

Subapplicant information

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

COUNTY OF BERTIE

106 DUNDEE ST
 WINDSOR, NC 27983 United States

State	DUNS #	EIN #
NC	032848574	566000276

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)

Lisa Williams	Primary phone	Mailing address
williams@mideastcom.org	2524028609 Work	

Point(s) of contact

Lisa Williams	Primary phone	Additional phones	Mailing address
Disaster Recovery Coordinator williams@mideastcom.org	2524028609 Work	2529741843 Work	1502 N Market Street Washington NC 27889
	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
ASKEWVILLE, TOWN OF	015	370029	N		

Community name	County code	CID number	CRS community	CRS rating	U.S. Congressional District
AULANDER, TOWN OF	015	370018	N		1,2
BERTIE COUNTY*	015	370290	N		1
COLERAIN, TOWN OF	015	370291	N		1,2
KELFORD, TOWN OF	015	370577	N		1
LEWISTON WOODVILLE, TOWN OF	015	370112	N		1
POWELLSVILLE, TOWN OF	015	370292	N		1,2
ROXOBEL, TOWN OF	015	370605	N		1
WINDSOR, TOWN OF	015	370019	N		1,2

Please provide any additional comments below (optional).

Bertie County is one of the largest counties in North Carolina, spanning 741 square miles. It was originally part of Albemarle County, established in 1660. In 1670, Chowan County, including Bertie Precinct, was cut from Albemarle County. Bertie Precinct was finally given status of county in 1722 when it separated from Chowan County. Initially, Bertie County was comprised of present Bertie County, Tyrrell County, Edgecombe County, Northampton County and Hertford County. By 1780, Bertie County had been divided to resemble its current shape. Bertie County was named for James and Henry Bertie, who had purchased land from the original Lord Proprietors. Bertie County's county seat is Windsor, which was established in 1766 and was made county seat in 1774. The County includes the eight incorporated townships of Askeville, Aulander, Colerain, Kelford, Lewiston-Woodville, Powellsville, Roxobel and Windsor. Bertie County is comprised of fertile uplands and lowlands, with some large swamps called pocosins, making Bertie County ideal for agriculture. In addition, the timber industry is key to the area. Livestock and the growing poultry industry, which focuses on broiler production, are major contributors to Bertie County's agriculture base. Populations (per 2020 census) Population Bertie County 17,934 Town of Askeville 184 Town of Aulander 763 Town of Colerain 217 Town of Kelford 203 Town of Lewiston-Woodville 426 Town of Powellsville 189 Town of Roxobel 187 Town of Windsor 3,582 There are vulnerable populations present, who would potentially experience disproportionate impacts from flooding, for example, 23% of residents are experiencing poverty, 25% of the population is over 65, 65% are people of color, and 19% of those under the age of 65 have a disability. Bertie is a Tier 1 county, meaning it is in the 40% most economically distressed counties in the state, based on unemployment, income, population growth, and per capita property tax base.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
DCI_2020_NC_Zip_code_27983.pdf	11/14/2022	lwilliams@mideastcom.org	Community Attachments	Distressed Communities, Windsor, NC, the largest town, and the county seat for Bertie County.	
CDC-ATSDR Socail Vulnerability Index 2020.pdf	11/14/2022	lwilliams@mideastcom.org	Community Attachments	CDC/ATSDR Social Vulnerability Index 2020	
Bertie County Disadvantaged Communities Impact %.pdf	01/05/2023	lwilliams@mideastcom.org	Community Attachments	Demographic Table Bertie County	

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 Northeastern NC Regional Hazard Mitigation Plan	Plan type Local Multijurisdictional Multi-Hazard Mitigation Plan	Plan approval date 04/01/2021
Proposed activity description		

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Northeastern NC HMP Final Plan_2021.pdf	11/10/2022	lwilliams@mideastcom.org	Mitigation Plan Attachments	No description given.	
Northeastern NC HMP Final Plan_2021.pdf	11/10/2022	lwilliams@mideastcom.org	Mitigation Plan Attachments	No description given.	

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)

Upper Cashie River Hydrologic Assessment and Drainage and Water Management Plan

Activities

Primary activity type

Planning related activities

Secondary activity type (Optional)

Geographic areas description

The County includes the eight incorporated townships of Askewville, Aulander, Colerain, Kelford, Lewiston-Woodville, Powellsville, Roxobel and Windsor. Bertie County is comprised of fertile uplands and lowlands, with some large swamps called pocosins. The Town of Windsor lies on the banks of the Cashie River approximately 13 miles upstream of the confluence with the Roanoke River and Albemarle Sound. Windsor has experienced four major flood events in the last than 20 years, including Hurricane Floyd (1999), Tropical Storm Nicole (2010) and the consecutive events of Tropical Storm Julia and Hurricane Matthew (2016). These events resulted in extreme flooding and damage to structures. Due to the magnitude and frequency of the extreme floods, there is a strong desire to plan for the future of the town due to its historic significance and its role as an economic center for Bertie County. Windsor is particularly vulnerable to flooding. Approximately 25% of the Town's Extra Territorial Jurisdiction (ETJ) lies within the 1% annual chance inundation limits and up to 32% is within the 0.2% annual chance inundation limits (Figure 2). Furthermore, during floods the Cashie River divides the Town roughly in half limiting access for citizens, emergency personnel and community officials. A team of engineers and scientists from NC Sea Grant and NC State University's Biological & Agricultural Engineering Department (BAE) worked with Town of Windsor and Bertie County officials to conduct a planning level study focused on identifying watershed and riverine flooding sources and possible engineering and mitigation alternatives to reduce flood risk and future damages. The ultimate goal of this study was to make recommendations to community officials for allocation of

funds and resources for more detailed engineering studies and implementation. The study was funded through the Disaster Recovery Act of 2016 (DRA-16) allocation to the Golden LEAF Foundation. This report summarizes the technical approach, findings and recommendations from the study. SEE STUDY ATTACHED

Hazard sources

Primary hazard source

Flooding

Secondary hazard source (optional)

Severe storm

Tertiary hazard source (optional)

Tropical cyclone (Hurricane/Typhoon)

Implementation process description

1. Conduct a Hydrologic Assessment to determine water management and maintenance priorities and planning, including: 2. Determine if existing Hoggard's Mill Pond dam structure and levee wall in the upper Cashie watershed could be used as water storage facilities to manage flood and drought waters. Impounding water would reduce downstream impacts on developed areas. 3. Develop a Cashie River drainage system that utilizes integrated natural and historic water control structures in the upstream portions of the black-water drainage systems (e.g., conservation easements, vegetation buffer zones, design road dams to slow down the water and create temporary holding ponds); develop partnerships to implement the program; revisit historic mill dam locations as water storage facilities. 4. Siding Road Water Storage and Diversion - A 20-foot wall of water washed out the railroad track and parallel roadway. Develop a primary water storage area and construct a diversion mechanism. 5. White Oak Drainage - Water is impounded by US 17 without a way to drain across to the south. The White Oak area receives that excess floodwater inundating the neighborhood. US 17 needs additional drainage installed so that water flows across and under the corridor for future events. Location Countywide, with focus on the areas noted above Source Hurricane Matthew Resilient Redevelopment Plan, Flood Dynamics in the Bertie Water Crescent (NLOW), Hurricane Matthew Resilient Redevelopment Plan - Bertie County, Discussion with CAT Hazard(s) Addressed by Project: Riverine flooding, storm surge, sea level rise, runoff FEMA Community Lifelines: Safety and Security Type of Solution: Local Plans and Policies Project Estimated Timeline: 9 months to 1 year Responsible Entity: County Planning Department with a consultant Potential Partners: Coordinate with Vic Thompson NRCS/Soil & Water, Town of Windsor Existing Funding: None identified by CAT Potential Funding Sources: Building Resilient Infrastructure and Communities (BRIC) State Allocation Project Estimated Cost: Medium - \$100,000-\$200,000 Anticipated Benefit: High - Action would have a significant impact on risk reduction. Priority Rating: High

Primary sources description

The Cashie River (Page 9 Flood Dynamics) The Doll et al. report (2018) recommendations for flooding in the Town of Windsor considered the hydrologic dynamics within the upstream portion of the Cashie River. However, it is equally critical to focus on the downstream dynamics. Thus, an integrated approach should be built around both upstream and downstream hydrologic dynamics, the unique physical and environmental settings of inter-connected water bodies, and the ongoing changes in climate and sea level. These efforts must be integrated with a well-defined land-use management plan that includes geo-zoning and preserving substantial natural buffer areas along each stream channel, particularly in the broad upland headwaters. Planning (engineering and cost estimates) of the following are needed: 3-1. Recommendations: Upper Cashie River a. Utilize an integrated set of natural and historic water control structures in the upstream portions of the black-water drainage systems (e.g., conservation easements, vegetation buffer zones, design road dams to slow down the water and create temporary holding ponds, etc.). The purpose is to temporarily slow down and/or store portions of flood-waters in the upstream wetlands and let the groundwater reservoir store and evapotranspiration processes utilize major portions of storm water runoff. This will slow down flash-flooding discharges, store water for periods of drought, and provide opportunities of expanding sustainable ecosystems and their services. This should build on findings of the NCSU 2018 report. b. Develop community partnerships with one or more non-profit, land conservancy groups to implement an integrated drainage system program of conservation

easements and best-land use management practices. c. Revisit the Hoggard mill dam site, as well as other historic mill dam locations in the upper Cashie watershed to determine if re-occupation of one or more sites would work as water storage facilities to manage both flood and drought waters and to provide a basis for expanding sustainable ecotourism opportunities similar to Merchants Mill Pond State Park.

Staff and resources description

As outlined in the BRIC2022 NOFO sub-recipient management cost (SRMC) will be used for the purposes of: Delivery of technical assistance (e.g., plan reviews, planning workshops, training) to support the implementation of mitigation activities. Managing awards (e.g., quarterly reporting including managing Go/No-Go milestones for hazard mitigation projects submitted under the national competition, closeout). Technical monitoring (e.g., site visits, technical meetings). Purchase of equipment, per diem and travel expenses, and professional development that is directly related to the implementation of HMA programs. Staff salary costs directly related to performing the activities listed. Bertie County Government – Planning Department, Traci White NRCS Soil and Water, Vic Thompson Mideast Commission, Lisa Williams George Wood, Environmental Engineer

Additional comments (optional)

Project 7.3.4 from the 2022 Bertie County Resilience Strategy, attached.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
Town of Windsor-Cashie River Flood Mitigation Study.pdf	11/10/2022	lwilliams@mideastcom.org	Scope of Work Attachments	The purpose of this study was to identify potential sources of flooding within the Cashie River and its watershed, then evaluate appropriate engineering and mitigation alternatives targeted at reducing flood risk and flood damages during extreme events for the Town of Windsor. The study investigated five (5) potential sources of flooding and evaluated six (6) engineering and mitigation alternatives.	
Bertie Flood Dynamics - NCLow.pdf	11/10/2022	lwilliams@mideastcom.org	Scope of Work Attachments	NC LOW is a 501 c 3 that has completed a drainage basin-wide study for Bertie County and the Town of Windsor. This study evaluates the dynamic interactions and underlying forces operating within and between water bodies and the landscape with a three-pronged approach: understanding the scientific framework of the regional landscape and waterscape; implementing a sustainable eco-tourism program based on the regions natural resources; and educating the local population about the natural resources.	
RCCP Resilience Strategy 2022 - Bertie County.pdf	11/10/2022	lwilliams@mideastcom.org	Scope of Work Attachments	This Resilience Strategy was developed for the Bertie County under the North Carolina Resilient Coastal Communities Program (RCCP) by the North Carolina Division of Coastal Management (DCM) and SWCA Environmental Consultants (SWCA) in	

Filename	Date uploaded	Uploaded by	Label	Description	Action
				consultation with a local Community Action Team (CAT).	
Bertie Co Slides updated by bertie.pptx	01/05/2023	lwilliams@mideastcom.org	Scope of Work Attachments	Project Power Point overview	
Upper Cashie #1.pdf	01/05/2023	lwilliams@mideastcom.org	Scope of Work Attachments	PART 1 -Upper Cashie River Recommendations for Specific Sites and Implementation of Resilience Strategies Bertie County	
Upper Cashie #2 (4).pdf	01/05/2023	lwilliams@mideastcom.org	Scope of Work Attachments	PART 2 -Upper Cashie River Recommendations for Specific Sites and Implementation of Resilience Strategies Bertie County	
Bertie Vulnerability Assessment - UNC.pdf	11/10/2022	lwilliams@mideastcom.org	Scope of Work Attachments	The purpose of this capstone is to use a vulnerability assessment tool to analyze Bertie County's threats from potential natural hazards to the County's population and infrastructure. Bertie County sits in the northeast part of North Carolina, and covers 741 square miles with a maximum elevation of 97 feet. With the county seat of Windsor located in the south central region, there are also eight incorporated townships in the county. It is made up largely of coastal plains.	

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.

Task Name Hydrologic Assessment and Development of a Drainage and Water Management	Start Month 3	Task Duration (in Months) 12 months
Task Description Specifically the Upper Cashie River 7.3.4 2022 Bertie County Resilience Strategy (ATTACHED) produced by SWCA Environmental Consultants.		
Task Name Scope of Work Environmental Engineering & Cost Estimates	Start Month 12	Task Duration (in Months) 12 months
Task Description Define Scope of Work for environmental engineering and cost estimates for Upper Cashie River Storm water BMP's.		

Estimate the total duration of your proposed activities (in months). **24**

Proposed project start and end dates

Start Date **2023-01-01**
 End Date **2025-12-31**

Budget

Budget cost estimate and management cost (optional) 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. Once you have added item(s) for your cost estimate, you may then add the item(s) for management cost (optional). 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)

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. After adding items to your cost estimate, you may then select Add cost type button again to add management costs (optional) and applicable items.

Grand total: \$157,500.00

Budget type: Non construction

▶ Cost type: Cost estimate	\$150,000.00
▶ Cost type: Management cost	\$7,500.00

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.

	% Percentage	Dollar amount
Proposed federal share	76.19	120000.00
Proposed non-federal share	23.81	37500.00
		<small>Based on total budget cost: \$157,500.00</small>
<p>Please provide justification for exceeding the allowable federal share here.</p> <p>Did not exceed - Fed-share includes SRMC</p>		

[Is this an Economically Disadvantaged Rural Community?](#) ⓘ

This determines your federal/non-federal share ratio.
No

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: Bertie County	100.00%	\$37,500.00

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BRIC2022-Bertie County Local Match Fund Commitment Letter.pdf	01/10/2023	kaine.riggan@ncdps.gov	Budget Attachments	Local Matching Funds Letter	

Evaluation

Is the applicant participating in the Community Rating System (CRS) ?	No
Is the applicant a Cooperating Technical Partner (CTP) ?	No
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 ?	Yes
Year of building code	2018
Please provide the building code.	2018 NC Building Codes, based on the ICC codes with applicable North Carolina Amendments
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.	North Carolina Department of Public Safety Bertie County Government – Planning Department, Traci White Bertie County Government Public Works Bertie County Government Staff Town of Windsor NRCS Soil and Water, Vic Thompson Mideast Commission, Lisa Williams George Wood, Environmental Engineer Dr. Stanley Riggs East Carolina University Dr. Barbara Doll, North Carolina State University SWCA Environmental Consultants
Describe how this planning activity benefits your community and how the plan/data will be used to promote resiliency.	Planning will prepare Bertie County to get to "shovel ready" and to have documentation available to most accurately present the cost benefit of the project. Planning and evaluation will also provide Bertie County insight into future impact and resiliency building measures. It is the goal that this project will utilize an integrated set of natural and historic water control structures in the upstream portions of the black-water drainage systems (e.g., conservation easements, vegetation buffer zones, design road dams to slow down the water and create temporary holding ponds, etc.). The purpose is to temporarily slow down and/or store portions of flood-waters in the upstream wetlands and let the groundwater reservoir store and evapotranspiration processes utilize major portions of storm water runoff. This will slow down flash-flooding discharges, store water for periods of drought, and provide opportunities of expanding sustainable ecosystems and their services. This should build on findings of the NCSU 2018 report.
Additional comments (optional)	BCEGS - Building Code Effectiveness Grading Classification is 4 for 1 & 2 family residential property and 3 for commercial and industrial property. The report was completed in 2019.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
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Comments & attachments

- ▶ **Community** 1 comment, 3 attachments
- ▶ **Mitigation plan** 0 comment, 2 attachments

▶ Scope of work	1 comment, 7 attachments
▶ Budget	0 comment, 1 attachments
▶ Evaluation	1 comment, 0 attachments

Assurances and certifications

[View burden statement](#)

SF-424B: Assurances - Non-Construction Programs

OMB Number: 4040-0007

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 cost) 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, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. 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.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. 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).
6. 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; 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.
7. 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.
8. Will comply, as applicable, with 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.
9. 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.
10. Will comply, if applicable, 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.
11. 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 (F.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. 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.
13. 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.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. 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.
17. 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."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. 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.