

ALBERT ASHWOOD
State Director



MARY FALLIN
Governor

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT

March 6, 2015

Mr. David Grizzle, City of Norman Emergency Manager Coordinator
415 E. Main St.
Norman, Oklahoma
73071-5820

Reference: FEMA-4117-DR-OK, City of Norman, Individual Safe Room Reimbursement Project #023

Dear Mr. David Grizzle:

We are pleased to announce the approval by FEMA Region VI of funds for the above referenced project. Federal funding for this project in the amount of \$1,019,975.00 is available through the Hazard Mitigation Grant Program (HMGP) under FEMA-4117-DR-OK. **Congratulations, you may now start your project!**

As indicated on the attached State and Local Agreement, you have three (3) years from the FEMA approval date February 12, 2015, to complete your project and close out your project at OEM and FEMA Region VI. Please sign page three and return all three pages of the enclosed State/Local Agreement to this office as soon as possible, but no later than April 6, 2015, keeping a copy for your files. Retain all other documents for your files. Please note, you cannot draw any funding without signing and returning all three pages of the above referenced agreement.

As the work progresses on this project, FEMA requires that you provide this office with project progression electronically every quarter until this project is completed and closed out.

- The first Status Report is due, July 10, for the 3rd Quarter 2015. Quarterly Progress Reports should explain in detail what work has been completed thus far and identify the anticipated date the project will be completed.
- Also, use this document to inform us of any significant events, delays or anticipated problems. The detailed records of man-hours, equipment-hours, supplies and materials, etc., should be maintained on file at your office for your use and for audit purposes.
- For informational purposes, the following is supplied: [1st Quarter (Oct, Nov, Dec) Report due Jan 10; 2nd Quarter (Jan, Feb, Mar) Report due Apr 10; 3rd Quarter (Apr, May, Jun) Report due Jul 10; 4th Quarter (Jul, Aug, Sep) Report due Oct 10].
- Please send your e-mail address to lorraine.calvert@oem.ok.gov and we will forward an electronic Quarterly Report prior to the submission deadline.



The detailed records of man-hours, equipment-hours, supplies, and materials, etc., must be maintained on file at your office for your use and for audit purposes. These documents must coincide with the Cost Estimate Line-Item Budget submitted in the project application. You may request a reimbursement payments prior to project completion.

- Requests addressed to this office must include appropriate invoices to substantiate amount requests and fall under the Line-Item Budget Categories.
- You must also document your 25% local match used during the quarter. Please limit your requests to once a quarter or approximately 20% of the project, except in the most unusual circumstances.
- Only 75% of the federal share will be disbursed with the remaining 25% held until project completion and close out.

When this project is completed, forward a letter stating that the work is complete and a request to close the project. We will establish a close-out audit date.

- Please insure you have all applicable documentation relating to the expenditure of the 75% federal share of funds and the 25% local share of funds available for review.
- All documentation must coincide with the above-referenced Line-Item Budget.
- All remaining monies will be mailed to you after the close-out audit.

Thank you for taking this initiative to maintain a mitigation process that will result in a safer community/county.

If you have any questions regarding this project please contact Annie Vest, State Hazard Mitigation Officer, at (405) 521-3140 or by email at annie.vest@oem.ok.gov.

Sincerely,



ALBERT ASHWOOD
Director

Enclosures: State and Local Agreement
Quarterly Report Form
Re-imbusement Request Instructions



FEMA

January 27, 2015

MEMORANDUM FOR: Melissa Wise, Hazard Mitigation Assistance Branch Chief

FROM: Kevin Jaynes, Regional Environmental Officer *KJ*

SUBJECT: HMGP-DR-4117-OK Project #23; City of Norman Individual Safe Room Reimbursement Project, Cleveland County, Oklahoma

The purpose of this memorandum is to notify you that the Hazard Mitigation Grant Program (HMGP) project for the City of Norman's individual safe room reimbursement program for approximately 400 primary and 200 alternate individual safe rooms, has been cleared with conditions under the National Environmental Policy Act (NEPA). The Code of Federal Regulations, 44 CFR Part 10, requires that the Federal Emergency Management Agency (FEMA) take into account environmental considerations when authorizing or approving major actions. This project has been determined to be categorically excluded in accordance with 44 CFR Part 10.8(d)(2)(xvi) from the need to prepare either an Environmental Impact Statement or Environmental Assessment. No extraordinary circumstances in accordance with 44 CFR 10.8(d)(3) have been identified regarding this action. The applicant must ensure they comply with all conditions set forth in the attached Record of Environmental Consideration (REC). Failure to comply with these conditions may jeopardize federal assistance including funding.

Please note that this transmittal is a notification that this project has been cleared under NEPA only. **This is not a notice of final approval or eligibility.** Any change beyond the approved scope of work for this project will require additional environmental review by FEMA.

cc: Danielle Brown, Hazard Mitigation Specialist

Enclosures: Record of Environmental Consideration (REC)
Approved Property List

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

Project Name/Number: HMGP-DR-4117-OK Project #23; City of Norman Individual Safe Room Reimbursement Project

Project Location: Norman, Cleveland County, Oklahoma. See attached property list of approved safe room locations.

Project Description: The proposed HMGP project is the funding of approximately 400 above and below ground individual safe room rebates in Norman, Cleveland County, Oklahoma. An additional 200 alternate safe rooms were reviewed and approved as part of this grant. All safe rooms will be built within 100 feet of an existing structure. The safe rooms will be built in accordance with FEMA 320 and 361 guidelines.

Documentation Requirements

- ☐ No Documentation Required (Review Concluded)
- ☐ (Short version) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. (Review Concluded)
- ☒ (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

National Environmental Policy Act (NEPA) Determination

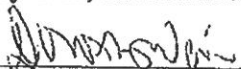
- ☐ Statutorily excluded from NEPA review. (Review Concluded)
- ☐ Programmatic Categorical Exclusion - (Review Concluded)
- ☒ Categorical Exclusion - (xvi)
- ☒ No Extraordinary Circumstances exist.
- Are project conditions required? ☒ Yes (see section V) ☐ No (Review Concluded)
- ☐ Extraordinary Circumstances exist (See Section IV).
- ☐ Extraordinary Circumstances mitigated. (See Section IV comments)
- Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)
- ☐ Environmental Assessment
- ☐ Supplemental Environmental Assessment (Reference EA or PEA in comments)
- ☐ Environmental Impact Statement

Comments: 44 CFR 10.8 (d)(2)(xvi) - "Improvements to existing facilities and the construction of small scale hazard mitigation measures in existing developed areas with substantially completed infra-structure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use provided the operation of the completed project will not, of itself, have an adverse effect on the quality of the human environment."

Reviewer and Approvals☐ Project is Non-Compliant (See attached documentation justifying selection).

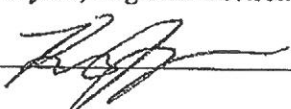
FEMA Environmental Reviewer.

Name: Dorothy Weir, Environmental Specialist

Signature  Date 1/27/2015

FEMA Regional Environmental Officer or delegated approving official.

Name: Kevin Jaynes, Regional Environmental Officer

Signature  Date 1/27/15**I. Compliance Review for Environmental Laws (other than NEPA)****A. National Historic Preservation Act**

- ☐ Not type of activity with potential to affect historic properties. (Review Concluded)
- ☒ Applicable executed Programmatic Agreement. Otherwise, conduct standard Section 106 review.
- ☒ Activity meets Programmatic Allowance # I.O.
- Are project conditions required? ☒ Yes (see section V) ☐ No (Review Concluded)

HISTORIC BUILDINGS AND STRUCTURES

- ☐ No historic properties that are listed or 45/50 years or older in project area. (Review Concluded)
- ☒ Building or structure listed or 45/50 years or older in project area and activity not exempt from review.
- ☐ Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
- Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)
- ☒ Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
- ☐ Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
- ☒ No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).
- Are project conditions required? ☒ Yes (see section V) ☐ No (Review Concluded)
- ☐ Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
- ☐ Resolution of Adverse Effect completed. (MOA on file)
- Are project conditions required ☐ Yes (see section V) ☐ No (Review Concluded)

ARCHEOLOGICAL RESOURCES

- ☒ Project affects only previously disturbed ground. (Review Concluded)
- ☐ Project affects undisturbed ground.
- ☐ Project area has no potential for presence of archeological resources
- ☐ Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). (Review Concluded)
- ☐ Project area has potential for presence of archeological resources
- ☐ Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)
- Are project conditions required ☐ Yes (see section V) ☐ No (Review Concluded)
- ☐ Determination of historic properties affected
- ☐ NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).
- Are project conditions required ☐ Yes (see section V) ☐ No (Review Concluded)
- ☐ NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)
- ☐ No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
- Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)
- ☐ Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
- ☐ Resolution of Adverse Effect completed. (MOA on file)
- Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)

Comments: The scope of work has been reviewed and meets the criteria in Appendix A- Programmatic Allowances Item I Section O. In accordance with this PA, FEMA is not required to determine the National Register eligibility of properties where work performed meets the Appendix A criteria. Ten properties were located in historic districts and FEMA consulted with SHPO and OAS on safe room installations at these sites.

Correspondence/Consultation/References: Programmatic Agreement Among the Federal Emergency Management Agency, the Oklahoma State Historic Preservation Office, the Oklahoma Archeological Survey, and Oklahoma Department of Emergency Management. Melvena Heisch, Deputy SHPO, correspondence dated 12/9/2014 and 1/22/2014. Robert Brooks, OAS, correspondence dated 12/2/2014.

B. Endangered Species Act

☐ No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.

(Review Concluded)

☒ Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.

☒ No effect to species or designated critical habitat.

Are project conditions required? ☐ Yes (see section V) ☒ No **(Review Concluded)**

☐ May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file)

Are project conditions required? ☐ Yes (see section V) ☐ No **(Review Concluded)**

☐ Likely to adversely affect species or designated critical habitat

☐ Formal consultation concluded. (Biological Assessment and Biological Opinion on file)

Are project conditions required? ☐ YES (see section V) ☐ NO **(Review Concluded)**

Comments: FEMA has made the determination that no threatened or endangered species will be affected by this project.

Correspondence/Consultation/References: Dixie Bounds, USFWS, *Actions with No Impacts to Federally-Listed Species or Other Federal Trust Resources*.

C. Coastal Barrier Resources Act

☒ Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Concluded)**.

☐ Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)

☐ Proposed action an exception under Section 3505.a.6 **(Review Concluded)**

☐ Proposed action not excepted under Section 3505.a.6.

Are project conditions required? ☐ YES (see section V) ☐ NO **(Review Concluded)**

Comments: None.

Correspondence/Consultation/References:

D. Clean Water Act

☒ Project would not affect any waters of the U.S. **(Review Concluded)**

☐ Project may affect waters, including wetlands, of the U.S.

☐ Project exempted as in kind replacement or other exemption. **(Review Concluded)**

☐ Project may require Section 404/401 or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits.

Are project conditions required? ☐ YES (see section V) ☐ NO **(Review Concluded)**

Comments: None.

Correspondence/Consultation/References:

E. Coastal Zone Management Act

☒ Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**

☐ Project is located in a coastal zone area and/or affects the coastal zone

☐ State administering agency does not require consistency review. **(Review Concluded)**.

☐ State administering agency requires consistency review.

Are project conditions required? ☐ YES (see section V) ☐ NO **(Review Concluded)**

Comments: None.

Correspondence/Consultation/References:

F. Fish and Wildlife Coordination Act

☒ Project does not affect, control, or modify a waterway/body of water. (Review Concluded)

☐ Project affects, controls or modifies a waterway/body of water.

☐ Coordination with USFWS conducted

☐ No Recommendations offered by USFWS. (Review Concluded)

☐ Recommendations provided by USFWS.

Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

G. Clean Air Act

☒ Project will not result in permanent air emissions. (Review Concluded)

☐ Project is located in an attainment area. (Review Concluded)

☐ Project is located in a non-attainment area.

☐ Coordination required with applicable state administering agency..

Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

H. Farmland Protection Policy Act

☒ Project does not affect designated prime or unique farmland. (Review Concluded)

☐ Project causes unnecessary or irreversible conversion of designated prime or unique farmland.

☐ Coordination with Natural Resource Conservation Commission required.

☐ Farmland Conversion Impact Rating, Form AD-1006, completed.

Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

I. Migratory Bird Treaty Act

☐ Project not located within a flyway zone. (Review Concluded)

☒ Project located within a flyway zone.

☒ Project does not have potential to take migratory birds.

Are project conditions required? ☐ Yes (see section V) ☒ No (Review Concluded)

☐ Project has potential to take migratory birds.

☐ Contact made with USFWS

Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None

Correspondence/Consultation/References:

J. Magnuson-Stevens Fishery Conservation and Management Act

☒ Project not located in or near Essential Fish Habitat. (Review Concluded)

☐ Project located in or near Essential Fish Habitat.

☐ Project does not adversely affect Essential Fish Habitat.

Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)

☐ Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)

☐ NOAA Fisheries provided no recommendation(s)

Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)

- ☐ NOAA Fisheries provided recommendation(s)
☐ Written reply to NOAA Fisheries recommendations completed.
 Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

K. Wild and Scenic Rivers Act

- ☒ Project is not along and does not affect Wild or Scenic River (WSR) - (Review Concluded)
☐ Project is along or affects WSR
☐ Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action.
 (NPS/USFS/USFWS/BLM consultation on file) (Review Concluded)
☐ Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
 Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

L. Other Relevant Laws and Environmental Regulations

Resource Conservation and Recovery Act (RCRA): Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

Asbestos Hazard Emergency Response Act (AHERA): If any asbestos containing materials, lead based paint and/or other hazardous materials are found during remediation or repair activities, the applicant must comply with all federal, state and local abatement and disposal requirements under the National Emissions Standards for Hazardous Air Pollutants (NESHAP).

II. Compliance Review for Executive Orders

A. E.O. 11988 – Floodplains

- ☐ No Effect on Floodplains/Flood levels and project outside Floodplain - (Review Concluded)
☒ Located in Floodplain or Effects on Floodplains/Flood levels
☐ No adverse effect on floodplain and not adversely affected by the floodplain.
 Are project conditions required? ☐ Yes (see section V) ☐ No (Review Concluded)
☐ Beneficial Effect on Floodplain Occupancy/Values (Review Concluded).
☒ Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
☒ 8 Step Process Complete - documentation on file
 Are project conditions required? ☒ YES (see section V) ☐ NO (Review Concluded)

Comments: The property at 120 Merkle Drive, Norman, OK is located within an "AE" zone, area of 100-yr flooding, per Flood Insurance Rate Map (FIRM) panel number 40027C0280H, dated 9/26/2008. The proposed action is not likely to result in any potential direct impacts that will adversely affect the natural values and function of floodplains, nor is it likely to increase the risk of flood loss. 8-step checklist attached. The remaining safe rooms are located outside the 100 year flood zone and the activity does not adversely affect floodplain values. See attached property list for individual FIRMs.

Correspondence/Consultation/References:

B. E.O. 11990 – Wetlands

- ☒ No Effects on Wetland(s) and project located outside Wetland(s) - (Review Concluded)
☐ Located in Wetland or effects Wetland(s)
☐ Beneficial Effect on Wetland - (Review Concluded)
☐ Possible adverse effect associated with constructing in or near wetland
☐ Review completed as part of floodplain review
☐ 8 Step Process Complete - documentation on file
 Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: A review of the National Wetland Inventory (NWI) online mapper, accessed on January 27, 2015, for the site indicates that the area is not located within a designated wetland.

Correspondence/Consultation/References:

C. E.O. 12898 - Environmental Justice For Low Income and Minority Populations

- ☐ No Low income or minority population in, near or affected by the project - (Review Concluded)
- ☒ Low income or minority population in or near project area
- ☒ No disproportionately high and adverse impact on low income or minority population- (Review Concluded)
- ☐ Disproportionately high or adverse effects on low income or minority population
- Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments: None.

Correspondence/Consultation/References:

IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

Yes

- ☐ (i) Greater scope or size than normally experienced for a particular category of action
- ☐ (ii) Actions with a high level of public controversy
- ☐ (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- ☐ (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- ☐ (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- ☐ (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- ☐ (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- ☐ (viii) Potential for adverse effects on health or safety; and
- ☐ (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- ☐ (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments: None.

V. Environmental Review Project Conditions

General Comments: None

Project Conditions:

1. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains are uncovered, the project must be halted immediately in the vicinity of the discovery, and all reasonable measures must be taken to avoid or minimize harm to the finds. The applicant must secure all archeological findings and restrict access to the sensitive area. The applicant must inform FEMA immediately, and FEMA will consult with the State Historic Preservation Office (SHPO). Work in sensitive areas must not resume until consultation is completed and until FEMA determines that appropriate measures have been taken to ensure compliance with the National Historic Preservation Act (NHPA) and its implementing regulations.
2. Any safe rooms that are constructed more than 100 feet from an existing residential structure must be resubmitted to FEMA for re-evaluation before work begins.
3. The home owners at 480 Elm Avenue; 905 S Lahoma Avenue; 620 E Main Street; 501 E Main Street; 213 E Acres Street; 524 W Comanche Street; and 627 Jenkins Avenue must install their safe rooms in the manner described to FEMA and SHPO. Any changes to the installation plans for these safe rooms must be submitted to FEMA for re-review prior to the start of construction.
4. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
5. If any asbestos containing materials, lead based paint and/or other hazardous materials are found during remediation or repair activities, the applicant must comply with all federal, state and local abatement and disposal requirements under the National Emissions Standards for Hazardous Air Pollutants (NESHAP).
6. For safe rooms in the floodplain, applicant must coordinate with the local floodplain administrator and obtain required permits prior to initiating work. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
7. Applicant must prepare and provide Public Notice in line with 44 CFR Part 9.12(e) issued 15 days prior to the start of construction of any final decision where proposed floodplain or wetland project is the only practicable alternative.
8. The applicant is required to obtain and comply with all local, state and federal permits, approvals and requirements prior to initiating work on this project.
9. Changes, additions, and/or supplements to the approved scope of work which alter the existing use and function of the structure, including additional work not funded by FEMA but performed substantially at the same time, will require re-submission of the application prior to construction to FEMA for re-evaluation under the National Environmental Policy Act.