

Subapplicant information

Name of federal agency **FEMA**
 Type of submission **Application**

TOWN OF BENSON

303 E CHURCH ST
 BENSON, NC 27504 United States

State	DUNS #	EIN #
NC	022687404	566001176

Subapplicant type **Local Government**
 Is the subapplicant subject to review by Executive Order 12372 Process? **No - Not selected**
 Is the subapplicant delinquent on any federal debt? **No**

Contact information

Subrecipient Authorized Representative (SAR)

Angie Thornton	Primary phone	Mailing address
athornton@townofbensson.com		

Point(s) of contact

Kimberly Pickett	Primary phone	Additional phones	Mailing address
Interim Town Manager Kpickett@townofbensson.com	9198943553 ext 221 Work	2529167525 Mobile	303 E Church Street Benson NC 27504
	Fax		

Community

Please provide the following information. If the Congressional district number for your community does not display correctly, please contact your State NFIP coordinator.

Add Communities

Please find the community(ies) that will benefit from this mitigation activity by clicking on the Find communities button. If needed, modify the Congressional District number for each community by entering the updated number under the U.S. Congressional District column for that community. When finished, click the Continue button. NOTE: You should also notify your State NFIP coordinator so that the updated U.S. Congressional District number can be updated in the Community Information System (CIS) database.

Community name	County code	CID number	CRS community	CRS rating	U.S. Congressional District
BENSON, TOWN OF	101	370504	N		

Please provide any additional comments below (optional).

Benson, North Carolina is a town of approximately 4,103 residents in Johnston County, 22 miles south southeast of the state capitol, Raleigh. Situated in the coastal plain at the intersection of I-95 and I-40, the town is within a two-hour drive of the Atlantic coast and three hours from the Blue Ridge Mountains. The Town of Benson's Census Tract (414) has an overall score of 0.79 (high vulnerability) in the CDC Social Vulnerability Index as of 2018. The Town of Benson (Zip Code 27504) currently scores At Risk according to the Distressed Communities Index by Economic Innovation Group. 21% of the population is below the federal poverty rate.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
DistressedCommunitiesIndex_NC_Benson.pdf	11/17/2022	athornton@townofbenison.com	Community Attachments	Distressed Communities Index Town of Benson	
SocialVulnerabilityIndex_NC_Benson.pdf	01/06/2023	athornton@townofbenison.com	Community Attachments	CDC Social Vulnerability Index (SVI) Town of Benson	

Mitigation plan

Please provide your plan information below.

Is the entity that will benefit from the proposed activity covered by the current FEMA approved multi-hazard mitigation plan in compliance with 44 CFR Part 201? **Yes**

Please provide plan detail

Plan name	Plan type	Plan approval date
Cape Fear Regional Hazard Mitigation Plan	Local Multijurisdictional Multi-Hazard Mitigation Plan	02/22/2021
Proposed activity description		

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Cape_Fear_Regional_HMP_Final_1of3.pdf	11/17/2022	athornton@townofbenison.com	Mitigation Plan Attachments	Cape Fear Regional Hazard Mitigation Plan Part 1 of 3	
Cape_Fear_Regional_HMP_Final_2of3.pdf	11/17/2022	athornton@townofbenison.com	Mitigation Plan Attachments	Cape Fear Regional Hazard Mitigation Plan Part 2 of 3	
Cape_Fear_Regional_HMP_Final_3of3.pdf	11/17/2022	athornton@townofbenison.com	Mitigation Plan Attachments	Cape Fear Regional Hazard Mitigation Plan Part 3 of 3	
Cape_Fear_Appendix_A-G.pdf	11/17/2022	athornton@townofbenison.com	Mitigation Plan Attachments	Cape Fear Regional Hazard Mitigation Plan Appendix A-G	
Cape_Fear_Appendix_H.pdf	11/17/2022	athornton@townofbenison.com	Mitigation Plan Attachments	Cape Fear Regional Hazard Mitigation Plan	

Filename	Date uploaded	Uploaded by	Label	Description	Action
				Appendix H	

Scope of work

The project Scope of Work (SOW) identifies the eligible activity, describes what will be accomplished and explains how the mitigation activity will be implemented. The mitigation activity must be described in sufficient detail to verify the cost estimate. All activities for which funding is requested must be identified in the SOW prior to the close of the application period. FEMA has different requirements for project, planning and management cost SOWs.

Subapplication title (include type of activity and location)

Town of Benson Driving Branch Stream Restoration Project

Activities

Primary activity type

Flood control

Primary sub-activity type

Floodplain and stream restoration

Primary sub-activity type

Floodplain and stream restoration

Secondary activity type (Optional)

Geographic areas description

Benson, North Carolina is a town of approximately 4,103 residents in Johnston County, 22 miles south southeast of the state capitol, Raleigh. Situated in the coastal plain at the intersection of I-95 and I-40, the town is within a two-hour drive of the Atlantic coast and three hours from the Blue Ridge Mountains.

Community lifelines

Primary community lifeline

Safety and security

Primary sub-community lifeline

Government service

Secondary community lifeline (optional)

Transportation

Secondary sub-community lifeline

Highway/roadway/motor vehicle

Tertiary community lifeline (optional)

Energy

Tertiary sub-community lifeline

Power grid

Hazard sources

Primary hazard source

Flooding

Secondary hazard source (optional)

Severe storm

Tertiary hazard source (optional)

Tropical cyclone (Hurricane/Typhoon)

Is this a phased project?

Yes

Are you doing construction in this project?

Yes

Percentage of population impacted

100

Provide detailed description of population impacted

100% of the population of the Town will be positively impacted by the proposed project. The Town's Public Utilities Department is responsible for providing right-of-way maintenance, leaf removal, snow and ice removal, and critical infrastructure maintenance. Infrastructure the department maintains includes streets, storm drains, and sewer and water infrastructure such as

hydrants, taps, valves, Town owned utility pump stations, and the Town electric distribution system. North Market Street, the only access to the Town's Public Utilities Office, as well as its maintenance yard, has flooded in recent storm events. This flooding has made North Market Street impassable during subsequent large storms, preventing access to town maintenance equipment. After flooding of the pre-existing maintenance facility in prior storm events, the Town has recently constructed a new public works facility on higher ground along North Market Street adjacent to and northeast of the previous maintenance yard. This has lessened the risk of flooding to the facility itself, however, the new facility must still be accessed via North Market Street and the current conditions previously described make the facility inaccessible during large storm events, limiting the Town's ability to serve the public in critical times. This project will ensure reliable access to critical equipment that is stored at the town maintenance yard, as well as clear passage along Johnson Street and North Market Street for maintenance and emergency vehicles. This will benefit all town residents, and particularly those who lack access to transportation and/or have limited physical mobility and might be trapped without water or power during an emergency for an extended period if maintenance vehicles cannot reach their area. The Town of Benson's Census Tract (414) has an overall score of 0.79 (high vulnerability) in the CDC Social Vulnerability Index as of 2018. The Town of Benson (Zip Code 27504) currently scores At Risk according to the Distressed Communities Index by Economic Innovation Group. 21% of the population is below the federal poverty rate. Additional information can be found in the POPULATION IMPACTED attachment.

Provide a clear and detailed description of your proposed activity

The only access to the Town's Public Utilities Office, as well as its maintenance yard, is located off of North Market Street. Driving Branch, a blueline perennial stream, is carried under an adjacent property via a series of undersized 60-inch corrugated metal pipes (CMPs) joined to a 60-inchx60-inch box culvert beneath the unpaved portion of North Market Street. The area along Driving Branch east of CSX railroad to North Johnson Street has been severely impacted by storms since Hurricane Matthew in 2016. More specifically, the piped section of Driving Branch between the CSX railroad and North Market Street had multiple pipes displaced during Hurricane Matthew. This area has flooded and made North Market Street impassable during subsequent large storms, preventing access to town maintenance equipment and in prior events causing significant flooding in the Town maintenance yard. The Town has recently constructed a new public works facility on high ground along North Market Street adjacent to and northeast of the previous property. However, the new facility must still be accessed via North Market Street and the current conditions previously described make the facility inaccessible during large storm events, limiting the Town's ability to serve the public in critical times. Downstream of this area, the Johnson Street crossing of Driving Branch experiences headwall damage and erosion during storm events. This location is also a crossing for an aerial sanitary sewer line and a below grade water main. The footers and pillars for the aerial line that were installed at top of bank are now impacted by the stream and the below grade water main is fully exposed in the floor of the channel. Areas upstream, west of the railroad often experience flooding during storm events as well. The Town is seeking BRIC funding to address these recurring issues by conducting stream restoration and roadway improvements, as described below.

How will the mitigation activity be implemented?

The Town of Benson will implement the proposed project by hiring a qualified design engineer and construction contractor through a competitive procurement process. The Town's procurement policies for all projects are in line with Federal procurement guidelines. There are elements of the project including the demolition of the existing structure and the relocation of the sub-station that the Town will provide the labor for as an in-kind service to the project. The Town will carefully manage each aspect of the project whether contracted or using force account labor to ensure that all key benchmarks are met on time and budget. Additional information on how the mitigation activity will be implemented can be found in the IMPLEMENTATION MEASURES attachment.

Describe how the project is technically feasible and will be effective in reducing the risk by reducing or eliminating damage to property and/or loss of life in the project area. Please include engineering design parameters and references to the following: preliminary schematic or engineering drawings/design; applicable building codes; engineering practices and/or best practices; level of protection (e.g., life safety, 100-yr flood protection with freeboard, 100-yr wind design, etc.):

The proposed stream restoration will increase flood capacity along Driving Branch southeast of the railroad to protect downstream infrastructure. The project will restore approximately 375 feet of Driving Branch currently conveyed through 60-inch pipes beneath the Town of Benson's former maintenance yard. This project includes daylighting approximately 375 linear feet of stream channel that is currently piped through a 60-inch diameter pipe. Proposed improvements will include removal of the pipe and restoration of the reach utilizing a Priority 2 approach. Priority 2 restoration through this

section of stream will include the excavation of an appropriately sized floodplain bench along the stream reach that will provide stability to the stream system, provide much needed flood flow storage and retention, and will provide stream and riparian habitat that is currently non-existent with the current piped condition. In addition to correcting the floodplain and channel dimension, restoration will include re-aligning the stream to have appropriate pattern for its hydrologic regime and slope. Riffles and pools will also be restored to the channel improving the channel's profile and aquatic habitat. In-stream structure such as log vanes, log-rock riffles, and log cross vanes will be utilized to provide channel bed stability and create a diversity of aquatic habitat. After the channel has been re-graded to a natural and stable form the banks and riparian areas will be vegetated to provide long term bank stability and riparian habitat. The proposed roadway improvements will ensure access via North Market Street to the Town's relocated maintenance yard during flooding events. The project will include replacing the existing culvert carrying Driving Branch under North Market Street with an appropriately sized culvert. In addition, the grade of North Market Street at the crossing will be raised to prevent the street from being overtopped and access to the maintenance yard cut off during severe storm events. The project will also consider the feasibility of additional measures upstream of Johnson Street to protect water and sewer infrastructure at that location including replacing additional culverts at Johnson Street and the CSX Railroad crossing. The Town is currently engaged in conversations with NCDOT and CSX on the possibility of including these elements in the overall project.

Who will manage and complete the mitigation activity?

The Town of Benson Department of Public Utilities will manage the mitigation activity. The department has prior experience with projects of similar scope and scale as well as the implementation of grant funds including FEMA requirements. In addition, the Town has recently hired a Project Manager with over 20 years' experience in contract and construction management who would support the overall management of the mitigation activity.

Will the project address the hazards identified and what risks will remain from all hazards after project implementation (residual risk)?

Yes, the project utilizes engineered and nature-based solutions to increase the flood capacity of Driving Branch at Market and Johnson streets to accommodate larger and more frequent floods. This project addresses effects of climate change that have already been observed as well as anticipated future conditions. Increased frequency and intensity of rainfall events, including tropical storms, are projected for the Southeast due to climate change. Flooding following recent hurricanes has created the problems described above, and future flooding events are expected to be more common and potentially more severe. This project will reduce the risk of flooding by supporting the natural capacity of the river to retain water and therefore reduce future flood-related damages to the Public Works Maintenance Facility, utilities including electric and sewer, the Town maintained roadway at the Johnson Street Crossing and residences downstream of the project area. In anticipation of future flooding, the project will ensure reliable access to the maintenance yard under high water conditions and protect utilities including water and sewer lines along Johnson Street. Additional flood risk will remain within the project area for recreational facilities, but this will be limited to green space and risk to structures will be eliminated. Additional information can be found in the RISK REDUCTION & RESILIENCE EFFECTIVENESS attachment.

Does the mitigation activity incorporate nature-based solutions?

Yes

When will the mitigation activity take place?

The proposed activities will take place within a 36-month period beginning 01/01/2024 and to be completed by 12/31/2026.

Explain why this project is the best alternative. What alternatives were considered to address the risk and why was the proposed activity considered the best alternative?

A no-action option was considered, but quickly dismissed as there was damage after Hurricane Matthew (2016) and any future storms would continue to flood the property of the relocated maintenance yard. There was money after Hurricane Matthew through the Public Assistance program to replace the pipes, but the Town commissioned a Hydrologic and Hydraulic study that determined the pipes under the original utility yard and the culvert under N. Market Street were undersized. At this point, it was determined the best course of action was a restoration project and the Town undertook some preliminary surveys to understand the scope of restoration that would be most advantageous to future conditions. This included originally considering purchasing adjacent property to restore a larger section of Driving Branch then what was just accessible through Town-owned property, but it was ultimately determined that adding the adjacent property to the scope would not have significant benefits on downstream erosion of the utilities at Johnson Street so the idea of purchasing the parcel was removed from the

project and the proposed scope presented in this application was determined to be the best cost/benefit option.

Please identify the entity that will perform any long-term maintenance and provide a maintenance, schedule and cost information. The subapplicant or owner of the area to be mitigated is responsible for maintenance (including costs of long-term care) after the project is completed?

The Town of Benson Department of Public Utilities will be responsible for long-term maintenance of the project which will include annual inspection, vegetation control and general maintenance. The costs will be built into the Town's annual budget.

Additional comments (optional)

COMMUNITY ENGAGEMENT & OUTREACH - Various types of public engagement were facilitated as part of the Hurricane Matthew Resilient Redevelopment planning process. Throughout that process stakeholder engagement and public involvement was an essential component of the North Carolina Resilient Redevelopment Planning initiative. Robust rounds of discovery, analysis, collaboration, and interaction were held within Johnston County. These sessions included a public open house along with in-depth working sessions with public officials, subject matter experts, planners from the County and all municipalities, including the Town of Benson. In addition, the Town has performed outreach sharing proposed project details with the North Carolina Department of Transportation (NCDOT). NCDOT recognizes the benefits the proposed improvements will have on both undersized infrastructure and access to facilities. The Town of Benson has presented all research findings, planning recommendations and the recommendation to pursue BRIC funding for this project to the Town Board of Commissioners on multiple occasions as part of the public record. In addition, Town staff have completed targeted outreach to the Highway 301 Mobile Home Park for input on planning objectives and received a letter of support from this community. Residents of this community will be among those most benefited by this project. Outreach has also been conducted to the nearest area businesses including the Hannah Creek Veterinary Hospital and Mule City Auto Service and letters of support have been received from both entities as well. A commitment has been made for further outreach and public engagement to keep nearby communities actively informed throughout the design and construction process.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Stream C H&H Report-Floodplain Analysis.pdf	11/17/2022	athornton@townofbenson.com	Scope of Work Attachments	Project Area Floodplain Analysis and H&H Report	
DrivingBranchRestoration_Conceptual Sketch-Final.pdf	11/17/2022	athornton@townofbenson.com	Scope of Work Attachments	Project Conceptual Sketch	
DrivingBranch-StreamStats.pdf	11/17/2022	athornton@townofbenson.com	Scope of Work Attachments	Stream Statistics Project Area	
USGS_Topographic Map.pdf	11/17/2022	athornton@townofbenson.com	Scope of Work Attachments	USGS Topographic Map Project Area	
Flood Delineation Plan Map 2 West Zone_Benson H&H Report.jpg	11/17/2022	athornton@townofbenson.com	Scope of Work Attachments	Flood Delineation Map Project Area	
Project Location Overview Map.pdf	11/17/2022	athornton@townofbenson.com	Scope of Work Attachments	Project Location Overview Map	
Scope of Work.pdf	01/06/2023	athornton@townofbenson.com	Scope of Work Attachments	Detailed Scope of Work	
4-Population Impacted.pdf	01/06/2023	athornton@townofbenson.com	Scope of Work Attachments	Qualitative Criterion 4 - Population Impacted	
3-Implementation Measures.pdf	01/06/2023	athornton@townofbenson.com	Scope of Work Attachments	Qualitative Criterion 3 - Implementation Measures	
1-Risk Reduction & Resilience Effectiveness.pdf	01/06/2023	athornton@townofbenson.com	Scope of Work Attachments	Qualitative Criterion 1 - Risk Reduction and Resiliency Effectiveness	
5-Community Engagement & Outreach Activities.pdf	01/06/2023	athornton@townofbenson.com	Scope of Work Attachments	Qualitative Criterion 5 - Community Engagement	

Filename	Date uploaded	Uploaded by	Label	Description	Action
				and Outreach Activities	
Schedule 1-4-2023.xlsx	01/06/2023	athornton@townofbenson.com	Scope of Work Attachments	Proposed Draft Project Schedule	

Schedule

Specify the work schedule for the mitigation activities.

Add tasks to the schedule

Please include all tasks necessary to implement this mitigation activity; include descriptions and estimated time frames.

<p>Task Name Phase 1/Task 3 - Oversee Phase 1 Implementation (personnel)</p>	<p>Start Month 1</p>	<p>Task Duration (in Months) 17 months</p>	<p>Task Description Town of Benson staff oversight of Phase 1 activities and procurement of contractors.</p>
<p>Task Name Phase 1/Task 4 - Conduct Topographic and Property Surveys (contract)</p>	<p>Start Month 5</p>	<p>Task Duration (in Months) 2 months</p>	<p>Task Description Use of a contractor to conduct topographic and property surveys for the project.</p>
<p>Task Name Phase 1/Task5 - Prepare Drainage Report (contract)</p>	<p>Start Month 7</p>	<p>Task Duration (in Months) 2 months</p>	<p>Task Description Utilize a contractor to conduct field investigations, run a H&H study, and prepare a drainage report.</p>
<p>Task Name Phase 1/Task 6 - Prepare Construction Drawings (contract)</p>	<p>Start Month 8</p>	<p>Task Duration (in Months) 3 months</p>	<p>Task Description Utilize a contractor to prepare construction drawings for the various elements of the project including the stream restoration, water line improvements, North Market Street roadway improvements, and North Johnson Street roadway improvements including all applicable erosion control, traffic control and structural design plans.</p>
<p>Task Name Phase 1/Task 7 - Prepare EA (contract)</p>	<p>Start Month 5</p>	<p>Task Duration (in Months) 12 months</p>	<p>Task Description Utilize a contractor to conduct wetland delineations, provide a preliminary environmental review and protected species habit review and surveys, provide agency and tribal consultation, solicitate and integrate public comments into a draft EA and prepare a final EA.</p>
<p>Task Name Phase 1/Task 8 - Revise BCA (contract)</p>	<p>Start Month 15</p>	<p>Task Duration (in Months) 2 months</p>	<p>Task Description Utilize a contractor to prepare a revised Benefit Cost Analysis for Phase 2 application incorporating data from conducted surveys, drainage report and construction drawings.</p>
<p>Task Name Phase 1/Task 9 - Secure USACE 404 Permit (contract)</p>	<p>Start Month 15</p>	<p>Task Duration (in Months) 2 months</p>	<p>Task Description</p>

	Utilize a contractor to secure all necessary permits.	
Task Name Phase 1/Task 10 - Prepare Phase 2 Application (contract)	Start Month 16	Task Duration (in Months) 2 months
	Task Description Utilize a contractor to assist in preparing the Phase 2 application including revising application sections as needed and responding to RFI comments.	
Task Name Phase 1/Task 11 - Prepare Phase 2 Application (personnel)	Start Month 16	Task Duration (in Months) 2 months
	Task Description Town of Benson staff time to prepare the Phase 2 Application.	
Task Name Phase 2/Task 12 - Oversee Phase 2 Implementation (personnel)	Start Month 21	Task Duration (in Months) 16 months
	Task Description Town of Benson staff will procure contractors for construction and oversee all aspects of implementation of this second phase of the project.	
Task Name Phase 2/Task 13 - Implement Construction (contractor)	Start Month 21	Task Duration (in Months) 12 months
	Task Description Utilize contractors to prepare the construction bid package as directed by the Town, acquire necessary easements and rights-of-ways, complete final 100% construction drawings, construct all elements of the project, participate in site inspections and secure final inspection approvals.	
Task Name Phase 2/Task 14 - Prepare Operations and Maintenance Plan (contractor)	Start Month 33	Task Duration (in Months) 2 months
	Task Description Utilize contractor to prepare an Operations and Maintenance Plan for the completed project.	
Task Name Phase 2/Task 15 - Provide Final Deliverables (contractor)	Start Month 34	Task Duration (in Months) 1 months
	Task Description Contractor will provide all final deliverables at the completion of the project.	

Estimate the total duration of your proposed activities (in months). **36**

Proposed project start and end dates

Start Date **2024-01-01**
End Date **2026-12-31**

Introduction

Project location

Provide a detailed description of the proposed project's location.

The project location is the Town of Benson's previous Department of Public Utilities maintenance yard where a 375-foot reach of Driving Branch will be daylighted. The project also includes roadway improvements to the adjacent sections of Johnson Street and Market Street.

Latitude **35.384308**
Longitude **-078.544502**

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Project Location Overview Map.pdf	11/17/2022	athornton@townofbenison.com	Project Location Attachments	Project Location Overview Map	

Project benefiting area

Provide a detailed description of the proposed project's benefiting area.

The entire population of the Town will positively benefit from the proposed project. The Town's Public Utilities Department is responsible for providing right-of-way maintenance, leaf removal, snow and ice removal, and critical infrastructure maintenance. Infrastructure the department maintains includes streets, storm drains, and sewer and water infrastructure such as hydrants, taps, valves, Town owned utility pump stations, and the Town electric distribution system. The only access to the Town's Public Utilities Office, as well as its maintenance yard, has flooded in recent storm events and made North Market Street impassable during subsequent large storms, preventing access to town maintenance equipment. This project will ensure reliable access to critical equipment that is stored at the town maintenance yard, as well as clear passage along Johnson Street and North Market Street for maintenance and emergency vehicles. This will benefit all town residents, and particularly those who lack access to transportation and/or have limited physical mobility and might be trapped without water or power during an emergency for an extended period if maintenance vehicles cannot reach their area.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
4-Population Impacted.pdf	01/06/2023	athornton@townofbenison.com	Location project benefiting area Attachments	Population Impacted	

Project impact area

Provide a detailed description of the proposed project's impact area.

The immediate project will take place on Town owned and maintained property except for work coordinated with NCDOT on roadways that they maintain. In addition, there will be ancillary benefits to adjacent property owners including Hannah Creek Vet, Mule City Auto Service, and 301 Mobile Home Park. Adjacent landowners have been and will continue to be critical partners throughout the process as they each have a keen interest in the immediate and long-term benefits provided by this project.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
DrivingBranchRestoration_Conceptual Sketch-Final.pdf	11/17/2022	athornton@townofbenison.com	Location project impact area Attachments	Project Conceptual Sketch	

Project site inventory

Does this project subapplication propose to mitigate a property/structure(s)? (Examples: residential home, commercial building, bridge, fire station, levee,

No

pumping station, wastewater treatment plant, telephone pole, electric line, etc.)

Please [download the excel template](#), and then fill out the template with building or infrastructure data.

Budget

Budget cost estimate should directly link to your scope of work and work schedule. You must add at least one item(s) greater than 0 for your cost estimate. As necessary, please adjust your federal/non-federal cost shares, and add the non-federal funding source(s) you are planning to use this project. Once you have completed this section, please click the Continue button at the bottom of this page to navigate to the next section.

Add budget cost types and item(s)

First, click the Add cost type button below to add cost type cost estimate and then click the Add item(s) button to add the item(s) for the cost estimate.

Grand total: \$2,862,828.58

Budget type: Construction

▶	Cost type: Cost estimate	\$2,726,503.41
▶	Cost type: Management cost	\$136,325.17

Program income (optional)

Cost share

Cost share or matching means the portion of project costs not paid by federal funds.

Proposed federal vs. non-federal funding shares

Hazard mitigation assistance (HMA) funds may be used to pay up to 75% federal share of the eligible activity costs. Building Resilient Infrastructure and Communities (BRIC) and small impoverished communities may be eligible for up to 90% federal share. Flood Mitigation Assistance (FMA) and severe repetitive loss (SRL) properties may be eligible for up to 100% federal share. Repetitive loss (RL) properties may be eligible for up to 90% federal share.

<p>Is this an Economically Disadvantaged Rural Community? ⓘ</p> <p>This determines your federal/non-federal share ratio.</p> <p>No</p>	Proposed federal share	76.19	2181202.73
	Proposed non-federal share	23.81	681625.85
	<small>Based on total budget cost:</small> \$2,862,828.58		
<p>Please provide justification for exceeding the allowable federal share here.</p> <p>Entered as per the 2022 BRIC NoFo.</p>			

Non-federal funding sources here

That portion of the total costs of the program provided by the non-federal entity in the form of in-kind donations or cash match received from third parties or contributed by the agency. In-kind contributions must be provided and cash expended during the project period along with federal funds to satisfy the matching requirements.

Funding source	Funding amount	% Non-federal share by source
▶ Funding source: Town of Benson General Fund	100.00%	\$681,625.85

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Budget Summary and Detail 1-5-2023.xlsx	01/06/2023	athornton@townofbenson.com	Budget Attachments	Detailed Budget and Budget Summary	
Funding Match Commitment Letter.pdf	01/06/2023	athornton@townofbenson.com	Budget Attachments	Funding Match Commitment Letter	

Cost-effectiveness

How was cost-effectiveness determined for this project?

- BCA completed in FEMA's BCA toolkit
Subapplicant must attach supporting documentation.
- Pre-calculated benefits
- Substantial damage in special flood hazard area
- Other BCA methodology approved by FEMA in writing
- Not applicable
- Not applicable

What are the total project benefits? (\$) **4368129**

What are the total project cost? (\$) **3396044**

What is the benefit-cost ratio (BCR) for the entire project? **1.28**

Was sea level rise incorporated into the flood elevations in the BCA? **Yes**

Were environmental benefits added to the project benefits? **Yes**

Were social benefits added to the project benefits? **Yes**

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BCA_Methodology_01052023.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Methodology	
Driving Branch Stream Detour Map.png	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	Johnson Street Detour Map	
BCA_Text_Export_01052023.txt	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Text Export	
PW1537 SIGNED APPLICATION.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	Project Worksheet 1537 (DR-NC-4285)	
BCA_Excel_Export_01052023.xlsx	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Excel Export	
PW1230 SIGNED APPLICATION.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	Project Worksheet 1230 (DR-NC-4285)	
Stream C H&H Report-Floodplain Analysis.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	H&H Study	
BCA Report - All Elements 01052023.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Report - Driving Branch Mitigation Project (all five mitigation actions)	

Filename	Date uploaded	Uploaded by	Label	Description	Action
BCA Report - Electrical Loss 01052023.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Report - Electrical Loss of Service	
ProjectsExport_2023512349225.zip	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Zip File Export	
BCA Report - Wastewater Loss 01052023.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	BCA Report - Wastewater Loss of Service	
JUSTIFICATION LETTER 1-5-2023.pdf	01/06/2023	athornton@townofbenson.com	Cost Effectiveness Attachments	Town Manager Justification Letter	

Environmental/Historic Preservation (EHP) Review Information

Introduction

An environmental/historic preservation review is required for all activities for which FEMA funds are being requested. FEMA will complete this review with the assistance of both the state or tribal government and the local applicant. It is important that you provide accurate information. If you are having problems completing this section, please contact your application point of contact.

A. National Historic Preservation Act - Historic Buildings and Structures

1. Does your project affect or is it in close proximity to any buildings or structures 50 years or more in age? **No**

Please confirm that you have provided the information listed below by selecting each check box. (If you have not provided these documents in any other section of the application, please attach the required documents below.)

- The property address and original date of construction for each property affected (unless this information is already noted in the Properties section).
- A minimum of two color photographs showing at least three sides of each structure (Please label the photos accordingly).
- A diagram or USGS 1:24,000 scale quadrangle map displaying the relationship of the property (s) to the project area.

To help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)

- Information gathered about potential historic properties in the project area, including any evidence indicating the age of the building or structure and presence of buildings or structures that are listed or eligible for listing on the National Register of Historic Places or within or near a National Register listed or eligible historic district. Sources for this information may include the State Historic Preservation Officer, and/or the Tribal Historic Preservation Officer (SHPO/THPO), your local planning office, historic preservation organization, or historical society.
- Consideration of how the project design will minimize adverse effects on known or potential historic buildings or structures, and any alternatives considered or implemented to avoid or minimize effects on historic buildings or structures. Please address and note associated costs in your project budget.
- For acquisition/demolition projects affecting historic buildings or structures, any data regarding the consideration and feasibility of elevation, relocation, or flood proofing as alternatives to demolition.
- Attached materials or additional comments.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Please provide an explanation and any information about this project that could assist FEMA in its review.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
----------	---------------	-------------	-------	-------------	--------

B. National Historic Preservation Act - Archeological Resources

Does your project involve disturbance of ground?

Yes

Please confirm that you have provided the information listed below by selecting each check box. (If you have not provided these documents in any other section of the application, please attach the required documents below.)

- A description of the ground disturbance by giving the dimensions (area, volume, depth, etc.) and location.
 - The past use of the area to be disturbed, noting the extent of previously disturbed ground.
 - A USGS 1:24,000 scale or other site map showing the location and extent of ground disturbance.
- To help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)**
- Any information about potential historic properties, including archeological sites, in the project area. Sources of this information may include SHPO/THPO, and/or the Tribe's cultural resources contact if no THPO is designated. Include, if possible, a map showing the relation of any identified historic properties to the project area.
 - Attached materials or additional comments.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Please provide an explanation and any information about this project that could assist FEMA in its review.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
DrivingBranchRestoration_Conceptual Sketch-Final.pdf	11/17/2022	athornton@townofbenson.com	involveDisturbanceOfGround.attachmentIds	Project Conceptual Sketch	
USGS_Topographic Map.pdf	11/17/2022	athornton@townofbenson.com	involveDisturbanceOfGround.attachmentIds	USGS Topographic Map	
Project Location Overview Map.pdf	11/17/2022	athornton@townofbenson.com	involveDisturbanceOfGround.attachmentIds	Project Location Overview Map	

C. Endangered Species Act and Fish and Wildlife Coordination Act

1. Are federally listed threatened or endangered species or their critical habitat present in the area affected by the project? **No**

Please confirm that you have provided the information listed below by selecting each check box. (If you have not provided these documents in any other section of the application, please provide the required documents either through attachment and/or comment box below.)

- Information you obtained to identify species in or near the project area. Provide the source and date of the information cited.

To help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)

- Any request for information and associated response from the USFWS, the National Marine Fisheries Service (NMFS) (for affected ocean-going fish), or your State Wildlife Agency, regarding potential listed species present and potential of the project to impact those species.
- Attached materials or additional comments.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Please provide an explanation and any information about this project that could assist FEMA in its review.

2. Does your project remove or affect vegetation? **Yes**

Please confirm that you have provided the information listed below by selecting each check box. (If you have not provided these documents in any other section of the application, please provide the required documents either through attachment and/or comment box below.)

- Description of the amount (area) and type of vegetation to be removed or affected.
- A site map showing the project area and the extent of vegetation affected.
- Photographs or digital images that show both the vegetation affected and the vegetation in context of its surroundings.

To help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)

- Attached materials or additional comments.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Please provide an explanation and any information about this project that could assist FEMA in its review.

3. Is your project in, near (within 200 feet), or likely to affect any type of waterway or body of water? **Yes**

If Yes, and project is not within an existing building, you must confirm that you have provided the following: (If you have not provided these documents in any other section of the application, please attach the required documents below.)

- A USGS 1:24,000 scale quadrangle map showing the project activities in relation to all nearby water bodies (within 200 feet).
- Any information about the type of water body nearby including: its dimensions, the proximity of the project activity to the water body, and the expected and possible changes to the water body, if any. Identify all water bodies regardless whether you think there may be an effect.
- A photograph or digital image of the site showing both the body of water and the project area.

To help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)

- Evidence of any discussions with the US Fish and Wildlife Service (USFWS), and/or your State Wildlife Agency concerning any potential impacts if there is the potential for the project to affect any water body.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
----------	---------------	-------------	-------	-------------	--------

D. Clean Water Act, Rivers and Harbors Act, and Executive Order 11990 (Protection of Wetlands)

1. Will the project involve dredging or disposal of dredged material, excavation, adding fill material or result in any modification to water bodies or wetlands designated as 'waters of the U.S' as identified by the US Army Corps of Engineers or on the National Wetland Inventory? **No**

E. Executive Order 11988 (Floodplain Management)

1. Does a Flood Insurance Rate Map (FIRM), Flood Hazard Boundary Map (FHBM), hydrologic study, or some other source indicate that the project is located in or will affect a 1% annual chance floodplain, a 0.2% annual chance floodplain, a regulatory floodway, or an area prone to flooding? **Yes**

Please explain in the text box below and/or provide any documentation to identify the means or the alternatives considered to eliminate or minimize impacts to floodplains (See the 8 step process found in 44 CFR Part 9.6.) to help FEMA evaluate the impact of the project:

The proposed stream restoration will increase flood capacity along Driving Branch southeast of the railroad to protect downstream infrastructure. Priority 2 restoration through this section of stream will include the excavation of an appropriately sized floodplain bench along the stream reach that will provide stability to the stream system, provide much needed flood flow storage and retention, and will provide stream and riparian habitat that is currently non-existent with the current piped condition.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

2. Does the project alter a watercourse, water flow patterns, or a drainage way, regardless of its floodplain designation? **Yes**

If Yes, please indicate below any other information you are providing to help FEMA evaluate the impact of the project:

- Hydrologic/hydraulic information from a qualified engineer to demonstrate how drainage and flood flow patterns will be changed and to identify down and upstream effects.
- Request for information and response letter from the state water resource agency, if applicable, with jurisdiction over modification of waterways.
- Attached materials or additional comments.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
----------	---------------	-------------	-------	-------------	--------

F. Coastal Zone Management Act

1. Is the project located in the state's designated coastal zone? **No**

G. Farmland Protection Policy Act

1. Will the project convert more than 5 acres of prime or unique farmland outside city limits to a non-agricultural use? **No**

H. Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (Hazardous and Toxic Materials)

1. Is there a reason to suspect there are contaminants from a current or past use on the property associated with the proposed project? **No**

2. Are there any studies, investigations, or enforcement actions related to the property associated with the proposed project? **No**

3. Does any project construction or operation activities involve the use of hazardous or toxic materials? **No**

4. Do you know if any of the current or past land-uses of the property affected by the proposed project or of the adjacent properties are associated with hazardous or toxic materials? **No**

I. Executive Order 12898, Environmental Justice for Low Income and Minority Populations

1. Are there low income or minority populations in the project's area of effect or adjacent to the project area? **Yes**

If Yes, you must confirm that you have provided the following either in the text box below or by attachment: (If you have not provided these documents in any other section of the application, please attach the required documents or provide the description below.)

Description of any disproportionate and adverse effects to these populations.

To help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)

Description of the population affected and the portion of the population that would be disproportionately and adversely affected. Please include specific efforts to address the adverse impacts in your proposal narrative and budget.

Attached materials or additional comments.

Please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
----------	---------------	-------------	-------	-------------	--------

J. Other Environmental/Historic Preservation Laws or Issues

- 1. Are there other environmental/historic preservation requirements associated with this project that you are aware of? **No**
- 2. Are there controversial issues associated with this project? **No**
- 3. Have you conducted any public meeting or solicited public input or comments on your specific proposed mitigation project? **No**

K. Summary and Cost of Potential Impacts

Having answered the questions in parts A. through J., have you identified any aspects of your proposed project that have the potential to impact environmental resources or historic properties? **No**

Evaluation

- Is the applicant participating in the [Community Rating System \(CRS\)](#)? **No**
- Is the applicant a [Cooperating Technical Partner \(CTP\)](#)? **Yes**
- Was this application generated from a previous FEMA HMA Advance Assistance or Project Scoping award or any other federal grant award, or the subapplicant is a past recipient of Building Resilient Infrastructure and Communities (BRIC) non-financial Direct Technical Assistance? **No**
- Has the applicant adopted building codes consistent with the [international codes](#)? **No**
- Have the applicant's building codes been assessed on the [Building Code Effectiveness Grading Schedule \(BCEGS\)](#)? **Yes**
- Select rating. **4**

Describe involvement of partners to enhance the mitigation activity outcome.

Partners involved in the Driving Branch Stream Restoration Project design are the Town of Benson as lead Subapplicant, state and local government entities providing technical information and coordination with broader efforts including the North Carolina Department of Transportation (NCDOT) Division 4, and adjacent property owners Hannah Creek Vet, Mule City Auto Service, and 301 Mobile Home Park. Adjacent landowners will be critical partners in the design process as they each have a keen interest in the immediate and long-term benefits provided by this project. Once completed, the Driving Branch Stream Restoration Project will serve as a demonstration of nature-based solutions to flood mitigation and proactive approaches to flood protection for the town. In Benson's ongoing partnership with the Triangle J Council of Governments Clean Water Education Program (CWEP), this project will be featured as an example in future CWEP programs delivered to area students and the site will be available for CWEP staff and teachers to visit with students to learn about restoration and flood mitigation in their community. Additional information on the involvement of partners can be found in the LEVERAGING PARTNERS and COMMUNITY ENGAGEMENT & OUTREACH attachments.

Discuss how anticipated future conditions are addressed by this project.

The Town of Benson received 11-12 inches of rainfall during Hurricane Matthew. Resultant flooding blocked access to the town maintenance yard from Market Street for 96 hours. Extreme precipitation events in North Carolina, including those accompanying hurricanes, are very likely to increase over time due to climate change induced increases in atmospheric water vapor. This is likely to lead to increases in inland/freshwater flooding. The project utilizes engineered and nature-based solutions to increase the flood capacity of Driving Branch at Market and Johnson streets to accommodate larger and more frequent floods. Market Street provides access to the town maintenance yard where essential equipment for response to future flooding and other emergencies is stored. In anticipation of future flooding, the project will ensure reliable access to the maintenance yard under high water conditions and protect utilities including water and sewer

lines along Johnson Street. Additional information on how anticipated future conditions are addressed by this project can be found in the FUTURE CONDITIONS attachment.

Additional comments (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
2020 Climate Risk Assessment and Resilience Plan_North Carolina.pdf	11/17/2022	athornton@townofbenison.com	Evaluation Attachments	North Carolina Climate Risk and Resilience Plan	
Photos of Damages to Public Utilities Facility.pdf	11/17/2022	athornton@townofbenison.com	Evaluation Attachments	Photos of Damages	
2-Climate Change & Future Conditions.pdf	01/06/2023	athornton@townofbenison.com	Evaluation Attachments	Qualitative Criterion 2 - Climate Change and Other Future Conditions	
6-Leveraging Partners.pdf	01/06/2023	athornton@townofbenison.com	Evaluation Attachments	Qualitative Criterion 6 - Leveraging Partners	
Hurricane Matthew Resilient Redevelopment Plan_Johnston County.pdf	11/17/2022	athornton@townofbenison.com	Evaluation Attachments	Hurricane Matthew Resilient Redevelopment Plan	
DistressedCommunitiesIndex_NC_Benson.pdf	11/17/2022	athornton@townofbenison.com	Evaluation Attachments	Distressed Communities Index Town of Benson	
SocialVulnerabilityIndex_NC_Benson.pdf	01/06/2023	athornton@townofbenison.com	Evaluation Attachments	CDC Social Vulnerability Index (SVI) Town of Benson	
BRIC2022-Benson-TechnicalScoringSupport.pdf	01/12/2023	kaine.riggan@ncdps.gov	Evaluation Attachments	Technical Scoring Support	

Comments & attachments

- ▶ **Community** **1 comment, 2 attachments**
- ▶ **Mitigation plan** **0 comment, 5 attachments**
- ▶ **Scope of work** **1 comment, 12 attachments**
- ▶ **Budget** **0 comment, 2 attachments**
- ▶ **Cost-effectiveness** **0 comment, 12 attachments**
- ▶ **Evaluation** **0 comment, 8 attachments**
- ▶ **Environmental/Historic Preservation (EHP)** **0 comment, 3 attachments**
- ▶ **Location** **0 comment, 3 attachments**

Assurances and certifications

OMB Number: 4040-0009 Expires: 02/28/2025 [View burden statement](#)

SF-424D: Assurances - Construction Programs

Content:

OMB Number: 4040-0009
 Expiration Date: 02/28/2025

Certain of these assurances may not be applicable to your project or program. If you have any 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 costs) 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, 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 nondiscrimination 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 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).
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 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.
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 or 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.

Certifications regarding lobbying

OMB Number: 4040-0013

Expiration Date: 02/28/2025

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid 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 this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.