

Disaster Recovery Programs

IACC Conference 2014
WA Public Assistance & Hazard Mitigation Funding Overview
Peter Tassoni

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Disasters Happen in Washington State

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Pre-Event Best Practices

- Mitigate public facilities
 - Locate out of harm’s way (flood, wildfire)
 - Elevate or flood proof; ignition resistant exteriors
- Insure public facilities
 - not self insured aka meaning no insurance
- Consider highest tier
 - NFIP – CRS, GMA, land use policies, building codes, etc.

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Many Professions, Many Terms

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Goal is to create resiliency

- Resilience generally refers to “a capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.”
 - National Research Council. *Adapting to the Impacts of Climate Change*. Washington, DC: The National Academies Press, 2010. http://www.nap.edu/openbook.php?record_id=12783.
- Bounce forward, not back to the status quo

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Disasters happen

- Cannot stop event
 - Natural or man-made hazard
 - No notice, short notice, longer notice
- Prepare for event
- Mitigate for event
- Respond to event
- Recover from event

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Post Event PA

- FEMA’s Public Assistance (PA) and Individual Assistance (IA) programs and other agencies help fund projects to help people or entities recover from the declared disaster that just occurred.
- Relatively immediate work.
- Restore broken infrastructure.

Public Assistance

- **Public Assistance** is disaster relief through the federal government supplementing efforts of state and local governments to return a disaster area to pre-disaster conditions.
- These efforts primarily address the repair and restoration of public facilities, infrastructure, or services which have been damaged or destroyed *to their pre-event functionality*.

Post Event HMGP

- HMGP does not fund projects to help people or entities recover from the declared disaster that just occurred –FEMA’s Public Assistance and Individual Assistance programs and other agencies help fund those response and recovery efforts.
- Not immediate work.
- Making good infrastructure better.

404 vs. 406 Mitigation of Stafford Act

<p>HMGP 404 Mitigation</p> <ul style="list-style-type: none"> • HMGP is not limited to public facilities damaged during the declared disaster • Competitive statewide – funding is not guaranteed because the total available funds are limited by law • Projects are selected and funded according to State and local priorities, as defined in multi-hazard mitigation plans • 75/25 non-federal cost share (12.5% State/12.5% Local) 	<p>Public Assistance 406 Mitigation</p> <ul style="list-style-type: none"> • PA mitigation is limited to damaged elements of public facilities whose repairs are funded by PA • Funding Guidance RR 9526.1 - all eligible 406 mitigation projects are funded • Funded at PA cost share (90/10 federal-local cost share)
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PA Active Disaster Scoreboard

Disaster Name	Total # of Applicants	Open	Closed	Obligated Funds
4168-DR-WA	20	20	0	\$8,441,785.39
4083-DR-WA	21	13	8	\$3,776,174.27
4056-DR-WA	188	115	73	\$38,860,835.72
1963-DR-WA	20	10	10	\$3,473,553.93
1825-DR-WA	338	25	313	\$34,802,819.41
1817-DR-WA	217	51	166	\$67,286,907.06
1734-DR-WA	178	38	140	\$76,184,201.45
1682-DR-WA	197	7	190	\$39,896,922.74
1671-DR-WA	125	16	96	\$38,674,774.05
1641-DR-WA	60	0	60	\$8,640,292.29
Total PA Funding				\$305,512,225.88

HMGP Active Disaster Scoreboard

Disaster Name	Total # of Applicants	Open	Closed	Obligated Funds
4168-DR-WA	0	0	0	\$8,820,000
4083-DR-WA	2	2	0	\$786,675
4056-DR-WA	17	17	0	\$5,895,536
1963-DR-WA	4	4	0	\$1,534,746
1825-DR-WA	8	0	8	\$7,627,409
1817-DR-WA	27	3	24	\$12,197,268
1734-DR-WA	30	1	29	\$12,562,032
1682-DR-WA	12	0	12	\$9,613,153
1671-DR-WA	15	0	15	\$9,111,196
1641-DR-WA	7	0	7	\$1,364,552
Total Funding				\$69,512,567

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What is the Public Assistance Program?

- A Disaster Recovery Grant Program
 - Provides supplemental financial assistance
 - Available to:
 - State Government
 - Local Government
 - Federally-recognized Indian Tribes
 - Certain Private Non-Profit Agencies
 - For response and recovery activities as a direct result of the disaster event

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Presidential Major Disaster Declaration

- Major Disaster Declaration
 - Emergency Work
 - Debris Removal
 - Emergency Work
 - Permanent Repairs



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What is Eligible for PA?

- Criteria for Eligibility
 - Applicant
 - Facility
 - Work
 - Cost



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Who's Eligible to Apply?

- Cities and Towns
- Counties
- State Agencies
- Federally-recognized Indian Tribes
- Special Purpose Districts
- Private Non Profit (PNP) Organizations
 - Debris Removal and Emergency Work - All
 - Permanent Work – PNPs Providing Essential Governmental Service

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Applicant: Private Non-Profit Organizations

- Must submit a tax exempt certification and charter or bylaws
- Must be open to the public
- Must meet the requirements of the Civil Rights Act of 1964





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Applicant: Critical Private Non-Profit Entities

- Fire
- Emergency
- Medical
- Utilities
- Educational
- Custodial Care




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Applicant: Other Private Non-Profits

- Must first apply to Small Business Administration for Permanent Repairs
 - Museums
 - Performing Arts Centers
 - Community Centers
 - Homeless Shelters
 - Zoos
 - Assisted Living
 - Food Programs




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Facilities

- Damaged as the result of a declared event
- Located within a declared county
- In active use at the time of the event
- Not under the authority of another federal agency



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Types of Work

Emergency Work

- A - Debris Removal
- B - Emergency Protective Measures

Permanent Work

- C - Road Systems
- D - Water Control Facilities
- E - Public Buildings & Equipment
- F - Public Utility Systems
- G - Parks and Other Facilities



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Eligibility of Permanent Work

- Repair, restore or replace damaged facilities to pre-disaster design, capacity and condition
 - Regular and Overtime (Including Benefits) of ALL Employees
 - Equipment Costs - Lower of FEMA or Applicant Rates
 - Rental Equipment
 - Engineering and Design Services
 - Materials
 - Contracts
- Codes and Standards (not preferences)
- Cost Effective Hazard Mitigation (Damaged Element)
- Federally-required Environmental Conditions

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Cost Eligibility

- Reasonable and necessary cost to accomplish eligible work
- Complies with federal, state, and local laws and regulations – FEMA funds creates federal nexus
- Credits - Insurance proceeds, salvage value, purchase discounts – no duplication of benefits
- Must be a minimum of \$3,000

Documentation is the key to success!

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Special Considerations

- Historic Preservation
- Cultural Resources
- Hazard Mitigation
- Environmental Requirements
- Flood Hazard Areas
- Insurance Requirements



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Reimbursements

- Projects
 - 75% Federal Share
 - 25% Non-Federal Share
 - State Participation Determined by State Legislature
- Direct Administrative Costs
 - Your cost for doing business with FEMA and State
 - Project Specific
 - Auditable

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Small and Large Projects

- Small Project
 - Greater than \$3,000 & Less than \$120,000
 - Payment made upon obligation
- Large Project
 - Equal to or more than \$120,000
 - Progress payment – Reimbursement less retainage
- Applicant decides how to divide or combine projects

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Sandy Recovery Improvement Act (SRIA) of 2013

- Alternative Procedures for Permanent Work

Specific Goals

- Reduce costs to the Federal Government for providing PA
- Increase flexibility
- Expedite Assistance
- Provide incentive/disincentive for timely, cost-effective completion of projects

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Alternative Procedures Pilot Permanent Work

- Voluntary.
- Alternative procedures are only for large projects, on a project by project basis.
- To participate, jurisdictions must agree to participate in the **grants based on fixed estimates procedure** before having access to other alternative procedures.
- FEMA does not require all features to be selected to participate in the pilot program.
- Eliminates the mandatory Federal cost share reduction for alternate projects

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Alternative Procedures Pilot Permanent Work

- Fixed Estimates (required)
- Consolidated projects
- Excess funds
- Cost Estimates
- Independent Expert Panel

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Other Federal Programs

- Federal Highway Administration
 - Emergency Relief (ER and ERFO) Programs
- US Army Corps of Engineers (PL84-99)
- National Resource Conservation Service (EWP)



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Application Process

- Fact Sheet
- Declaration Date
- Counties Declared
- Public Assistance Checklist
- Request for Public Assistance form



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Application Documents

- Request for Public Assistance (RPA)
 - Private Non-Profit Organizations
- State Disaster Assistance Application
 - Designation of Applicant Agent
 - Contract – (2) Original Copies
 - Signature Authorization Form
 - W-9
 - Certification of Debarment
 - Electronic Funds Transfer

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Kick-Off Meeting

- Attendees
- Project List
 - All projects must be identified to WA EMD PA Coordinator (PAC) within 60 days of Kick-Off Meeting
 - Special issues by project – environmental, historic, mitigation, insurance, site conditions, etc.
 - Priorities

Critical Step in the Public Assistance Program!

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Kick-Off Meeting (continued)

- Completed Work
 - Review work by project
 - Prepare summary sheets
 - Labor, Equipment, Materials, Rentals, Contracts
- Work to be Completed
 - Identify sites
 - Estimates will be prepared for funding
- Communication is Key
 - Joint FEMA-State-Applicant Team – Historical Area Costs

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Kick-Off Meeting (continued)

- Insurance policies
 - Coverage and Deductibles
- Collective Bargaining Agreements
 - Overtime and Travel
- HR Personnel Policies
 - Overtime and Travel
- Mutual Aid Agreements
 - Coverage and Compensation
- Adopted Codes and Standards

Key to Public Assistance Program

- Establish project-specific files
- Keep project-specific files together with PA documentation, State documentation, governing directives, and job aids
- Bring the right staff to the Kick-off Meeting
 - Ensure knowledgeable staff is available to work with FEMA-State Project Officers
- Two-way Communication – ask questions!
- Patience – keep aware of project milestones!

Public Assistance Website



<http://www.emd.wa.gov/disaster/WashingtonMilitaryDepartmentEmergencyManagementDivision-DisasterAssistance-PublicAssi.shtml>



What is Hazard Mitigation?

Any **sustained action** taken to **reduce or eliminate the long-term risk** to human life and property from hazards.
(44 CFR 201.2)

Any **cost-effective** measure which will reduce the potential for damage to a facility from a disaster event.
(44 CFR 206.2)

Example Mitigation Activity:



Home Elevation In Progress, Snoqualmie, WA

Mitigation Saves \$\$\$

- Every \$1 spent on mitigation saves society \$4
- FEMA mitigation grants 1993-2003 save (over 50 years):
 - 220 lives
 - 4,700 injuries



Mitigation Success

Urban Conflagration Fires

- First billion dollar US disasters (Chicago, Seattle, San Francisco, etc.)
- Billions of dollars in building codes, fire fighting technology, inspections, etc.
- Fires and fatalities still happen but whole cities do not burn down

Seattle Fire 1889



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Eligible Applicants

- State Agencies
- Local Governments:
 - Cities, towns, counties
- Special Purpose Districts:
 - Schools, fire, water, sewer, etc.
- Indian Tribes
- Private Non-Profit Organizations for HMGP Only:
 - Providing like-government services and operating essential facilities

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Pre-Disaster Mitigation

- Nationally competitive, available annually
 - Hazard mitigation plans / updates
 - Projects to reduce or prevent structural damage caused by disasters
- Subject to annual appropriation, Congressional directives
- Amounts:
 - Maximum is \$3 million project; \$800,000 new mitigation plan; \$400,000 updated plan
 - However, State is only guaranteed a set aside of \$250,000
- Cost share:
 - 75% federal, 25% applicant
 - Small, impoverished communities: 90% federal, 10% applicant
- Period of Performance:
 - 24 months from award date

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Flood Mitigation Assistance

- Nationally competitive, available annually
- Funded by National Flood Insurance Program (NFIP)
- Priority is reducing claims against NFIP – Severe Repetitive Loss (SRL) and Repetitive Flood Claims (RFC) properties
- Cost share:
 - 100% federal for SRL
 - 90% federal, 10% applicant for RFC
 - 75% federal, 25% applicant for all other properties
- Period of Performance
 - 24 from award date

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Hazard Mitigation Grant Program

- Available after a major disaster declaration by President
- Funding based on percentage of federal Stafford Act expenditures for disaster for:
 - New, updated mitigation plans that meet criteria of 44 CFR Part 201
 - Projects that reduce or prevent disaster-caused structural damage
- Depending upon available funds:
 - Available statewide or just within disaster-declared counties
 - Maximum grant, number of applications may be capped
- Cost shares:
 - 75% federal
 - 25% applicant OR 12.5% state and 12.5% applicant
- Period of Performance:
 - 24 months from award date

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Projects Must ...

- Protect lives and reduce future damage
- Address a repetitive problem
- Be cost-effective
 - Project cannot cost more than the anticipated value of reduction in damages, loss of service, casualties, etc.
- Provide the most practical, effective, and environmentally sound alternative
- Contribute to long-term solution
- Have documented support of community

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Private Sector, Property Owner

- Can benefit from mitigation grant funding
 - Elevation of residences (flooding)
 - Defensible space for residences (wildfire)
 - Flood-proofing of non-residential structures
 - Vertical evacuation (tsunami)
- Project must be sponsored by eligible applicant

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HMGP Applicant Eligibility

- State and local governments, Indian tribal nations or authorized tribal organizations, and certain private non-profits (as defined in 44 CFR 206.221e)
- NFIP Participating Community in good standing, if the project is located in an SFHA
- Have a FEMA-approved hazard mitigation plan or have participated in the development of an approved plan

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Examples of Mitigation

- Acquire, elevate or relocate building from floodplain
- Retrofit buildings and utilities (flood, seismic, wildfire)
- Stormwater reduction / flood prevention facilities
- Construct new building to withstand known hazards
- Move critical systems out of the reach of hazards
- Brace or secure mechanical and electrical equipment
- Tie-down PCs and affiliated equipment
- Tie-down bookcases, filing cabinets, ceiling tiles, etc.

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Unique HMGP funded projects

- Seismically actuated shut-off valves
 - City of Seattle, West Sound Utility District
- Non-structural seismic retrofit
 - UW Burke Museum
- Sidewalk lid retrofitting
 - City of Port Townsend
- Landslide Acquisition
 - Town of Concrete
- Seismic retrofit
 - Pacific Lutheran University, The Evergreen State College

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State HMGP Priorities

- Following each declared disaster, the State sets mitigation priorities in accordance with the State Hazard Mitigation Plan, considering the disaster event and anticipated level of funding
- Typical priorities
 - Acquisition and demolition of residential structures in the Special Flood Hazard Area (SFHA)
 - Elevation of residential structures in the SFHA
 - Retrofitting of critical public facilities
 - Local plan development or updates

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Examples of Ineligible Activities

- Projects that do not protect lives, prevent property damage
- Purchase of equipment
- Levees, dikes, and floodwalls
- Dredging of waterways
- New construction (except Tornado Safe Rooms)
- Demolition-rebuild projects
- Repairs or deferred maintenance
- Planning activities that do not result in a FEMA-approved mitigation plan
- Studies not directly related to the design and implementation of a proposed mitigation project

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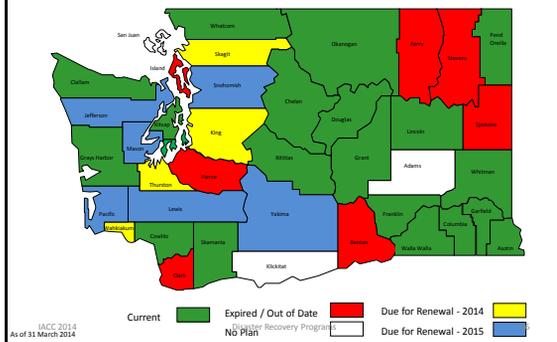
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Reasons for Project Ineligibility

- Applicant does not have FEMA-approved mitigation plan
 - All applicants must have FEMA-approved hazard mitigation plan developed under framework of 44 CFR Part 201 to access mitigation grant programs
 - **No plan = No mitigation grant funding for projects**
- Project is not cost-effective
- Project or facility is the responsibility of another federal program:
 - U.S. Army Corps of Engineers, Natural Resources Conservation Service
 - Federal Highways Administration
- Project is for facility repairs, deferred maintenance
- Undertaking would remove structure from or its eligibility for National Register of Historic Places

Status of County Mitigation Plans



Application process

- Letters of Intent provided to potentially eligible applicants
- Applicants submit Letters of Intent to State EMD within 30 days
- Applications sent to eligible applicants for potentially eligible projects (Applicants use eGrants for all but HMGP – it’s paper)
- Applications submitted to State EMD
- State EMD reviews applications for eligibility, cost effectiveness
- State-local committee evaluates, scores applications (HMGP only)
- State EMD recommends prioritized projects to FEMA
- FEMA reviews applications, provides funding
- Typically 12 months to submit application & 12 months for FEMA to review and award the project; then 24 months to implement project & closeout.

Hazard Mitigation Website



http://www.emd.wa.gov/grants/grants_hazard_mitigation.shtml

Other Emergency Funding

- PWB – Emergency Program
- CDBG – Imminent Threat
- RD – Emergency Community Water Assistance
- RCAC – Intermediate Term Loan
- Rural Water Revolving Loan Fund – disaster area emergency loans
- See Funding Program Summary (Cathi Read)

Questions?

