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Post-Sandy FEMA Programs

Tips for Maximizing Disaster Recovery Funding

Presenter: Jon Hoyle



thompson
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Introduction

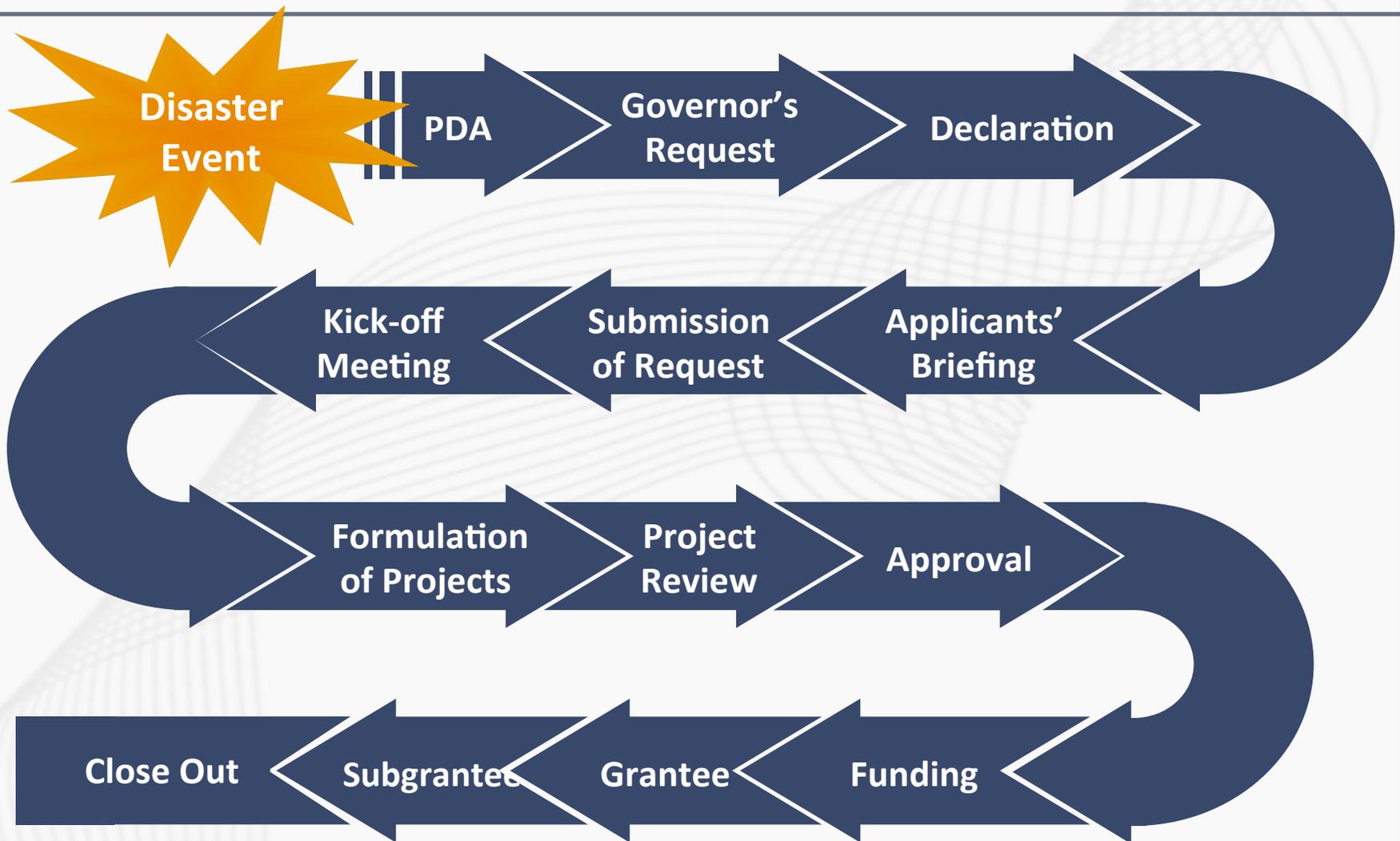
Presentation Outline

- **General Public Assistance (PA) Program Overview: The Basics**
- **Temporary vs. Permanent Work**
- **Mitigation/Other Opportunities**
 - Alternate & Improved Projects
 - Section 406 and 404 mitigation funding
- **Changes in Codes & Standards**
 - FIRMs, ABFEs, BFEs, SFHAs, etc.
 - Funding Implications
- **DAP 9525.9: Getting Reimbursed for Help**
- **5 Things You Should Know**
- **Case Studies and Closing Thoughts**
- **Questions...and Hopefully Answers**



Public Assistance Program Overview

The Basics: How the Process Usually Works



Public Assistance Program Overview

Classifications and Categories of Work

- **Emergency Work**
 - A. Debris Removal
 - B. Emergency Protective Measures
- **Permanent Work**
 - C. Roads and Bridge Systems
 - D. Water Control Facilities
 - E. Public Buildings / Equipment
 - F. Public Utilities
 - G. Other (Parks, Recreation, etc.)

Temporary vs. Permanent Repairs

Temporary Repair

- **Temporary/Emergency Repair:** actions taken by an applicant before, during, and following a disaster to save lives, protect public health and safety, or eliminate immediate threat of significant damage to improved public and private property through cost effective measures.
 - Must be completed within **6 months**
 - Extenuating circumstances the **Grantee** may extend the emergency work deadline an additional 6 months
 - **FEMA** may also extend the time limits when sufficient justification is submitted



Temporary vs. Permanent Repairs

Permanent Repair

- Must repair, restore or replace disaster-damaged facilities in accordance with regulations
- Must restore to pre-disaster design, capacity and function in accordance with applicable codes and standards
- Must be required as a result of the disaster
- May include cost effective hazard mitigation measures (406)
- Permanent work must be completed within **18 months**
- For extenuating circumstances or project requirements beyond the applicant's control, the **Grantee** may extend permanent work deadline an additional 30 months on a project by project basis
- **FEMA** may also extend the time limits when sufficient justification is submitted



Temporary vs. Permanent Work

Making the Case for the Difference

- Scoping and project narrative are critical
 - Identify permanent repair
 - Establish necessity for temporary measure
 - Reference eligibility (save lives, protect public health, etc.)
- Rent whenever possible
 - Regardless of cost effectiveness
- Garner and document FEMA participation
- Develop Project Worksheet early

Mitigation/Other Opportunities

Alternate Project

- When restoration of a damaged facility or function does not serve the public welfare (but was in use at time of disaster), an applicant may use a Public Assistance grant for another public facility
- The alternate project must be approved by FEMA prior to construction
- Federal funding is limited to 75% of the federal share of the original project estimate or actual alternate project cost (whichever is less)
- Examples: repair/expansion of other public facilities, new public facilities, purchase of capital equipment, funding of mitigation measures



Mitigation/Other Opportunities

Improved Project

- Applicants performing restoration work on a damaged facility may make improvements to the facility while restoring the facility to its pre-disaster condition
- The improvements must be approved by the grantee prior to construction
- The applicant is responsible for the cost of the improvements
- Federal funding is limited to the cost of restoration
- Examples: laying asphalt on a gravel road or replacing a firehouse that originally had two bays with one that has three



Mitigation/Other Opportunities

Section 406

- Section 406 provides discretionary authority to fund mitigation measures in conjunction with the repair of the disaster-damaged facilities
- Mitigation measures may amount to up to 15% of the total eligible cost of the eligible repair work on a particular project
- Certain projects are pre-approved up to replacement value
- FEMA must approve proposed hazard mitigation projects prior to funding
- The cost of meeting applicable codes/standards is considered separately

Mitigation/Other Opportunities

Section 404

- Funded on sliding scale based on damages
 - 15% of first \$2B
 - 10% for \$2B - \$10B
 - 7.5% for \$10B - \$35.33B
- Competed statewide
- Generally awarded according to $>$ Benefit Cost Ratio (BCR)
- Very versatile/unrestrictive program



Mitigation/Other Opportunities

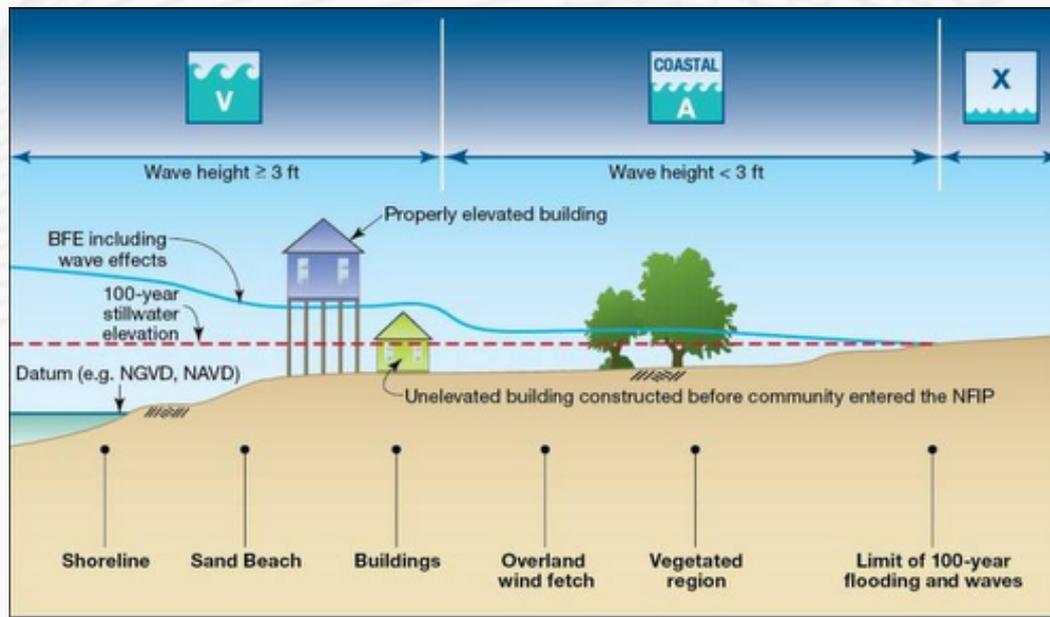
What Can You Do?

Eligible Activities	HMGP	PDM	FMA	RFC	SRL
1. Mitigation Projects	✓	✓	✓	✓	✓
Property Acquisition and Structure Demolition	✓	✓	✓	✓	✓
Property Acquisition and Structure Relocation	✓	✓	✓	✓	✓
Structure Elevation	✓	✓	✓	✓	✓
Mitigation Reconstruction					✓
Dry Floodproofing of Historic Residential Structures	✓	✓	✓	✓	✓
Dry Floodproofing of Non-residential Structures	✓	✓	✓	✓	
Minor Localized Flood Reduction Projects	✓	✓	✓	✓	✓
Structural Retrofitting of Existing Buildings	✓	✓			
Non-structural Retrofitting of Existing Buildings and Facilities	✓	✓			
Safe Room Construction	✓	✓			
Infrastructure Retrofit	✓	✓			
Soil Stabilization	✓	✓			
Wildfire Mitigation	✓	✓			
Post-Disaster Code Enforcement	✓				
5% Initiative Projects	✓				
2. Hazard Mitigation Planning	✓	✓	✓		
3. Management Costs	✓	✓	✓	✓	✓

Changes in Codes & Standards

FIRMs, ABFEs, BFEs, SFHAs, etc.

- Flood Insurance Rate Map (FIRM)
- Advisory Base Flood Elevations (ABFE)
- Base Flood Elevations (BFE)
- Special Flood Hazard Areas (SFHA)



Changes in Codes & Standards

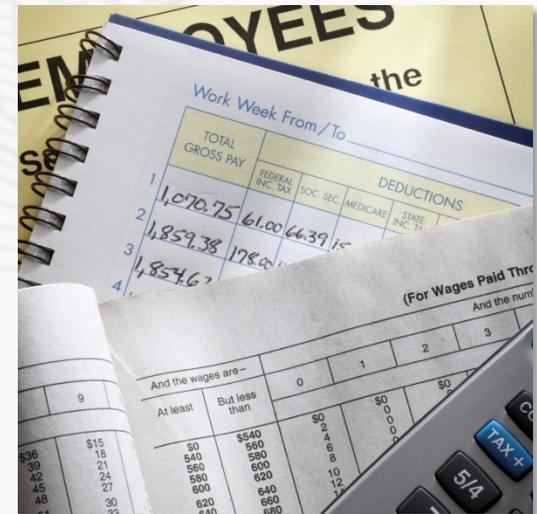
Funding Implications

- Advisory Base Flood Elevations (ABFE) were developed and used for Katrina
- ABFEs will be available for coastal counties in NJ and NY by year end
- FEMA will use ABFE for recovery and mitigation grant projects
- If new Flood Insurance Rate Maps (FIRM) reflect ABFE+ assets could be in Special Flood Hazard Areas (SFHA)
- No guarantee that ABFE will meet or exceed revised FIRM
- ABFE reflects best available information at this time

DAP 9525.9

Getting Reimbursed for Help

- Management & Direct Administrative Costs
- Originally issued March 12, 2008
- Clarified September 8, 2009
 - Contract costs are permissible for reimbursement
 - Reasonable cost dictated by procurement
 - Travel and per diem costs are eligible
 - Prevailing cost share will be honored
 - Eligibility and timekeeping explicitly defined



DAP 9525.9

Getting Reimbursed for Help

- What does this mean for you?
 - Applicant's staff can focus on other recovery initiatives
 - Benefit from disaster professionals that are continually engaged and familiar with current policy
 - Provides access to technology and tools
 - Local coffers will be burdened pennies on the dollar



5 Things You Should Know

- **Asset Inventory**
 - Demonstrate active use
 - Attention to detail
- **Contracting**
 - Include disaster provisions
 - Let contracts according to defined scopes of work
- **Force Account**
 - Establish timekeeping protocols for disaster work
 - Document location of work, task performed, equipment used, etc.
- **FEMA Interaction**
 - Accountability
 - Control narrative and engineering
 - Reporting/administration
- **Code & Standards Requirements**
 - Must meet current codes
 - Address codes & standards in PWs

Case Study

ECUA – Main Street Wastewater Treatment Plant



Case Study

ECUA – Main Street Wastewater Treatment Plant

- Began operation in 1937 on 18-acre site
- Average daily inflow of 20 MGD
- Hurricane Ivan flooded the plant in 2004
 - Out of operation for 3 days
 - Decreased capacity for weeks beyond
 - Untreated sewage spilled into the streets and Pensacola Bay
- Cost to repair in place was estimated at \$149M

Case Study

ECUA – Main Street Wastewater Treatment Plant

- Alternate project proposed
 - 976-acre site approximately 25 miles north of current location
 - Proposed site 60 feet higher than current elevation
 - Built to withstand 140 mph winds
 - 22.5 MGD
- At 90% federal cost share, \$134.1M available
- Construction cost \$316M

Closing Thoughts

- Most FEMA documents are “guidance”
- FEMA determinations are subjective
- Every decision is a financial decision that involves risk and return
- All decisions should be documented in the context of the program



Questions... and Hopefully Answers

Jon M. Hoyle

President, Thompson Consulting Services

jhoyle@thompsoncs.net

O: (407) 792-0018

C: (321) 303-2543

www.thompsoncs.net