Flood Mitigation Assistance (FMA) Grants

KAMM Conference
August 29, 2017
Esther White, Project Grants Manager
UK Hazard Mitigation Grants Program
Throughout the presentation, please take note of the historic photographs of past disasters.

These serve as a powerful reminder of the importance of preparing for and mitigating the effects of some of the uncertain inevitable effects of Mother Nature.
FMA Grant Program

• Overview
• Mitigation Activities
• Application Process
  • Benefit Cost Analysis
  • Environmental and Historic Preservation
• Questions
The FMA Grant Program was created as part of the National Flood Insurance Reform Act (NFIRA) of 1994 with the goal of reducing or eliminating claims under the NFIP. Consistent with Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141), the FMA Grant Program is focused on mitigating repetitive loss (RL) properties and severe repetitive loss (SRL) properties. Additionally, FY2017 focuses upon community level mitigation projects.
The FMA program provides funding for:

- Flood Mitigation Planning (new plans or updates)
- Technical Assistance (state)
- Regular Mitigation Projects
  - Community Project Design
  - Community Flood Mitigation
  - Property - Specific Mitigation

Before/After Structural Elevation Funded FMA2014 (SRL)
Prospect KY
A **severe repetitive loss property** is a structure that:

(a) Is covered under a contract for flood insurance made available under the NFIP
(b) Has incurred flood related damage –

(i) For which 4 or more separate claims payments (includes building and contents) have been made under flood insurance coverage with the amount of each such claim exceeding $5,000, and with the cumulative amount of such claims payments exceeding $20,000

OR

(ii) For which at least 2 separate claims payments (includes only building) have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure
A repetitive loss property is a structure covered by a contract for flood insurance made available under the NFIP that:

(a) Has incurred flood-related damage on 2 occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event

AND

(b) At the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance (ICC) coverage

FEMA issues a validated SRL/RL list of properties annually. Jurisdictions with insured properties on the list are notified by email.
The FMA program is nationally competitive. From 2008-2016, KY has had ~64% of our FMA project applications selected for funding.

Applications are prioritized and selected based upon criteria established each year by FEMA.

Structures mitigated/protected by projects funded under FMA must be NFIP-insured.

Community flood mitigation projects benefit communities with high participation and favorable standing in the NFIP.
<table>
<thead>
<tr>
<th>Year</th>
<th>A/D</th>
<th># Structures</th>
<th>$ Awarded</th>
<th>Elev</th>
<th># Structures</th>
<th>$ Awarded</th>
<th>Drainage</th>
<th>$ Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>2</td>
<td>14</td>
<td>2,063,574.00</td>
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<td></td>
<td>1</td>
<td>351,755.00</td>
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<tr>
<td>2011</td>
<td>1</td>
<td>2</td>
<td>94,160.00</td>
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<tr>
<td>2013</td>
<td>5</td>
<td>15</td>
<td>3,171,112.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>2014</td>
<td>4</td>
<td>19 (SRL)</td>
<td>5,172,485.00</td>
<td>1</td>
<td>5 (SRL)</td>
<td>333,677.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>5</td>
<td>*20</td>
<td>4,428,405.00</td>
<td>1</td>
<td>2 (RL)</td>
<td>467,208.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016</td>
<td>9</td>
<td>**24</td>
<td>4,806,494.00</td>
<td>1</td>
<td>5 (SRL)</td>
<td>1,372,516.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>26</td>
<td>94</td>
<td>$ 19,736,230.00</td>
<td>3</td>
<td>12</td>
<td>$ 2,173,401.00</td>
<td>1</td>
<td>$ 351,755.00</td>
</tr>
</tbody>
</table>

*14 RL, 6 SRL
**8 RL, 7 SRL

Summary
Projects: 30
Structures Mitigated: 106
SRL Structures: 82
RL Structures: 24
FY2017 FMA grant application period is open from August 14\textsuperscript{th} to November 14\textsuperscript{th}.

$160,000,000 in Flood Mitigation Assistance (FMA), is available to assist States, Tribal, Territorial and local governments in reducing or eliminating claims under the National Flood Insurance Program (NFIP).

Of this, a total of $70,000,000 has been prioritized for community flood mitigation proposals leaving an estimated $90,000,000 available for FMA if all funding is used.
Due to the demand for funding by communities with high numbers of SRL and RL properties, many project proposals addressing flooding on a community level have not been selected for funding in the past. FEMA’s grant recipients and subrecipients have repeatedly asked for community level flood mitigation funding.
The inclusion of community level projects represents a paradigm shift to motivate communities to incorporate mitigation into planning and design and to encourage private sector partnerships, further relieving financial burden from the National Flood Insurance Fund (NFIF).

This program benefits communities which have demonstrated a commitment to reducing flood risk through enhanced flood regulations and enforcement of responsible development.

Community flood mitigation projects may be funded as either an Advance Assistance or Community Flood Mitigation project.
• Advance Assistance: Funding will be provided to develop mitigation strategies and obtain data to prioritize, select, and develop viable community flood mitigation projects. This design work will facilitate viable projects for future grant applications. Applicants are eligible to receive up to $100,000 federal share. Up to $2 million of the $70 million set aside will go to Advance Assistance applications.

“Advance Assistance” must appear in the project application title.
• Community Flood Mitigation Projects: The remaining set aside will fund projects with proven techniques that integrate cost effective natural floodplain restoration solutions and improvements to NFIP-insured properties and that benefit communities with high participation and favorable standing in the NFIP.

FEMA will select the highest ranked eligible community flood mitigation subapplication from each Applicant up to $10,000,000 federal share based on final priority scoring criteria.

“Community Flood Mitigation” must appear in the project application title.
<table>
<thead>
<tr>
<th>Priority</th>
<th>Description</th>
<th>Total Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Partnership Cost Share</td>
<td>Cost share taken on by private organizations/businesses emphasizing community participation, collaboration, and investment. Points will be assigned based on percentage of private cost share invested.</td>
<td>150</td>
</tr>
<tr>
<td>Building Code Effectiveness Grading Schedule (BCEGS) rating</td>
<td>Assesses effectiveness of enforcement and adequacy of building codes with emphasis on mitigation. Classes weighted based on national class grouping ratings. Highest weight will be assigned to class 1 and descending through lower classes.</td>
<td>100</td>
</tr>
<tr>
<td>Community Rating System (CRS) Participation</td>
<td>The Community Rating System (CRS) recognizes and encourages community floodplain management activities that exceed the minimum NFIP standards. Depending upon the level of participation, flood insurance premium rates for policyholders can be reduced up to 45%. Highest weight will be assigned to class 1 and descending through lower classes.</td>
<td>100</td>
</tr>
<tr>
<td>Cooperating Technical Partners Program (CTP) Participation</td>
<td>Qualified partnership program where communities commit to collaborate in maintaining up-to-date flood hazard maps and other flood hazard information. Points are provided to CTP participating communities.</td>
<td>100</td>
</tr>
<tr>
<td>International Building Codes (IBC) Adopted</td>
<td>IBC adoption epitomizes community commitment to responsible building regulations. Points are provided to IBC participating communities.</td>
<td>50</td>
</tr>
</tbody>
</table>

| Total Points Available                       | 500* |
Eligible Community Flood Mitigation project activities include:

- Infrastructure protective measures
- Floodwater storage and diversion
- Utility protective measures
- Stormwater management
- Wetland restoration/creation
- Aquifer storage and recovery
- Localized flood control to protect critical facility
- Floodplain and stream restoration
- Water and sanitary sewer system protective measures
After meeting the $70,000,000 available for community flood mitigation or when all eligible community flood mitigation project subapplications have been selected, FEMA will select eligible subapplications for the remaining funds in the following order:

- Technical Assistance
- Flood Mitigation Planning
- Property Flood Mitigation Projects
FMA Property Flood Mitigation Projects

NFIP-insured: Federal 75% / Local 25%
Repetitive Loss (RL): Federal 90% / Local 10%
Severe Repetitive Loss (SRL): Federal 100%

Eligible Activities:
- Acquisition/Demolition or Relocation
- Mitigation Reconstruction
- Structure Elevation
- Dry Floodproofing Historic Residences
- Dry Floodproofing Non-Residential
- Localized Flood Risk Reduction
- Structural and Non-Structural Retrofitting
- Infrastructure Retrofitting
- Soil Stabilization

Pikeville ‘77
FMA Process

- Pre-application submitted in eGrants
- BCA completed
- Cost effective proposals develop application in eGrants
- Project manager reviews
- Clearinghouse/SHPO information submitted
- Revisions completed
- Application released to KYEM
- Application submitted to FEMA
- Region IV programmatic review ~ 60 days
  - Project applications identified for further review by 2/8/2018 move to EHP review
  - Requests for Information (RFI) may be issued
FY2017 FMA Deadlines

Application Period Opened August 14
Pre-Applications Due September 5
First Draft Due September 29
Completed Applications Due October 27
Benefit Cost Analysis

- Mitigation projects must be cost effective to be eligible for funding as demonstrated by a FEMA-validated BCA.
- If the benefits are greater than costs, the project is cost-effective.
  - The BCA evaluates the future benefits (projected losses avoided) of the project in relation to the project costs.
Benefit Cost Analysis

- Benefits are more difficult to count than costs.
- Benefits *happen in the future* and must be calculated based on statistics.
- Project costs occur up front and are determined by cost estimates.
Benefits

• Direct damages to buildings, contents, and infrastructure
• Avoided deaths and injuries
  – Flash Flood; # x Value of a Statistical Life (VSL) ~ $6.6 million (2014)
• BCA 5.3 Benefits Features
  – Volunteer Costs: Flood fighting costs avoided
  – Street Maintenance Costs: larger acquisition/relocation projects, future costs avoided if infrastructure is removed
  – Mental Stress & Anxiety: Flood, DFA (# persons x $2443)
  – Lost Productivity: Flood, DFA (# workers x $8736)
  – Displaced population (# persons x $91/day lodging & x $51/day meals)
  – NFIP Administration & Claim Costs: Avoided future need for insurance policy
• Avoided loss of function for economic impacts (roads, bridges, utilities, rental income, etc.)
BCA Methods

- Full Data Version 5.3
- Damage Frequency Assessment Version 5.3
- Substantial Damage Waiver
- Pre-Calculated Benefits for Acquisition/Demolition or Elevation
- Greatest Savings to the Fund
- Landslide Methodology for Acquisition/Demolition
- Sinkhole Methodology for Acquisition/Demolition
Although a hazard mitigation project may create environmental benefits, the primary purpose of FEMA’s hazard mitigation grant programs is to reduce risk to lives and property rather than to benefit the environment.

Therefore, the BCA for a structure will include ecosystem services only if the mitigation activity for a structure results in a benefit-cost ratio (BCR) of 0.75 or greater using traditional risk reduction benefits. This means that if a structure BCR is less than 0.75, the environmental benefits will not be added into the analysis for that structure.
Environmental Benefits

Environmental benefits are inherent in the change or enhancement of land use as a result of mitigating a structure. These benefits are also called "ecosystem services" and are valued on a per-acre per-year basis.

Ecosystem services may be used for all eligible hazard mitigation activities that demonstrate the creation or enhancement of the environment. Historically, floodplain acquisition projects have been the most common project types to utilize environmental benefits with the change in the land use associated with structures from developed to undeveloped. However, environmental benefits may also be applicable to drainage improvement projects such as detention basins, the Climate Resilient Mitigation Activities (CRMA), and other mitigation activities.
Environmental Impacts (BCA 5.3)

- Green Space = $8,308/acre/year
- Riparian = $39,545/acre/year
- Wetlands = $6,010/acre/year
- Forests = $554/acre/year
- Marine & Estuary = $1,799/acre/year
Pre – Calculated Benefits

In 2013, FEMA issued a determination of cost effectiveness utilizing pre – calculated benefits for property acquisitions and elevations in the 100 year floodplain:

• Total average costs per structure $276,000 or less to acquire
• Total average costs per structure $175,000 or less to elevate

During the 2014-2016 grant cycles, 99% of projects with pre-determined benefits were selected for funding consideration.
Costs

• Costs appropriate for the project
• Costs in present-day dollars
• Costs are well documented and from a credible source
• Contingencies
  — Must be assigned to a particular line item
  — Typically 1% – 5% of total costs
  — May be raised to 7% for historic properties as defined under the National Historic Preservation Act (NHPA)
• Project management costs (5%) are eligible for both pre-award (application development) and post-award (implementation).
• No lump sum project costs

No additional funds may be requested under FMA – get accurate estimates!
Contingencies

Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category.

Post-award changes to the budget require prior written approval from FEMA. The written request should demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.
FEMA requires detailed EHP information at the time of application.

- Accurate lat/longs (decimal format!)
- Photos of each side of structure, clearly labeled, including lat/longs
- Year built of structures
- All required maps, lat/longs included, at each site
- Statement of ground disturbance dimensions/depths at each site
- If applicable, all staging areas and backfill sites
- Statement of asbestos testing/abatement process
- Statements from USACE and KYTC
- Public notice for work affecting floodplain/wetlands (8 Step Process)
- Lower Impact Demo Stipulations (LIDS) for acquisition/demolitions
- EHP Checklist
- Clearinghouse letter and any follow up correspondence and concurrence
8-Step Decision Making Process for Floodplain Management Considerations and Protection of Wetlands

Step 1. Determine whether the proposed action is located in a wetland and/or the 100-year floodplain (500-year floodplain for critical actions) and whether it has the potential to affect or be affected by a floodplain or wetland (see 44 CFR Section 9.7).

Step 2. Notify the public at the earliest possible time of the intent to carry out an action in a floodplain or wetland, and involve the affected and interested public in the decision-making process (see 44 CFR Section 9.8).

Step 3. Identify and evaluate practicable alternatives to locating the proposed action in a floodplain or wetland (including alternative sites, actions, and the “no action” option) (see 44 CFR Section 9.9). If a practicable alternative exists outside the floodplain or wetland, FEMA must locate the action at the alternative site.

Step 4. Identify the potential direct and indirect impacts associated with the occupancy or modification of floodplains and wetlands and the potential direct and indirect support of floodplain and wetland development that could result from the proposed action (see 44 CFR Section 9.10).

Step 5. Minimize the potential adverse impacts and support to or within floodplains and wetlands to be identified under Step 4, restore and preserve the natural and beneficial values served by floodplains, and preserve and enhance the natural and beneficial values served by wetlands (see 44 CFR Section 9.11).

Step 6. Reevaluate the proposed action to determine first, if it is still practicable in light of its exposure to flood hazards, the extent to which it will aggravate the hazards to others, and its potential to disrupt floodplain and wetland values, and second, if alternatives preliminarily rejected at Step 3 are practicable in light of the information gained in Steps 4 and 5. FEMA shall not act in a floodplain or wetland unless it is the only practicable location (see 44 CFR Section 9.9).

Step 7. Prepare and provide the public with a finding and public explanation of any final decision that the floodplain or wetland is the only practicable alternative (see 44 CFR Section 9.12).

Step 8. Review the implementation and post-implementation phases of the proposed action to ensure that the requirements stated in 44 CFR Section 9.11 are fully implemented.
### E. EHP Checklist

“Yes” indicates that the environmental regulation or statute may apply to your project. Please provide relevant information and/or documentation to support your answers. This list is not all-inclusive.

<table>
<thead>
<tr>
<th>Environmental Regulation or Statute</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>National Historic Preservation Act (NHPA)</strong></td>
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<tr>
<td>1.A Would the proposed project affect, or is the proposed project in close proximity to, any buildings or structures 50 years or more in age?</td>
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<tr>
<td>1.B Will the proposed project involve disturbance of ground?</td>
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<tr>
<td><strong>Endangered Species Act (ESA)</strong></td>
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<tr>
<td>2.A Are federally listed or endangered species, or their critical habitat, present in or near the project area and, if so, which species are present?</td>
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<tr>
<td>2.B Will the proposed project remove or affect vegetation?</td>
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<tr>
<td>2.C Is the proposed project in or near (within 200 feet), or likely to affect, any type of waterbody or body of water?</td>
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<tr>
<td><strong>Clean Water Act (CWA) and Rivers and Harbors Act</strong></td>
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<tr>
<td>3.A Will the proposed project involve dredging or disposal of dredged materials, excavation, the addition of fill material, or result in any modification to water bodies or wetlands designated as “waters of the United States” as identified by the U.S. Army Corps of Engineers or on the National Wetland Inventory?</td>
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<tr>
<td><strong>Executive Order 11988 (Protection of Floodplains) and Executive Order 11990 (Protection of Wetlands)</strong></td>
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<tr>
<td>4.A Does a Flood Insurance Rate Map, Flood Hazard Boundary Map, hydrological study, or some other source indicate that the project is located in, or will affect, a 100-year floodplain, a 500-year floodplain (if a critical area), an identified regulatory floodway, or an area prone to flooding?</td>
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<tr>
<td>4.B Is the proposed project located in, or will it affect, a wetland as listed in the National Wetland Inventory?</td>
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<tr>
<td>4.C Will the proposed project alter a watercourse, water flow patterns, or a drainage way, regardless of its floodplain designation?</td>
<td></td>
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<tr>
<td>4.D Is the proposed project located in, or will it affect, a floodplain or wetland? If yes, the 6-step process summarized in HMA, Job Alerts must be completed.</td>
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<tr>
<td><strong>Coastal Zone Management Act (CZMA) and Coastal Barrier Resources Act (CBRA)</strong></td>
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<tr>
<td>5.A Is the proposed project located in the State’s designated coastal zone?</td>
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<tr>
<td>5.B Is the proposed project located in a Coastal Barrier Resources System Unit or Otherwise Protected Area?</td>
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<tr>
<td><strong>Farmland Protection Policy Act (FPPA)</strong></td>
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<tr>
<td>6.A Will the proposed project convert more than 5 acres of “prime or unique” farmland outside city limits to a non-agricultural use?</td>
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</table>

<table>
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<tr>
<th>Environmental Regulation or Statute</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Resource Conservation Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act</strong></td>
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<tr>
<td>7.A Is there reason to suspect there are contaminants from a current or past use on the property associated with the proposed project?</td>
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<tr>
<td>7.B Are there any studies, investigations, or enforcement actions related to the property associated with the proposed project?</td>
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<tr>
<td>7.C Will any project construction or operation activities involve the use of hazardous or toxic materials?</td>
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<tr>
<td>7.D Are any of the current or past land uses of the property associated with the proposed project or are any of the adjacent properties associated with hazardous or toxic materials?</td>
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</tbody>
</table>

<table>
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<tr>
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<th>Yes</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td><strong>Executive Order 12898 (Environmental Justice for Low Income and Minority Populations)</strong></td>
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<tr>
<td>8.A Are there any low-income or minority populations in the project’s area of effect or adjacent to the project area?</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Regulation or Statute</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Other Environmental/Historic Preservation Laws (including applicable State laws) or Issues</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.A Are other environmental/historic preservation requirements associated with this project?</td>
<td></td>
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<tr>
<td>9.B Are any controversial issues associated with this project?</td>
<td></td>
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<tr>
<td>9.C Have any public meetings been conducted, public notices been circulated, or public comments been solicited on the proposed project?</td>
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</tbody>
</table>
Grant Award & Implementation

• Award letter from FEMA is sent to KYEM
• KYEM sends to grant manager
• Subrecipient notified
• Award Briefing/Initial Site Visit Scheduled
  – Local officials & project managers
  – Period of Performance (POP) Deadline
• EFT Authorization & Contract Execution
• Work Begins Upon Execution of Contract
  – Design, Bids, Appraisals, Surveys, etc.
Contracting Process

- Contract sent when available
- Non-disaster grants have program-specific contracts
  - USE BLUE INK TO COMPLETE CONTRACT
  - Write address & project number in Ship To box on page 1.
  - Sign AS SECOND PARTY on page 2.
  - Initial the appropriate blank under *Violation of tax and employment laws* section.
  - Return **within 2 weeks** to SHMO at KYEM.
  - Save copy for file & scan copy to grant manager.
Budget Modifications

The following types of post-award changes to budgets will require the prior written approval of FEMA:

- Non-construction subaward adjustments of more than 10 percent in any direct cost categories where the awarding Agency’s share exceeds $100,000
- Any changes to access contingency funds and rebudget to another direct cost category

No additional funds may be requested under FMA. Work must stop while budget modifications are under review.
Design Changes

• Project Modifications
  – Design
  – Location may vary slightly
  – Alternate properties may be considered if included in original application
  – Must still be cost effective
  – Must be reviewed & approved by KYEM & FEMA
  – **WORK MUST STOP ON PROJECT WHILE REQUEST IS UNDER REVIEW**
Period of Performance Extensions

- Inclement weather, faulty materials, project management changes, etc.
- Must request extension to project completion deadline from grant manager 90 days in advance
- POP deadline extension must be justified and requested via official letter
- Request reviewed at KYEM and FEMA

The Regional Administrator can extend the POP for up to 12 months with justification. All requests to extend the award POP beyond 12 months from the original grant POP end date must be approved by FEMA Headquarters.
Project Completion

- Notify grant manager when project scope of work is complete
- Final site visit prior to final reimbursement
- Provide all materials for closeout
Project Closeout

Acquisitions
• Stamped restricted deeds
• Statement of Voluntary Participation
• Appraisals
• Settlement statements/closing worksheets
• Permits
• Statement that project scope of work is complete
• Certification that environmental conditions were met
• Copies of arch/cultural surveys
• Lead/asbestos testing results
Project Closeout

Elevations
• A Certificate of Occupancy
• A Final Elevation Certificate
• A copy of the recorded deed amendment
• Certification by an engineer, floodplain manager, or senior local official that the completed structure elevation is in compliance with local ordinances and NFIP regulations
• A front, rear, and side photograph of the final elevated structure
• Verification of flood insurance for each structure
• Permits
• Statement that project scope of work is complete
• Certification that environmental conditions were met
Project Closeout

Engineered Projects
• Letter of assurance of structural integrity
• As-built certifications
• Stamped plans
• Permits
• Statement that project scope of work is complete
• Certification that environmental conditions were met
Project Completion

- Final Reimbursement
- Grant manager submits closeout package to KYEM/FEMA
- FEMA sends official closeout letter; grant manager sends to subrecipient
- Link sent for closeout survey
- Files retained for three years
FMA2014 (SRL) Before Prospect KY

Structural Elevation in Progress
KY Division of Emergency Management
Geni Jo Brawner, State Hazard Mitigation Officer
geneva.j.brawner.nfg@mail.mil
502-607-5797

UK Hazard Mitigation Grants Program
Esther White, Project Grants Manager
eewhit3@uky.edu
859-257-9248