

Subapplicant information

Name of federal agency

FEMA

Type of submission

Application**CITY OF NEW BERN**300 POLLOCK ST
NEW BERN, NC 28560 United States

State	DUNS #	EIN #
NC	075547208	566000235

Subapplicant type

Local Government

Is the subapplicant subject to review by Executive Order 12372 Process?

No - Not selected

Is the subapplicant delinquent on any federal debt?

No**Contact information****Subrecipient Authorized Representative (SAR)**

Margaret Shields	Primary phone	Mailing address
funddevelopment8@msn.com		

Point(s) of contact

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Kimberly Ostrom Senior Accountant ostromk@newbernnc.gov	Primary phone 2526392713 Work Fax	Additional phones 2526392715 Work	Mailing address PO Box 1129 New Bern NC 28563
Foster Hughes City Manager hughesf@newbernnc.gov	Primary phone 2526364000 Work Fax	Additional phones 2526261430 Mobile	Mailing address PO Box 1129 New Bern NC 28563

Community

Please provide the following information. If the Congressional district number for your community does not display correctly, please contact your State NFIP coordinator.

Add Communities

Please find the community(ies) that will benefit from this mitigation activity by clicking on the Find communities button. If needed, modify the Congressional District number for each community by entering the updated number under the U.S. Congressional District column for that community. When finished, click the Continue button. NOTE: You should also notify your State NFIP coordinator so that the updated U.S. Congressional District number can be updated in the Community Information System (CIS) database.

Community name	County code	CID number	CRS community	CRS rating	U.S. Congressional District
NEW BERN, CITY OF	049	370074	Y	10	1,2

Please provide any additional comments below (optional).

The City of New Bern was founded in 1710, is located in Craven County North Carolina and is the county seat. The City lies at the confluence of the Neuse and Trent Rivers and was devastated by 22 inches of rain and an 11-foot storm surge during Hurricane Florence in 2018. The Duffyfield Community, a neighborhood in the Greater Five Points Area, is low lying and prone to repetitive flooding during routine storm events. The Duffyfield Canal drains a large portion of the City's land mass (just under 800 acres) and flows through the Duffyfield Community. During Hurricane Florence, the Canal overflowed its banks damaging homes, businesses and historic sites. Restoration of the Canal will mitigate flooding and protect residents and their properties during future storm events. Please see the attachment below regarding additional descriptive information on City geography and governance.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BRIC 2022 City of New Bern Background and Description.pdf	11/17/2022	funddevelopment8@msn.com	Community Attachments	Description of City of New Bern	
BRIC 2022 Duffyfield Canal Watershed.pdf	11/17/2022	funddevelopment8@msn.com	Community Attachments	Map of the Duffyfield Canal Watershed	
BRIC 2022 Board of Alderman Approval.pdf	12/15/2022	annakwalters@gmail.com	Community Attachments	Resolution from the City of New Bern Board of Alderman	

Mitigation plan

Please provide your plan information below.

Is the entity that will benefit from the proposed activity covered by the current FEMA approved multi-hazard mitigation plan in compliance with 44 CFR Part 201? **Yes**

Please provide plan detail

Plan name	Plan type	Plan approval date
Pamlico Sound Regional Hazard Mitigation Plan	Local Multijurisdictional Multi-Hazard Mitigation Plan	01/31/2020
Proposed activity description		

Please provide any additional comments below (optional).

The City of New Bern has also undertaken its own resiliency and hazard mitigation planning process. The City's Board of Aldermen adopted the City of New Bern Resiliency and Hazard Mitigation Plan in March of 2022. The

Plan will also become part of the Pamlico Sound Regional Hazard Mitigation Plan. There are more than 60 action items and directives in the City of New Bern's Resiliency Plan which the City is now undertaking to achieve greater resiliency. The Restoration of Duffyfield Canal is one of the top priorities highlighted in the City's plan. The project scoping and planning process for Canal restoration will create a shovel ready project that will be eligible for BRIC funding during the 2024 grant cycle.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BRIC2022 New Bern Resiliency Plan - Pre-final w-o Appendices.pdf	11/17/2022	funddevelopment8@msn.com	Mitigation Plan Attachments	<i>No description given.</i>	
BRIC2022 New Bern-Craven Excerpt - 2020 Regional HMP FEMA.pdf	11/17/2022	funddevelopment8@msn.com	Mitigation Plan Attachments	<i>No description given.</i>	

Scope of work

The project Scope of Work (SOW) identifies the eligible activity, describes what will be accomplished and explains how the mitigation activity will be implemented. The mitigation activity must be described in sufficient detail to verify the cost estimate. All activities for which funding is requested must be identified in the SOW prior to the close of the application period. FEMA has different requirements for project, planning and management cost SOWs.

Subapplication title (include type of activity and location)

Restoration of Duffyfield Canal Planning and Project Scoping

Activities

Primary activity type

Develop or conduct engineering, environmental, feasibility and/or benefit cost analyses

Secondary activity type (Optional)

Activities supporting development of applications

Tertiary activity type (Optional)

Geographic areas description

The City of New Bern is low-lying (elevation of 5 ft and under in areas) at the confluence of the Trent and Neuse Rivers in Craven County, North Carolina. The Duffyfield Canal began as a natural drainage area adjacent to what is now Henderson Park in the Duffyfield Community. The City then constructed a concrete canal connecting various ditches and streams running through the area and formalized a drainage basin comprising approximately 800 acres of the City's total land mass. The Duffyfield Canal serves as a stormwater control and flood mitigation system for a large basin area that extends from Glenburnie Road on the western end of the City to Jack Smith Creek and the Neuse River on the east side of the City. The Duffyfield Canal and surrounding areas experience frequent nuisance flooding during small storm events. During the past decade, the City has experienced inundation in the drainage basin from Hurricanes Irene, Matthew, Florence and Dorian. Rescue calls have consistently come from these neighborhoods, with more than 600 people rescued from the drainage basin area during Hurricane Florence.

Community lifelines

Primary community lifeline

Safety and security

Primary sub-community lifeline

Community safety

Secondary community lifeline (optional)

Hazard sources

Primary hazard source

Flooding

Secondary hazard source (optional)

Tertiary hazard source (optional)

How will the mitigation activity be implemented?

The Duffyfield Canal was built decades ago, before development and stormwater standards were in place, using a concrete, hardened wall. The original concrete armoring is deteriorating, leading to significant erosion of embankments and flooding. The Canal overflows its banks frequently and during storm events flooding is widespread in the Duffyfield Community. In 2020, the City has received funding from the National Fish and Wildlife Foundation and NC Land and Water Fund to address project scoping for mitigation activities at the headwaters area of the Canal adjacent to Henderson Park in the Duffyfield Community. Hydrologic & Hydraulic Studies that will lead to engineering and design of several shovel ready projects in the Henderson Park Area are underway. The City will further develop a plan of mitigation activity to address a major section of the canal, including areas in the drainage basin that are prone to flooding (see attached map) through Restoration of Duffyfield Canal Project Planning and Scoping. The Project will focus on the 3/4-mile-long middle section of the Canal and the western side of the Duffyfield Community, taking into consideration the impacts of the entire drainage basin area on the Canal. By performing data analysis through Hydrologic & Hydraulic Studies and community outreach, the City of New Bern will develop a shovel ready project incorporating built and nature-based solutions to reduce flooding of property throughout the Duffyfield Community.

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

The City will first undertake development and analysis of the extent and depth of flooding by developing a hydrologic and hydraulic (H&H) model. First, a topographic survey of the study area will be conducted to determine contributing drainage areas and the location, size, and condition of the existing infrastructure. Next, a hydrologic and hydrographic study will be completed to estimate the volume and peak flow rates of stormwater runoff, the capacity of existing infrastructure to accommodate that volume and flow, and the capacity of the receiving watercourse. In addition, NC State University Department of Biological and Agricultural Engineering will be involved as they have established several water quality monitoring stations along the Canal and will assist in data collection and analysis. Budgeted funds will be used (\$279,800) for engineering and design that will lead to development of a complete implementation plan for the midsection of Duffyfield Canal. \$17,500 will be used as sub-recipient management costs (SRMC) for the purpose of staff salary costs directly related to performing the activities listed in the scope of work and schedule. Community outreach is an important component of the project. Outreach will also be performed to gather local knowledge regarding the areas of most concern. Community outreach includes distribution of a survey questionnaire requesting input from local citizens on the location, frequency, severity and potential causes of flooding in their communities. The City also plans to host multiple public meetings throughout the various phases of the scoping project to elicit community input on current flooding issues as well as potential improvement options. Project activities will include: public surveys, stakeholder meetings, partnerships, intergovernmental and industry collaborations, DHHS CEDS plan and other related resiliency products intended to drive resiliency with diversity and inclusivity such that all members of the overburdened Duffyfield Community and subneighborhoods such as historic Dryborough are included. This local knowledge and the results of the H&H model will be analyzed to determine the feasibility and effectiveness of various flood mitigation strategies and to develop concept plans. The concept plans developed from the Restoration of Duffyfield Canal Project Planning and Scoping will be the basis for a BRIC application that will be submitted in 2024 for project implementation on the middle section of the Canal to begin in 2024.

Who will manage and complete the mitigation activity?

City of New Bern Project Team including the Director of Public Works, Director of Development Services and the chosen engineering firm. The City of New Bern has an experienced project management team that will be tasked with successful project implementation. The City of New Bern has 38 active grants totaling more than \$13 million and numerous projects that City Staff are currently managing. The Restoration of Duffyfield Canal Project Management Team is comprised of a variety of individuals with individualized

skill sets who will work in partnership to ensure this project stays within budget and on schedule. This project management team will work closely with the selected engineers and consultants assisting with the project. The consultants will be procured carefully with priority given to those who can demonstrate a successful history of producing similar program deliverables within a specified timeline and budget. Project team members include: Matthew Schelly, Interim Development & Economic Services Director Margaret Shields, Grant Administration Consultant Alice Wilson, AICP, GISP, GIS Manager, Development Services

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

In response to flooding in the greater Duffyfield neighborhood, the City conducted hydrologic and hydraulic studies for portions of the neighborhood and has used that data to determine the best way to mitigate flooding in those areas. This work has resulted in the Duffyfield Community Stormwater Enhancements Construction Project which will help mitigate flooding on the eastern side of the Duffyfield Community. Duffyfield Stormwater Enhancements include an upsized pump and retention pond. The upsized pump will pump water out of the pond and carry it through pipes to an output location where the water from Duffyfield Canal flows under the railroad tracks and into Jack Smith Creek. The Stormwater Enhancements Project also includes the installation of a stormwater park that will turn currently fallow land into a natural park like area that will connect to the Canal Trail described below. The Duffyfield Canal is a significant stormwater control measure for the City with multiple areas of identified risk and mitigation opportunities. In addition to the H & H Studies currently being conducted in Henderson Park, with funding from the Golden Leaf Foundation and NC Resilient Coastal Communities, the City is also addressing the "bottom" of the Canal via a retrofit of the Rose Street Pump. The City will mitigate flooding by lowering the pump to improve the volume of water flowing out of the Canal to ensure that water levels remain low in the Canal during normal and heavier rain events. A grant from NCRCC will fund engineering and design to upsize the Rose Street Basin, the location of the pump.

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

Canal mitigation activities are currently underway in the headwaters and their surrounding area of Duffyfield Canal. Funding was received in October of 2022 and bids will be posted for the Rose Street Pump Retrofit in January. Restoration of Duffyfield Canal Planning and Project Scoping which will address the remaining 3/4 mile of the Canal will begin in August of 2023, the outcome of which will be engineering and design created for a two phased restoration project by July of 2024.

What alternatives will be considered?

Once the project scoping study is complete and concept plans have been created, a comprehensive project reducing flood risk and restoring eroded stream banks and natural areas in the Duffyfield Canal Watershed will be developed. The City envisions Phase 1 will address areas of restoration and construction pertaining specifically to Canal infrastructure. This will likely include stream bank stabilization, culvert repairs and improvements, and upgrading the Duffyfield Canal Retention Basin and associated pump station at the downstream end of the canal. Phase 2 will incorporate nature-based conveyance and flood mitigation solutions for the contiguous land areas. As part of this project, fallow land adjacent to the canal will be restored creating natural wildlife habitats throughout the Canal Drainage Basin. Areas of land adjacent to the canal will be used to develop a pedestrian trail/bike path which will create a complete Citywide trail loop connecting the downtown commercial district and the City's three historic districts to underserved and socially and economically challenged neighborhoods. This trail linkage will provide enhanced accessibility to employment opportunities and medical care for residents who currently do not have accessibility to transportation.

Do activities being considered align with hazard mitigation plan?

The resulting activities and plan align with the Pamlico Sound Regional Hazard Mitigation Plan. Craven County is addressing maintaining community lifelines via emergency vehicle accessibility. Mitigation of Duffyfield Canal will reduce flooding on streets and roadways in the Duffyfield Canal Watershed. In addition to improving accessibility of New Bern's Resiliency and Hazard Mitigation Plan offered numerous opportunities for public engagement and input. These same activities will be implemented to during project planning and scoping for Restoration of Duffyfield Canal Project. Through the resiliency planning process, the City identified multiple risk hazards and as well as mitigation activities through a Prioritization Process outlined below: Resilience actions identified as part of the resilience strategy were rated using the STAPLEE method, which uses seven criteria to evaluate an action: Social, Technical, Administrative, Political, Legal, Economic, and Environmental. Within each criteria, multiple overarching considerations were made to assess each action: • Social: community acceptance and effects on

portions of the population • Technical: technical feasibility, long-term nature of solutions, and secondary impacts • Administrative: staffing, funding allocations, and maintenance and operation • Political: political support, plan champions and proponents, and public support • Legal: state/local/regional authority and potential legal challenges • Economic: costs and benefits, contribution to economic goals, and funding • Environmental: effects on land/water/endangered species/waste and consistency with environmental laws Duffyfield Canal ranked as the Number 2 Priority Project in the City of New Bern Resiliency and Hazard Mitigation Plan using the STAPLEE Method and aligns with the directives and priorities outlined in Environmental Pillar within the Plan. Please see the Prioritization Excerpt from the City of New Bern's Resiliency Plan in attachment below.

Additional comments (optional)

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BRIC 2022 Duffyfield Canal Resiliency Excerpt.pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	No description given.	
BRIC2022 Criterion #5 Community Engagement & Outreach Activities[74].pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	Description of Community Engagement by City of New Bern citizens.	
BRIC 2022 Criterion #4 Population Impacted[77].pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	Community population impacted by Restoration of Duffyfield Canal.	
BRIC 2022 Duffyfield Canal Project Area Figure 1.pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	No description given.	
BRIC 2022 Duffyfield Canal Project Area Figure 2.pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	No description given.	
BRIC 2022 Criterion #3 Implementation Measures[48].pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	Implementation Measures for Restoration of Duffyfield Canal Planning and Project Scoping	
BRIC 2022 Criterion #1 Risk Reduction-Resilience Effectiveness[43].pdf	11/17/2022	funddevelopment8@msn.com	Scope of Work Attachments	Scope of Work for Restoration of Duffyfield Canal Planning and Project Scoping	

Schedule

Specify the work schedule for the mitigation activities.

Add tasks to the schedule

Please include all tasks necessary to implement this mitigation activity; include descriptions and estimated time frames.

Task Name Community Engagement	Start Month 8	Task Duration (in Months) 11 months
Task Description Community Survey, Community Public Meeting #1, Community Public Meeting #2, Community Public Meeting #3		
Task Name Project Start Up	Start Month 8	Task Duration (in Months) 1 months
Task Description Notice to Proceed, Kickoff Meeting		

Task Name Data Collection	Start Month 5	Task Duration (in Months) 3 months
Task Description Compile GIS Information, Field Survey, SUE		
Task Name Hydrologic & Hydraulic Analysis	Start Month 9	Task Duration (in Months) 5 months
Task Description Hydrologic Assessment, Hydraulic Modeling		
Task Name Preliminary Engineering	Start Month 2	Task Duration (in Months) 5 months
Task Description Identify & Prioritize Potential Improvement Projects, Concept Development		
Task Name Summary of Findings	Start Month 6	Task Duration (in Months) 2 months
Task Description Report Preparation		
Task Name Grant Administration Services	Start Month 8	Task Duration (in Months) 12 months
Task Description Tracking, monitoring, planning		
Task Name State Grant Contracting	Start Month 8	Task Duration (in Months) 2 months
Task Description To be completed first in the period of performance		

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

Proposed project start and end dates

Start Date **2023-08-15**
End Date **2024-08-20**

Budget

Budget cost estimate and management cost (optional) should directly link to your scope of work and work schedule. You must add at least one item(s) greater than \$0 for your cost estimate. Once you have added item(s) for your cost estimate, you may then add the item(s) for management cost (optional). As necessary, please adjust your federal/non-federal cost shares and add the non-federal funding source(s) you are planning to use this project. Once you have completed this section, please click the Continue button at the bottom of this page to navigate to the next section.

Add budget cost types and item(s)

Click the Add cost type button below to add cost type cost estimate and then click the Add item(s) button to add the item(s) for the cost estimate. After adding items to your cost estimate, you may then select Add cost type button again to add management costs (optional) and applicable items.

Grand total: \$367,500.00

Budget type: Non construction

Cost type: Cost estimate	\$350,000.00
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▶ Cost type: Management cost	\$17,500.00
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Program income (optional)

Cost share

Cost share or matching means the portion of project costs not paid by federal funds.

Proposed federal vs. non-federal funding shares

Hazard mitigation assistance (HMA) funds may be used to pay up to 75% federal share of the eligible activity costs. Building Resilient Infrastructure and Communities (BRIC) and small impoverished communities may be eligible for up to 90% federal share. Flood Mitigation Assistance (FMA) and severe repetitive loss (SRL) properties may be eligible for up to 100% federal share. Repetitive loss (RL) properties may be eligible for up to 90% federal share.

<p>Is this an Economically Disadvantaged Rural Community? ⓘ</p> <p>This determines your federal/non-federal share ratio.</p> <p>No</p>	Proposed federal share	76.14	\$279800.00
	Proposed non-federal share	23.86	\$87700.00
	<small>Based on total budget cost:</small>		
	<small>\$367,500.00</small>		
<p>Please provide justification for exceeding the allowable federal share here.</p>			
<p>As per the 2022 BRIC Nofo: DOES NOT EXCEED - BUT INCLUDES SRMC</p>			

Non-federal funding sources here

That portion of the total costs of the program provided by the non-federal entity in the form of in-kind donations or cash match received from third parties or contributed by the agency. In-kind contributions must be provided and cash expended during the project period along with federal funds to satisfy the matching requirements.

Funding source	Funding amount	% Non-federal share by source
▶ Funding source: Environmental Enhancement Grant	100.00%	\$87,700.00

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BRIC2022- Budget.pdf	11/17/2022	funddevelopment8@msn.com	Budget Attachments	Restoration of Duffyfield Canal Project Budget	
BRIC2022-NewBern-CCB-MatchLetter.pdf	01/11/2023	kaine.riggan@ncdps.gov	Budget Attachments	Matching Funds Letter	

Cost-effectiveness

How was cost-effectiveness determined for this project?

- Not applicable
Please explain why this project is not applicable.

The Restoration of Duffyfield Canal Project Planning and Scoping is a planning project, rather than an implementation/construction project. A Benefit Cost Analysis is not required for a planning project.

Please provide any additional comments below (optional).

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
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Evaluation

Is the applicant participating in the Community Rating System (CRS) ?	Yes
Select rating.	8
Is the applicant a Cooperating Technical Partner (CTP) ?	No
Was this application generated from a previous FEMA HMA Advance Assistance or Project Scoping award or any other federal grant award, or the subapplicant is a past recipient of Building Resilient Infrastructure and Communities (BRIC) non-financial Direct Technical Assistance?	No
Has the applicant adopted building codes consistent with the international codes ?	Yes
Year of building code	2018
Please provide the building code.	State of North Carolina Building Code
Have the applicant's building codes been assessed on the Building Code Effectiveness Grading Schedule (BCEGS) ?	Yes
Select rating.	4
Describe involvement of partners to enhance the mitigation activity outcome.	<p>Though the Duffyfield Canal Scoping Project is in beginning phases, the City has many partnerships which it fostered during the development of the Resiliency and Hazard Mitigation Plan. These partnerships are continuing as the City works to implement the Plan and have already been effective in initiating the first phase of canal restoration. Specific partnerships for this project include: North Carolina State University Department of Biological and Agricultural Engineering is partnering with the City to test water quality and develop a Watershed Action Plan (WAP for the Jack Smith Creek Watershed. Water from the Duffyfield Canal is pumped out of the Canal, under the railroad tracks and into Jack Smith Creek. The WAP provides directives for achieving clean water before it flows into the Neuse River. In addition, when the proposed trail system bordering the Canal is complete, Sound Rivers and the NC Coastal Federation will assist with community environmental education information and promotional signage along the canal. The City of New Bern also has multiple funding partners in the Restoration of the Duffyfield Canal. The National Fish and Wildlife Foundation (NFWF) as well as the North Carolina Land and Water Fund are also partners in supporting planning efforts for the Duffyfield Canal area and the environmental benefits this project will provide. NFWF funded a grant to support the Restoration of Duffyfield Canal in the amount of \$150,000. NFWF funds will be used for a Hydrologic & Hydraulic (H&H) Study of the headwaters area of the Canal. The NFWF Grant Study Area includes Henderson Park, a City park in the Duffyfield Community plagued by repetitive flooding and adjacent to the Stanley White Center, condemned due to total inundation during Hurricane Florence. NC Land and Water Fund matched NFWF funds with \$150,000 towards design and engineering of a nature-based project in Henderson Park that will showcase the City's resiliency efforts and serve as an educational resource for citizens who want to increase the resiliency of their own properties. In July of 2022, the City received funding from NC Resilient Coastal Communities to fund engineering and design for upsizing the basin associated with the Rose Street Pump at the "bottom" of the Canal. When NCRCC Phase 4 (Implementation) funding opens for requests during the first quarter of 2023, the City of New Bern will apply for construction funds for expansion of the Rose Street Basin. This grant will work in tandem with a grant received from the Golden Leaf Foundation in the amount of \$249,760.00 to lower the Rose Street Pump located at the basin. Lowering the pump will enable the City to move water out of the Canal and better control the Canal water levels and susceptibility to flooding. The NC Attorney General with funding from the Environmental Enhancement Grant has awarded the City of New Bern \$134,000.00 towards project scoping and engineering and design of</p>

the Restoration of Duffyfield Canal Project. These funds are earmarked for the midsection of the Canal and will match the requested FEMA BRIC funds to provide a total \$350,000.00 for project scoping for the remaining ¾ mile of the Canal. Project partners continue to play an integral role in both funding and project management and implementation that mitigate flood hazards throughout the city. Stakeholders and community associations are also important to positive mitigation activity outcomes. Neighborhoods represented by Duffyfield Residents' Council, Historic Dryborough Neighborhood Association, and Riverside Residents Council border the Canal as it extends through the City. These associations play an important role in community education and maintenance of adjoining properties.

Additional comments (optional)

Restoration of Duffyfield Canal Project Planning builds on the planning that developed the City's Resiliency and Hazard Mitigation Plan. Stakeholders and funders were identified as partners during that 2-year planning process and will again be involved in the planning process that will lead to the development of engineering and design for Restoration of Duffyfield Canal. The planning activity will have citywide benefits: Public outreach efforts during the project scoping and planning process will engage and educate citizens about the City's efforts to achieve greater resiliency through improved infrastructure and nature-based solutions. Outreach and resiliency education efforts begun during the Resiliency and Hazard Mitigation Planning Process will continue. The City and its resiliency partners will offer citizens information on nature-based mitigation strategies available to protect their properties. As the plan is implemented, replicable nature-based solutions will be showcased on City owned properties along the Canal and in Henderson Park. Duffyfield Canal and adjacent properties along its banks will become a resiliency model featuring Areas of land adjacent to the Canal that will: 1) Enhance native habitats along the canal for aquatic and avian species through the removal of hardscapes. 2) Add native vegetation and pocket wetlands with adjacent watershed impacts including filtration of pollutants and reduction of sedimentation. 3) Expand existing trails that will complete the citywide trail loop connecting the downtown commercial district and the City's three historic districts to underserved and socially and economically challenged neighborhoods who lack transportation and rely on biking and walking paths. The City's implementation of these strategies will protect properties along the Canal. Residents and business owners throughout the City will also be encouraged to incorporate native vegetation, rain gardens and pocket wetlands on their properties where possible in a cooperative effort to achieve citywide resiliency. The Restoration of Duffyfield Canal Project Scoping and Planning and its implementation will become the cornerstone of a planned future comprehensive citywide drainage and mitigation project that addresses areas of need and implements mitigation measures in the Jack Smith Creek Watershed. The Canal is a central component of the City's drainage system. Its successful restoration incorporating resilient infrastructure combined with nature-based solutions will significantly enhance the City's overall resiliency. The City of New Bern is a CRS Class 8 in the Community Rating System.

Attachments

Filename	Date uploaded	Uploaded by	Label	Description	Action
BRIC 2022 Criterion #2 Climate Change & Future Conditions[13].pdf	11/17/2022	funddevelopment8@msn.com	Evaluation Attachments	No description given.	
BRIC2022 Criterion #6- Leveraging Partners[20].pdf	11/17/2022	funddevelopment8@msn.com	Evaluation Attachments	Description of numerous partnerships strengthening the project.	

Comments & attachments

- ▶ **Community** **1 comment, 3 attachments**
- ▶ **Mitigation plan** **1 comment, 2 attachments**

▶ Scope of work	0 comment, 7 attachments
▶ Budget	0 comment, 2 attachments
▶ Cost-effectiveness	0 comment, 0 attachments
▶ Evaluation	1 comment, 2 attachments

Assurances and certifications

[View burden statement](#)

SF-424B: Assurances - Non-Construction Programs

OMB Number: 4040-0007

Expiration Date: 02/28/2025

Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (F.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

Certifications regarding lobbying

OMB Number: 4040-0013

Expiration Date: 02/28/2025

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.