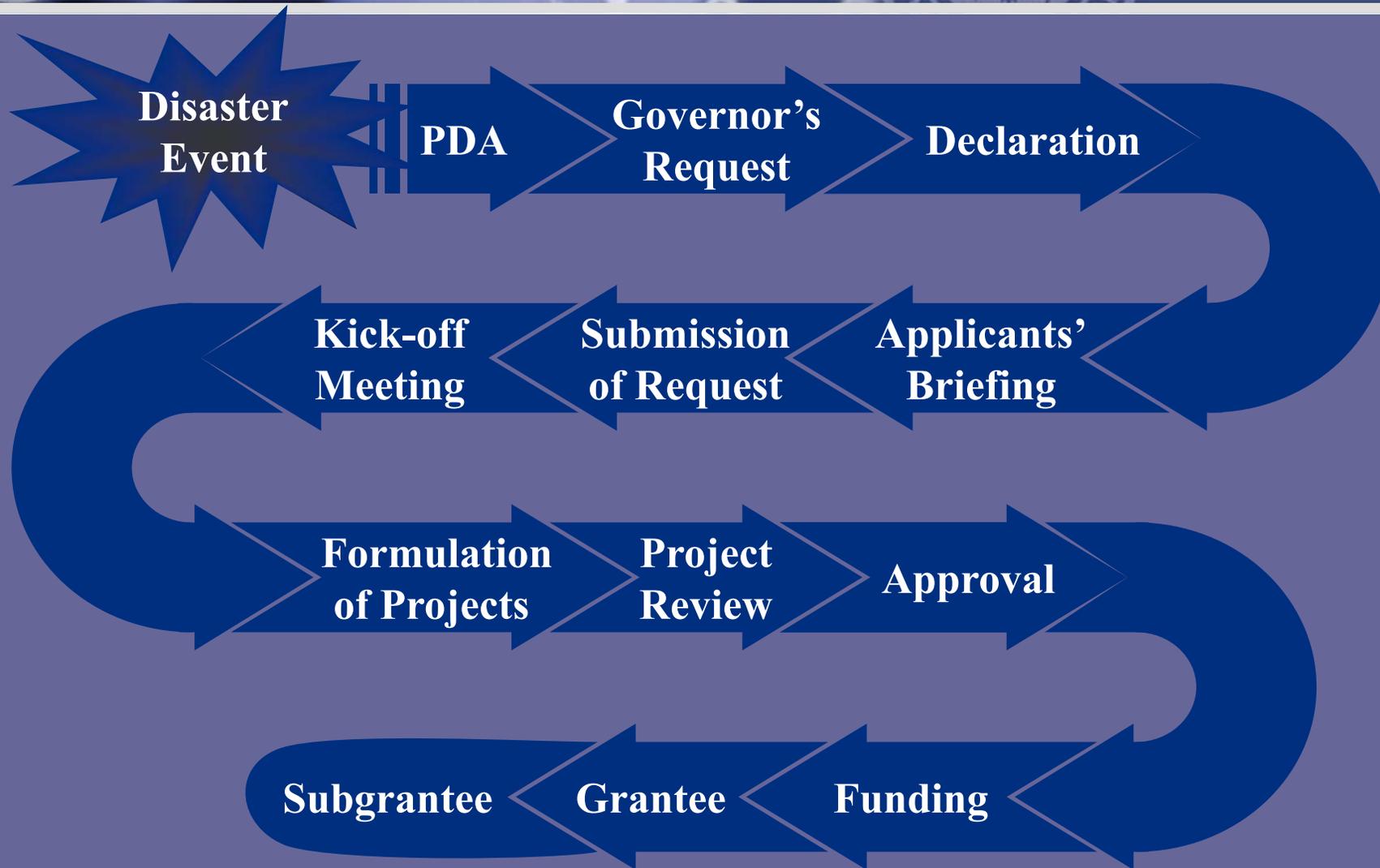




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Public Assistance

Supplemental financial assistance to state, local governments and certain private non-profit organizations for response and recovery activities required as a result of a disaster.



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FEMA Disaster Assistance & Debris

- Mission Assignments
 - Direct Federal Assistance
 - Technical Assistance
- Public Assistance Grant Program
- PA Pilot Program



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Mission Assignments: Direct Federal Assistance & Debris

Direct Federal Assistance

- Allows a Federal agency to perform debris activities on behalf of the State or applicant
- Applies only to Emergency Work
 - Category A – debris removal
 - Category B – emergency protective measures
- Subject to the cost-sharing provisions applicable to the disaster



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Eligible debris-related Direct Federal Assistance activities may include:

- Removing debris from critical roadways and facilities.
- Removing debris from curbsides or from eligible facilities and hauling it to either temporary or permanent disposal sites.
- Identifying, designing, operating, and closing Debris Management Sites (DMS).
- Monitoring debris removal operations.
- Demolishing and/or removing disaster-damaged structures and facilities in accordance with FEMA regulations and policies.



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Mission Assignment Requirements

- Must be requested by the State.
- Communities must demonstrate that the requested disaster-related efforts exceed State and local resources.
- The scope of work must include specific, quantifiable and measurable tasks.
- **Duration of Mission Assignments for debris removal is limited to 60 days from the disaster declaration date.**



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Public Assistance Grant Program

The Public Assistance Grant Program provides supplemental Federal disaster grant assistance for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain Private Non-Profit (PNP) organizations.

The Federal share of grant assistance is not less than 75 percent of the eligible cost for debris removal and emergency protective measures.

The Grantee (usually the State) determines how the non-Federal share (up to 25 percent) is split with Subgrantees (eligible applicants).



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Debris Removal

- Debris removal is the clearance, removal, and/or disposal of disaster-related items such as trees, sand, gravel, building components, wreckage, vehicles, and personal property.
- Public Assistance funds are available to **eligible applicants** for debris clearance, removal, and disposal operations. Eligible applicants include State and local governments, Indian tribes, and certain private nonprofit organizations.



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Public Assistance Debris Eligibility

In order to be eligible for Public Assistance funding, debris must be:

- a direct result of a Presidentially declared disaster;
- located within the designated disaster area; and
- the responsibility of the applicant at the time of the disaster.

In order to be eligible for Public Assistance funding, debris removal:

- must eliminate an immediate threat to lives, public health, and safety;
- must eliminate immediate threats of significant damage to improved public or private property; or
- must ensure the economic recovery of the affected community to the benefit of the community-at-large.



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Examples of eligible debris removal activities include:

- Debris removal from a public right-of-way, including Federal-aid Routes
- If State, Territorial, Tribal, or local governments authorize residents to place incident-related debris on public ROWs, FEMA provides PA funding to remove the debris from the ROWs for a limited period of time.
- Debris removal from public property to eliminate immediate health and safety hazards.



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eligible debris removal cont'd

- Eligible vegetative debris may include tree limbs, branches, stumps, or trees that are still in place, but damaged to the extent they pose an immediate threat.



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Examples of ineligible debris removal activities include:

- Removal of debris from an applicant's unimproved property or undeveloped land;
- Removal of pre-disaster sediment from engineered channels;
- Removal of debris from a natural channel unless the debris poses an immediate threat of flooding to improved property;
- Removal of debris from Federal lands or facilities that are the authority of another Federal agency.
- Removal of debris placed on the ROW from commercial properties



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Debris Removal from Private Property

- Debris removal from private property is generally not eligible for Public Assistance grant funding.
- If property owners move disaster-related debris to a public right-of-way, the local government may be reimbursed for curbside pickup and disposal for a limited period of time.



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When is private property debris removal eligible for PA funding?

- FEMA may fund private property debris removal, if debris on private property is so widespread that public health, safety, or the economic recovery of the community is threatened.
- FEMA must approve private property debris removal in advance.
- See Disaster Assistance Policy 9523.13, Debris Removal from Private Property, for information on FEMA private property debris removal eligibility



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Demolition of Private Structures

FEMA may fund the demolition of privately-owned structures and the subsequent removal of demolition debris if:

- The structures were damaged and made unsafe by the declared disaster, and are located in the area of the disaster declaration;
- The applicant certifies that the structures are unsafe and pose an immediate threat to the public;
- The applicant has legal responsibility to perform the demolition;



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Demolition of Private Structures Cont'd

- A legally authorized official has ordered the demolition of unsafe structures and removal of demolition debris;
- The applicant has indemnified the Federal government and its employees, agents, and contractors from any claims arising from the demolition work; and
- The demolition work is completed within the completion deadlines outlined in 44 CFR §206.204 for emergency work.



PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES PILOT PROGRAM



Fact Sheet

On January 29, 2013, President Obama signed into law the Sandy Recovery Improvement Act of 2013 (now Public Law 113-2) which amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act and authorizes alternative procedures for the Public Assistance (PA) Program (section 428). FEMA is currently implementing these new authorities as pilot programs.

Alternative Procedures Pilot Program for Debris Removal

- The Public Assistance alternative procedures pilot program for debris includes the following provisions:

- ✓ Accelerated Debris Removal Incentive (Sliding Scale)

Debris Removal Completed (Days from Start of Incident Period)	Federal Cost Share
0-30	85%
31-90	80%
91-180	75%
Federal dollars will NOT be provided for debris removal after 180 days (unless an extension is granted by FEMA)	

- ✓ Retaining Recycling Revenues
 - ✓ Reimbursement for Straight Time Force Account Labor
 - ✓ One-Time Incentive for Debris Management Plans
- The *Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal* provides additional guidance on the pilot program.
- The debris removal pilot is available to any Subgrantee in major disasters or emergencies declared on or after June 28, 2013, until the end of the pilot program period.
- The pilot program for debris removal is voluntary.
- Debris removal pilot procedures can be used individually or with any other pilot procedures.
- The debris removal pilot procedures are available for large projects only, with the exception of reimbursement for straight time force account labor which can be applied to both small and large projects.
- FEMA is not implementing debris removal subgrants based on fixed estimates at this time.



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PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES PILOT PROGRAM



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Alternative Procedures Pilot Program for Permanent Work

- The Public Assistance alternative procedures pilot program for permanent work includes the following provisions:
 - ✓ Grants Based on Fixed Estimates
 - ✓ Consolidation of Multiple Fixed Estimate Subgrants into a Single Subgrant
 - ✓ Use of Excess Funds for Allowable Activities
 - ✓ Elimination of the Alternate Project Penalty (for in-lieu contributions)
 - ✓ Acceptance of Subgrantee Cost Estimates
 - ✓ Referral of Cost Estimates to an Expert Panel (subgrants over \$5M federal share)
- The *Public Assistance Alternative Procedures Pilot Program Guide for Permanent Work* provides additional guidance on the pilot program.
- The pilot program for permanent work is available in major disasters declared on or after May 20, 2013. It may also be applied to projects in major disasters declared prior to May 20, 2013, where construction on that project has not yet begun.
- The pilot program for permanent work is voluntary.
- The pilot procedures are available for large projects only, and a subgrantee may choose to include some or all of their large projects in the pilot.
- For a permanent work project to be eligible for the pilot, the Subgrantee must agree to a subgrant based on a fixed estimate.
- A Subgrantee has nine months from the date of declaration to agree to the fixed estimate amount and twelve months to consolidate any of its fixed estimate subgrants.

Special Considerations and Grants Management

- FEMA must ensure compliance with environmental and historic preservation requirements.
- Insurance reductions will be included in the fixed estimate and will only be adjusted further if a subgrantee receives more funds than originally anticipated.
- Section 406 hazard mitigation may be included in the fixed estimate subgrants for permanent work (see *Pilot Guide* for more information).
- Work must be completed within regulatory timeframes and progress reports submitted.
- Contracts must be procured in accordance with federal standards (44 CFR Part 13).
- Funding is subject to audit and financial accountability.

Additional Information is available at: <http://www.fema.gov/alternative-procedures>



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Questions