



Texas Division of Emergency Management Planning Grant Application Packet



HAZARD MITIGATION ACTION PLAN
HMGP GRANT APPLICATION CHECKLIST

SUB-APPLICANT: **Hidalgo County**

NFIP STATUS: Participating

PROJECT DESCRIPTION:

Hidalgo County Hazard Mitigation Plan

EMERGENCY PREPAREDNESS APPROVAL LEVEL: Advanced

MAP DATE: 09/2013



DOCUMENT	COMPLETE	COMMENTS
<i>See page 20 for State priority and funding parameters.</i>		
1. Texas State Application	<input type="checkbox"/>	
2. State of Texas Assurances	<input checked="" type="checkbox"/>	
3. SF 424 - Federal Application	<input checked="" type="checkbox"/>	
a. FEDERAL ASSURANCES FEMA 20-16	<input checked="" type="checkbox"/>	Summary sheet for assurances
b. 20-16 A & C	<input checked="" type="checkbox"/>	Non-construction assurances and lobbying certification
4. Project Officer Designation Form	<input checked="" type="checkbox"/>	Mario A. Betancourt, Deputy EMC, Hidalgo County
5. Third Party Officer Designation Form	<input checked="" type="checkbox"/>	Contractors (if applicable) An RFP will be developed to contract an eligible firm.
6. Floodplain Manager Form	<input checked="" type="checkbox"/>	N/A
7. 25% Or More Match Certification	<input checked="" type="checkbox"/>	<i>Label as: Attachment A.</i>
8. Scope of Work	<input checked="" type="checkbox"/>	<i>Label as: Attachment B. Plans do not require alternatives</i>
9. Project Cost Breakdown	<input checked="" type="checkbox"/>	<i>Label as: Attachment C. Including management costs</i>
10 Project Timeline	<input checked="" type="checkbox"/>	<i>Label as: Attachment D. Quarterly timeline with at least 2 activities per quarter not including submittal of quarterly report as an activity</i>
11. Environmental Justice Statement	<input checked="" type="checkbox"/>	<i>Label as: Attachment E.</i>
12. Voluntary Participation Letter	<input type="checkbox"/>	<i>Label as Attachment F. New Requirement – one from each jurisdiction on jurisdiction's letterhead</i>
13. Maintenance Agreement	<input checked="" type="checkbox"/>	<i>Label as: Attachment G. Agency responsible for maintaining the plan</i>
14. FIRM With Project Plotted	<input type="checkbox"/>	<i>Label as: Attachment H. County/City/Jurisdictional Index Map</i>

Checklist Line item #: 1

MITIGATION GRANT PROJECT APPLICATION

TEXAS HAZARD MITIGATION GRANT PROGRAM

Mail Application to: State Hazard Mitigation Officer
Division of Emergency Management
Texas Department of Public Safety
P. O. Box 4087
Austin, Texas 78773-0226

Phone: (512) 424-2429
FAX: (512) 424-5959

SUB-APPLICANT COUNTY: Hidalgo County

DUNS CODE: 103110834

NAME OF SUB-APPLICANT: (CITY, AGENCY, ETC.)

FIPS CODE: 215

Hidalgo County

POINT - OF - CONTACT

Mario Betancourt

SUB-APPLICANT ADDRESS: (STREET, CITY, ZIP)

1615 S. Closner, Suite G, Edinburg, TX 78539

PHONE: (956) 318-2615

MOBILE: (956) 329-9129

PROJECT LOCATION ADDRESS:

1615 S. Closner, Suite G, Edinburg, TX 78539

FAX: (956) 289-7889

E-MAIL: mario.betancourt@co.hidalgo.tx.us

ESTIMATED TOTAL PROJECT COST: \$ 133,000.00

PRE-AWARD COST: \$ 0.00

FEMA FUNDING (75%): \$ 99,750

LOCAL MATCH (25%): \$33,250

TO BE ELIGIBLE COSTS MUST BE IDENTIFIED AS SEPARATE LINE ITEM IN THE COST ESTIMATE OF THE SUB-APPLICATION. COSTS DIRECTLY RELATED TO DEVELOPING THE APPLICATION OR SUB-APPLICATION MAY BE FUNDED THROUGH HMA AS FUNDS ARE AVAILABLE. (DEVELOP BCA, GATHER EHP DATA, PREPARING DESIGN SPECIFICATIONS, OR FOR WORKSHOPS OR MEETINGS RELATED TO DEVELOPMENT OF APPLICATION.) MAY BE IDENTIFIED PRE-AWARD COSTS AS THEIR NON-FEDERAL COST SHARE. **IF GRANT FUNDS ARE NOT AWARDED THEN YOU WILL NOT RECEIVE REIMBURSEMENT FOR PRE-AWARD COSTS.**

SOURCE OF LOCAL FUNDING: In-kind and local funds

DESCRIPTION OF PROJECT / SCOPE OF WORK:

The purposed mitigation action is the development of a new county mitigation action plan.

Signature:

20. Title:

Judge

21. Date:

THIS SECTION FOR STATE USE ONLY

RECOMMENDED

DISASTER DECLARATION NUMBER:

NOT RECOMMENDED

PROJECT CODE:

INELIGIBLE

DATE RECEIVED:

STATE HAZARD MITIGATION OFFICER'S SIGNATURE:

TX APPLICATION #:

FEMA APPLICATION #:

LAT/LONG:

COMMENTS:

DATE:

State of Texas Assurances

- (a) Scope. In addition to federal requirements, state law requires a number of assurances from applicants for federal pass-through or other state-appropriated funds. An attempt has been made below to list major state and federal assurances. Generally, not all of these assurances will be required for any one grant. However, it is the applicant's responsibility to ensure that all assurances required by the awarding agency are submitted.

The legal instrument for awarding state funds must be consistent with the standards prescribed herein; however, these standard conditions or assurances may be incorporated into contracts or grant agreements by reference rather than by being reproduced in their entirety.

(1) A subgrantee must comply with Texas Government Code, Chapter 573, Vernon's 994, by ensuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

(2) A subgrantee must insure that all information collected, assembled or maintained by the applicant relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, Vernon's 1994, unless otherwise expressly prohibited by law.

(3) A subgrantee must comply with Texas Government Code, Chapter 551, Vernon's 1994, which requires all regular, special or called meeting of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

(4) A subgrantee must comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.

(5) No health and human services agency or public safety or law enforcement agency may contract with or issue a license, certificate or permit to the owner, operator or administrator of a facility if the license, permit or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.

(6) A subgrantee that is a law enforcement agency regulated by Texas Government Code, Chapter 415, must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer Standards and Education pursuant to Chapter 415, Texas

Checklist Line item #: 2 continued

Government Code or must provide the grantor agency with a certification from the Texas Commission on Law Enforcement Officer Standards and Education that the agency is in the process of achieving compliance with such rules.

(7) When incorporated into a grant award or contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and local subrecipients shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met. (See Uniform Grant Management Standards, Part III, subpart C.36 for additional guidance on contract provisions.)

(8) A subgrantee must comply with the Texas Family Code, Section 261.101 which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Subgrantees shall also ensure that all program personnel are properly trained and aware of this requirement.

(9) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (10).

(10) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (13).

(11) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (11).

(12) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (12).

(13) Subgrantees will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

(14) Subgrantees will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA. (EO 11738).

(15) Subgrantees will comply with the flood insurance purchase requirements of 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102 (a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

Checklist Line item #: 2 continued

(16) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurances number (15).

(17) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (16).

(18) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (17).

(19) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (11).

(20) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (9).

(21) Subgrantees will comply with Public Law 103277, also known as the Pro-Children Act of 1994 (Act), which prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

(22) Subgrantees will comply with all federal tax laws and are solely responsible for filing all required state and federal tax forms.

(23) Subgrantees will comply with all applicable requirements of all other federal and state laws, executive orders, regulations and policies governing this program.

(24) The applicant must certify that they are not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs.

(25) Subgrantees must adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

Honorable Ramon Garcia, Judge

Subgrantee Name & Title

Date

Signature

**APPLICATION FOR
FEDERAL ASSISTANCE**

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-construction		Pre-application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	2. DATE SUBMITTED	Applicant Identifier State use only
			3. DATE RECEIVED BY STATE	State Application Identifier State use only
			4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier State use only
5. APPLICANT INFORMATION				
Legal Name: County of Hidalgo			Organizational Unit:	
Organizational DUNS: 103110834			Department: Emergency Management	
Address: Street: 1615 S. Closner, Suite G			Division:	
City: Edinburg			Name and telephone number of person to be contacted on matters involving this application (give area code)	
County: Hidalgo			Prefix: Mr.	First Name: Mario
State: Texas Zip Code: 78539			Middle Name: Alberto	
Country: United State of America			Last Name: Betancourt	
			Suffix:	
Email: mario.betancourt@co.hidalgo.tx.us				
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 7 4 - 6 0 0 7 1 7			Phone Number (give area code) (956) 318-2615	FAX Number (give area code) (956) 289-7889
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)			7. TYPE OF APPLICANT: (See back of form for Application Types) Other (specify) B. County	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 9 7 - 0 3 9 TITLE (Name of Program) Hazard Mitigation Grant Program			9. NAME OF FEDERAL AGENCY: FEMA / DHS	
12. AREAS AFFECTED BY PROJECT (Cities, Countries, States, etc.) Hidalgo County and 22 Cities (Refer to item 11)			11. DESCRIPTIVE TITLE OF APPLICANTS PROJECT: Hidalgo County MAP-Development of a new hazard mitigation action plan to include the following jurisdictions: Alamo, Alton, Donna, Edcouch, Edinburg, Elsa, Granjeno, Hidalgo, La Joya, La Villa, McAllen, Mercedes, Mission, Palmhurst, Palmview, Peitas, Pharr, Progreso, Progreso Lakes, San Juan, Sullivan City and Weslaco.	
13. PROPOSED PROJECT Start Date Award Date Ending Date ? Within 24 months of award date or sooner.			14. CONGRESSIONAL DISTRICTS OF: a. Applicant 15th b. Project 15TH & 28TH	
15. ESTIMATED FUNDING:			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$	100,000	.00	(for info: http://www.fws.gov/policy/library/rgeo12372.pdf) a. YES. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
b. Applicant	\$	33,000	.00	
c. State	\$.00	
d. Local	\$.00	
e. Other	\$	In-Kind	.00	
f. Program Income	\$.00	
g. TOTAL	\$	133,000	.00	
17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No				
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES.				
a. Authorized Representative				
Prefix : Hon.		First Name: Ramon		Middle Name
Last Name: Garcia				Suffix
b. Title: Hidalgo County Judge				c. Telephone Number (give area code) (956) 318-2600
Email: ramon.garcia@co.hidalgo.tx.us				Fax Number (give area code) (956) 318-2699
d. Signature of Authorized Representative				e. Date Signed

Checklist Line item #: 3 Continued

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For pre-applications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable)	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project.																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State Intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">A. State</td> <td style="width: 25%;">I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>B. County</td> <td>J. Private Industry</td> </tr> <tr> <td>C. Municipal</td> <td>K. Indian Tribe</td> </tr> <tr> <td>D. Township</td> <td>L. Individual</td> </tr> <tr> <td>E. Interstate</td> <td>M. Profit Organization</td> </tr> <tr> <td>F. Intermunicipal</td> <td>N. Other (Specify)</td> </tr> <tr> <td>G. Special District</td> <td>O. Not for Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td></td> </tr> </table>	A. State	I. State Controlled Institution of Higher Learning	B. County	J. Private Industry	C. Municipal	K. Indian Tribe	D. Township	L. Individual	E. Interstate	M. Profit Organization	F. Intermunicipal	N. Other (Specify)	G. Special District	O. Not for Profit Organization	H. Independent School District		17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans, and taxes
A. State	I. State Controlled Institution of Higher Learning																		
B. County	J. Private Industry																		
C. Municipal	K. Indian Tribe																		
D. Township	L. Individual																		
E. Interstate	M. Profit Organization																		
F. Intermunicipal	N. Other (Specify)																		
G. Special District	O. Not for Profit Organization																		
H. Independent School District																			
8.	Select the type from the following list: "New" means a new assistance award, "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">A. Increase Award</td> <td style="width: 25%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table>	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		

U.S. Department of Homeland Security SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS	O.M.B. No. 3067-0206 Expires February 28, 2007
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FOR FY	CA FOR (Name of Applicant) <p style="text-align: center;">Hidalgo County</p>
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This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.

An applicant must check each item that they are certifying to:

- Part I FEMA Form 20-16A, Assurances-Nonconstruction Programs
- Part II FEMA Form 20-16B, Assurances-Construction Programs
- Part III FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Part IV SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Honorable Ramon Garcia

Typed Name of Authorized Representative

Hidalgo County Judge

Title

Signature of Authorized Representative

Date Signed

NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

Paperwork Burden Disclosure Notice

"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.

U.S. DEPARTMENT OF HOMELAND SECURITY
ASSURANCES-NON-CONSTRUCTION PROGRAMS

Note: 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, 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 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. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen 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. Sections 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. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 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) Sections 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 Acts of 1968 (42 U.S.C. Section 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.
7. Will comply, or has already complied, with the requirements of Title 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 interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 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. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 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. Section 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. Section 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).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 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. Section 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 of 1984.

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

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

**U.S. DEPARTMENT OF HOMELAND SECURITY
CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 28 CFR Part 17, "Government-wide Debarment and suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

A. As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) 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 any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any other funds 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 an employee of Congress, or employee of a member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all subrecipients shall certify and disclose accordingly.

Standard Form LLL, "Disclosure of Lobbying Activities" attached. (This form must be attached to certification if nonappropriated funds are to be used to influence activities.)

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or shall shall attached an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17, Sections 17.615 and 17.620:

A. The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions tht will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

Checklist Line item #: 3b Continued

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

8. the grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

Honorable Ramon Garcia, Hidalgo County Judge

1615 S. Closner, Suite G, Edinburg, TX 78539

Sign:

Check if there are workplaces on file that are not identified here.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a Statewide certification.

**PROJECT OFFICER DESIGNATION
For
HAZARD MITIGATION GRANT**

Date

Subgrantee: Hidalgo County

Local Government or eligible Agency/Organization

DR-4029-TX HMGP

Hazard Mitigation Grant Program (HMGP) Project Number: _____

I designate my Project Officer for this grant as follows:

Primary Project Officer	Secondary Project Officer
Name Mario A. Betancourt	Name Rolando Benavides
Organization Hidalgo County Emergency Management	Organization Hidalgo County Emergency Management
Official Position Deputy EMC	Official Position Deputy EMC
Mailing Address 1615 S. Closner, Suite G	Mailing Address 1615 S. Closner, Suite G
City, State, Zip Edinburg, TX 78539	City, State, Zip Edinburg, TX 78539
Daytime Phone (956) 318-2615	Daytime Phone (956) 318-2615
Fax Number (956) 289-7889	Fax Number (956) 289-7889
Email (Enter in the space below.)	Email (Enter in the space below)
mario.betancourt@co.hidalgo.tx.us	rolando.benavides@co.hidalgo.tx.us
<p>The above Primary and Secondary Project Officers are hereby authorized to execute and file application for this mitigation project on behalf of this organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or otherwise available. Designated Project Officers are authorized by the below Certifying Official to represent and act for this organization in all dealings with the State of Texas for all matters pertaining to this grant, and will serve as the single point of contact with the designated State Project Officer.</p>	

Signature of Mayor, Judge, or Executive Director

Date

Honorable Ramon Garcia

Printed Name of above Authorized Official

Third Party Authorization

Date: _____

HMGP Sub-grantee/applicant: Hidalgo County

Hazard Mitigation Grant Program (HMGP) Project Number: DR-4029-TX HMGP

In order to be more efficient in assisting our sub-grantee/applicant's with their HMGP applications and projects, the State is asking for the contact information below to be filled out for any contacts in addition to the primary and secondary project officers, who will be authorized for involvement in the grant application or project identified above. This would include all outside consultants which can be designated individually or by consulting firm.

Name:(If awarded, an RFP will be initiated)
Organization:TBD
Official Position:TBD
Mailing Address:TBD
City, State, Zip:TBD
Daytime Phone:TBD
Fax Number:TBD
Email:TBD

The above individual has been given permission to communicate with the Texas Division of Emergency Management, Mitigation section, by the sub-grantee concerning their Hazard Mitigation Grant Program applications and projects.

Signature of Authorized Agent/Project Officer

Date

Honorable Ramon Garcia, Hidalgo County Judge

Printed Name & Title

**FLOODPLAIN MANAGER FORM
For
HAZARD MITIGATION GRANT**

Date

Subgrantee: N/A

Local Government or eligible Agency/Organization

Hazard Mitigation Grant Program (HMGP) Project Number: N/A

The designated Floodplain Manager for this project application is as follows:

	Floodplain Manager
Name	
Organization	
Official Position	
Mailing Address	
City, State, Zip	
Daytime Phone	
Cell Number	
Fax Number	
Email	
	Certified Floodplain Manager (CFM) Information
CFM Certification Number	
If not a CFM – enter the date of attendance for:	
CFM - 1 Week Course	
Floodplain 101	
The designated Floodplain Manager is authorized by the below Certifying Official to represent and act for this organization in all dealings with the State of Texas matters pertaining to floodplain issues for this grant.	

Signature of Mayor, Judge, or Executive Director

Date

N/A

Printed Name of above Authorized Official

COST SHARE CERTIFICATION / 25% Match Certification (Label as: Attachment A)

This is normally a letter, on agency or jurisdiction letterhead, containing words to the effect: I certify that (Name) jurisdiction is able to meet the 25% cost share, or more, of the (identified) project. The words 'or more' are very important. This says that the jurisdiction/agency is committing to completing the project, even if they experience cost overruns that cannot be covered by the grant. This letter must be signed by an individual who is authorized to commit the agency/jurisdiction to financial obligation (i.e. sign checks).

Note: HMGP funds cannot be used as a match for other Federal funds nor can other Federal funds be used as a match for HMGP.

Scope of Work (SOW) (Label as: Attachment B)

The hazard mitigation planning sub-application SOW must describe the development of a hazard mitigation plan that complies with the requirements identified in 44 CFR Part 201. For a hazard mitigation plan, the SOW must:

- State whether the proposed planning activity will result in a new hazard mitigation plan or an update of an existing hazard mitigation plan;
- Identify the jurisdiction(s) that will participate in developing the plan and describe the jurisdiction(s);
- For multi-jurisdictional plans, provide a statement of how the overall planning effort will be coordinated.
- Describe the process for plan development clearly demonstrating the applicable regulatory requirements will be met. Document in detail (including who will be responsible for completing each task) the activities the jurisdiction(s) will complete to develop the plan, including public involvement, identification of hazards, development of a comprehensive risk/vulnerability assessment, identification of mitigation goals and strategies, plan implementation, and describe how these activities relate to the cost estimate; and
- Describe the plan adoption process for the jurisdiction(s) to ensure sufficient time to complete the plan as well as time for State and FEMA review and, if necessary, time to complete any required revisions and time to formally adopt the plan.

Additionally, for an **update** to a hazard mitigation plan, the SOW must include the reasons for the update and:

- Describe the process for plan development, clearly demonstrating the applicable regulatory requirements will be met. Document in detail the activities the jurisdiction will complete to update each section (planning process, participation efforts, risk assessment, mitigation strategy, and plan implementation) of the plan including:
 - Completion of a thorough review of each section of the previous plan;
 - Incorporation of appropriate updates to address gaps in each section of the plan;
 - Inclusion of any new/modified/updated information (including hazard, land use, and developmental trends), findings, research, risk data, etc. in each section of the plan; and
 - A discussion of how the plan was implemented since the approval of the last plan; and
 - A discussion of whether the plans update process in the existing plan will be followed or what modifications to that process will be incorporated.

Cost Breakdown *(Label as: Attachment C)*

- The cost estimate must be reasonable for the jurisdictions that are participating, as shown by signed letters of intent. However, this does not exclude eligible jurisdictions for which letters of intent were not provided for engaging in the planning process and adopting the plan.
- Project management and contractor fees will not be accepted on a cost plus or percentage basis.
- Do not add a separate contingency category.
- This must be a breakdown of the total project costs not just the Federal share.
- Management costs must be a separate line item and must be defined.
- Pre-award costs directly related to developing the application such as those needed to develop a BCA, gather EHP data, prepare design specifications, or for workshops or meetings related to development and submission of project applications must also be separate line items for each task.
- Cost estimates must include detailed estimates of various cost item categories such as labor, materials, equipment, and subcontractor costs and they must represent all of the activities identified in the both the scope of work and proposed work schedule.
- If the source of the non-federal share is known, it should be identified here – if the source is another grant with a time element a cover letter must accompany the application with the identity of the grant and the time frame involved.
- Sub-applicants must provide an explanation and documentation demonstrating how the cost estimate was developed and the basis for each cost element, such as salary and fringe benefit rates for personnel, bids from qualified professionals, and costs established in nationally published or local cost estimating guides (such as RS Means).
- If a cost estimate is based on a contractor's bid or historic costs from another activity, detailed documentation as outlined above still must be provided.
- Additional guidance is published in the Hazard Mitigation Assistance (HMA) Unified Guidance in effect at the time of the disaster. Part IV, Sections H.3, H.3.1, H.3.2, H.3.3.

Additional Cost Breakdown Elements:

In addition to standard items in H.3, the HMP cost estimate must include a line item breakdown of costs associated with all elements described in the Scope of Work (such as: 1) Meetings, including labor, travel expenses and supplies; 2) Data research and collection, including eligible mapping activities or risk assessment; 3) Plan drafting, review and final production; 4) Information dissemination activities, including printing and advertising; 5) Professional development, training, tuition, and travel for the purpose of carrying out the planning Scope of Work). *((FY011 HMA Guidance H.3.2))*

Proposed Project Timeline *(Label as: Attachment D)*

Insure that your schedule begins upon approval and shows that your project plan indicates completion within two years. Include all described items and activities in your scope of work and cost breakdown. Break your timeline down into 8 quarters with at least 2 actions per quarter. Submitting your quarterly report does not count as an action. **(NOTE: This application time schedule will be considered the project master time schedule and all quarterly reports will be compared to this master when rating project performance.)**

ENVIRONMENTAL JUSTICE STATEMENT *(Label as: Attachment E)*

Environmental Justice has nothing to do with the flora and fauna type environment; rather, it has to do with the social and economic environment, more specifically, the equal treatment of disproportionately low income or minority populations. Presidential Executive Order (EO) 12898 requires Federal Agencies, which includes FEMA, to identify and address any disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on low income and minority populations. HMGP projects that change land use practices or remove structures from flood risk areas may also contribute to a reduction of available, affordable housing in the disaster-affected area. If this situation has a disproportionately high and adverse effect on the low income or minority population, additional actions are required to correct this imbalance and insure that environmental justice is achieved.

The most common environmental justice issue encountered is lack of local affordable housing during a buyout program. The pre-flood real estate value of the home that is bought out is insufficient to purchase a comparable home in the local area. When this occurs, the jurisdiction must provide additional funding, in cash or property, which will bring the offering price up to equitable, local, housing prices.

As a means to comply with EO 12898 requirements, all HMGP applications must include an Environmental Justice Statement signed by the authorized agent or chief elected/executive official that answers the following:

1. Are there concentrations of low income or minority populations in or near the HMGP project?
2. Will the HMGP project result in a disproportionately high and adverse effect on low income or minority populations?
3. What action(s) will be taken to insure achievement of environmental justice for low income and minority populations?

Voluntary Participation Letter *(Label as: Attachment F)*

For multi-jurisdictional planning grants, a statement of intent to participate in the planning activity, individually signed by each participating jurisdiction on their letterhead must be included. (County, City, School System, Private Non-Profits) This does not exclude eligible jurisdictions for which letters of intent were not provided for engaging in the planning process and adopting the plan. The cost estimate must be reasonable for the jurisdictions that are participating, as shown by the letters of intent.

Maintenance Agreement *(Label as: Attachment G)*

All projects require a maintenance agreement. This statement must be on the sub-applicant's letterhead and indicate what agency will be responsible for the maintenance of the plan.

FIRM with project plotted *(Label as: Attachment H)*

The FIRM with the location of the planning area clearly indicated on the map. The FIRM must include all of the panel information from the floodplain map – **the best method to satisfy this requirement is to create and include a FIRM-ette.**

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

www.dps.texas.gov



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
CHERYL MacBRIDE
DEPUTY DIRECTORS



COMMISSION
ALLAN B. POLUNSKY, CHAIR
ADA BROWN
JOHN STEEN
CARIN MARCY BARTH
A. CYNTHIA LEON

January 5, 2012

MEMORANDUM FOR: Record

SUBJECT: Revised Funding Guidance for Mitigation Action Planning Grant

This memorandum provides guidance for the State priority and funding parameters for Mitigation Action Planning grants. The new guidance begins with disasters declared in calendar year 2011 and afterward.

State Priority:

The State planning priority is a multi-jurisdictional county level plan that includes vital community participants such as cities, independent school districts, hospital complexes and special water-drainage-electrical type districts.

Financial Guidelines:

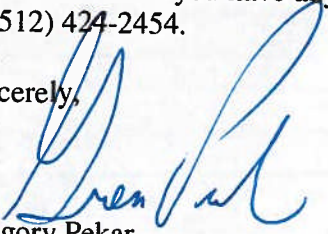
New or updated planning applications cannot exceed \$50,000 federal share for primary participant and \$5,000 for each additional participant, with a maximum of \$100,000 federal share. Planning grant applications in which the number of participants exceeds 10 should contact the state mitigation section for additional funding guidance.

Individual non-jurisdictional planning applications, such as special districts, schools, hospitals, etc., are limited to \$15,000 federal share and are a secondary priority.

Planning grant applications requesting non pre-approved amounts over these limits will only be considered after those meeting the above guidelines. Sub-applicants may be offered a reduced federal share based on the planning grant funding available and applications submitted.

These guidelines will be outlined in the Administration Plan of DR-1999 and those for each disaster moving forward. Should you have any questions concerning this memorandum, please contact the Mitigation Grants Officer at (512) 424-2454.

Sincerely,


Gregory Pekar
Mitigation Section Administrator
Texas Division of Emergency Management



OFFICE OF THE COUNTY JUDGE
County Of Hidalgo

RAMON GARCIA
County Judge

Maintenance Agreement

Each participating jurisdictions will ensure that future improvement planning will be consistent with the goals of this hazard mitigation plan to reduce the long-term risk of life and property from all hazards. Pursuant to formal approval and adoption of the Hazard Mitigation Plan, participating jurisdictions and the identified Hazard Mitigation Planning Team members will be responsible for conducting periodic and yearly monitoring of those components of the hazard mitigation plan that pertain to their jurisdiction. Each jurisdiction shall have one department or office designated to adopt the plan. The person that holds this title shall be responsible for monitoring the plan by providing yearly updates to their respective jurisdiction regarding the implementation of any mitigation action or any meeting held to discuss the mitigation action plan.

If required, an annual planning budget will be the responsibility of each participating jurisdiction, whether it is through commissioner's court for a county or through city council. A responsible role will be designated in the adoption process and this party will inform their respective council or commissioner's court regarding funding sources for mitigation actions during the annual budget planning and approval process.

Signed

Honorable Ramon Garcia
Hidalgo County Judge