Mitigation 101

KAMM Conference
September 9, 2014

Esther White, Project Grants Manager
UK Hazard Mitigation Grants Program
HAPPY BIRTHDAY, KAMM!!

#KAMM10!

Why?
Because...Mitigation Matters!
Mitigation 101 Outline

- Intro to Mitigation
- Hazard Mitigation Grant Program Overview
- Benefit Cost Analysis (BCA) Methods
- Environmental & Historic Preservation (EHP) Requirements
- Award & Implementation
Disasters

- Disasters can happen at any time and any place.
- Human and financial consequences are difficult to predict.
- The number of disasters each year is increasing, but only 50% of events trigger Federal assistance.
What is Mitigation?

• Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters.
• Effective mitigation efforts can break the cycle of disaster damage, reconstruction, and repeated damage.
• Effective mitigation requires understanding local risks and investing in long-term community well-being.
Mitigation Matters

• Creates safer communities by reducing loss of life and property damage

• Allows individuals to minimize post-disaster disruptions and recover more rapidly

• Lessens the financial impact on individuals and communities
  - A study by the Multi-hazard Mitigation Council shows that each dollar spent on effective mitigation projects saves an average of four dollars in recovery efforts.
Federal Agencies with Mitigation Roles and Responsibilities

- National Oceanic and Atmosphere Administration (NOAA)
- National Weather Service (NWS)
- Rural Development
- Small Business Administration (SBA)
- Natural Resources and Conservation Service (NRCS)
- National Park Service (NPS)
- Bureau of Land Management (BLM)
- U.S. Geological Survey (USGS)
- U.S. Army Corps of Engineers (USACE)
Non-Federal Organizations Involved in Mitigation

- State Hazard Mitigation Office (KYEM)
- Association of State Floodplain Managers (ASFPM)
- Kentucky Association of Mitigation Managers (KAMM)
- The National Emergency Management Association (NEMA)
- National Fire Protection Association (NFPA)
- Central United States Earthquake Consortium (CUSEC)
Voluntary Organizations Active (VOAD) in Disaster

• Under the Federal Response Plan, it is recognized the involvement of voluntary organizations and private sector at the national, state and local levels is critical to the success of disaster recovery.

• VOAD organizations provide leadership and coordinate with Federal, State and Local Governments in recovery planning and program implementation.

• Examples: American Red Cross, Salvation Army, Tri-State Animal Response Team
State and Local FEMA Hazard Mitigation Plans

- Local plans demonstrate a community’s commitment to reduce risks from natural hazards and serve as a guide for decision makers as they commit resources.
- State plan serves as an administrative tool for committing state resources to mitigation efforts.
- Approved and adopted plans are a requirement for receiving hazard mitigation grants.
KY Identified Hazards

- Flooding
- Earthquakes
- Severe Storms
- Tornadoes
- Landslide
- Dam/Levee Failure
- Karst/Sinkhole
- Mine Subsidence
- Drought/Extreme Temperature
- Forest Fire
Mitigation Grant Overview

• FEMA Hazard Mitigation Grant Program
  – Post-Disaster Grants
  – Requirements
  – Benefit Cost Analysis
  – EHP
  – Award & Implementation
FEMA HMA Grants Programs

- Hazard Mitigation Grants Program (HMGP)
- Pre-Disaster Mitigation Grants Program (PDM)
- Flood Mitigation Assistance Program (FMA)
  - Severe Repetitive Loss Program (SRL)
Mitigation Grants Requirements

- An approved and adopted Local Mitigation Plan
- Reflect goals of State and Local Plans’ mitigation strategies
  - Creates an independent long-term solution or a functional portion of a long-term solution
  - Conforms with environmental laws and regulations
  - Cost-effective
  - Beneficial impacts
Mitigation Grants Requirements

• Solves a problem independently and is a long-term solution
  – Projects that are phased and each completed portion does not constitute a functional portion of the solution are not grant eligible.
Mitigation Grants Requirements: BCA

- Cost-Effective
  - Achieved through FEMA’s Benefit Cost Analysis (BCA) approved methods
  - Projects must **substantially** reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster.
  - Cost effectiveness of a project must be documented.
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
Mitigation Grants Requirements: NFIP

• National Flood Insurance Program (NFIP) Participation
  – For projects sited within a SFHA, subapplicants are eligible only if the jurisdiction in which the project is located is participating in the NFIP
  – No NFIP participation requirement for HMGP/PDM planning subapplications or projects located outside of the SFHA
Hazard Mitigation Grant Program (HMGP)

- Post-disaster grant program
State HMGP Eligibility

• Funds become available following a disaster declaration.

• State mitigation plan specifies that declared counties get priority funding; however any eligible entity may apply for mitigation funds.

• Three types of projects are eligible for funding:
  – Planning, initiative, and regular
HMGP Eligible Entities

• State/Local Governments
• Government Agencies
• Certain NPOs such as Hospitals, Universities
## Eligible Grant Activities

<table>
<thead>
<tr>
<th>Eligible Activities</th>
<th>HMGP</th>
<th>PDM</th>
<th>FMA</th>
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<tbody>
<tr>
<td><strong>1. Mitigation Projects</strong></td>
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<tr>
<td>Property Acquisition and Structure Demolition</td>
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<td>Structure Elevation</td>
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<td>Dry Floodproofing of Historic Residential Structures</td>
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<tr>
<td>Dry Floodproofing of Non-residential Structures</td>
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<td>Safe Room Construction</td>
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<tr>
<td>Infrastructure Retrofit</td>
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<tr>
<td>Soil Stabilization</td>
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<td>Wildfire Mitigation</td>
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<td>Generators</td>
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<td>5 Percent Initiative Projects</td>
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<td><strong>2. Hazard Mitigation Planning</strong></td>
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HMGP Review Process

• Subapplicants submit Letter of Intent/Mitigation Activity Form to KYEM/CHAMPS
• KY Hazard Mitigation Council (KYMC) meets to decide prioritization of projects to move forward
• Project manager is assigned
• Selected projects move to BCA
• Cost effective proposals move to application
KY State Hazard Mitigation Council

KYMC members selected by designated Directors, Commissioners, or Cabinet Secretaries of state agencies, or heads of non-state agencies, having hazard mitigation expertise and responsibilities

- Department for Local Government
- KY Clearinghouse
- KY Transportation Cabinet
- KYEM
- KY Division of Water
- Area Development Districts
- KAMM
- Local Representatives
- Technical Advisors
HMGP Funding

• Available funding for mitigation projects is determined as 20% of total federal aid commitment assessed post-disaster

• Types of Projects
  – Regular
  – Initiative (5-10%)
  – Planning (up to 7%)

• Cost Share:
  – Federal 75%
  – State 12%
  – Local 13% (cash and/or in-kind contributions)
Eligible Regular Project Activities

- Acquisition/Demolition
- Structural or Road Elevation
- Detention/Retention Basins
- Drainage Upgrades
- Soil Stabilization
- Tornado Safe Rooms
- Generators for Critical Facilities
Acquisition/Demolition

• Property purchased by local government or conservation district at fair market or pre-event fair market value
• Structure(s) and incompatible facilities removed
• Land deed restricted for perpetuity as green space and maintained as floodplain
Soil Stabilization

- Gabion baskets
- Drilled pier retention system
- Vegetative cover

Total Cost: $740,279 ($96,236 Local Share)
Tornado Safe Rooms

- Immediate life safety
- Retrofits or stand alone
- Target population within half mile radius
- Dual use
- Designed and constructed to FEMA 361 standards
Community Dual Use Safe Rooms

Greensburg Fire Station Safe Room
1250 square feet inside 16,000 square feet fire station
250 occupants
Total Cost: $550,000; $5500 Local Share
Muldraugh Community Safe Room: 6105 square feet
Protects a population of 1180
Total Cost: $1,207,938; $157,032 Local Share
Earthquake

• Seismic Non-Structural Retrofits
  – Lights, ceilings, ducts, shelving
  – Mechanical, electrical, plumbing components

• Seismic Structural Retrofits
  – Slabs, walls, framing
Eligible Initiative Projects

• 5 – 10 % of HMGP Available Funds

• Examples:
  – Sirens
  – Weather Radios
  – Educational Projects
  – Generators
  – Ringdown Systems
Eligible Planning Activities

• New or updated local or state mitigation plan
• Must result in a planning-related activity approved by FEMA & consistent with the requirements in 44 CFR Parts 201 & 206
  • Incorporating new data into the Risk Assessment
  • Updating the Mitigation Strategy to reflect current disaster recovery goals
• Up to 7% of HMGP Available Funds
• Mandated by DMA 2000 as a condition for receiving mitigation grants
HMGP Local Cost Share

- Cash (must identify source)
- In-Kind Contributions
- Federal funds used to meet a non-Federal cost share must meet the purpose and eligibility requirements of both the Federal source program and the HMA grant program
HMGP Local Cost Share

• Increased Cost of Compliance (ICC) from NFIP claim payments may be assigned as local cost share

• Costs eligible for ICC benefits
  • Demolition
  • Relocation
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
• BCA 5.0 New 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
• No lump sum project costs
• No contingencies
• No administrative costs
BCA Methods

- Full Data Version 5.0
- Damage Frequency Assessment Version 5.0
- Substantial Damage Waiver
- Cost Effectiveness Pre-Calculated Benefits for Acquisition/Demolition or Elevation
- Tornado Safe Room Version 5.0
- Earthquake Version 5.0
- Statement of Cost Effectiveness
  - Initiatives
  - Land Value for SD Acquisitions
BCA Methods: Full Data

• Full Data analysis for Acquisition projects using flood hazard data and First Floor Elevations (FFEs)

• Project must be in a mapped area
  – FIRM, Flood Insurance Study (FIS)
  – Hydrology & Hydraulics (H & H) Study
    • KDOW has studies for ~ 90% of KY floodplains

• Must have FFES, Year Built, Building Replacement Value (BRV)
How Do Structures Qualify For Funding?
FEMA’s Benefit / Cost Analysis

Analysis Highlights

- Benefits = Avoided damages if home is removed.
- Cost = Expense to acquire and remove an at-risk structure.
- Benefit/Cost Ratio must exceed 1.0.
- Aggregation of benefits and costs for multiple, adjacent structures allowed.
- Relocation Costs for renters allowed (Maximum of $5,250)

Depth-Damage Functions: Using USACE Generic

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<th>Depth (ft)</th>
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<tr>
<td>1.0</td>
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<tr>
<td>1.5</td>
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<td>15.0</td>
<td>15%</td>
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<tr>
<td>20.0</td>
<td>10%</td>
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</tbody>
</table>
BCA Methods: DFA

- **Damage Frequency Assessment** for Acquisition and Elevation projects for which no flood hazard data is available, for generators, and for all other flood-related project types such as drainage and floodproofing
BCA Methods: DFA

• What’s important:
  ▫ Accurate numbers
  ▫ History of disaster events (at least 3 events, 1 of which must have occurred at least 5 years ago)
  ▫ Documentable damages
    • Quantifiable: Receipts, Insurance Claims, Traffic Counts, etc.
    • Supporting Materials: Newspaper accounts, Fiscal Court minutes, NOAA records
BCA Methods: SD Waiver for Acquisitions

Substantial Damage

Damage from **flooding** sustained by a building whereby the cost of restoring the building to its before-damaged condition would equal or exceed 50% of the market value before the damage occurred.

- Structure must be in a mapped SFHA
- SD determination must be made and documented by a qualified local official
- Statement of cost effectiveness for land must be included in application in lieu of BCA
Determining Substantial Damage

- **Tools:**
  - FEMA Substantial Damage Estimator (SDE)
  - Definition of Market Value in the Floodplain Ordinance
  - Mitigation Assessment Form
  - Itemized estimates from licensed contractors or professional estimators
  - Damage estimates from NFIP claims data
  - Local officials with knowledge of local costs can make “qualified estimates”
  - Marshall and Swift Residential Cost Estimator
  - Standard Building Code
FEMA’s Pre-Calculated Benefits Policy

• **Acquisitions**
  – Located in 100 year floodplain (any part of the structure)
  – Total average cost per structure $276,000 or less

• **Elevations**
  – Located in 100 year floodplain (any part of the structure)
  – Total average cost per structure $175,000 or less
FEMA’s Pre-Calculated Benefits Policy

Documentation

• FIRM clearly identifies the structure’s footprint, OR
• Documentation of BFE AND First Floor Elevation (FFE lower than BFE)
• Benefits may be adjusted using the most current locality multipliers included in industry accepted construction cost guides
  – If a multiplier is used, a copy of the source document must be included with the application
BCA Methods: Tornado Safe Room

FEMA’s Safe Room BCA Module

• Physical address & coordinates (decimal)
• Design (new, retrofit, stand alone, multi-use)
• Total area of building & safe room
• Useful life
• Estimated cost
• Occupancy & target population (1/2 mile radius)
• Structure types (manufactured homes, industrial, public buildings, parks, etc.)
BCA Methods: Earthquake

- Project Description
- Physical Address & Coordinates (decimal)
- Estimated Costs
- Useful Life
- Soil Type
- Ground Motion Values
- Functional Downtime
- Item Replacement Value
- Fall Impact Area
- Total Building Area
- Occupancy Data
- Casualty Rates
- Secondary Damages (Before & After)
- Facility Type for Loss of Services
BCA Methods: Initiatives

Initiative Projects

• Benefits difficult to accurately quantify
  – Sirens
  – Generators for Critical Facilities
  – Ringdown Systems
  – Weather Radios
  – Educational Campaigns

• Statement of cost effectiveness must be included in the application in lieu of BCA
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
- Photos clearly labeled, including lat/longs
- All required maps, lat/longs included, at each site
- Year built of structures
- 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
EHP Tools

- EHP Checklist
  - Complete the checklist, including explanations for each ‘yes’ or ‘no’ answer
- Alternatives Analysis Guidance for Historic Properties (SHPO)
- Lower Impact Demolition Stipulations
FEMA EHP Review Timeline

• If no consultation is required, EHP review will be completed within 30 days.
• If consultation is required, EHP review will be completed within 90 days.
• If an Environmental Assessment is required, the timeline extends to 240 days; 180 days to complete EA and additional time for EHP to complete review.
Grant Award & Implementation

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

• Disasters have blanket contracts that cover all hazard mitigation projects awarded under the disaster
  
  – 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.
Commonwealth of Kentucky

CONTRACT

Reason For Modification: Extend contract for time and balance only to provide additional time for project completion. Contract is being extended from 06/30/14 to 06/30/16. No increase or decrease in funds. No change in Scope of Work.

Multiple Provider
702 Capitol Avenue
OMPS
Frankfort KY 40601
US

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<tr>
<th>Line</th>
<th>CL Description</th>
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Extended Description

Beginning February 29, 2012 and continuing, heavy rain, flash flooding, severe storms, tornadoes, straight-line winds, and hail moved across the eastern part of the Commonwealth. These natural hazards created dangerous conditions, damaged public and private structures, adversely affected the Commonwealth, and caused devastation to counties in Kentucky.

Effective date: 6/21/2013 through 6/30/2016

The Hazard Mitigation Grant Program provides supplemental federal disaster grant assistance statewide for eligible mitigation projects as stated in 44 CFR 206.434. The Commonwealth acts as the Grantee for this grant program and the communities/entities are the Sub-grantee. These funds will be reimbursed to eligible sub-grantees (state and local governments, private non-profits, and Indian Tribes) in all 120 counties for eligible work completed on behalf of the approved projects.

BILL TO

1572
DMA DIV OF ADMIN SERVICES
100 MINUTEMAN PARKWAY
FRANKFORT KY 40601
US

SHIPTO

Total Order Amount: 6,222,209.84
accordance with its instructions.

(d) The Second Parties shall require that the language of this certification be included in the award documents for all subawards at all tiers, including subcontractors, subgrants, and contracts under grants, loans, and cooperative contracts, and that all subrecipients shall certify and disclose accordingly.

(e) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed under section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for such failure.

Section 4.12 Violation of tax and employment laws

(a) KRS 45A.485 requires the contractor to reveal to the Commonwealth, prior to the award of a contract, any final determination of a violation by the contractor within the previous five (5) year period of the provisions of KRS chapters 136, 139, 141, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.

(b) To comply with the provisions of KRS 45A.485, the contractor shall report any such final determination(s) of violation(s) to the Commonwealth by providing the following information regarding the final determination(s): the KRS violated, the date of the final determination, and the state agency which issued the final determination.

(c) KRS 45A.485 also provides that, for the duration of any contract, the contractor shall be in continuous compliance with the provisions of those statutes which apply to the contractor's operations, and that the contractor's failure to reveal a final determination as described above or failure to comply with the above statutes for the duration of the contract, shall be grounds for the Commonwealth's cancellation of the contract and the contractor's disqualification from eligibility for future state contracts for a period of two (2) years.

(d) Contractor must initial one:

_______ the contractor has not violated any of the provisions of the above statutes within the previous five (5) year period.

_______ the contractor has violated the provisions of one or more of the above statutes within
Special Requests: Budget

• Additional Funds
  – Must be funds available under disaster
  – Must be cost effective
• Budget Modification
  – New/revised line items
  – Pre-award costs
• Must be reviewed & approved by KYEM & FEMA
• WORK MUST STOP ON PROJECT WHILE ADDITIONAL FUNDS 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

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

– Plans
  • Copy of Plan
  • Jurisdictional resolutions

– Generators
  • Warranty, Serial Number
Project Completion

- Final Reimbursement
- Grant manager submits closeout package to KYEM/FEMA
- FEMA sends official closeout letter; grant manager sends to subgrantee
- 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