North Dakota Department of Emergency Services

State of North Dakota Hazard Mitigation Grant Program (HMGP) Administrative Plan 2018
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Purpose

This administrative plan documents the process and management procedures the North Dakota Department of Emergency Services (NDDES), Division of Homeland Security, will use to administer section 203 and 404 of the Hazard Mitigation Grant Program (HMGP) and section 322 Hazard Mitigation Planning Program of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended by Public Law 100-707) and the Bunning-Bereuter--Blumenauer Flood Insurance Reform Act of 2004, sections 1361A, 1323.

Sections 203 and 404(c) of the Disaster Mitigation Act of 2000 establish an independent grant program which is closely tied to the post-disaster hazard mitigation plan defined under section 322 of the Act. Section 322, a part of the state multi-hazard mitigation plan, is a critical component in the identification of measures and recommendations that could benefit the grant program and overall mitigation activities.

Integrating hazard mitigation plans, programs, and activities within the state and the disaster area requires an administrative plan to manage these efforts. Therefore, as required, this plan designates the State agency that will have responsibility for program administration, identifies the State Hazard Mitigation Officer responsible for all matters related to the Hazard Mitigation Grant Program, and discusses staffing procedures and requirements for administration of the program. The plan also establishes procedures to; identify and notify potential applicants of the availability of the HMGP program; ensure potential applicants are provided information on the application process, program eligibility and deadlines; determine applicant eligibility; conduct environmental and floodplain management reviews; establish priorities for selection of mitigation projects; process requests for advances of funds and reimbursement; monitor and evaluate the progress and completion of projects; review and approve cost overruns; process appeals; provide technical assistance to applicants; comply with administrative and audit requirements; provide quarterly progress reports to the Regional Administrator (RA); and determining the percentage or amount of pass-through funds for management costs. (44 CFR § 206.437)

Federal grant assistance is based on the estimated aggregate grant amount to be made under 42 U.S.C. 5170b, 5172, 5173, 5174, 5177, and 5183 of the Stafford Act for major disasters. The Federal contribution is not to exceed 15 percent for the first $2,000,000,000 or less of such amounts; not to exceed 10 percent of the portion of such amounts over $2,000,000,000 and not more than $10,000,000,000; and not to exceed 7.5 percent of the portion of such amounts over $10,000,000,000 and not more than $35,333,000,000. All mitigation measures approved under the State’s grant will be subject to the cost sharing provisions established in the FEMA-State Agreement. FEMA may contribute up to 75 percent of the cost of measures approved for funding under the HMGP. The non-Federal share may exceed the Federal share. FEMA will not contribute to costs above the Federally approved estimate. (44 CFR § 206.432)
Definitions

**Activity:** Any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters.

**Applicant:** A State, local, Indian Tribal government, other legal entity, or certain private non-profit organizations that receive a subgrant award and which is accountable to the Grantee for the use of the funds provided. Also referred to as the Subgrantee.

**Applicant Briefing:** Meetings conducted by a representative of the State for all potential applicants for disaster assistance programs. The briefing occurs after an emergency or major disaster has been declared and addresses application procedures, administrative requirements, funding, and program eligibility criteria.

**Enhanced State Mitigation Plan:** The hazard mitigation plan approved under 44 CFR § 201 as a condition of receiving increased funding under the HMGP.

**Federal Emergency Management Agency (FEMA):** The federal agency responsible for coordinating disaster recovery efforts.

**FEMA-State Agreement:** A document signed by the Governor of the State and the FEMA Regional Administrator that states the understandings, commitments, and conditions under which Federal assistance will be provided. The agreement identifies the incident and incident period, specifies the type and extent of assistance that will be provided, lists the areas eligible to receive assistance, outlines the cost sharing provisions, and includes other special terms and conditions that may apply.

**Governor’s Authorized Representative (GAR):** Individual designated by the governor to execute all necessary documents for disaster assistance programs on behalf of the state and local grant recipients. The GAR is responsible for state compliance with the FEMA-State agreement. The GAR may also be designated as the state coordinating officer.

**Grant Application:** The request to FEMA for HMGP funding, as outlined in 44 CFR § 206.436, by a State or tribal government that will act as grantee.

**Grant Award:** Total of Federal and non-Federal contributions to complete projects as approved.

**Grantee:** The government to which a grant is awarded and which is accountable for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document. Generally, the State is the grantee. However, an Indian tribal government may choose to be a grantee, or it may act as a subgrantee under the State.

**HMGP (Hazard Mitigation Grant Program):** The Hazard Mitigation Grant Program (HMGP) provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. Authorized under Section 404 of the Stafford Act and administered by FEMA, HMGP was created to reduce the loss of life and property due to natural disasters. The program enables mitigation measures to be implemented during the immediate recovery from a disaster.
Joint Field Office (JFO): A facility established in a presidentially-declared disaster or emergency to serve as the field headquarters for FEMA and state recovery personnel. This office is the focal point for disaster operation, direction, coordination, and information. A state established facility is referred to as the Field Operation Facility (FOF).

Local Mitigation Plan: The hazard mitigation plan required of a local or Indian tribal government acting as a subgrantee as a condition of receiving a project subgrant under the HMGP as outlined in 44 CFR § 201.6.

NEMIS: (National Emergency Management Information System) an online grant application and grant management system hosted by FEMA.

Payment Management System (PMS): An online tool with centralized electronic grant and grant-type payment, cash management, and grant accounting support services to the Department of Health and Human Services (HHS) and other federal departments and agencies. Also referred to as Smartlink.

Smartlink: An online tool with centralized electronic grant and grant-type payment, cash management, and grant accounting support services to the Department of Health and Human Services (HHS) and other federal departments and agencies. Also referred to as the Payment Management System (PMS).

Standard State Mitigation Plan: The hazard mitigation plan approved under 44 CFR § 201, as a condition of receiving Stafford Act assistance as outlined in 44 CFR, § 201.4.

State Administrative Plan for the Hazard Mitigation Grant Program: The plan developed by the State to describe the procedures for administration of the HMGP.

State Hazard Mitigation Team (SHMT): A group of subject matter experts from State agencies that review and assess mitigation strategies, priorities, and projects.

Subgrant: An award of financial assistance under a grant by a grantee to an eligible subgrantee. Subgrant application means the request to the grantee for HMGP funding by the eligible subgrantee, as outlined in 44 CFR § 206.436.

Subgrantee: The government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. Subgrantees can be a State agency, local government, private nonprofit organizations (501 (c), (d), or (e)), or Indian tribal government as outlined in 44 CFR § 206.434. Indian tribal governments acting as a subgrantee are accountable to the State grantee.

Tribal Mitigation Plan: The hazard mitigation plan required of an Indian Tribal government acting as a grantee or subgrantee is a condition for receiving a project grant or subgrant under the HMGP as outlined in 44 CFR § 201.7.
Authorities and References

**State**
- North Dakota Century Code
- ND Disaster Act of 1985 as amended
- ND Administrative Code Title 4
- ND State Procurement Manual

**Federal**
- Public Law 91-190, The National Environmental Policy Act
- Public Law 93-288, Stafford Act, as amended by Public Law 100-707
- Public Law 97-348, Coastal Barrier Resources Act
- 44 Code of Federal Regulations (CFR)
- Executive Order 80-29, Disaster Preparedness
- Executive Order 11296, Flood Hazard Elevation
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Executive Order 12612, Federalism
- Executive Order 12699, Seismic Design
- Executive Order 12898, Environmental Justice
- Endangered Species Act References (16 U.S.C. 1531)
- Coastal Barrier Resources Act (16 U.S.C. 3501)
- Clean Water Act (33 U.S.C. 121)
- Resource Conservation and Recovery Act (42 U.S.C. 321)
- Clean Air Act (42 U.S.C. 7401)
- 2 Code of Federal Regulations (CFR) § 200
- All applicable FEMA guidance handbooks, policies, SOPs & appeals

Program Organization and Responsibilities
The State of North Dakota, through NDDES, will act as the grantee for HMGP. There may be subgrantees other than NDDES within the State government. NDDES will determine priorities for funding, and all determinations will be made in conformance with 44 CFR § 206.435. NDDES will appoint a State Hazard Mitigation Officer who serves as the responsible individual for all matters related to the Hazard Mitigation Grant Program. (44 CFR § 206.433)

The Governor has pre-designated the Adjutant General of the North Dakota National Guard as the Governor’s Authorized Representative (GAR). The Governor has also pre-designated the Director of the Division of Homeland Security (HLS) and the NDDES Disaster Recovery Chief as the alternate Governor’s Authorized Representatives (GARs) on behalf of the state to administer both sections 203, 404(c) and section 322 of the hazard mitigation program. An organizational chart for NDDES can be found in Attachment A; however, an abbreviated list of NDDES officers, including their titles and responsibilities as it relates to the HMGP program, can be found below.
MG Alan Dohrmann – ND Adjutant General, Director NDDES, Governor’s Authorized Representative (GAR) – The Director of NDDES is directly involved in all functions of the disaster recovery process, including oversight and supervision of the agency and HMGP process. Duties performed by the Director include: overall management of agency activities, staff and programs; policy development; meets and briefs local elected officials, State government leadership, federal partners and Congressional delegation. The GAR is empowered by the Governor to execute, on behalf of the State, all necessary actions and documents supporting disaster response and recovery.

Greg Wilz – Deputy Director NDDES, Director Division of Homeland Security, Alternate Governor’s Authorized Representative (GAR) – The Director of the Division of Homeland Security is directly involved in all functions of the disaster recovery process, including oversight and supervision of the HMGP process. Duties performed by the Director include overall management of the disaster recovery process; management of division activities, staff and programs; policy development; and meetings and briefings with applicants, members of State government and State government leadership, federal partners and Congressional delegation. As Alternate GAR, he is empowered by the Governor to execute, on behalf of the State, all necessary actions and documents supporting disaster response and recovery.

Cody Schulz – NDDES Disaster Recovery Chief (DRC), Alternate Governor’s Authorized Representative (GAR) - The DRC has direct responsibility for all functions of the disaster recovery process and staff, including oversight and supervision of the HMGP process. Duties performed by the DRC include personnel and administrative management of the disaster recovery process; meetings and briefings with applicants, members of State government, and federal partners; and assuring regulatory requirements of the HMGP program are met. As Alternate GAR, he is empowered by the Governor to execute, on behalf of the State, all necessary actions and documents supporting disaster response and recovery. Annex K (coordination and control) of the North Dakota Emergency Operations Plan references disaster recovery programs. Disaster recovery administrative plans are kept in EOC Operations Section, resource book number 083.

Kathleen Donahue – NDDES Deputy Chief for Recovery and Mitigation – The Deputy Chief provides direct oversight and management of Multi-Hazard Mitigation Plan development and update on the local, tribal and state levels. Planning duties performed by the Deputy Chief include policy recommendation, interpretation and review of applicable state and federal planning requirements; and providing technical assistance. The Deputy Chief also assists the DRC in the oversight of the disaster recovery functions, including the integration of HMGP processes with Public Assistance (PA) activities. Other duties include oversight of the disaster recovery process, meetings and briefings with applicants, members of State government, and federal partners, and assuring regulatory requirements are met

Justin Messner – NDDES State Hazard Mitigation Officer (SHMO) – The SHMO provides direct oversight and management of the HMGP process, projects, NDDES HMGP support staff and contractors. Duties performed by the SHMO include: policy recommendation; interpretation and enforcement of applicable state and federal laws; meets, briefs and directs outreach with all eligible jurisdictions and applicants; oversight of application submission, amendment and closeout process in NEMIS; and coordinates with state agencies for continued development and implementation of HMGP
applications and projects. The SHMO may engage the State Hazard Mitigation Team (SHMT), the group responsible for completing tasks requiring special expertise to accomplish sections 203, 404(c) and 322 as well as other state needs in hazard mitigation. (Note: The SHMT shall be designated following a request from NDDES to the directors of state agencies with hazard mitigation expertise and areas of responsibility.)

- Paul Messner – NDDES Hazard Mitigation Specialist – The Hazard Mitigation Specialist provides direct assistance and support to the Deputy Chief for Recovery and Mitigation and the SHMO. The Specialist will assist the SHMO with administrative activities supporting project application review and administration; processes application entry in NEMIS; conducts reimbursement requests; and process project closeouts in accordance with applicable state and federal laws.

- Gary Simmons – NDDES Hazard Mitigation Specialist – The Hazard Mitigation Specialist provides direct assistance and support to the Deputy Chief for Recovery and Mitigation and the SHMO. The Specialist will assist the SHMO with administrative activities supporting project application review and administration; processes application entry in NEMIS and conducts reimbursement requests in accordance with applicable state and federal laws. Additionally, the Specialist provides technical assistance with MHMP development, update and review.

- Debbie Schiele – NDDES Business Manager, State Disaster Finance Officer - The State Disaster Finance Officer has the responsibility of overall financial oversight for all disaster recovery programs and activities, including HMGP. This individual prepares and files all required financial reports, approves all project payments, budgets and expends funds for managing grant activities, and responds to all financial inquiries and audits.

Pending the scale of disaster activity and scope of available HMGP dollars, NDDES may place additional staffing to support needed project coordination, monitoring and technical assistance. Additionally, a contractor (firm) may be hired to support subgrantees in the development of eligible benefit/cost analysis.

**Technical Assistance and Outreach**

NDDES will continue outreach efforts to eligible jurisdictions and subgrantees by completing the following tasks:

- Maintain a mitigation staff of a Deputy Chief for Recovery and Mitigation, SHMO, two mitigation specialists, and business manager to provide technical assistance and site visits, as needed, to local applicants.
  - Responsibilities include project development, implementation, monitoring, correspondence with applicants, data entry, meetings and briefings with applicants, assuring regulatory requirements of the HMGP program are met, and other administrative related duties.

- Advertise and contract with reputable firm to provide technical assistance and develop positive benefit/cost analysis for eligible project submissions.

- Assemble a master hazard mitigation contact list by compiling contact information from applicant briefing sign in sheets, Public Assistance (PA) Request for Public Assistance (RPA) forms, Hazard Mitigation Grant Program Notices of Interest (NOIs), local and tribal emergency manager contacts as well as previous subgrantees, local flood plain administrators, regional and local planning councils, state agency contacts, general...
managers and engineers of rural electric cooperatives and contacts from respective list serves from the N.D. Association of Counties, N.D. League of Cities and N.D. Parks and Recreation Association. The purpose of this list is to maintain email communication for relevant hazard mitigation activities/announcements.

- Schedule and host L-212 Unified Hazard Mitigation Assistance: Developing Quality Application Elements
- Schedule and host L-213 Unified Hazard Mitigation Assistance: Application Review and Evaluation
- Schedule and host L-214 Unified Hazard Mitigation Assistance: Project Implementation and Closeout
- Schedule and host L-253 Introduction to Environmental and Historic Preservation.
- Schedule and host L-276 Benefit/Cost Analysis Training.
- Schedule and host G-318 Mitigation Planning for Local Governments.
- Schedule and host Applicant Briefings to inform potential applicants of mitigation requirements/eligibilities/deadlines.
- Schedule and host Home Acquisition Briefings for local and tribal officials and (as requested) citizen groups to discuss the process for application development and eligibility.
- Revise and disseminate NDDES HMGP Overview documents to hazard mitigation contacts. This document describes the various mitigation funding programs and identifies potentially eligible (and not eligible) mitigation projects; regular, initiative and plans.
- Revise and disseminate the NDDES Hazard Mitigation Assistance Program Overview document to hazard mitigation contacts. This document is an extension of the HMGP overview and further identifies the processes for application activity such as development, submission, and processes for reimbursement. It is an augmentation of the HMA Unified Guidance.
- Revise content and disseminate HM User Guide for applicant use.
  - This guide provides instructions for applicants to access and navigate through the Notice of Interest, Application Development, and Application Submission process within the NDDES grant management software grants.des.nd.gov.
- Provide technical assistance with MHMP development to include development and dissemination of planning guidance.
- Review plans within 45 days of receipt in accordance with the Local Plan Review Tool; providing recommendations for corrective action, as required, or submitting to FEMA for federal review.

**Post-Declaration Activities**

**Immediately**

- A FEMA-State agreement is signed.
- As soon as practical after a disaster declaration, applicant briefings will be held.
  - Distribute NDDES - HMGP Program Overview and HM User Guides.
- Schedule community meetings on mitigation overview, as needed

**One Month**

- A Program Administration by State (PAS) Request Letter and Operational Agreement for the declared disaster will be drafted and submitted for FEMA review and approval.
Upon approval of the PAS Operational Agreement, an amended FEMA-State agreement is signed.

Six Months

- FEMA will provide to the State a 6-Month Funding Estimate letter that details estimated available funding for the HMGP program.
- Upon receipt of the 6-Month Lock-In Letter:
  - The State will provide FEMA with an updated “State of North Dakota Hazard Mitigation Grant Program Administrative Plan” within 30 days.
  - The State will provide FEMA with a Standard Form (SF) 424, Application for Federal Assistance, and SF 424D, Assurances for Construction Programs, if appropriate, within 30 days.
  - The State will provide FEMA with a State Management Cost (SMC) request, along with a budget, narrative, and additional supporting documentation.

8 Months

- Deadline for NOI submissions.

10 Months

- Deadline for HMGP subgrant applications.
- Assemble SHMT to review/rank HMGP applications.

One Year

- FEMA will provide to the State a 12-Month Lock-In Letter that details estimated available funding for the HMGP program.
- The State will provide FEMA with a Standard Form (SF) 424, Application for Federal Assistance, and SF 424D, Assurances for Construction Programs, if appropriate, based on the new FEMA funding estimates within 30 days.
- State must submit to FEMA all project and plan applications. The State may request the Regional Administrator to extend the application time limit by 30 to 90 day increments, not to exceed a total of 180 days. The grantee must include a justification in its request. (44 CFR § 206.436)

Two Years

- FEMA has one year from the receipt of the States application submittal to approve and fund eligible project and plan applications.

Four Years

- The State has 3 years from the close of the application period (application period closes one year after the date of disaster declaration) to complete all grant activities, with the opportunity to request extensions, if needed.
Ongoing

- Continue outreach for state, local and tribal multi-hazard mitigation plan development and update.
- Continue quarterly reports.
- Continue project and disaster closeout.

When projects are completed, the State has 90 days from the date of completion to submit closeout documentation to FEMA. FEMA will complete disaster closeout within 90 days of closeout of the final project.

Program Administration by State (PAS) Procedures

Upon notification of a presidential disaster declaration, NDDES will draft and submit a Request Letter and Operational Agreement to FEMA in order to implement the PAS pilot program under the HMGP for the declared disaster, as authorized in the Stafford Act, Section 404(c) (42 U.S.C. § 5170c), as amended by the Sandy Recovery Improvement Act of 2013 (P.L. 113-2). The Operational Agreement, as an addendum to the FEMA-State Agreement, will designate North Dakota as a pilot PAS Grantee for the implementation of any identified delegated activities for the declared disaster.

Through these Operational Agreements, NDDES will manage the following delegated activities:

- **Application Review**
  - Review and approve all HMGP subapplicant/subgrantee applications and amendment requests by using expeditied application approval processes and project summaries for FEMA’s use in obligating funds for:
    - Project Applications (all project types)
    - Planning Applications
  - Approve funding of pre-award planning and project costs incurred by subgrantee

- **Benefit Costs Analysis**
  - Review and approve benefit cost analyses submitted by subapplicant/subgrantee without FEMA review. NDDES will also prepare its own benefit cost analyses without FEMA review.

- **Grants Management**
  - Approve post-award subgrantee scope of work modifications that have no change to the project activity and no resulting need for additional federal funds without FEMA review.
  - Approve time limit extensions for sub-applications with no impact to grant period of performance.
  - Administer HMGP for specific project types submitted by the subgrantee. NDDES requests this ability for all project types.

- **Fiscal Management**
  - Approve post-award budget revisions using funds available as a result of cost underruns from other approved subaward without prior FEMA approval. These funds can be moved to previously approved sub-grants with cost overruns as long as they are within the same HMGP grant.
- Determine the eligible amount for reimbursements for each subgrantee claim and process payments without approval from FEMA.

**Mitigation Planning**
- Review Local Mitigation Plans. NDDES will review local mitigation plans. Upon the State’s finding that the plan is approvable, FEMA will deliver an approval letter to NDDES.

**Environmental and Historic Preservation (EHP)**
- NDDES will designate a liaison to work with FEMA EHP to coordinate EHP compliance efforts both pre and post award.
- All EHP clearances and approvals must be given by FEMA prior to initiating any construction activities.

FEMA will retain authority to obligate funds and the final approval of environmental and historic preservation reviews. FEMA will assist North Dakota in the activities delegated to the extent that such assistance is necessary and is specifically requested by NDDES.

**HMGP Application Process**

***Identification of Potential Applicants***
The SHMO maintains an email listing of statewide hazard mitigation contacts comprised of participants of recent briefings and trainings, previous subgrantees, local and tribal emergency managers, local floodplain administrators, private non-profit organizations (PNPs), regional and local planning councils, state agency representatives, general managers/engineers of rural electric cooperatives and contacts from list serves maintained by the N.D. Association of Counties, N.D. League of Cities, and N.D. Recreation and Park Association. The SHMO will work with the Federal Hazard Mitigation Officer (FHMO) and the State Public Assistance (PA) Officer to identify additional mitigation project information and contacts. In addition, NDDES mitigation staff will review the State’s Multi-Hazard Mitigation Plan, and local and tribal Multi-Hazard Mitigation Plans of eligible applicants, to identify potentially eligible projects. Upon completion of the Applicant Briefings, the SHMO will obtain the database of the PA Request for Public Assistance (RPA) contacts and add them to a disaster specific email database for NOI outreach. Continued, strategic email broadcasts are conducted to inform potential applicants of program information, parameters and deadlines.

***Notification of Potential Applicants***
Upon notification of a presidential disaster declaration, the SHMO will email broadcast to the statewide hazard mitigation contacts announcing the availability of HMGP funding. An announcement of applicant briefings as well as HMGP funding availability will be posted on the NDDES homepage. The SHMO, in coordination with the State PA Officer and NDDES Public Information Officer (PIO), will organize and conduct briefings for potential applicants with the support, input and participation of FEMA. The SHMO will determine whether HMGP applicant briefings will be held in conjunction with, or separately, from PA applicant briefings. The purpose of the applicant briefing is the opportunity for the State and FEMA staff to:

- Get acquainted with key local officials.
- Promote early identification of potential applicants and projects.
- Provide local officials the “applicant briefing packet” which contains program information, deadlines, timelines, and contact information.
NDDES, in coordination with FEMA, will select locations, times and dates of the briefings. Depending of the size of the disaster impact area, more than one applicant briefing may be required. The briefings will be conducted as close to the affected area as possible to eliminate unreasonable travel for key officials.

NDDES will notify potential applicants by telephone, e-mail, facsimiles, and public notice of where and when the applicant briefings will be conducted. During the briefing the applicant will receive an “applicant briefing packet” which will contain:

- HMGP Applicant Briefing handout.
- NDDES - HMGP Program Overview document.

Topics that will be discussed during the applicant briefing:

- The definition of mitigation.
- The parameters of the HMGP program (how it's funded, who is eligible, what is cost).
- What are potentially eligible projects (regular, initiative, planning) and what activities are not eligible.
- Project eligibility criteria - A project must be effective in reducing future damage, be technically feasible, environmentally compliant, and cost effective.
- What are parameters of the grant award (deadlines for application submission, following scope of work, cost estimates and performance schedule, reimbursement activity, begin work prior to award).
- Other sources for mitigation funding (PDM, FMA)
- Scheduled mitigation training courses offered within the state.
- SHMO contact information.

A sign in sheet will be used to document the attendance at these briefings. Copies of the sign in sheet will be provided to the FHMO for FEMA's records. The NDDES PIO will be available to provide news information to the media and answer questions before and after the briefing.

After the applicant briefings are conducted, the SHMO will email digital copies of the NDDES HMGP Program Overview and HMGP “applicant briefing packet” to the statewide hazard mitigation contacts and completed RPA contacts. The e-mail will include a basic message announcing HMGP information (clarifying the attached documents) and instructions and deadline information for the NOI. Two weeks prior to the NOI deadline, a follow-up email broadcast will be sent reminding potential applicants of deadline for NOI submission.

At the discretion of the SHMO and the FHMO and based on various aspects of the disaster, a joint FEMA/state press release describing the program may be developed and issued. The press release will include points of contact for obtaining additional program details and, possibly, an announcement of section 404 (c). If required, an application process meeting for potential applicants will be scheduled. This meeting will include a briefing on the following:

- General program overview
- Eligibility criteria
- The application process
- The selection process
- Project management
Subgrantee Application Process
Subgrantees must request access to use the NDDES grant management software, grants.des.nd.gov, to complete NOIs. NOIs are due to the SHMO no later than eight months after the disaster declaration date, and the SHMO will assess the NOIs for potentially eligible project considerations. An email notification will be sent to all applicants who submitted NOIs. The email notification will communicate whether the project is potentially eligible or not. If the project is potentially eligible, applicants can then use grants.des.nd.gov to complete and submit the HMGP application for NDDES review. Complete, eligible project applications are due to the SHMO within ten months of the disaster declaration.

Depending on project type, the following information/forms will be required.

- All Regular and Initiative projects
  - Projects requiring a benefit cost analysis must use the software available at Benefit Cost Toolkit | FEMA.gov. The applicant will ‘export’ a complete BCA, save as a .zip file and submit it with the project application – only for those projects requiring a BCA. If still under contract with NDDES, the BCA contractor will assist with this process. Initiative projects do not require a BCA but must include a narrative describing benefits.
  - **Budget Narrative** – Describes project costs supporting grant application and methodology in obtaining the project costs.
  - **Local Funding Commitment Letter** – Commitment to local cost share with application
  - **Applicant Agent Form** – Completed if applicant plans to designate an outside person to represent and manage project on behalf of applicant.
  - **Resolution Appointment of Applicant Agent** – Completed if applicant plans to designate an outside person to represent and manage project on behalf of applicant.
  - **Scope of Work (SOW)/Project Narrative** – Contains a clearly defined scope of work, reasonable work schedule, eligible cost estimates, history of events/damages, alternatives that were explored, how will project be executed and maintained after completion, photos, additional maps, engineering documents and imagery as deemed applicable to the application, letter of funding commitment signed by chief elected official. **Applicants should not make assumptions when completing the application. They should be as clear complete and concise as possible and support the application with proper documentation, photos, maps, engineering documents and applicable benefit/cost analysis.**
  - **Environmental Checklist** – Contains requirements which must be in compliance with various federal, state and local applicable laws, regulations and policies, such as the National Historic Preservation Act, Archeological & Historical Preservation Act, Endangered Species Act, Fish and Wildlife Coordination Act, Farmlands Protection Policy Act, Clean Air Act, Clean Water Act, Rivers and Harbors Act, Wild and Scenic Rivers Act, Wilderness Act, more. Letters will be submitted to respective federal, state and local agencies confirming the scope of work and soliciting any statement of impact or compliance. The applicant will submit copies of solicitation letters of environmental/historic preservation compliance along with the response letters from the various federal, state and...
local agencies identifying the project scope of work and impact area(s) and any concerns in accordance with applicable environmental/historic preservation laws.

- Home Acquisition/Demolition or Home Acquisition/Relocation – In addition to the above mentioned forms, the following forms will also be required.
  - **Property Site Inventory** – (Only for acquisition/relocation/elevation projects and 400 series) Identifies parameters of the property such as name of property owner, address, contact information, year of home construction, perceived pre-event fair market value of home, home configuration (primary residence, basement, square footage, base flood elevation, first floor elevation, NFIP policy information) photos of all four corners of property, copy of property tax card. A Property Site Inventory must be completed for each property in grant application.
  - **Affidavit** – A completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Declaration & Release: Citizenship** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Notice of Voluntary Interest** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Hazardous Materials Property Survey** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Privacy Act Release** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Statement of Voluntary Participation** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Statement of Assurances** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.
  - **Exhibit A** – Completed and signed by each (ALL) property owners/joint property owners for home acquisition/relocation projects.

- Local/Tribal Multi-Hazard Mitigation Plans
  - **HMGP Multi-Hazard Mitigation Plan Grant Application**
  - **Jurisdiction Letter of Commitment** – Confirms each community and county participating in the plan development/update.
  - **Local Funding Commitment Letter** – Commitment to local cost share with application
  - **Resolution Appointment of Applicant Agent** – Completed if applicant plans to designate an outside person to represent and manage project on behalf of applicant.
  - **Applicant Agent Form** – Completed if applicant plans to designate an outside person to represent and manage project on behalf of applicant.
  - **Budget Narrative** – Describes project costs supporting grant application and methodology in obtaining the project costs.
  - **MHMP Updates** – Require the submission of the previous final crosswalk.

NDDES mitigation staff will use the Hazard Mitigation Assistance (HMA) Eligibility & Completeness (E & C) Checklist for Project Subapplications, E & C Checklist for Planning Subapplications, the Environmental/Historic Preservation (EHP) Checklist, and Project Summary Sheet (Attachment B) to review each application submitted to the state. (44 CFR § 206.436)
Eligibility Determination

Applicants
Eligible applicants for the HMGP program include:

- State and local governments.
- Private nonprofit organizations that own or operate a private nonprofit facility as defined in 44 CFR § 206.221(e).
- Indian tribes or authorized tribal organizations and Alaska Native villages or organizations, but not Alaska native corporations with ownership vested in private individuals.

In addition, local and Indian tribal government applicants for project subgrants must have an approved local or tribal mitigation plan in accordance with 44 CFR § 201 before receipt of HMGP subgrant funding for projects. In extraordinary circumstances, the State may request the RA grant an exception to this condition. The RA may grant an exception to this requirement in extraordinary circumstances, such as in a small and impoverished community, when justification is provided. In these cases, a plan will be completed within 12 months of the award of the project grant. In the case of RA approval, the State will provide subgrantees technical assistance in completing an approvable plan. In addition, the State will monitor the subgrantee’s progress and report any deficiencies or setbacks to FEMA. If a plan is not provided within 12 months of the award, the project grant will be terminated and any costs incurred after notice of the grant’s termination will not be reimbursed by FEMA. (44 CFR § 206.434)

Projects
To be eligible for the Hazard Mitigation Grant Program, a project must:

- Conform with the State Mitigation Plan and Local or Tribal Mitigation Plan approved under 44 CFR § 201.
- Have a beneficial impact upon the designated disaster area, whether or not located in the designated area.
- Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed. Projects that merely identify or analyze hazards or problems are not eligible.
- Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster. The grantee must demonstrate this by documenting that the project:
  - Addresses a problem that has been repetitive, or a problem that poses a significant risk to public health and safety if left unsolved.
  - Will not cost more than the anticipated value of the reduction in both direct damages and subsequent negative impacts to the area if future disasters were to occur.
  - Has been determined to be the most practical, effective, and environmentally sound alternative after consideration of a range of options.
  - Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address.
  - Considers long-term changes to the areas and entities it protects, and has manageable future maintenance and modification requirements.
Projects may be of any nature that will result in protection to public or private property. Activities for which implementation has already been initiated or completed are not eligible for funding. Eligible projects include, but are not limited to:

- Structural hazard control or protection projects.
- Construction activities that will result in protection from hazards.
- Retrofitting of facilities.
- Property acquisition or relocation
- Development of State or local mitigation standards.
- Development of comprehensive mitigation programs with implementation as an essential component.
- Development or improvement of warning systems.

A project involving property acquisition or the relocation of structures and individuals is eligible for assistance only if the applicant enters into an agreement with the FEMA RA that provides assurances that the following restrictive covenants shall be conveyed in the deed to any property acquired, accepted, or from which structures are removed.

- The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices.
- No new structures will be built on the property except as indicated below:
  - A public facility that is open on all sides and functionally related to a designated open space or recreational use.
  - A public rest room.
  - A structure that is compatible with open space, recreational, or wetlands management usage and proper floodplain management policies and practices, which the Administrator approves in writing before the construction of the structure begins.
- After completion of the project, no application for additional disaster assistance will be made for any purpose with respect to the property to any Federal entity or source, and no Federal entity or source will provide such assistance.

Other eligible activities include planning. Up to 7 percent of the State’s HMGP grant may be used to develop State, tribal and/or local mitigation plans to meet the planning criteria outlined in 44 CFR § 201. (44 CFR § 206.434)

**Application Review**

NDDES will review and approve all sub-grantee applications and amendment requests using the Project Summary Sheet (Attachment B). NDDES will coordinate with FEMA Region VIII EHP staff to complete an EHP compliance review of all HMGP applications and amendments, save for planning applications that have no environmental impacts. FEMA will work with the State to identify and eliminate duplication of process whenever possible to streamline these review activities. HMGP funds cannot be obligated until FEMA has completed the project EHP compliance review process. FEMA will use the shortest existing applicable process under the National Environmental Policy Act of 1969, National Historic Preservation Act of 1966, and all other applicable federal EHP laws, Executive Orders, and regulations.

For all applications submitted for award, NDDES will provide FEMA with a completed E&C Checklist, EHP Checklist, Project Summary, and supporting EHP documentation in accordance with the *Addendum to the Hazard Mitigation Assistance Unified Guidance – Program*
Administration by States Pilot (April 1, 2013). FEMA agrees to work with the State to identify any State and FEMA EHP process inter-linkages to expedite the review and approval of projects. A scoping meeting will be held between FEMA Hazard Mitigation (“Program”) staff, FEMA EHP staff, and NDDES staff to discuss processes and timelines, as required.

When an EHP review is required, NDDES will submit a request for project EHP reviews to FEMA Program staff, who will forward the project EHP review request as per the established regional process. FEMA EHP will work to complete the project EHP review as per the estimated timelines agreed upon with FEMA Program. FEMA EHP will communicate to FEMA Program and NDDES on any projects that will fall outside of the estimated review timelines. FEMA EHP will provide bi-weekly status updates on projects to FEMA Program, which will be shared with NDDES. The bi-weekly status updates will include estimated completion times for the project’s EHP review. The bi-weekly status updates will also identify any projects with outstanding information requests. If a project’s information request has been outstanding for more than 90 days, then FEMA Program, FEMA EHP, and NDDES will meet to discuss the project and requested information. FEMA EHP will provide training to NDDES on project EHP review processes and protocols as requested by FEMA or NDDES. NDDES will submit an updated E&C Checklist, EHP Checklist, and Project Summary via electronic data systems provided by FEMA, as needed.

For any phased project, NDDES will follow FEMA’s Unified Hazard Mitigation Assistance Guidance for the pre-screening process and ensure all documentation needed to approve Phase I is submitted by the sub-applicant. NDDES will also clearly identify in the checklist and summary that only a pre-construction phase, or Phase I, is being requested and the Phase I Federal and Non-Federal shares will be identified.

NDDES will enter project information in NEMIS. FEMA will complete all NEMIS Federal Eligibility Determination queues. FEMA will provide adequate training, as determined by NDDES, on the usage, operation, and functionality of this electronic data system(s) prior to FEMA’s required implementation date.

Upon completion of the EHP review process and data entry into NEMIS, and the completion of any monitoring activities, if required for the project application, FEMA will obligate funding for the proposed project.

**Benefit Cost Analysis**

NDDES, with assistance from Atkins Global International, as required, will review and approve benefit cost analyses submitted by subgrantees without FEMA review. NDDES and Atkins Global will also prepare their own benefit cost analyses without FEMA review. NDDES will complete analyses in accordance with current FEMA regulations and guidance and the NDDES Administrative Plan. FEMA will notify and provide the State updated and/or new FEMA benefit cost analysis materials including, but not limited to, software, policies, and guidance as soon as reasonably possible. FEMA will accept cost-benefit analysis determinations from the State at face value.

**Project Selection**

The State will establish procedures and priorities for the selection of mitigation measures. These criteria include but are not limited to:

- Measures that best fit within an overall plan for development and/or hazard mitigation in the community, disaster area, or State.
■ Measures that, if not taken, will have a severe detrimental impact on the applicant, such as potential loss of life, loss of essential services, damage to critical facilities, or economic hardship on the community.
■ Measures that have the greatest potential impact on reducing future disaster losses.
■ Measures consistent with actions identified in the State local and tribal mitigation plans.
■ In addition to the selection criteria noted above, consideration should be given to measures that are designed to accomplish multiple objectives including damage reduction, environmental enhancement, and economic recovery, when appropriate. (44 CFR § 206.435)

When the subgrant project application deadline is met, the SHMO may activate the SHMT. The SHMT will be tasked with reviewing all HMGP subgrant applications. Based upon the review the SHMT will score and prioritize the applications based on the criteria noted above. This process will be accomplished by using the procedures that follow.

■ The SHMT will review each application for eligibility in accordance with 44 CFR § 206.434.
■ The SHMT will score and prioritize all eligible applications in accordance with 44 CFR § 206.435 and the state priorities for the HMGP program. (See the approved ND State Multi-Hazard Mitigation Plan for defined priorities).
■ The SHMT has the option of considering the total amount of funding available including overmatching federal funds with non-federal funds when developing this ranking
■ The SHMT will also consider the level of interest and demonstrated degree of commitment of each applicant.
■ In the event that several eligible projects are competing for limited funding, submitted applications will be funded in accordance with the prioritization schedule determined by the SHMT.
■ The SHMO will notify each applicant when the application has been scored as well as notifying applicants of projects that are not eligible.
■ The SHMO will have primary responsibility for ensuring that all full project application packages are properly completed.
■ The SHMO may return sub-applications that are incomplete or deficient in one or more areas, allowing 30-days for applicants to submit the requested information. Projects may be withdrawn if the requested information is received after the deadline.

Project Management
Throughout the life of an approved project, NDDES mitigation staff will undertake a number of project monitoring activities to ensure successful completion of HMGP projects. Mitigation staff will monitor and evaluate project accomplishments and adherence to the project work schedule. Through the review of subgrantee quarterly reports, mitigation staff will attempt to identify any potential problems in grant performance. If problems or concerns exist, mitigation staff will contact subgrantees to further research potential issues. Technical assistance may be offered or coordinated if special expertise (engineering, environmental, etc.) is required. In addition, mitigation staff will contact subgrantees on an as needed basis to provide project management support and to aid in the successful completion and closeout of approved projects. If a project has not been completed and closed within 120 days of the project’s period of performance mitigation staff will send a letter to the applicant that details project deadlines, includes instructions for project closeout, and gives instructions and deadlines for requesting a time extension if necessary.
Under the PAS Program, NDDES will approve post-award sub-grantee scope of work modifications (that have no change to the project type) without FEMA review for all delegated project types. Quarterly progress reports will be updated accordingly. NDDES will approve time limit extensions for sub-awards which have no impact to grant period of performance. These changes will be documented in quarterly reports and NEMIS.

If concerns or problems arise with a project, mitigation staff will immediately communicate the issues to FEMA. NDDES and FEMA mitigation staffs will determine the proper course of corrective actions. NDDES will then inform subgrantees by letter of concerns and problems. The letter will also indicate the corrective action required as well as the consequences for not making corrective actions.

To ensure all State and Federal Standards are met, mitigation staff will conduct a physical inspection of all non-plan projects before a project is started and again before the project is closed.

In addition, NDDES mitigation staff will coordinate with other federal and State agencies to ensure all program laws, rules and regulations are being met. The agencies include, but are not limited to, FEMA, US Army Corp of Engineers, US Fish and Wildlife, USDA/NRCS, ND State Water Commission, ND Department of Transportation, ND Game and Fish, and the ND State Historical Society (SHPO). Any potential issues will be discussed with the respective agencies and all guidance and determinations will be communicated to the subgrantee. (44 CFR § 206.438)

**Mitigation Planning Review**

For State review and approval of Local Mitigation Plans, NDDES will use the following process:

A. The State will maintain a log of submitted plans.
B. The State will complete the first review of each local mitigation plan within 45-days of receipt, whenever possible. State will utilize Atkins Global for reviews of local mitigation plans, as required.
C. If a plan is determined to be insufficient, the State will provide technical assistance until the plan is updated and approvable.
D. The State may request technical assistance from FEMA as needed for clarification of plan requirements.
E. If the plan is approvable pending adoption, the State will notify the local jurisdiction by letter that the plan is ready to be adopted.
F. When a plan is adopted, the State will notify FEMA that the local mitigation plan is approved and provide the following items to FEMA:
   a. Copy of the plan and adoption resolutions to maintain the integrity of the Region VIII Planning database and inventory.
   b. Copy of the completed Local Mitigation Plan Review Tool (provided in the Local Mitigation Plan Review Guide)
G. All approved plans must be submitted to the Regional office before this agreement is terminated or the grant is closed, whichever occurs first.

FEMA Mitigation Planning Program roles are described below:

A. FEMA will provide technical assistance, as needed, to ensure that the State is current on mitigation planning issues, guidance, tools and the status of local plan expirations.
B. FEMA will send the formal approval letter to the State electronically to provide to the local jurisdiction within two weeks of the State notifying FEMA of local plan adoption.
C. FEMA will enter all planning information and documents in the NEMIS Plans Repository.
Risk Assessment
As required by 2 CFR § 200.331 NDDES will complete a Financial Assistance Recipient Risk Assessment rating form for every subgrantee receiving an award to evaluate their potential risk of non-compliance. Subgrantees will be evaluated on factors such as their prior experience with the same or similar subawards, results of previous audits including whether or not they received a Single Audit and the extent to which the same or similar subaward has been audited as a major program; they have new personnel or new or substantially changed systems, and the extent and results of Federal awarding agency monitoring.

A Risk Assessment will be completed immediately prior to executing the Subgrant Agreement. All new and existing active subgrantees will be rated upon new disaster and program funding opportunities.

The Business Manager will work with the SHMO, or assigned staff, to jointly complete the risk assessment and score subgrantees, as applicable. Results of the Risk Assessment may result in the imposition of specific conditions as allowed in 2 CFR § 200.207, which will be identified for each specific subgrantee within Attachment B of their Subgrant Agreement.

NDDES will notify each subgrantee of their determined risk level by email, or hard copy mail if required, when the subgrantee is provided their Subgrant Agreement for signature. This notification will direct the subgrantee to reference Attachment B of their Subgrant Agreement for further information concerning any conditions or requirements that they may be required to comply with during the life of their grant, or until they are removed from their current risk level.

Low Risk:
For a subgrantee receiving a score of 7-11, no conditions or restrictions will be imposed upon the subgrantee.

Medium Risk:
For a subgrantee receiving a score of 12-16, no conditions or restrictions will be imposed upon the subgrantee, however, they will be closely monitored by NDDES to ensure they properly manage their approved projects and utilize all available funding as approved by FEMA.

High Risk:
For a subgrantee receiving a score of 17-21, the following conditions or restrictions may be imposed:

- Payments for all project costs will be made on a reimbursement basis only
  - All costs associated with approved FEMA projects will be paid on a reimbursement basis only utilizing the NDDES grant management software located at https://grants.des.nd.gov. Advances will not be allowed, even for eligible project expenses. If a Subgrantee needs financial assistance to pay for an eligible project cost, they will be required to find financing through banks or other loan providers, and be responsible for any interest required therein. With the exception of payment advances, all eligible costs will be reimbursed as per Articles IX and X of this Subgrant Agreement.

- Subgrantee must complete quarterly reports for all project types
  - The Subgrantee must provide, once per quarter, a detailed programmatic and financial report for all FEMA approved projects contained under this Subgrant Agreement.
Agreement utilizing the NDDES grant management software located at https://grants.des.nd.gov. The quarterly reports need to explain what work was completed during the previous quarter, what work will be completed in the next quarter, the percentage completed of the overall project, if any costs have been incurred, and if any funds have been expended. All reports will be due no later than the 15th day of the month after a quarter has ended (January 15th, April 15th, July 15th, and October 15th).

- NDDES can withhold authority to proceed onto the next phase of a project until proof of acceptable performance within a given funding period is provided
  - If a project is phased (i.e. Phase I - Engineering and Design; Phase II - Construction), NDDES has the ability to withhold authority to proceed into the next phase of a project until proof of acceptable performance within a given funding period has been provided. A funding period will generally be considered one fiscal quarter, unless otherwise indicated by NDDES.

- NDDES may conduct additional project monitoring, as needed
  - As part of this monitoring requirement, NDDES may conduct conference calls with all High Risk subgrantees once per quarter to discuss the current status of their projects and assist with any issues therein. Project monitoring can also include site visits to perform onsite monitoring of both Large and Small projects to ensure proper management of resources, time, funding, and general compliance with the conditions listed in this Subgrant Agreement as well.

The SHMO, or assigned staff, will be responsible for monitoring subgrantee compliance with any prescribed conditions or requirements of the grant, as well as conducting the additional project monitoring, as needed.

Every January, or as needed, NDDES will re-evaluate all subgrantee Risk Assessments. Based on overall compliance with project requirements and any issues noticed therein, an updated Financial Assistance Recipient Risk Assessment will be completed and subgrantees can be upgraded or removed from low, medium or high risk status. If a subgrantee is non-compliant with the additional requirements of a subaward due to being considered high risk, the subaward and all federal and state monies can be deobligated at the request of NDDES. Upon deobligation due to non-compliance, a subgrantee will be considered high risk in perpetuity.

Hazard Mitigation Grant Program Subgrant Agreement
NDDES requires all applicants sign an agreement titled, “Hazard Mitigation Grant Program Subgrant Agreement.” This agreement articulates the roles and responsibilities of the State and the applicant as it relates to HMGP. The agreement also serves as an applicant’s certification to abide by Federal and State laws, regulations, and rules governing the HMGP and its funding.

Financial Management
NDDES will expend and account for HMGP funding in accordance with state laws and procedures for expending and accounting for the state’s own funds. In addition, NDDES’s financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award will be sufficient to permit the preparation of reports required by program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used.
according to the Federal statutes, regulations, and the terms and conditions of the Federal award. (2 CFR § 200.302)

Under the PAS Program, NDDES will approve post-award budget revisions using funds available as a result of cost underruns from other approved sub-grants or funds still unobligated from the available HMGP disaster budget without prior approval from FEMA. These funds can be moved to approved subgrants with cost overruns. Funds can only be used within the same HMGP grant (i.e., the same Stafford Act disaster declaration). Prior to its approval, the State must determine if the project revisions meet eligibility requirements, including cost effectiveness and cost share. Quarterly progress reports will be updated accordingly. To track obligations in NEMIS, the State will notify FEMA when funds must be deobligated and/or obligated. NDDES will determine the eligible amount of reimbursement for each sub-grantee claim and process payment without approval from FEMA.

**Funding**

The total federal assistance for HMGP shall not exceed 15 percent of the total estimated federal assistance (excluding administrative costs) provided for a major disaster under 42 U. S. C. 5170b, 5172, 5173, 5174, 5177, 5178, 5183 and 5201, 44 CFR § 206.432. All mitigation projects approved for the grantee and subgrantee will be based on the cost sharing provisions outlined in the FEMA-state agreement. (Note: The non-federal share may exceed the federal share and be a combination with other state, local or private funding sources and matching funds may not come from other federal sources.)

In addition, NDDES will take the following actions to ensure compliance with 2 CFR § 200 and 44 CFR § 206.

- Based on the approved project application and work schedule, a financial record-keeping system will be implemented for the duration of the project.
- The NDDES documentation process will involve an approved project application package with a letter of transmittal outlining responsibilities, assurances for construction programs, status reports, requests for advance funds, a final report and a summary of documentation to include copies of invoices, billings, checks and payroll time sheets to support the summary of documentation. Warrants, check stubs and/or certified transaction reports are acceptable for payments made by automated clearing house (ACH) transfer.
- FEMA will approve, and NDDES will account for, all section 404(c) federal funds utilized for approved projects and supplements.
- Project funds will be paid on an allotment basis when requested by the subgrantee based on submitted documentation. The subgrantee will maintain documentation of expenses for review by the SHMO.
- Project progress reports will be submitted to FEMA each quarter, showing status and completion dates for each project.
- The final inspection and/or performance report will be a complete assessment of the project accomplishments.
- A final accounting and inspection report will take place after the project is completed. Audits will be completed in accordance with 2 CFR § 200.
Payment Policies and Procedures

Subgrantee
Payment of funds will not be made to a subgrantee until NDDES has received from that subgrantee a properly completed copy of each of the following application documents:

1. State application for federal/state assistance
2. Hazard Mitigation Grant Program Subgrant Agreement

Following the receipt of these forms, and the receipt of a project reimbursement request (including supporting documentation in the way of invoices, contracts, force account labor and equipment schedules, and cancelled checks or vouchers) that has been approved by the GAR, the NDDES Finance Officer, or designated alternate, will issue a payment authorization for any funding that is eligible to be paid to the subgrantee as it becomes available. Payment authorizations shall be calculated in accordance with the federal/non-federal cost share, and on the terms and conditions set forth in the FEMA/State agreement and this administrative plan. Authorization for payment of federal funds will include documentation to substantiate the amount of the authorization. The authorization documents will then be submitted to the NDDES finance office for processing through the state accounting system. Note that payments related to Multi-Hazard Mitigation Plan projects will not be processed until the plan has been approved by FEMA.

The Finance Officer will review the authorization documents, and prepare a State of North Dakota payment request for the approved amount. The payment request will be reviewed and signed based on terms set forth by State of North Dakota administrative policy. The payment will then be issued by state warrant, or an Automated Clearing House (ACH) transfer, payable to the subgrantee.

Payments to state agencies shall be processed on a state Internal Departmental Billing (IDB). Payments to all other subgrantees shall be made using a state warrants, or an ACH, in accordance with the “Preferred Payment Method” noted by the subgrantee.

NDDES will review the payment documentation for accuracy, and send the warrant, IDB, or ACH documentation to the designated subgrantee. This documentation shall be accompanied by a payment voucher that includes details specific to each payment.

Grantee
Upon approval of the SF 424, the FEMA RA authorizes the obligation of funds to the State, based upon the current approved projects amount. Request for payments by the State on the Payment Management System shall be drawn in amounts as needed. The State shall initiate cash drawdowns on a reimbursement basis only, and maintain adequate accounting controls over the Payment Management System and the federal funds drawn. Federal funds erroneously drawn in excess of immediate disbursement needs will be promptly refunded to the federal program agency and redrawn when needed.

If the State demonstrates an unwillingness or inability to establish procedures, FEMA may cease all funding through the Payment Management System and require the State to finance its operations with its own working capital. Payments to the State shall be by treasury check.

As soon as possible following a presidential declaration, the GAR makes available to the NDDES Finance Office:
Governor’s request for the disaster declaration and the implementing executive order
President’s declaration of major disaster
List of approved applicants

The Finance Office establishes separate account organization numbers for federal and state disaster funds. These funds are accounted for by payment vouchers prepared and maintained by NDDES and financial records are maintained by the NDDES Finance Officer.

Prior to funds being obligated, the finance officer prepares, and the GAR reviews, signs, and submits to the RA of FEMA Region VIII:

- Standard Form (SF) 424 - “Application for Federal Assistance”, (online submission through EMMIE)
- FEMA Form 20-20 - “Budget Information”,
- FEMA Form 20-16 - “Assurances Summary Sheet”,
- FEMA Form 20-16A - “Non-Construction Assurances”,
- FEMA Form 20-16C - “Lobbying, Suspension, Debarment Assurances”.

When the amount of the state contribution to estimated Hazard Mitigation funding is determined, funding is allocated to the Hazard Mitigation program account by the State of North Dakota.

**Advance of Funds**
The SHMO is authorized to approve an “Advance of Funds”. The subgrantee is required to submit a letter of request supported by reasonable financial documentation such as invoices, contracts, agreements or other supporting documentation. If approved, the grantee will advance up to 90 percent of the 75 percent federal share for projects other than Acquisition/Relocation/Elevation projects. Upon completion of the project, submissions of the summary of documentation (cancelled checks, warrants, certified transaction reports, etc.) and final approval by FEMA, the remaining 10 percent share of the federal share and the appropriate state share will be paid.

For Acquisition/Relocation/Elevations projects, all conditions for advances listed above shall apply except that the grantee may advance 100 percent of the Federal Share rather than only 90 percent.

Subgrantees are required to provide all supporting documentation (including invoices, contracts, force account labor and equipment schedules, and cancelled checks or vouchers) to substantiate the advance to NDDES within 60 days of receiving the advance.

**Cost Overruns and Underruns**
The subgrantee is required to report all cost overruns or cost underruns to the SHMO for review. Notification to FEMA will occur as soon as possible to ensure proper financial accounting.

NDDES may request that funds available as a result of cost underruns be used to provide additional funds for other approved subgrants that require cost overruns that are part of the same grant award. FEMA must approve requested cost overruns prior to implementation, and the subgrant must continue to meet programmatic eligibility requirements, including cost effectiveness and cost share. Cost overrun notifications must be accompanied by a new BCA; if the results of this analysis do not result in a BCA equal or greater than 1.0, Federal funds cannot be used to meet the cost overrun.
Recovery of Funds
If an overpayment of funds occurs, no additional payments of funds will be authorized for the subgrantee until the overpaid funds have been recouped.

If an overpayment of federal funds occurs, the overpaid funds may be transferred to offset all or part of the balance of any unpaid federal funds owed on other projects of the same subgrantee. If the sum of unpaid federal funds is insufficient to recoup the overpaid funds, any necessary portion of the overpaid funds will be applied to the unpaid amount; the GAR may supplement the unpaid federal funds by withholding some or all of the subgrantee’s unpaid state funds to reimburse all or part of the overpayment of federal funds. The state shall recoup any remaining balance of overpaid funds from the subgrantee. The subgrantee is required to pay in full or otherwise resolve debt within thirty (30) calendar days or the State and FEMA may take action relating to the debt as required by the Debt Collection Improvement Act of 1996, Public Law No. 104-134; the Digital Accountability and Transparency Act (DATA Act) of 2014, Public Law No. 113-101; and 31 United States Code Subchapter II, Claims of the United States Government.

The same procedures shall be employed to recoup an overpayment of state funds that are used to recoup federal funds.

To recoup funds from a subgrantee, the SHMO prepares and sends a reimbursement request letter to the subgrantee, identifying the source and amount of the overpayment and detailing the procedures for the repayment of funds. The GAR assures all reimbursed federal funding is returned to SmartLink/PMS. After all overpayment issues have been resolved, any remaining balance due of state funds will be paid to the subgrantee.

If, due to an overpayment, de-obligation of funds, or any similar reason a subgrantee has received payment of federal funds beyond what was obligated and is delinquent in repaying those funds, the state may withhold all funds, grants-in-aid, tax shares, and other similar moneys due the subgrantee from the state until the subgrantee repays either the federal or state government, as allowed in 2 CFR § 200.305 and 200.338 and NDCC 54-44-13. This process would be initiated only when all other methods of recoupment have failed.

In accordance with the “Cash Management Improvement Act” as set forth in 31 CFR § 205.12(b), all federal funds recouped in amounts of $50,000.00 or greater shall be reported annually by NDDES to the North Dakota Office of Management and Budget.

Grantee Management and Administrative Costs

General
Consistent with the staffing plan and responsibilities delineated in this administrative plan, NDDES serves as the State grantee agency overseeing all HMGP management and administrative activities. Generally, activities begin at the time of the approved federal declaration, through the scheduling and conduct of the applicant briefings, and include accountability for and administration of approved federal funding leading to final financial closeout and audits. Grantee activities will include:

- Notifying state agencies of FEMA/State meetings.
- Submitting notice of interest (NOI).
- Providing technical assistance for state agency, county, city, and private non-profit agency projects.
- Hiring and training temporary employees.
- Training for state staff.
- Providing assistance to determine applicant eligibility.
- Preparing expenditure authorizations for the disbursement of funds.
- Providing for State Hazard Mitigation Team activities.
- Maintaining hazard mitigation management representation to the JFO.
- Coordinating project eligibility reviews.
- Submitting projects to FEMA for approval.
- Reviewing, processing and making recommendations regarding appeals and time extensions.
- Requesting and responding to audits and audit findings.
- Site inspections.
- Executing legal and other required documents.
- Providing for the adequate “tracking” of all hazard mitigation programs operations through closeout of the hazard mitigation programs.

**Program Budgeting for Section 324 Management Costs**

Non-directly chargeable management costs are defined as ‘management costs’ including indirect costs, administrative expenses and other expenses not directly chargeable to a specific approved project that are reasonably incurred by the state or subgrantee in administering and managing the HMGP program.

The Non-Direct Management costs will be capped at 4.89 percent and will be remitted to NDDES upon receipt and approval of the State’s Section 324 Management Cost budget and supporting documentation. Subgrantees will not be eligible to receive non-direct management costs. Applicants will be encouraged to submit management costs as part of their application. Non-Direct Management costs will include costs that are related to administration of the HMGP program and are properly documented in accordance with 44 CFR. (44 CFR § 207)

**Reporting Requirements**

The Federal Financial Report (SF-425) shall be completed by NDDES and submitted quarterly to the United States Department of Health and Human Services and FEMA Region VIII on the signature of the GAR or alternate GAR. Failure to submit this report by the required due date may result in reduction of request for funds. (2 CFR § 200.327)

In addition, NDDES requires subgrantees to submit quarterly reports within a prescribed timeframe. The data from the subgrantee quarterly reports are assembled in a “combined financial and performance report” spreadsheet. This spreadsheet will list each project by line item and will detail all expenditures to date, approximate percentage of completion (based on subgrantees own assessment) and a brief narrative expressing status of project from past quarter and proposed actions for next quarter. Input data for the report is accumulated from multiple sources including ND accounting and financial systems, NDDES Disaster Recovery program files and systems, and submitted documentation from subgrantees. The report is designed as an accumulation of data from multiple sources to satisfy FEMA reporting requirements. In addition, and in accordance with 44 CFR § 207.8 (c), Section 324 State Management Cost funding will be reported on this report. This report is assembled and submitted to FEMA Region VIII within the prescribed deadline.
NDDES, using the current MHMP Status and Tracking spreadsheets, as well as the NDDES developed MHMP Status and Expiration Maps, will also email monthly updates to FEMA Region VIII Mitigation Planning Staff to describe plan review and approval status, technical assistance activities, and schedule training.

**PAS Monitoring**

FEMA will perform monitoring visits and provide tools and training as needed. FEMA Region VIII will evaluate the State’s performance quarterly by reviewing grant application data, project files, quarterly reports, fiscal management, and sub-award procedures and processes. FEMA will complete an annual sampling of up to 10% of documentation relating to PAS delegated responsibilities. Should the 10% sample indicate management or documentation deficiencies, more in-depth monitoring activities related to the identified deficiencies will be conducted either on-site or through desk reviews.

FEMA will provide the State with 48 hour notice of any on-site reviews. The State will provide FEMA information needed to enable FEMA to perform monitoring functions. Monitoring visits will occur at least once per year, but not more frequent that quarterly unless required by program needs.

**Planning Monitoring**

For local mitigation plan reviews, FEMA audits will be conducted by FEMA reviewing four plans per year. FEMA will identify plans for review by choosing plans from the monthly report. FEMA and the State will hold a conference call to review comments on audited plans. After the conference call is completed, FEMA will provide the State with a monitoring report that explains and documents its findings within 45 days. The State will work with FEMA to resolve any deficiencies identified in the report.

**Appeals**

A subgrantee may appeal any decision made regarding projects submitted for funding. The appeal must be in writing and must contain sufficient documentation to support the subgrantee’s position.

If a project is not approved, or approved only in part, and the subgrantee wishes to appeal the decision, the appeal must be made within 60 days from the date the subgrantee was notified. The FEMA RA has 90 days to make a determination. If the RA denies the appeal, the subgrantee, through the GAR and RA, may submit an appeal to the FEMA Associate Director. The appeal must be submitted within 60 days of the RA’s denial and must include either new or expanded information to support the appeal. The Associate Director then has 90 days to render a decision. The Associate Director’s decision is final. (44 CFR § 206.440)

**Project Closeout**

To close a project, the State must verify that a project’s scope of work was completed, all program laws and regulations were followed, required paperwork has been submitted, funds have been properly expended, and the State’s project file is complete and accurate. The State must then request project closeout by providing a request letter, including closeout documentation and a financial summary to FEMA. Upon FEMA final reconciliation, the project file will be retained for audit purposes.
Property acquisitions and/or relocation project files will include all applicable forms submitted by the property owner and the subgrantee, including the required Statement of Assurances and Exhibit A (Deed restriction). Mitigation staff will conduct a site inspection at project closeout confirming site is clear in accordance with deed restrictions. Furthermore, the subgrantee will submit, every three (3) years, correspondence that they have inspected the property and confirm it remains in compliance with deed restriction requirements.

**Administrative Requirements**

NDDES, as the grantee, is required to comply with the administrative requirements of 2 CFR § 200 and 44 CFR § 206. This includes but is not limited to processes and procedures for determining payments, allowable costs, period of availability of funds, matching or cost sharing, program income, non-federal audit, procurement, subgrants, monitoring and reporting program performance, financial reporting, retention and access requirements for records, and enforcement. These issues are discussed in greater detail in their respective sections of this plan.

As outlined in 2 CFR § 200.331 pass-through entities have additional responsibilities when administering subawards, many of which are highlighted below. This list is not exhaustive and pass-through entities must adhere to all of the requirements in 2 CFR § 200. All pass-through entities must:

- Ensure that every subaward is clearly identified to the subgrantees as a subaward and includes information required in 2 CFR § 200.331.
- Evaluate each subgrantee’s risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subgrantee monitoring described in 2 CFR § 200.331.
- Consider imposing specific subaward conditions upon a subgrantee, if appropriate, and notify subgrantee as described in 2 CFR § 200.207.
- Monitor the activities of the subgrantee as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subgrantee must include the requirement found in 2 CFR § 200.331.
- Verify that every subgrantee is audited as required by 2 CFR Subpart F-Audit Requirements when it is expected that the subgrantee’s Federal awards expended during the respective fiscal year equaled or exceeded the threshold set forth in 2 CFR § 200.501.
- Consider whether the results of the subgrantee’s audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity’s own records.
- Consider taking enforcement action against noncompliant subgrantees as described in 2 CFR § 200.338.

**Audit Requirements**

Subject to the provisions of Chapter 75 of Title 31, United States Code, relating to requirements for single audits, FEMA shall conduct audits and investigations as necessary to ensure compliance with the Single Audit Act of 1984 (P.L. 98-502, as amended), the Single Audit Act Amendments of 1996 (P.L. 104-156, as amended), or related regulations. FEMA may elect to conduct a federal audit on the disaster assistance grant, or on any of the subgrants, and may question such persons as may be necessary to carry out such audits and investigations.
FEMA may require audits by the state and local governments in connection with assistance under the Single Audit Act of 1984 (P.L. 98-502, as amended) and the Single Audit Act Amendments of 1996 (P.L. 104-156, as amended) when necessary, to assure compliance with the Stafford Act or related regulations.

The grantee (State of North Dakota), and each subgrantee (applicant) that expends $750,000 or more in federal funding during a fiscal year is responsible for obtaining a Single Audit or program specific audit in accordance with 2 CFR § 200. The Office of the State Auditor and NDDES ensures the state and applicants perform these audits on a timely basis. These audits must be submitted for review to the Office of the State Auditor, which will notify NDDES of any instances of non-compliance with laws and regulations.

In the case of non-compliance with laws or regulations, NDDES will ensure appropriate corrective action is taken in accordance with 2 CFR § 200. In addition, NDDES will within six months require the applicant to submit a corrective action plan to the agency. The corrective action plan will be reviewed by the NDDES Disaster Recovery Section and the Finance Section. The plan will either be approved or sent back to the applicant with a list of changes required for approval. Once approved, any remaining questioned costs will be recovered by NDDES and returned as described in the “Recovery of Funds” section of this plan.

In accordance with 2 CFR § 200.512:

- Audited entities shall submit the Data Collection Form and reporting package to the Federal Audit Clearinghouse within the earlier of 30 calendar days after receipt of the auditor's report, or nine months after the end of the audit period.
- Audited entities shall submit to NDDES one copy of the reporting package when the schedule of findings and questioned costs disclosed audit findings relating to federal awards NDDES provided, or the summary schedule of prior audit finding reported the status of any audit findings relating to federal awards NDDES provided.
- When a subgrantee is not required to submit a reporting package – in accordance with 2 CFR § 200– the subgrantee shall provide written notification to NDDES that:
  - An audit of the subgrantee was conducted in accordance with this part (including the period covered by the audit).
  - The schedule of findings and questioned costs disclosed no audit findings relating to the Federal award(s) NDDES provided.
  - The summary schedule of prior audit findings did not report on the status of any audit findings relating to the Federal award(s) NDDES provided.
  - A subgrantee may submit a copy of the audit report to the Office of the State Auditor to comply with this notification requirement.
- If an applicant is not required to have a Single Audit or program specific audit, the applicant shall certify to NDDES each fiscal year the audit was not required. NDDES will send a form to each applicant each year to satisfy this requirement.

All Subgrantees are advised of the audit and record-keeping requirements pertaining to the expenditure of federal funds by means of a cover letter which accompanies the NEMIS documentation for all FEMA approved project worksheets, which are sent to the respective applicants for their review and record-keeping.
Procurement

When procuring property and services using Hazard Mitigation funding, NDDES will follow the same policies and procedures it uses for procurements from its non-Federal funds as required by 2 CFR § 200.317. NDDES is required by state law to act in accordance with North Dakota Century Code Chapter 54-44.4 and the North Dakota Office of Management and Budget document “Guidelines To North Dakota Purchasing Preference Laws.” In addition, NDDES will comply with the general procurement standards set out in 2 CFR § 200.318. All procurement transactions will be conducted in a manner providing full and open competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals will be excluded from competing for such procurements. (2 CFR § 200.319)

During the HMGP application process and, more formally, when an HMGP subaward is approved for funding by FEMA, NDDES informs all subgrantees that they are required to follow State and Federal procurement laws when procuring property or services during the completion of their federal grant award. The specific procurement laws and regulations are identified as a requirement for receiving a federal grant award within every HMGP Subgrant Agreement, which is reviewed and signed by each subgrantee upon project approval to officially accept a subaward. Along with the HMGP Subgrant Agreement, NDDES provides subgrantees with a copy of the FEMA Procurement Supplemental Guide, a Request for Proposal (RFP) template, and a copy of the official State of North Dakota Request for Telephone Quote Form (SFN 2706).

Concerning suspension and debarment, as required by 2 CFR § 200.213 and Executive Order 12549, NDDES and all subgrantees that receive funding under a federal HMGP award will certify that, to the best of their knowledge and beliefs, that it and its principals:

- are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;
- have not, within a five-year period preceding this proposal been convicted of or had a civil judgment rendered against them for:
  - the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under 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.
  - have not within a five-year period preceding this Agreement had one or more public transactions (federal, state or local) terminated for cause or default.

Equipment

NDDES obtains title to equipment acquired under the award and is subject to the conditions outlined in 2 CFR § 200.313, including the following:

- Use the equipment for the authorized purposes of the project until funding for the project ceases, or until the property is no longer needed for the purposes of the project.
- Not encumber the property without approval of FEMA
- Use and dispose of the properly in accordance with 2 CFR § 200.313.

NDDES will dispose of equipment or supplies in one of the following ways:
- Retain, sell, or otherwise dispose of, if the equipment or supplies has a current per unit fair market value of $5,000 or less, with no further obligation to FEMA.
- Retain, sell, or transfer the title to the Federal Government or to an eligible third party, if the equipment or supplies has a current per unit fair-market value in excess of $5,000. In this case, FEMA is entitled to the Federal share of the current market value or proceeds from sale.

Equipment acquired through a HM grant award must be used consistent with the eligibility requirements of the HM Program. (2 CFR § 200.313)

**Supplies**
FEMA retains an interest in any unused supplies exceeding $5,000 in total aggregate value upon termination or completion of the HM project or program if they are not needed for any other Federal award. NDDES must compensate FEMA for its share of the supplies in compliance with 2 CFR § 200.313 and §200.314. As long as FEMA retains an interest in supplies, NDDES must not use the supplies to provide services to other organizations for a fee that is less than private companies charge for equivalent services. (2 CFR § 200.314)

**Records Retention**
As required by 2 CFR § 200.333, financial records, supporting documents, statistical records, and all other records pertinent to the Federal award must be retained for a period of three years from the date of submission of the final expenditure report. FEMA and NDDES must not impose any other record retention requirements upon subgrantees. The only exceptions are the following:

- If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity’s fiscal year in which the program income is earned.
- Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
Program Closeout
FEMA will closeout the Federal award when it determines that all applicable administrative actions and all required work of the Federal award have been completed by NDDES. This section specifies the actions that NDDES and FEMA must take to complete the closeout process at the end of the period of performance.

■ NDDES must submit, no later than 90 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award. FEMA may approve extensions when requested.
■ Unless FEMA authorizes an extension, NDDES must liquidate all obligations incurred under the Federal award not later than 90 calendar days after the end date of the period of performance as specified in the terms and conditions of the Federal award.
■ FEMA must make prompt payments to NDDES for allowable reimbursable costs under the Federal award being closed out.
■ NDDES must promptly refund any balances of unobligated cash that FEMA paid in advance or paid and that are not authorized to be retained by NDDES for use in other projects.
■ Consistent with the terms and conditions of the Federal award, FEMA must make a settlement for any upward or downward adjustments to the Federal share of costs after closeout reports are received.
■ NDDES must account for any real and personal property acquired with Federal funds or received from the Federal Government in accordance with 2 CFR § 200.310 Insurance coverage through 2 CFR § 200.316 Property trust relationship and 2 CFR § 200.329 Reporting on real property.
■ FEMA should complete all closeout actions for Federal awards no later than one year after receipt and acceptance of all required final reports. (2 CFR § 200.343)
ATTACHMENT A: NDDES ORGANIZATIONAL CHART
ATTACHMENT B: PROJECT SUMMARY WORKSHEET
Project Summary Worksheet

Plan & Project Summary Sheet
1. Major disaster declaration number from which FEMA would obligate mitigation funds;
2. Project number (FEMA will provide to State);
3. Applicant name(s) (i.e., Community and POC information);
4. U.S. Congressional District (Senators and Representatives);
5. FIPS code (FEMA will provide to State);
6. DUNS Number
7. Local or Tribal Mitigation Plan Information;
8. Brief description of the project;
9. Project location with GPS coordinates;
10. Total project cost;
11. Amount requested (Federal share);
12. Non-Federal cost share amount and source (e.g., local, global credit pool);
13. Cost Effectiveness Determination;
14. Proposed performance period (completion date);
15. List of project alternatives considered (e.g., acquisition, elevation, drainage upgrade); and
16. Reviews/Results
   - Certify that the State has reviewed and determined this project is eligible
   - Attach all documentation needed for the project environmental review and all coordinating agency consultation letters/memos
   - Attach benefit-cost summary sheet
   - Attach project site map
   - Attach completed Eligibility and Completeness Checklist
   - Attach Statement of Work and supporting documentation for Tribal consultation