

Subapplicant information

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

CITY OF BURLINGTON

425 S LEXINGTON AVE
 BURLINGTON, NC 27215 United States

State	DUNS #	EIN #
NC	071565170	566001189

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)

Amy Barber	Primary phone	Mailing address
abarber@burlingtonnc.gov		

Point(s) of contact

Amy Barber	Primary phone	Additional phones	Mailing address
Stormwater Manager abarber@burlingtonnc.gov	3362225091 Work	3363091684 Mobile	425 S Lexington Ave Burlington NC 27217
	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
ALAMANCE COUNTY*	001	370001	N		1,2,6

Community name	County code	CID number	CRS community	CRS rating	U.S. Congressional District
BURLINGTON, CITY OF	001	370002	N		1,6

Please provide any additional comments below (optional).

The downstream portion of the delineated study area is within NC DEQ's Potentially Underserved Block Groups with one area made up of 88.35% low-income (\$19,375 median household income), and the second area 56.70% low-income (\$31,500 median household income). The City of Burlington is requesting funds to perform a watershed hydrologic analysis and project identification types and areas with the goal of decreasing flooding and enhancing water quality which will directly impact the low-income areas of the watershed.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
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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
Eno-Haw Regional Hazard Mitigation Plan	Local Multijurisdictional Multi-Hazard Mitigation Plan	01/25/2021
Proposed activity description		

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
EH_HMP-FINAL_DRAFT.pdf	11/16/2022	abarber@burlingtonnc.gov	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) **May's Lake Regional Stormwater Project**

Activities

Primary activity type **Develop or conduct engineering, environmental, feasibility and/or benefit cost analyses**

Secondary activity type (Optional)

Evaluate facilities to identify mitigation actions

Tertiary activity type (Optional)

Conduct meetings, outreach and coordination with subapplicants and community residents

Geographic areas description

May's Lake watershed is a sub-basin of Little Alamance Creek Watershed (Haw River Basin) in Alamance County, Burlington, North Carolina. The study area will include approximately 6 (six) square miles upstream and downstream of May's Lake where flooding has occurred on public and private property. The study area is approximately 6 square miles consisting of approximately 85% Medium Density Residential, 10% High Density Residential, and 5% General Businesses and Institutional.

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)

Hazard sources

Primary hazard source

Flooding

Secondary hazard source (optional)

Dam/Levee break

Tertiary hazard source (optional)

How will the mitigation activity be implemented?

The City of Burlington will hire a consultant to perform a watershed analysis to determine the most practicable and beneficial mitigation project in which to implement. The May's Lake Watershed Analysis will include a hydrologic and hydraulic study performed on the identified sub-watershed of May's Lake and Little Alamance Creek. A report of the results and project alternative recommendations will be submitted to the City by the consultant. A cost analysis for the alternatives will also be included to guide the City through the project selection process. Once the most beneficial alternatives are identified, the City will prioritize and budget appropriately during future budget years.

What is the scope of work of the proposal? Will it result in a complete project application for future funding opportunities?

This analysis will lead to a BRIC-eligible construction project by providing the City with stormwater quality and quantity project options that are recommended based on the gathered data collected from this analysis. The City of Burlington is seeking funds to assist in the hiring of a consultant to perform a watershed analysis within May's Lake Watershed. The results of the watershed analysis is to include the current scope of flooding, geomorphological conditions and potential changes during specified storm events. The report will also include recommendations for potential water quality and quantity projects to minimize future impacts from increased frequency of high intensity storm events. Based on the study results, the City can reference the project recommendations in the stormwater Capital Improvement Plan and prioritize recommendations based on the projected benefits of each solution. The results of the watershed analysis will provide the City with alternatives from which to select and request for bids for design. The City can apply for future funding for construction of the selected alternative(s) based on the results of this project.

Who will manage and complete the mitigation activity?

The project will be managed by Amy Barber, Stormwater Manager and Bob Patterson, Water Resources Director for the City of Burlington.

What are you doing to consider other risks in the project area?

Additional risks in the project area will be observed and considered in the final report from the hired consultant once the watershed analysis is compiled.

Is there an estimate for when the mitigation activity will take place?

It is estimated to hire a consultant to begin surveying and field data compilation by Summer 2023 with a full report of recommendations by February 2024.

What alternatives will be considered?

Due to the high amount of sediment being transported by Little Alamance Creek and two additional tributaries, the lake depth has decreased to approximately 18"-24" in the deepest parts. As a result, waters of higher temperature and lower dissolved oxygen are being released into Little Alamance Creek. The ideal project will include bio-engineered solutions to increase nutrient uptake, decrease outflow temperature, increase dissolved oxygen, while providing wildlife habitat to the lake.

Do activities being considered align with hazard mitigation plan?

The goals of the study are to implement measures within the studied watershed that will decrease the effects of flooding upstream and downstream of May's Lake following high-intensity or prolonged rain events. By doing so, the City of Burlington is demonstrating a firm commitment to improving community health and safety and reducing future vulnerability through wise development. Both of these demonstrations are aligned with the Hazard Mitigation Plan.

Additional comments (optional)

N/A

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
May's Lake Project Aerial.pdf	11/18/2022	abarber@burlingtonnc.gov	Scope of Work Attachments	No description given.	
Potentially Underserved (1).pdf	11/18/2022	abarber@burlingtonnc.gov	Scope of Work Attachments	No description given.	
a. Location Map (1).pdf	11/18/2022	abarber@burlingtonnc.gov	Scope of Work Attachments	No description given.	

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 Request for Qualifications	Start Month 05	Task Duration (in Months) 1 months	Task Description Create and release RFQ to receive submissions from qualified consultants. The City will form a selection committee to review and select the most qualified firm to perform the analysis.
Task Name Community Outreach	Start Month 01	Task Duration (in Months) 5 months	Task Description Continue working with the May's Lake community to retain support for projects.
Task Name Field Survey	Start Month 07	Task Duration (in Months) 2 months	Task Description The consultant will field survey the existing conditions of the watershed and determine necessary survey requirements. The survey will produce sufficient data to produce a digital topographic corridor map. The consultant will send survey notifications to all residents in the project area.

Task Name Hydrologic and Hydraulic Model Development	Start Month 09	Task Duration (in Months) 1 months
Task Description The consultant will develop a dynamic Hydrologic and Hydraulic model to evaluate the existing project area conditions and drainage patterns based on survey. The consultant will also create an existing and proposed improvement analysis.		

Task Name Final Watershed Report	Start Month 09	Task Duration (in Months) 3 months
Task Description Based on the survey results, hydraulic, and hydrologic modeling results the consultant will deliver a full report with results and watershed project recommendations to be implemented as a flood control and water quality measure.		

Task Name State Grant Contracting	Start Month 01	Task Duration (in Months) 2 months
Task Description Tasks for completing state grant contract		

Estimate the total duration of your proposed activities (in months). **12**

Proposed project start and end dates

Start Date **2024-01-01**

End Date **2024-12-31**

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: \$262,500.00

Budget type: Non construction

▶ Cost type: Cost estimate	\$250,000.00
▶ Cost type: Management cost	\$12,500.00

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.

<p>Is this an Economically Disadvantaged Rural Community? ⓘ</p> <p>This determines your federal/non-federal share ratio.</p> <p>No</p>	<p>Proposed federal share</p>	<p>76.19</p>	<p>200000.00</p>
	<p>Proposed non-federal share</p>	<p>23.81</p>	<p>62500.00</p>
	<p>Please provide justification for exceeding the allowable federal share here.</p> <p>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: City of Burlington Stormwater Utility	76.00%	\$47,500.00
▶ Funding source: City of Burlington Stormwater Utility - In-Kind	24.00%	\$15,000.00

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
2022-12-20 BRIC - COB Matching Funds Commitment letter.pdf	01/05/2023	abarber@burlingtonnc.gov	BudgetAttachments	No description given.	
23-4 Match Funding for FEMA BRIC Grant 1-3.pdf	01/05/2023	abarber@burlingtonnc.gov	BudgetAttachments	City Council Resolution for cost-share match of \$62,500	

Cost-effectiveness

How was cost-effectiveness determined for this project?

Not applicable

Please explain why this project is not applicable.

This project scope consists of the completion of a watershed analysis and modeling to provide the most beneficial and cost effective alternatives for the City to select for implementation to mitigate flooding. Once the report with compiled alternatives is completed, the City can then utilize FEMA's CBA toolkit to evaluate cost-effectiveness.

Please provide any additional comments below (optional).

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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 North Carolina Building Codes
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.	The City of Burlington is in partnership with North Carolina Department of Transportation (NC DOT) and the City of Graham to administer a Category 4b Demonstration Plan in the Little Alamance Creek Watershed. The goal of the plan is to address impairments in Little Alamance Creek through the implementation of stormwater controls and community outreach. The outflow of the May's Lake, the continuation of Little Alamance Creek, flows under US HWY 70 approximately 0.5 miles downstream of the project. The City has received a Letter of Support from NC DOT for the retrofitting of May's Lake as part of our commitment to enhancing Little Alamance Creek in support of a stormwater project of this scale which will affect NC DOT infrastructure and adhere to the commitment to enhancing the water quality of Little Alamance Creek.
Additional comments (optional)	N/A

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
2022_LakeMay_LetterOfSupport_NCDOT.pdf	11/16/2022	abarber@burlingtonnc.gov	Evaluation Attachments	Department of Transportation letter of support of exploring possible projects within the May's Lake Watershed.	

Comments & attachments

▶ Community	1 comment, 0 attachments
▶ Mitigation plan	0 comment, 1 attachments
▶ Scope of work	1 comment, 3 attachments
▶ Budget	0 comment, 2 attachments
▶ Cost-effectiveness	0 comment, 0 attachments
▶ Evaluation	1 comment, 1 attachments

Assurances and certifications

OMB number: 4342-0007, Expiration Date: 02/28/2025 [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 (F.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.