

U.S. Department of Homeland Security
 FEMA Region 9
 1111 Broadway, Suite 1200
 Oakland, CA 94607



FEMA

April 28, 2025

Robyn Fennig
 Assistant Director Hazard Mitigation
 Governor's Authorized Representative
 California Governor's Office of Emergency Services
 3650 Schriever Avenue
 Mather, CA 95655

Reference: Application Approval, HMGP DR-4610-910-55
 Solano County
 Solano Justice Campus Asset Protection Project
 FIPS Code: 095-99095, Supplement 32

Dear Robyn Fennig:

We approve and issue Hazard Mitigation Grant Program (HMGP) funds for the Solano County, DR-4610-910-55, Solano Justice Campus Asset Protection Project.

The total project cost is \$21,909,185.52. As shown in the enclosed April 21, 2025, Obligation Report - Supplement 32, we are obligating \$19,718,266.97 for the 90 percent Federal share; the 10 percent non-Federal share is \$2,190,918.55. We are obligating \$125,964.03 for the 100% Federal share Subrecipient Management Costs. These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

Project Phase:	Federal Share:	Non-Federal Share:	Total Project Cost:
Supplement 32	\$19,718,266.97	\$2,190,918.55	\$21,909,185.52
Management Costs	\$125,964.03	\$0.00	\$125,964.03

This HMGP project approval and obligation of funds are subject to the following conditions:

- 1. Scope of Work (SOW)** – Project activities would upgrade and replace site-wide stormwater facilities to expand their capacity. Specific upgrades include installation of low barrier walls, hydraulic gates, landscaped berms, and roadway ramps on Delaware Street and Washington Street. The proposed project would entail the addition of storm drains and pump capacity and would improve security to protect operations and staff through installation of new pedestrian facilities, lighting features, vehicle access gates, card readers, and metal fencing.

1. **Project Completion Date** – The work schedule included with the project application indicates that the project will take 36 months to complete; however, we can only approve a project up to the approved disaster period of performance (POP). Therefore, the project completion date is February 20, 2027. Please inform the sub-recipient that work completed after the disaster period of performance (POP) is not eligible for federal funding, and that federal funds may be de-obligated for work completed outside the POP when there is no approved time extension.
2. **Project Closeout** – Within 120 days of the award period of performance's expiration, all project funds must be liquidated and final closeout documentation for the project must be submitted to FEMA. Please note the project must comply with Code of Federal Regulations Title 2, Part 200 reporting requirements at the time of closeout.
3. **Record of Environmental Consideration (REC)** – This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusion N9, (Federal Assistance for Flood Hazard Reduction Actions), has been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. -Please reference the enclosed REC for further information.
4. **Standard Conditions** – This project approval is subject to the enclosed *Standard Mitigation Grant Program (HMGP) Conditions*, amended August 2018. Please note that federal funds may be de-obligated for work that does not comply with these conditions.

In addition to the Standard HMGP Conditions, the following special condition(s) must be met during the implementation of the project:

- The Sub applicant must coordinate with the local floodplain administrator and obtain any required permits prior to initiating work. Coordination correspondence with the Floodplain administrator, including any required permits, and implementation documentation to any permit conditions need to be forwarded to the State and FEMA for inclusion in the permanent project files. Monitoring required.
- The Sub applicant is responsible for complying with all applicable subparts of the Clean Air Act. Copies of any permits/authorizations, or consultation documentation should be forwarded to FEMA for inclusion in the administrative record. Failure to comply with these conditions may jeopardize the receipt of federal funding.


Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance, including funding. Documentation confirming compliance must be included with the delivery of final closeout request submitted to FEMA.

Robyn Fennig
April 28, 2025
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For financial or programmatic questions please contact Andrea Harvey, Sr. Grants Management Specialist by email at andrea.harvey@fema.dhs.gov, or by phone at (202) 430-4878.

Sincerely,

**KATHRYN J
LIPIECKI**

 Digitally signed by KATHRYN J
LIPIECKI
Date: 2025.04.26 09:29:56 -07'00'

Kathryn Lipiecki
Director, Mitigation Division
FEMA Region 9

Enclosures (3):

Obligation Report - Supplement 32
Record of Environmental Considerations (REC)
Standard Mitigation Grant (HMGP) Conditions

Cc: Melissa Boudrye, Resilience Branch Chief, California Governor's Office of Emergency Services
Concepcion Chavez, Technical Assistance Division Chief, California Governor's Office of Emergency Services
Ron Miller, Hazard Mitigation Assistance Branch Chief, California Governor's Office of Emergency Services
Joe Purvis, HM Grants Division Chief, California Governor's Office of Emergency Services
Ryan Massello, HM Quality Assurance Division Chief, California Governor's Office of Emergency Services
Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4610	55 -R	0	910	1	32	CA	Statewide

Subrecipient: Solano (County)

Project Title : Solano County - Solano Justice Campus Asset Protection Project

Subrecipient FIPS Code: 095-99095

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$19,718,266.97	\$19,718,266.97	\$0.00	\$0.00

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$19,718,266.97	\$125,964.03	\$19,844,231.00	04/21/2025	Accept	2025

Comments

Date: 04/21/2025 User Id: RHIRST

Comment: Obligate \$19,718,266.97 Federal Share and SRMC \$125,964.03, totaling \$19,844,231 advice for approved HMGP DR-4610-910-55-Solano Justice Campus Asset Protection Project

Authorization

Preparer Name: REILLY HIRST

Preparation Date: 04/21/2025

HMO Authorization Name: EMILY BAUMGARTNER

HMO Authorization Date: 04/21/2025

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP-4610-0055-CA (4610-0910-0055) (1)

Title: Solano County - Solano Justice Campus Asset Protection Project

NEPA DETERMINATION

Non Compliant Flag: No EA Draft Date: EA Final Date:
EA Public Notice Date: EA Fonsi Date: Level: CATEX
EIS Notice of Intent Date: EIS ROD Date:

Comments: Solano County proposes to perform flood mitigation activities at the Justice Campus and adjacent structures (510, 530, 550, and 600 Union Avenue; 512 and 530 Clay Street; 510 Texas Street) in the City of Fairfield, Solano County (Northeast corner: 38.248989, -122.040374; Northwest corner: 38.248989, -122.037894; Southeast corner: 38.246526, -122.040377; and Southwest corner: 38.246526, -122.038854). Project activities would upgrade and replace site-wide stormwater facilities to expand their capacity. Specific upgrades include installation of low barrier walls, hydraulic gates, landscaped berms, and roadway ramps on Delaware Street and Washington Street. The proposed project would entail the addition of storm drains and pump capacity and would improve security to protect operations and staff through installation of new pedestrian facilities, lighting features, vehicle access gates, card readers, and metal fencing.

Construction activities would begin with removal and replacement of existing underground storm drainpipes and catch basins. New and/or additional storm drains, collection sumps, and pumps would be integrated into the existing storm drain facilities. This work would require widespread excavation and trenching across the project area and demolition and removal of existing surface parking lots. Disturbed parking structures would be re-paved following stormwater infrastructure installation. Trenches in excess of 5 feet would either be shored or sloped for safety and ease of installation of the lines.

Project activities would start on the western edge of the project area and move eastward starting on Clay Street. Vegetation would be removed, including approximately 60 landscaped trees (including stump removal). A pump vault, pump equipment, utilities, and a floodwall would be installed. Existing parking lots in the northwest, northeast, and southeast of the project area would be demolished then graded and repaved. Washington Street would be repaved, and a floodwall would be constructed along the northern edge of the project area. Following installation of underground utilities, concrete flood walls would be constructed around the perimeter of the project area with a landscape berm forming the northwestern portion of the ring and two automatic, self-raising gates installed at vehicular access points.

Construction would conclude by returning the site to its previous functionality through re-paving of disturbed hardscape and the application of striping and restorative finishes. Approximately 0.5 acres of landscaping improvements would be installed across the project area. Project construction activities are expected to take 23 months to complete. No work would occur within water channels or beds. Excavations would be secured using temporary construction fencing. A Stormwater Pollution Prevention Plan (SWPPP) would be prepared to include best management practices (BMPs) to prevent erosion during construction activities. Anticipated construction equipment would include full-size pick-up trucks, excavators, bulldozers, concrete mixers and/or concrete pumps, dump trucks, flatbed trucks, forklifts, bobcats, and possibly a crane. Handheld power tools may include jackhammers, pavement sawcutters, chainsaws, hand saws, drills, augers, lawn spreaders, and sod cutters. Two existing surface parking lots (approximately 0.3 and 0.1-acres) within the project area would be utilized for staging areas.

This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusion N9, (Federal Assistance for Flood Hazard Reduction Actions), has been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. -jgladsto - 02/26/2025 17:55:46 GMT

CATEX CATEGORIES

Table with 3 columns: Catex Category Code, Description, Selected. Row 1: *n9, (*n9) Federal Assistance for Flood Hazard Reduction Actions. Federal assistance for drainage, berm, water crossing, and detention, retention, or sediment pond projects which have the primary purpose of addressing flood hazards and: (a) Do not affect more than 25 acres, (b) Do not result in adverse flood risk effects to downstream communities, (c) Do not result in any increase of flood levels within the community during the occurrence of the base flood discharge if the action takes place within the regulatory floodway, and (d) Where the effect of the proposed project when combined with other existing or reasonably foreseeable development will not increase water surface elevation of, Yes

18:53:00

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP-4610-0055-CA (4610-0910-0055) (1)

Title: Solano County - Solano Justice Campus Asset Protection Project

Catex Category Code	Description	Selected
	the base flood more than one foot at any point within the community if the action takes place in a floodplain with no regulatory floodway. This CATEX covers minor flood control actions as identified in Sections 1366 and 1361 of the National Flood Insurance Act (NFIA). Actions that are not covered in Sections 1366 and 1361 of the NFIA, such as dikes, levees, seawalls, groins, and jetties, are excluded from this CATEX.	

EXTRAORDINARY CIRCUMSTANCES

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comments
Clean Air Act (CAA)	Completed	Project is located in a non-attainment area	The project is in Solano County and is within a nonattainment area for fine particulate matter (PM 2.5, 2006) and 8-hour ozone (2008 and 2015) according to the U.S. Environmental Protection Agency (USEPA). Based on the scope of work, the potential emissions from project activities are clearly below de minimis thresholds for the General Conformity Rule. Thus, the project is exempt from a conformity determination. See Condition. - jgladsto - 02/26/2025 17:47:45 GMT
	Completed	Coordination required with applicable state administering agency - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	The project is located within an X zone, area of Special Flood Hazard Area (100-year floodplain, base floodplain), per Flood Insurance Rate Map (FIRM) panel 06095C0456F, dated August 3, 2016. The proposed action is not likely to result in any potential direct impacts that would adversely affect the natural values and function of floodplains, nor is it likely to increase the risk of flood loss. The Initial Disaster Public Notice was published on September 14, 2021. Per 44

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP-4610-0055-CA (4610-0910-0055) (1)

Title: Solano County - Solano Justice Campus Asset Protection Project

Environmental Law/ Executive Order	Status	Description	Comments
			CFR 9.5(d)(4), the 8-step Process was completed, and the determination was the project is the only practicable alternative. Floodplain Management 8-Step Checklist is attached. See Condition. See attached map. - Jgladsto - 02/26/2025 17:49:35 GMT
	Completed	Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment	
	Completed	8 Step Process Complete - documentation attached - Review concluded	
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	Per the U.S. Fish and Wildlife Service Wetland Mapper viewed on December 27, 2024, the project is directly adjacent to a designated wetland, but the proposed action is not likely to result in any potential direct impacts that would adversely affect the natural values and function of wetlands. See attached map. - Jgladsto - 02/26/2025 17:53:00 GMT
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	A No Effect Memorandum has been prepared as it has been determined that the proposed actions would result in No Effect to federally listed species or designated critical habitat. Consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service is not required. See attached. - Jgladsto - 02/26/2025 17:45:46 GMT
	Completed	No effect to species or designated critical habitat (See comments for justification) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Standard Section 106 review	Consultation with the appropriate tribes was conducted per 36 CFR 800.2(c)(2)(ii) and 36 CFR 800.2(c)(5). Consultation, which was concluded on September 20, 2024, indicated that none of the tribes had concerns with the proposed project. See attached. FEMA consulted with the State Historic Preservation

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Title: Solano County - Solano Justice Campus Asset Protection Project

Environmental Law/ Executive Order	Status	Description	Comments
			Officer (SHPO) on November 15, 2024, and made a finding of no historic properties affected in accordance with Stipulation II.C of the Programmatic Agreement among the Federal Emergency Management Agency (FEMA), the California State Historic Preservation Officer (SHPO), and California Governor's Office of Emergency Services (Cal OES), signed October 29, 2019. SHPO had no objection to FEMA's finding by letter dated January 6, 2025. See attached. - jgladsto - 02/26/2025 17:41:11 GMT
	Completed	Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review	
	Completed	Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
	Completed	Project affects undisturbed ground	
	Completed	Project area has no potential for presence of archeological resources	
	Completed	Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation attached) - Review concluded	
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Special Conditions required on implementation of Projects:

EO 11988: The Subapplicant must coordinate with the local floodplain administrator and obtain any required permits prior to initiating work. Coordination correspondence with the Floodplain administrator, including any required permits, and implementation documentation to any permit conditions need to be forwarded to the State and FEMA for inclusion in the permanent project files.

Source of condition: Executive Order 11988 - Floodplains

Monitoring Required: Yes

CAA: The Subapplicant is responsible for complying with all applicable subparts of the Clean Air Act. Copies of any permits/authorizations, or consultation documentation should be forwarded to FEMA for inclusion in the administrative record. Failure to comply with these conditions may jeopardize the receipt of federal funding.

Source of condition: Clean Air Act (CAA)

Monitoring Required: No

Standard Conditions:

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

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Title: Solano County - Solano Justice Campus Asset Protection Project

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Standard Mitigation Grant Program (HMGP) Conditions

FEMA Region IX, August, 2018

The following list applies to Recipients and Subrecipients accepting HMGP funds from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS):

1. **Applicable Federal, State, and Local Laws and Regulations.** The Recipient/Subrecipient must comply with all applicable Federal, State, and Local laws and regulations, regardless of whether they are on this list or other project documents. DHS financial assistance Recipients and Subrecipients are required to follow the provisions of the State HMGP Administrative Plan, applicable Hazard Mitigation Assistance Uniform Guidance, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2 of the Code of Federal Regulations (CFR) Part 200, adopted by DHS in 2 CFR 3002.
2. **Financial Management Systems.** The Recipient and Subrecipient must maintain financial management systems to account for and track funds, as referenced in 2 CFR 200.302.
3. **Match or Cost Share.** Non-federal match or cost share must comply with 2 CFR 200.306, the scope of work (SOW), and any agreements among the Subrecipient, the Recipient, and FEMA.
4. **Budget Changes.** Unanticipated adjustments are permitted within the approved total cost. However, if costs exceed the federal share, the Subrecipient must notify the Governor's Authorized Representative (GAR) of overruns before implementation. The GAR shall submit a written request for approval to FEMA Region IX. The subaward must continue to meet HMGP requirements, including cost effectiveness and cost share. Refer to 2 CFR 200.308 for additional information.
5. **Real Property and Land.** The acquisition, use, and disposition must comply with 2 CFR 200.311.
6. **Equipment.** The acquisition, use, and disposition must comply with 2 CFR 200.313.
7. **Supplies.** Upon project completion, FEMA must be compensated for unused supplies, exceeding \$5,000 (fair market value), and not needed for other federal programs. Refer to 2 CFR 200.314.
8. **Procurement.** Procurement procedures must be in conformance with 2 CFR 200.318-320.
9. **Monitoring and Reporting Program Performance.** The Recipient and Subrecipient must submit quarterly progress reports, as referenced in the 2 CFR 200.328 and State HMGP Administrative Plan.
10. **Records Retention.** In accordance with 2 CFR 200.333, financial/ programmatic records related to expenditures must be maintained at least 3 years after the date of Recipient's final expenditure report.
11. **Enforcement and Termination.** If the Recipient or Subrecipient fails to comply with the award or subaward terms, whether stated in a Federal statute or regulation, the State HMGP Administrative Plan, subapplication, a notice of award, an assurance, or elsewhere, FEMA may take one or more of the actions outlined in 2 CFR 200.338, including termination or partial termination of the award or subaward outlined in 2 CFR 200.339.
12. **Allowable Costs.** Funds are to be used for allowable costs in compliance with 2 CFR 200.403, the approved SOW, and any agreements among the Subrecipient, Recipient, and FEMA.

13. **Non-Federal Audit.** The Recipient and Subrecipient are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 2 CFR.200.501.
14. **Debarred and Suspended Parties.** Recipients and Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 CFR 180. These regulations restrict federal financial assistance awards, subawards, and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in the federal assistance programs or activities.
15. **Equipment Rates.** Rates claimed for use of Subrecipient-owned equipment in excess of the FEMA-approved rates must be approved under State guidelines issued by the State Comptroller's Office or must be certified by the Recipient to include only those costs attributable to equipment usage less any fixed overhead and/or profit.
16. **Duplication of Funding between Public Assistance (PA) and HMGP.** Funding for PA Section 406 and HMGP Section 404 are permitted on the same facility/location, but the activities identified under each program must be distinct with separately accounted funds. At closeout, FEMA may adjust the funding to ensure the Subrecipient was reimbursed for eligible work from only one funding source.
17. **Historic Properties and Cultural Resources.** In compliance with 2 CFR 800, if a potential historic property or cultural resource is discovered during construction, the Subrecipient must cease work in the area and take all reasonable measures to avoid or minimize harm to the discovered property/resource. During construction, the Subrecipient will monitor ground disturbance activity, and if any potential archeological resources are discovered, will immediately cease work in that area, and notify the Recipient and FEMA. Construction in the area may resume with FEMA's written approval after FEMA's consultation, if applicable, with the State Historic Preservation Officer (SHPO).
18. **NEPA and Changes to the Scope of Work (SOW).** To comply with the National Environmental Policy Act (NEPA), and other Laws and Executive Orders, any change to the approved SOW shall be re-evaluated before implementation. Construction associated with a SOW change, prior to FEMA approval, may be ineligible for funding. Acceptance of federal funding requires environmental permits and clearances in compliance with all appropriate federal, state and local laws, and failure to comply may jeopardize funding.

Within their authority, the Recipient and Subrecipient must use of all practicable means, consistent with other essential policies, to create and maintain productive harmony for people and nature, and fulfill the social, economic, and other needs of present and future generations of Americans.