies needed to support the design of the rehabilitation of Dollof Dam is amended as follows:

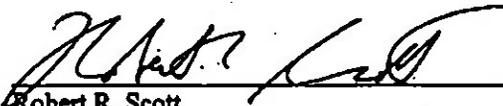
1. DURATION, Section VII, Effective Date;

Change the project completion date from August 31, 2023 to August 31, 2024.

2. All other provisions of the grant agreement, approved by the Governor and Executive Council on December 21, 2022 shall remain in full force and effect.

EFFECTIVE DATE OF THE AMENDMENT: This Amendment shall be effective upon its approval by the Governor and Executive Council of the State of New Hampshire. If approval is withheld, this document shall become null and void, with no further obligation or recourse to either party. IN WITNESS WHEREOF, the parties have hereunto set their hands:

NH Department of Environmental Services

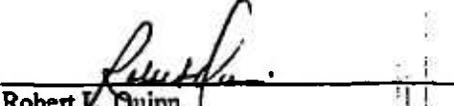


Robert R. Scott
Commissioner

4/18/24

Date

NH Department of Safety

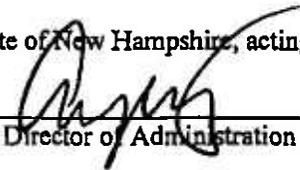


Robert E. Quinn
Commissioner

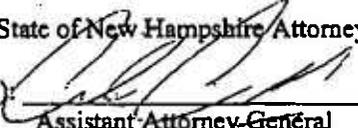
6/12/24

Date

Approval by State of New Hampshire, acting through its Department of Safety:

By (signature):  _____
Director of Administration

Approval by State of New Hampshire Attorney General as to form, substance, and execution:

By (signature):  _____
Assistant Attorney General

Approval by State of New Hampshire Governor and Executive Council:

By: _____, on _____

HSEM-HHPD-10-2022-01



ROBERT L. QUINN
COMMISSIONER

State of New Hampshire

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

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

G&C #118
12-21-22

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
085-588544 Interagency Transfers Fed Funds
Activity Code: 23HHPD 2020

SFY-2023
\$40,302.00

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.

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
November 16, 2022
Page 2 of 2

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,



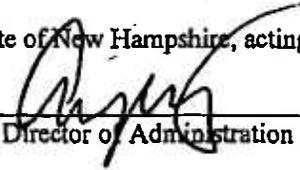
Robert R. Scott
Commissioner of Department of Environmental Services

Respectfully submitted,

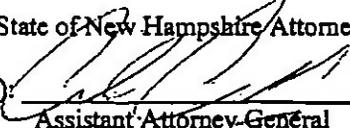


Robert L. Quinn
Commissioner of Safety

Approval by State of New Hampshire, acting through its Department of Safety:

By (signature):  _____
Director of Administration

Approval by State of New Hampshire Attorney General as to form, substance, and execution:

By (signature):  _____
Assistant Attorney General

Approval by State of New Hampshire Governor and Executive Council:

By: _____, on _____

**MEMORANDUM OF AGREEMENT (MOA)
BETWEEN
THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES
AND
THE NEW HAMPSHIRE DEPARTMENT OF SAFETY**

FFY'20 High Hazard Potential Dam (HHPD) Program

CFDA #97.041

I. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to provide funding in the amount of \$40,302.00 to the New Hampshire Department of Environmental Services, Dam Bureau Water Division to utilize services of a consultant to conduct pre-design studies needed to support an eventual final rehabilitation design to address all deficiencies of Dollof Dam (NID NO. NH00134).

II. PARTIES

The parties to this agreement are the New Hampshire Department of Environmental Services (hereinafter DES), Dam Bureau Water Division and the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management (hereinafter HSEM).

III. AUTHORITY

The High Hazard Potential Dam (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 FFY2020, the HHPD will provide assistance for technical, planning, design, and construction activities. The State received the FY2020 HHPD funding award on September 23, 2020 with a period of performance end date of August 31, 2023.

IV. SCOPE OF WORK

The purpose of this Memorandum of Agreement (MOA) is to provide funding in the amount of \$40,302.00 to the New Hampshire Department of Environmental Services, Dam Bureau Water Division to hire an engineering to perform pre-design studies needed to support the eventual design of the rehabilitation of Dollof Dam to bring the dam in compliance with current dam safety standards. The pre-design services that will be performed under this Scope of Work will include a topographic survey of the site, wetland delineation at the site, and hydrologic and hydraulic modeling of the watershed and dam.

HSEM agrees to provide financial assistance to DES in support of the tasks listed above, in accordance with Section V. The financial assistance to be provided by HSEM (FFY 2020 HHPD Program) under this MOA requires a contribution of 35% of the total amount in matching of the total project amount. The non-federal match will be provided from a capital appropriation made by the New Hampshire Legislature for State Fiscal Years 20-21 specifically for the repair and reconstruction of state-owned dams.

DES shall maintain financial records, supporting documents, and all other pertinent records for a period of three (3) years. In these records, DES shall maintain documentation of the 35% cost share required by this grant and agreed upon by DES.

V. FUNDING

Upon approval of this MOA, HSEM shall reimburse up to \$40,302.00 to DES after the project is complete and upon receiving appropriate documentation of expended funds for the match as outlined in Section IV. Supporting documentation shall show proof of cost and proof of payment (submitted through invoices for services rendered). Payments shall be made by HSEM to DES through submittal of invoices for services rendered. DES agrees to document \$21,701.00 in matching expenditures.

VI. TERMINATION:

Either party may terminate this agreement by providing a written notice for documentation purposes to the other thirty (30) days prior to termination.

VII. DURATION:

This agreement shall continue in effect from the date of Governor and Council approval until August 31, 2023 unless terminated earlier by either party.

VIII. AGREEMENT

In WITNESS WHEREOF, the parties hereto have executed this agreement, which shall become effective on the date the Governor and Executive Council of the State of New Hampshire approve the agreement.

NH Department of Environmental Services

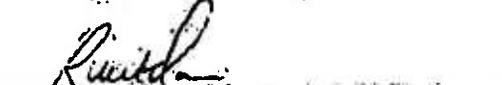


Robert R. Scott
Commissioner

8/10/22

Date

NH Department of Safety



Robert L. Quinn
Commissioner

9/2/22

Date

NH Department of Safety, HSEM



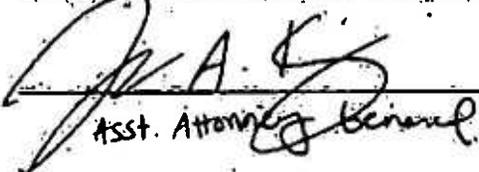
Richard C. Bailey, Jr., Assistant Commissioner/Acting Director

9/10/22

Date

Approved by the Attorney General this 6th day of December, 2022, as to form, execution and substance.

OFFICE OF THE ATTORNEY GENERAL


Asst. Attorney General

U.S. Department of Homeland Security
Washington, D.C. 20472



Jennifer Harper
NH Dept. of Safety, Div. of Homeland Security & Emergency Management
33 Hazen Drive
Concord, NH 03305 - 0011

Re: Grant No. EMW-2020-GR-00183

Dear Jennifer Harper:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2020 High Hazard Potential Dams (HHPD) Rehabilitation Grant has been approved in the amount of \$350,318.00. As a condition of this award, you are required to contribute a cost match in the amount of \$188,633.00 of non-Federal funds, or 35 percent of the total approved project costs of \$538,951.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2020 High Hazard Potential Dams (HHPD) Rehabilitation Grant Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please log in to the ND Grants system at <https://portal.fema.gov>.

Step 2: After logging in, you will see the Home page with a Pending Tasks menu. Click on the Pending Tasks menu, select the Application sub-menu, and then click the link for "Award Offer Review" tasks. This link will navigate you to Award Packages that are pending review.

Step 3: Click the Review Award Package icon (wrench) to review the Award Package and accept or decline the award. Please save or print the Award Package for your records.

System for Award Management (SAM): Grant recipients are to keep all of their information up to date in SAM, in particular, your organization's name, address, DUNS number, EIN and banking information. Please ensure that the DUNS number used in SAM is the same one used to apply for all FEMA awards. Future payments will be contingent on the information provided in the SAM; therefore, it is imperative that the information is correct. The System for Award Management is located at <http://www.sam.gov>.

If you have any questions or have updated your information in SAM, please let your Grants Management Specialist (GMS) know as soon as possible. This will help us to make the necessary updates and avoid any interruptions in the payment process.

A handwritten signature in black ink, consisting of a stylized 'C' followed by a vertical bar and a long horizontal line that tapers to the right.

CHRISTOPHER PATRICK LOGAN GPD Assistant Administrator