FEMA’s Non-Disaster Grant Programs

KAMM Conference
August 24, 2016

UK Hazard Mitigation Grants Program
Non-Disaster Grant Programs

- Pre-Disaster Mitigation (PDM)
- Flood Mitigation Assistance (FMA)
Non-Disaster Grant Programs

• Generally an annual cycle
• FY2016 March 15-June 15, 2016
• Nationally Competitive
• Funding split:
  – PDM: Federal 75% / Local 25%
    • $90,000,000 Available Funds
  – FMA: $199,000,000 Available Funds
    • NFIP-insured: Federal 75% / Local 25%
    • Repetitive Loss (RL): Federal 90% / Local 10%
    • Severe Repetitive Loss (SRL): Federal 100%
<table>
<thead>
<tr>
<th>Eligible Activities</th>
<th>HMGP</th>
<th>PDM</th>
<th>FMA</th>
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<tbody>
<tr>
<td>1. Mitigation Projects</td>
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<td>Property Acquisition and Structure Demolition</td>
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<td>Property Acquisition and Structure Relocation</td>
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<td>Structure Elevation</td>
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<td>Mitigation Reconstruction</td>
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<td>Dry Floodproofing of Historic Residential Structures</td>
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<td>Dry Floodproofing of Non-residential Structures</td>
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<td>Generators</td>
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<td>Localized Flood Risk Reduction Projects</td>
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<td>Non-localized Flood Risk Reduction Projects</td>
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<td>Structural Retrofitting of Existing Buildings</td>
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<td>Non-structural Retrofitting of Existing Buildings and Facilities</td>
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<td>Safe Room Construction</td>
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<td>Wind Retrofit for One- and Two-Family Residences</td>
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<td>Infrastructure Retrofit</td>
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<td>Soil Stabilization</td>
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<td>Wildfire Mitigation</td>
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<td>Post-Disaster Code Enforcement</td>
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<td>Advance Assistance</td>
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<td>5 Percent Initiative Projects</td>
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<tr>
<td>Miscellaneous/Other</td>
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</tbody>
</table>

2. Hazard Mitigation Planning

Planning Related Activities

3. Technical Assistance

4. Management Cost

Miscellaneous/Other indicates that any proposed action will be evaluated on its own merit against program requirements. Eligible projects will be approved provided funding is available.
Non-Disaster Mitigation Programs

• Submitted in eGrants online application system
• Various restrictions and guidelines apply to each program
  – PDM
    • The maximum federal share for sub-applications per HMA Guidance is as follows:
      – •$4 Million for mitigation projects
      – •$400,000 for new mitigation plans
      – •$150,000 for mitigation plan updates
• FEMA will prioritize mitigation planning and project sub-applications from applicants without HMGP funds available before applications from applicants with HMGP funds available.
• Plans are first priority; projects are second.
Non-Disaster Mitigation Programs

For FY2016 PDM, FEMA’s further prioritizations include:

• Climate Resilient Mitigation Activities (CRMA), including Aquifer Storage and Recovery (ASR), Floodplain and Stream Restoration (FSR), and Flood Diversion and Storage (FDS); and pre- or post-wildfire mitigation activities or any mitigation action that utilizes green infrastructure approaches

• Non-flood hazard mitigation projects (e.g., seismic, wildfire, landslide and wind) and non-acquisition/elevation/mitigation reconstruction flood mitigation activities (e.g., stormwater management and flood control measures)

• Acquisition, elevation and mitigation reconstruction projects

• Generators for critical facilities as identified in a FEMA-approved Mitigation Plan

• FEMA-validated residential or commercial Building Code Effectiveness Grading Schedule (BCEGS) rating from a grade of 1 to 1
Non-Disaster Mitigation Programs

- **FMA**
  - Maximum of $50,000 for state plans and $25,000 for local plans
  - Plans, then projects
  - Participating properties must be NFIP-insured

FEMA will select eligible project sub-applications on a competitive basis in order of the agency’s priorities for the FY 2016 FMA Grant Program:

- **1st priority:** Projects that will mitigate flood damage for at least 50 percent of structures included in the sub-application that meet definition part (b)(ii) of an SRL property: At least two separate NFIP claim payments have been made with the cumulative amount of such claims exceeding the market value of the insured structure
- **2nd priority:** Projects that will mitigate flood damage for at least 50 percent of structures included in the sub-application that meet the definition of an FMA RL property: Have incurred flood-related damage on 2 occasions, in which the cost of the repair, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event
Non-Disaster Mitigation Programs

- 3rd priority: Projects that will mitigate flood damage for at least 50 percent of structures included in the sub-application that meet definition part (b)(i) of an SRL property: four or more separate NFIP claims payments have been made with the amount of each claim exceeding $5,000, and with the cumulative amount of claims payments exceeding $20,000

- 4th priority: Projects that will mitigate flood damage to the largest number of NFIP-insured properties at the neighborhood level
PDM

Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (42 U.S.C. 5133)

PDM is designed to assist States, territories, federally-recognized tribes, and local communities to implement a sustained pre-disaster natural hazard mitigation program to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters.
FMA

FMA is authorized by Section 1366 of the National Flood Insurance Act of 1968, as amended (NFIA), 42 U.S.C. 4104c, with the goal of reducing or eliminating claims under the National Flood Insurance Program (NFIP).

FMA was created as part of the National Flood Insurance Reform Act (NFIRA) of 1994. The Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141) consolidated the Repetitive Flood Claims and Severe Repetitive Loss grant programs into FMA.
FMA funding is available through the National Flood Insurance Fund (NFIF) for flood hazard mitigation projects as well as plan development and is appropriated by Congress. States, territories, and federally-recognized tribes are eligible to apply for FMA funds. Local governments are considered subapplicants and must apply to their Applicant State, territory, or federally-recognized tribe.
FMA Severe Repetitive Loss

A **severe repetitive loss property** is a structure that:

• (a) Is covered under a contract for flood insurance made available under the NFIP; and

• (b) Has incurred flood related damage

• i. For which four 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 two 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.
FMA Repetitive Loss

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 coverage
PDM & 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 move to EHP review
  – Requests for Information (RFI) may be issued
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
BCA Methods

- Flood Module 5.2.1
- Damage Frequency Assessment Version 5.2.1
- Substantial Damage Waiver
- Pre-Calculated Benefits for Acquisition/Demolition or Elevation
- Greatest Savings to the Fund
- Tornado Safe Room Version 5.2.1
- Landslide Stabilization
- Landslide Methodology for Acquisition/Demolition
- Sinkhole Methodology for Acquisition/Demolition
- Earthquake Version 5.2.1
- Statement of Cost Effectiveness
  - Initiatives
  - Land Value for SD Acquisitions
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) \( \sim \) $9.1 million
• BCA 5.2.1 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)
  – NFIP Administration & Claim Costs: Avoided future need for insurance policy
• Avoided loss of function for economic impacts (roads, bridges, utilities)
• Environmental impacts (Acquisition)
  – Green Space = $7853/acre/year
  – Riparian = $37,493/acre/year
Costs

Items to consider:

• Costs appropriate for the project
• Costs in present-day dollars
• Costs are well documented and from a credible source
• Contingencies (limited applicability)
• No administrative costs (project management costs are eligible for both pre-award and post-award)
• No lump sum project costs
Mitigation Grants Requirements: EHP

- Environmental laws and regulations according to
  - 44 CFR part 9: Floodplain Management and Protection of Wetlands, and
  - 44 CFR part 10: Environmental Considerations
    - National Historic Preservation Act
    - Endangered Species Act & Wildlife Coordination Act
    - Clean Water Act, Rivers & Harbors Act
    - E.O. 11988 Protection of Floodplains
    - E.O. 11990 Protection of Wetlands
    - Farmland Protection Policy Act
    - Resource conservation Recovery Act & Comprehensive Environmental Response, Compensation, & Liability Act
    - E.O. 12898 Environmental Justice for Low Income & Minority Populations
Environmental & Historic Preservation (EHP) Requirements

In an effort to streamline EHP review processes, FEMA now requires more detailed information at the time of application.

- Accurate lat/longs (decimal format!)
- Photos 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 (if applicable) and KYTC
- Clearinghouse letter and any follow up correspondence and concurrence
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>
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</thead>
<tbody>
<tr>
<td>National Historic Preservation Act (NHPA)</td>
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<tr>
<td>1A 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>
<td>Yes</td>
<td>No</td>
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<tr>
<td>1B Will the proposed project involve disturbance of ground?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Endangered Species Act (ESA)</td>
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<tr>
<td>2A 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>
<td>Yes</td>
<td>No</td>
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<tr>
<td>2B Will the proposed project remove or affect vegetation?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>2C Is the proposed project in or near (within 200 feet), or likely to affect, any type of waterbody or body of water?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Clean Water Act (CWA) and Rivers and Harbors Act</td>
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<tr>
<td>3A 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>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Executive Order 11988 (Protection of Floodplains) and Executive Order 11990 (Protection of Wetlands)</td>
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<tr>
<td>4A 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 action), an identified regulatory floodway, or an area prone to flooding?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>4B Is the proposed project located in, or will it affect, a wetland as listed in the National Wetland Inventory?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>4C Will the proposed project alter a watercourse, water flow patterns, or a drainage way, regardless of its floodplain designation?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>4D Is the proposed project located in, or will it affect, a floodplain or wetland? If yes, the 9-step process summarized in HMA Job Aids must be completed.</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Coastal Zone Management Act (CZMA) and Coastal Barrier Resources Act (CBRA)</td>
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<tr>
<td>5A Is the proposed project located in the State’s designated coastal zone?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>5B Is the proposed project located in a Coastal Barrier Resources System Unit or Otherwise Protected Area?</td>
<td>Yes</td>
<td>No</td>
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<td>Farmland Protection Policy Act (FPPA)</td>
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<td>6A Will the proposed project convert more than 5 acres of “prime or unique” farmland outside city limits to a non-agricultural use?</td>
<td>Yes</td>
<td>No</td>
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<td>Resource Conservation Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act</td>
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<td>7A Is there reason to suspect there are contaminants from a current or past use on the property associated with the proposed project?</td>
<td>Yes</td>
<td>No</td>
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<td>7B Are there any studies, investigations, or enforcement actions related to the property associated with the proposed project?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>7C Will any project construction or operation activities involve the use of hazardous or toxic materials?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>7D 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>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Executive Order 12898 (Environmental Justice for Low Income and Minority Populations)</td>
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<tr>
<td>8A Are there any low-income or minority populations in the project’s area of effect or adjacent to the project area?</td>
<td>Yes</td>
<td>No</td>
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<td>Other Environmental/Historic Preservation Laws (including applicable State laws) or Issues</td>
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<tr>
<td>9A Are other environmental/historic preservation requirements associated with this project?</td>
<td>Yes</td>
<td>No</td>
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<td>9B Are any controversial issues associated with this project?</td>
<td>Yes</td>
<td>No</td>
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<td>9C Have any public meetings been conducted, public notices been circulated, or public comments been solicited on the proposed project?</td>
<td>Yes</td>
<td>No</td>
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F. Minimum Criteria Checklist for Project Subapplications

Subapplications submitted to FEMA that do not contain at least the basic components listed below may be immediately denied because there is no method to determine eligibility without these data. Additional information may be requested during FEMA review. This information is required for all submittals, including potential substitutions, but further details may be requested to complete the subapplication.

<table>
<thead>
<tr>
<th>Subapplication Component</th>
<th>Yes</th>
<th>No</th>
<th>Comment</th>
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<tbody>
<tr>
<td><strong>Applicant and Subapplicant</strong></td>
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<tr>
<td>Are the Applicant and subapplicant eligible?</td>
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<tr>
<td><strong>Plan Requirement</strong></td>
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<td>Does the project conform to the State and Local Mitigation Plan under 44 CFR Part 2017?</td>
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<td>Does the project conform to the Tribal Mitigation Plan under 44 CFR Section 2011?</td>
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<td><strong>Scope of Work</strong></td>
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<td>Does the project address a problem that has been repetitive or a problem that poses a significant risk to public health and safety if left unsolved?</td>
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<td>Does the project consider long-term changes to the areas and entities it protects?</td>
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<td>Does the project have manageable future maintenance and modifications requirements?</td>
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<td>Does the project contribute to the extent practicable to a long-term solution to the problem it is intended to address?</td>
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<td>Does the project include site location, maps, and GIS coordinates?</td>
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<td>Does the project solve a problem independently or constitute a functional portion of a solution and is there assurance that the project as a whole will be completed? (Projects that merely identify or analyze hazards or problems are not eligible.)</td>
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<td><strong>Cost Review</strong></td>
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<td>Does the project include a detailed budget?</td>
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<td>Does the project identify information on cost-share and match sources?</td>
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<td><strong>Schedule</strong></td>
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<td>Does the project include a work schedule for 3 years or less that conforms to period of performance requirements?</td>
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<th>Subapplication Component</th>
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<tr>
<td><strong>Cost-Effectiveness</strong></td>
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<tr>
<td>Does the project include a benefit-cost analysis, or alternate cost-effectiveness documentation, such as Substantial Damage verification, and located in a normal floodplain, or a narrative supporting cost-effectiveness and request for consideration under 5 percent HMGP discretionary funding?</td>
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<td>Is the project cost effective and does it substantially reduce the risk of future damage, hardship, loss, or suffering?</td>
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<td><strong>Safe Room Information</strong></td>
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<td>Is the project consistent with the design and implementation of ASCE 24-14?</td>
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<td><strong>Wind Retrofit Information</strong></td>
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<td>Does the project include the proposed level of protection as per FEMA P-804?</td>
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<td><strong>Drainage Information</strong></td>
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<td>Does the project include initial technical information to support size, costs, and local permitting requirements?</td>
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Does the project include proposed elevation height of the structure?
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
- 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 appropriate line on page 11.
  – Return **within 2 weeks** to SHMO at KYEM.
  – Save copy for file & scan copy to grant manager.
Special Requests: Budget

• Budget Modification
  – NO additional funds available
  – Pre-award costs
• Must be reviewed & approved by KYEM & FEMA
• WORK MUST STOP ON PROJECT WHILE BUDGET MODIFICATION REQUEST IS UNDER REVIEW
Special Requests: Scope of Work

• Project Modifications
  – No “Scope of Work” changes
  – Design
  – Location
  – Must be cost effective
  – Must be reviewed & approved by KYEM & FEMA
  – WORK MUST STOP ON PROJECT WHILE REQUEST IS UNDER REVIEW
Special Requests: POP 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
Project Completion

• Notify grant manager when project scope of work is complete
• Final site visit prior to final reimbursement
• Provide all materials for closeout
  – Acquisitions
    • Stamped restricted deeds
    • Statement of Voluntary Participation
    • Appraisals
    • Settlement statement/closing worksheet
Project Completion

- Elevations
  - Elevation Certificate
  - Model Acknowledgement of Conditions

- Engineered Projects
  - Letter of assurance of structural integrity
  - As-built certifications
  - Stamped plans
  - Permits

- Plans
  - Copy of Plan
  - Jurisdictional resolutions
Project Completion

- Final Reimbursement
- Grant manager submits closeout package to KYEM/FEMA
- FEMA sends official closeout letter; grant manager sends to subrecipient
- Files retained for three years from date of letter
- Link sent for closeout survey
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