

STATE OF FLORIDA
ADMINISTRATIVE PLAN
for the
HAZARD MITIGATION GRANT PROGRAM

Tropical Storm Debby
FEMA-4068-DR-FL
Declared July 3, 2012

Submitted in accordance with requirements of
Section 404 of the Robert T. Stafford
Disaster Relief and Emergency Assistance Act
(Public Law 93-288, as amended)



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I. INTRODUCTION

This plan outlines the administrative procedures for the Hazard Mitigation Grant Program (HMGP) for FEMA-4068-DR-FL, Tropical Storm Debby. The intent of this plan is threefold:

- To outline the basic administrative procedures for the HMGP;
- To establish basic responsibilities between the State of Florida, the Florida Division of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA); and
- To provide an easy to read document detailing how the HMGP is administered within the State of Florida.

This plan shall be updated as necessary to include all relevant procedural changes.

II. RESPONSIBILITIES

General Responsibilities

The Federal Emergency Management Agency (FEMA) is responsible for the following post-disaster hazard mitigation activities:

- Appoint a Federal Hazard Mitigation Officer for each disaster to manage and monitor hazard mitigation programs and activities;
- After a Presidential Disaster Declaration, coordinate with state and local governments to ensure that mitigation commitments are fulfilled, and take action when necessary, including recovery of funds or denial of future funds if mitigation commitments are not fulfilled;
- Provide technical assistance to state and local governments for mitigation activities;
- Conduct periodic reviews of the State's hazard mitigation activities and programs to ensure that the State is adequately prepared to meet its responsibilities;
- Assist the State in identifying appropriate mitigation actions for the state and/or local governments; and
- Coordinate with the State on the development and distribution of Hazard Mitigation Technical Assistance Program (HMTAP) task orders and related technical assistance reports. Additionally, coordinate with the State on the

dissemination of Mitigation Outreach and Education materials.

The FDEM is responsible for the following:

- Appoint a State Hazard Mitigation Officer (SHMO), who serves as the point of contact for all matters relating to Section 404 HMGP. For FEMA-4068-DR-FL, Tropical Storm Debby, the State Hazard Mitigation Officer is Miles Anderson, the Mitigation Bureau Chief, unless otherwise identified in the FEMA/State Agreement for the major disaster declaration;
- Ensure the State has an approved Standard State Hazard Mitigation Plan pursuant to 44 Code of Federal Regulations (C.F.R.) § 201.4 in order to receive assistance under the Stafford Act;
 - Currently, the FDEM has a State Enhanced Hazard Mitigation Plan, which was approved on August 3, 2010.
- With FEMA and local government participation, conduct a post-disaster assessment of the damages incurred and provide recommendations on updating the relevant Local Mitigation Strategies (LMS);
- Request Management Cost Funding pursuant to 44 CFR 207.7;
- Provide a staffing and management plan within 120 days of the opening of the Joint Field Office (JFO) in accordance with 44 C.F.R. §207.7(d);
 - Appendix E lists those staff positions that help administer the HMGP in addition to the responsibilities in their respective units and programs. Their specific time allocation to the HMGP is explained further in the staffing and management plan for FEMA-4068-DR-FL.
- Revise existing State Hazard Mitigation Plan annually, if necessary, in accordance with the current approved State Enhanced Hazard Mitigation Plan. A revised plan shall be submitted for approval to the Regional Director every three years (44 C.F.R. § 201.4 (d));
- Update this Section 404 Administrative Plan as required;
- Ensure all State initiated actions or projects are in conformance with the State Hazard Mitigation Plan under 44 C.F.R. § 201.4(c)(3)(iii) and § 201.5;
- Coordinate with the appropriate Local Mitigation Strategy (LMS) Working Groups to ensure that appropriate hazard mitigation actions consistent with their LMS are recommended for eventual funding under the HMGP and Unmet Needs Programs;

- Schedule and participate in HMGP applicant briefings to ensure that the appropriate LMS Working Groups and the potential applicants are aware of the application requirements and procedures, program eligibility, and key deadlines;
- Collect all relevant documents related to the current disaster and forward them to the Implementation Unit at the appropriate time;
- Coordinate with local governments to ensure that appropriate hazard mitigation actions are implemented and that the plans and actions of local governments are consistent with the plans and actions of the State;
- Provide technical assistance as required to local governments and/or subgrantees;
- Manage HMGP funds;
- Monitor and submit quarterly progress reports to FEMA;
- Ensure that proper close-out procedures are followed;
- Coordinate all State and local responsibilities regarding hazard mitigation; and
- Notify the appropriate County Commission Chairperson, LMS Working Group Chairperson, and County Emergency Management Director of hazard mitigation grant funds.

Local governments and other eligible applicants are responsible for the following:

A. Chairman of the County Commission

- Shall ensure that a Chairperson for the LMS Working Group has been selected;
- Shall submit to FDEM a list of the members of the Working Group and its designated Chairperson and Vice-Chairperson as required by 27P-22 Florida Administrative Code.
- Ensure the LMS is approved by FEMA pursuant to 44 C.F.R. § 201.6 in order to receive HMGP project grants.

B. Chairperson of the LMS Working Group

- To make every effort to encourage participation in the Working Group from the following:
 - The various agencies of County and local government to include planning and zoning, roads, public works, and emergency management;

- Representation from all municipalities within the County; and
 - Representation from interested private organizations, civic organizations, trade and commercial support groups, property owners associations, Native American Tribes or authorized tribal organizations, water management districts, regional planning councils, independent special districts, non-profit organizations and citizens at large.
- To revise the LMS as required (44 C.F.R 201.6) and as necessary after a disaster;
 - To coordinate all mitigation activities within the County;
 - To set an order of priority for local mitigation projects;
 - To submit annual LMS updates to the Division by the last working weekday of each January;
 - To submit to FDEM in the aftermath of a declared disaster a prioritized list of projects appropriate for funding from HMGP;
 - To notify the potential applicants associated with the projects of the availability of funds, the application procedures, and make all necessary arrangements for an applicant's briefing;
 - To coordinate and monitor the implementation of local hazard mitigation measures in accordance with the LMS; and
 - To participate in the process of evaluating hazards and adopting appropriate hazard mitigation measures consistent with the LMS risk and vulnerability assessment and mitigation strategy, which may include land use and construction standards.

All eligible applicants are responsible for the following:

- Participation in the LMS Working Group;
- Participation in applicant briefings; and
- Submission of quarterly progress reports to the SHMO.

III. ELIGIBILITY REQUIREMENTS

A. Eligible Applicants (44 C.F.R. § 206.434(a)) The following are eligible to apply for the

HMGP:

- State and local governments, as defined at 44 CFR 206.2(16), who have an approved LMS plan (see Appendix E).
- Private non-profit organizations, as defined at 44 CFR 206.221(f), that own or operate a private non-profit facility as defined at 44 CFR 206.221(e); and a qualified conservation organization as defined at 44 CFR 80.3(h) which is the only private nonprofit organization eligible to apply for acquisition or relocation for open space projects
- Indian tribes or authorized tribal organizations.

B. Project Eligibility Criteria (44 C.F.R. § 206.434(c)) "*Minimum project criteria*. To be eligible for the Hazard Mitigation Grant Program, a project must:

(1) Be in conformance with the State Mitigation Plan and Local Mitigation Plan approved under 44 C.F.R. part 201;

(2) Have a beneficial impact upon the designated disaster area, whether or not located in the designated area;

(3) Be in conformance with 44 C.F.R. Part 9, Floodplain Management and Protection of Wetlands, and 44 C.F.R. Part 10, Environmental Considerations;

(4) Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed. Projects that merely identify or analyze hazards or problems are not eligible;

(5) Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster. The grantee must demonstrate this by documenting that the project;

(i) Addresses a problem that has been repetitive, or a problem that poses a significant risk to public health and safety if left unsolved,

(ii) Will not cost more than the anticipated value of the reduction in both direct damages and subsequent negative impacts to the area if future disasters were to occur,

(iii) Has been determined to be the most practical, effective, and environmentally sound alternative after consideration of a range of options,

(iv) Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address,

(v) Considers long-term changes to the areas and entities it protects, and has manageable future maintenance and modification requirements."

C. Types of Eligible Activities (44 C.F.R. § 206.434(d))

1. Planning. Up to 7% of the State's HMGP grant may be used to develop State, tribal and/or local mitigation plans to meet the planning criteria outlined in 44 C.F.R. Part 201.

2. Projects may be of any nature that will result in protection to public or private property. Those activities for which implementation has already been initiated or completed are not eligible for funding. Eligible projects can include but are not limited to:

- Construction activities that will result in protection from hazards;
- Retrofitting of existing facilities that will result in increased protection from hazards;
- Elevation of flood prone structures;
- Vegetative management/soil stabilization;
- Infrastructure protection measures;
- Stormwater management/flood control projects;
- Property acquisition or relocation; and
- Plans that identify and analyze mitigation problems and include funded, scheduled programs for implementing solutions.
- Development of State or Local mitigation standards;
- Development of comprehensive mitigation programs with implementation as an essential component; and
- Development or improvement of warning systems (State Initiative); and/or other non-traditional initiatives.

NOTE: HMGP funds cannot be given for acquisition or construction purposes if the project site is located in a designated Special Flood Hazard Area that has been identified for at least one year and the community is not participating in the National Flood Insurance Program (NFIP). This includes communities suspended from participation. Non-participating communities may submit projects to the HMGP only if the projects are located in unmapped areas or areas outside of the Special Flood Hazard Area. Any HMGP construction project located within a Special Flood Hazard Area must be in compliance with the minimum NFIP standards for such project.

D. Project Period of Performance (POP)

In an effort to use HMGP funds more efficiently and effectively, all funds to subgrantees will be disbursed, and all activities completed, not later than three (3) years from the date of the grant award (obligations) to the State. This deadline can be extended if necessary, but only in unusual circumstances. In order to request a POP extension, the recipient (subgrantee) will submit a formal written request to the State no later than 60 days prior to the expiration of the POP. This request will include a justification for the extension. This justification must demonstrate that work is in progress and that it can be completed within the extended POP.

The State will review the extension request. If it is determined that unusual circumstances exist, the POP may be extended to a period not to exceed the end of the grant POP. As a result of this policy and in keeping with program regulations in 44 C.F.R. § 13.50(d)(2), any funds not disbursed by the grantee within the approved POP of the grant will be de-obligated and returned to FEMA.

IV. NOTIFICATION

Pre-Disaster Awareness

Methods for disseminating information to local governments concerning the HMGP include, but are not limited to, the following:

- Technical assistance to Local Mitigation Strategy (LMS) Working Groups;
- Identification of the HMGP in the Hazard Recovery and Mitigation components of Local Government Comprehensive Emergency Management Plans and through the development of local mitigation strategies;
- Outreach by regularly scheduled technical assistance visits to local governments;
- Distribution of written information at meetings, through telephone requests, published information on the Division's internet site, and email; and
- Explanation of the program at disaster assistance workshops, seminars, and meetings.

Post-Disaster Notification

In the aftermath of a disaster, the FDEM may implement the following methods to notify eligible applicants:

- Verbal and/or written dissemination of information to local government officials during preliminary damage assessment visits;
- Verbal and/or written dissemination to LMS Working Groups;

- Letters to local governments;
- Identification of hazard mitigation issues at the initial Federal/State coordination meeting;
- An explanation and description of the program at the applicant's briefing for the Section 406 PA Program;
- Dissemination of information to affected local governments through press releases from the Public Information Officer (PIO);
- An explanation and description of the program at applicant briefings for the HMGP to ensure potential applicants are provided information on the application process, program eligibility and key deadlines;
- Use of county emergency managers to notify their respective jurisdictions and coordinate with local media;
- Notification in the Florida Administrative Weekly; and
- Notification to the appropriate regional planning councils and water management districts.

V. APPLICATION PROCEDURES – STATE OF FLORIDA

A. The State will submit a Standard Form 424, which includes the HMGP, to FEMA within 90 days of the disaster declaration or within the extended deadline.

B. The State will have 12 months from the date of the disaster declaration, 4068-DR-FL, to submit all eligible HMGP project applications to FEMA for funding. The State will continually assess progress made in submitting project applications to determine if an extension is warranted. Any request for extension must be submitted to FEMA at least sixty (60) days prior to project application deadline in accordance with 44 C.F.R. §206.436 (e).

C. The process from pre-application briefings through close-out, as well as application timelines, can be viewed in Appendix C. Identified in this process are the typical roles and responsibilities of the FDEM's staff. The following is a brief list of the Division's application process:

- Promote the program and hold grant application workshops in the affected communities, offering technical assistance as needed;
- Receive applications that are developed and submitted by subgrantee;
- Notify the applicant by mail with the name and telephone number of State point

of contact;

- Verify eligibility of both the applicant and the proposed project type;
- Review supporting hazard, environmental, and cost data for completeness;
- Review for additional information necessary to evaluate environmental considerations;
- If appropriate for project type, coordinate with the Florida State Clearinghouse;
- Review letters from appropriate State and federal agencies including whether permits will be required;
- Conduct site visits to verify environmental and engineering information;
- Prepare the benefit/cost analysis using data and information provided by applicant;
- Prepare engineering and environmental reports and recommend for project funding; and
- Enter projects into NEMIS and submit complete project application package to FEMA for review, concurrence, and obligation of funds.

D. After a submitted project has been approved by FEMA, a funding agreement (contract) will be provided to the applicant for final review and signature. The applicant will then have 90 days from the date of the letter to have the funding agreement signed and returned to the State. If this funding agreement is not returned within 90 days, the State has the right to withdraw the agreement and reallocate the funds.

E. The State will not provide match for HMGP projects funded under FEMA-DR-4068. The eligible applicant will be required to provide the full amount of required match prior to receipt of such funds as provided for in Section 252.37, Florida Statute.

F. After a project has been approved by FEMA, any request for a change in the scope of work or budget must be formally submitted to the State Hazard Mitigation Office in writing, and must be approved by both the State and FEMA (44 C.F.R. § 13.30).

G. In those instances where an applicant has a proposed activity that was under-funded in a designated disaster event, and they wish to use funds from a separate event to fund this activity; the applicant must formally, in writing, request permission for such from the State. The formal request must also include a separate scope of work to clearly identify what is funded under the first event and what is to be funded under the subsequent event. This request must clearly demonstrate that projects address problems independently.

H. If the State desires to implement the project global match process developed in the FEMA/State Project Match Memorandum of Agreement (MOA), such a process shall be coordinated with and approved by the FEMA Regional office in advance. Once the process is executed, counties will be notified that the global match is available to all who are interested and ensure that the process is applied in a fair and impartial manner to all subapplications. The State's responsibilities in administering the global match are more fully described in the MOA for FEMA-4068-DR-FL, once it has been executed. Note: Grant applications submitted under the provisions of the MOA as "match" must meet all HMGP eligibility criteria as stipulated in 44 C.F.R. § 206.434(c), must meet the same Period of Performance time constraints as the HMGP projects, will be managed in every way like all other applications, and must be approved by FEMA prior to implementation.

I. The State, in coordination with FEMA, will entertain requests from eligible applicants for approval of eligible Pre-Award costs pursuant to 44 C.F.R. 206.439 (c). In addition, the FDEM requires subapplicants to complete a Pre-Award Cost Request Form for consideration of eligibility.

VI. PROJECT FUNDING PROCEDURES

Subgrantee Projects

Formula for allocations

A. For each impacted county, add together the total dollar amounts of assistance received for Public Assistance (PA), Individual Assistance (IA), and from the Small Business Administration (SBA);

B. Add together all impacted counties total assistance dollars to determine the total amount of assistance received in the State; and

C. Divide each impacted county total by the total amount of assistance received in the state to determine the ratio for county allocation. ($A/B = C$)

D. Apply each county's ratio to the total amount of HMGP funding for regular projects to determine the county's allocation.

Under the State Rule Chapter 27P-22, only prioritized projects from the Local Mitigation Strategies (LMS) are eligible for HMGP Project funding, as follows:

27P-22.006 County Allocations and Project Funding.

(1) The available HMGP funds shall be allocated to the counties included in the relevant presidential disaster declaration, as defined in Section 252.34(1), Florida Statutes, in proportion to each county's share of the federal disaster funding from the Public Assistance, Individual Assistance and Small Business Administration programs as of 90 days after the disaster declaration as reported by FEMA.

(a) Eligible and submitted projects for each county included in the relevant presidential disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted, or all eligible projects are funded, whichever occurs first.

(b) Any allocation remaining after all eligible projects in any declared county are funded shall be reallocated to those counties included in the relevant presidential disaster declaration whose allocation was not sufficient to fund all submitted eligible projects in proportion to each county's share of unfunded projects.

(2) If funds remain after all eligible projects under subsection (1) above have been funded, then they shall be applied to fund eligible projects submitted from counties not included in the relevant presidential disaster declaration on a first-come-first-served basis until all available funds are obligated.

(3) Once a project has been selected for funding, the agreement between the applicant and the Division regarding the terms and conditions of the grant shall be formalized by contract.

In order to determine the percentage of funds allocated to each county as described above, the Division may use either the 90-Day Estimate or the 6-Month Lock-In, depending on the size of the event. This process will be repeated after each successive lock-in and allocations will be adjusted accordingly. Once the allocations are determined, a Notice of Funding Availability (NOFA) will be issued notifying the declared counties of their allocation and requesting applications to meet that allocation. A letter from the LMS Chair must accompany each application submitted, endorsing the project and assigning a funding priority. The letter indicates the LMS goal (and objective where appropriate) implemented by the project. The state mitigation staff verifies that the LMS has been formally approved and that an applicant community has been approved for coverage by the plan.

To ensure that all of the HMGP project funds are used, the Division uses a three-tiered distribution system as described below:

Tier 1 The available HMGP funds are allocated to counties included in the relevant presidential disaster declaration in proportion to each county's share of federal disaster funding from the Public Assistance (PA), Individual Assistance (IA) and Small Business Administration (SBA) Disaster Loan Program as of the date of receipt of the FEMA funding notice described above. Eligible projects submitted by each county included in the relevant presidential disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds (through the 6-Month Lock-in) are exhausted or all eligible projects are funded.

Tier 2 Any allocation remaining after all eligible projects in any declared county are funded shall be re-allocated to those counties included in the relevant

presidential disaster declaration whose allocation was not sufficient to fund all submitted eligible projects. The order of priority for re-allocating funds will begin with the declared county with the lowest initial allocation.

Tier 3 If funds remain after all eligible projects are funded in the Tier 1 and Tier 2 process above, any remaining funds will be applied to fund eligible projects submitted first-come-first-served from counties that did not receive a Tier 1 allocation because they were not included for IA, PA or SBA loans in the relevant presidential disaster declaration.

Grantee Projects

State allocations

Before allocating funding to the counties, the State will determine the set-asides for State initiatives, planning grants and management costs. Pursuant to 44 C.F.R. Part 206, after receiving the 90-day HMGP estimate from FEMA, the Division shall allocate funds as follows:

Funds for 5% State initiatives, 5% Tornado initiatives, and 7% Planning funds shall be deducted from the State's total allocation (90-day estimate). The 5% Tornado initiatives shall be deducted if a tornado(s) occurred during the event. Use of the 5% State initiative and 5% Tornado initiative funds shall be made at the discretion of the State Coordinating Officer (SCO).

The 7% Planning funds can include but are not limited to: efforts to increase or enhance the integration of mitigation concerns into the State Mitigation Plan and Local Mitigation Strategies (GIS, transportation, and land use), and will meet planning criteria outlined in 44 C.F.R. 201 as well as the Hazard Mitigation Assistance Unified Guidance, June 1, 2010 (HMA Guidance).

To be eligible for the 5% State initiative, measures must:

- Be in conformance with the State Hazard Mitigation Plan Goals and Objectives;
- Be difficult to evaluate against traditional program cost-effectiveness criteria;
- Be submitted for review with a narrative that identifies the mitigation benefits and indicates a reasonable expectation of reduction to future damages or loss of life; and
- Comply with other applicable HMGP eligibility criteria and federal, state and local laws and ordinances.

To be eligible for the 5% Tornado initiative funds, the State or Tribal (Standard or Enhanced) Mitigation Plan must:

- Address warning citizens (ensuring 90% coverage)
- Further the saferoom concept in construction or rehabilitation of residences or commercial structures.
- Address sheltering in mobile home parks.
- Explain how the Committee will implement an ongoing public education program so that citizens are aware of warning systems and their meaning and the availability of in-home shelter designs.

VII. PROJECT SELECTION PROCESS

Subgrantee Projects: Pursuant to 44 C.F.R. § 206.435(a) and (b), it is the State's responsibility to establish procedures and priorities for the selection of hazard mitigation projects. In order to validate the local mitigation planning process embodied in the Local Mitigation Strategies (LMS), the Division has delegated its authority to set priorities and select projects to the LMS Working Groups in State Rule Chapter 27P-22 (Appendix B), Florida Administrative Code. The State of Florida's mitigation technical assistance and funding is designed to support local mitigation efforts.

The local prioritization process will vary from community to community; project eligibility is described in the 27P-22 Rule. Per this rule, [206(a)]: "Eligible and submitted projects for each county included in the relevant presidential disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted, or all eligible projects are funded, whichever occurs first."

This process eliminates the need for the State to determine priorities between local projects.

VIII. REVIEW PROCESS

Technical Feasibility Analysis: The State in coordination with FEMA will complete a technical feasibility analysis on each eligible mitigation project submitted. The following process is utilized by state staff to determine the technical feasibility of all proposed project applications submitted regardless of the type of measure or funding source. All proposed projects will be subject to a three-part screening process: Engineering Technical Feasibility, Benefit-Cost Analysis, and Environmental Review. Each evaluation is performed simultaneously and complements one another.

Engineering Review: This review establishes whether the project is feasible from an engineering standpoint and whether it will reduce damages as claimed. Additionally,

this review involves whether the application contains sufficient information and data for input into the benefit-cost analysis. The reviewer may suggest changes to make the project more efficient in reducing damage and loss.

Benefit-Cost Analysis: The benefit-cost analysis is used to determine the cost-effectiveness of all projects. Benefit-cost analysis determines whether the cost of investing in a mitigation project today (the “cost”) will result in sufficiently reduced damages in the future (the “benefits”) to justify spending money on the project. If the benefit is greater than the cost, then the project is cost-effective; if the benefit is less than the cost, then the project is not cost-effective. For example, if a project cost is \$10,000 and the value of damages prevented after the mitigation measure is \$15,000, then the dollar-value of those benefits exceeded the cost of funding the project and the project is deemed cost effective. By dividing the benefits by the costs, this relationship is depicted numerically, resulting in a benefit-cost ratio. Both costs and benefits must be calculated on a net present value basis.

Two FEMA levels of analysis are used to determine a project’s benefit-cost ratio: basic and detailed. They are used to make final determination of cost-effectiveness even when there is not completed data.

a. Basic Level Analysis

Basic Level analysis is a way that can often demonstrate that projects are cost-effective in many cases regardless of whether the available data is complete or not. The basic level analysis was developed for those cases when a project’s cost-effectiveness can be determined by using only limited key pieces of data.

The Frequency Damage Assessment is a flood module that falls under the basic level analysis category and can be used when there are at least two accurate dates of flooding events with known frequency or three with unknown frequency. For example, if it is known that a 30-year flood caused \$500,000 and a 50-year flood caused \$250,000 in damages for two specific dates in the problem area, the Frequency Damage Assessment module is established and the basic analysis may be used. Using more than two points at which this relationship is known greatly increases the accuracy of the analysis, so users are encouraged to get more than this basic information when using this method (see FEMA technical manuals and guidance). In all cases, the source of the information used to establish the frequency-damage relationship must be credible, and damage information must be documented. The Basic Level analysis considers only some of a project’s benefits (those that are most important or those for which data exist) and ignores other benefits that may be difficult to estimate or for which data may not be available. In other words, this analysis purposely uses only a few pieces of information to determine the project’s cost-effectiveness and undercounts, or ignores other benefits that will be gained by funding the project. If this data indicates that the project is cost-effective then no further analysis is needed. No additional data has to be collected.

b. Detailed Analysis

If a basic level analysis shows that a project is not cost-effective, then the next step is a detailed analysis. Like basic analysis, detail analysis, uses professional judgment to estimate input data that gives the highest reasonable benefits that can be expected from a mitigation project.

The detailed analysis may be used when accurate information regarding hazard (probability and magnitude), vulnerability (the susceptibility of a structure to damage at various hazard intensities [flood depth, wind velocity, ground shaking, etc.]), characteristics of a structure and its contents (floor area, elevation, structure type, presence of a basement, etc.) and costs of displacement and relocation in a particular community (renting an apartment, moving contents to storage, etc.) are known. When such information is available, the detailed analysis yields the most accurate result of the three modules. For this reason, this module should generally be used when relatively costly projects are being evaluated. In this case, even when accurate data is not available, users should consider making an effort to obtain it in order to ensure the results more accurate and defensible. Because it relies on the highest, reasonable estimate of benefits (prevention of damage by the project), a detailed analysis can only determine that the project benefit-cost ratio is not cost-effective (less than 1.0). The project can only be rejected as not cost effective with this analysis. In other words, because the highest reasonable estimate of damages is used in the calculation, if the benefit cost ratio is still less than 1.0, the conclusion must be that the project is not cost-effective. The benefit-cost analysis will yield one of three outcomes: (1) the project is cost-effective ($BCR > 1.0$), (2) the project is not cost-effective ($BCR < 1.0$), or (3) additional data is required.

Benefit-Cost Analysis Exemptions

The following categories of mitigation measures are exempt from the regulatory requirements of §206.434(c)(5)(ii) for benefit-cost analysis, however, applications submitted under these categories will include a narrative rationale that identifies the mitigation benefits and indicates that there is a reasonable expectation that future damage or loss of life or injury will be reduced or prevented:

- 5% Initiative projects: states that receive a Presidential declaration are eligible to use up to 5% of available HMGP funding at their discretion;
- Tornado Initiatives: states that receive a Presidential declaration *in which tornados or high winds played a role* can request an additional 5% to use in accordance with guidance outlined in the HMA Unified Guidance;
- 7% Planning Grants; and
- Acquisition of substantially damaged structures located in the regulatory riverine floodway and floodplain, per the HMA Guidance.

Environmental and Floodplain Management Reviews. [44 C.F.R. §206.437(b)(iv)] All projects that receive federal funding must comply with applicable federal and State laws as well as Executive Orders as required by the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). Each project proposed for funding and its alternative is reviewed to determine if there will be any adverse environmental, historical or cultural impacts. The level of environmental review is based upon the type of project (scope of work). Once the environmental review is completed, it is submitted to FEMA along with compliance documentation.

If an Environmental Assessment or Impact Statement is required, the Sub-applicant will work with the State and FEMA to comply with all necessary components of the evaluation.

In regards to floodplain management reviews, HMGP projects are implemented at the local level. All projects of this nature require building permits in order to proceed. When a local building department in an NFIP community receives a permit, they establish the floodplain of the project. If the work is being proposed within a special flood hazard area (SFHA- as defined by their local flood damage prevention ordinance in compliance with NFIP regulations), the building department is required to implement all regulations under the NFIP program.

For construction projects, these regulations now reside (on or after March 15, 2012) in the statewide building code. Therefore, if the building department approves the permit, sets additional requirements for the permit in the SFHA, and subsequently inspects the project as meeting all local requirements, the project will have received its floodplain management review during the permit and construction phases of the project. If a structure under construction is found to be non-compliant, a stop work order will be issued. Finally, a structure will not receive its Certificate of Occupancy without meeting all of these requirements.

Categorical Exclusions from Federal Environmental Assessment/Impact Statement

Projects that have no or little impact on the environment may be categorically excluded from preparation of an environmental assessment or environmental impact statement. Certain categorically excluded projects are required to be reviewed by the Florida State Clearinghouse for consistency with State environmental laws. A partial list of categorically excluded projects is included below:

- Preparation, revision, and adoption of regulations, directions, manuals, and other guidance documents related to actions that qualify for categorical exclusions;
- Acquisition of property or the removal or relocation of structures under any applicable authority when the acquisition is from a willing seller, the buyer coordinates on planning with pertinent authorities, and the acquired property will be dedicated in perpetuity to uses that are compatible with open space,

recreational, or wetland practices;

- Demolition of structures and other improvements or disposal of uncontaminated structures and other improvements to permit off-site locations, or both;
- Repair, reconstruction, restoration, elevation, retrofitting, upgrading to current codes and standards or replacement of any facility in a manner that substantially conforms to the pre-existing design, function, and location; and
- Movement of existing facilities and the construction of small scale hazard mitigation measures in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic function, do not exceed capacity of other systems components, or modify intended land use; provided the operation of the completed project will not, of itself, have an adverse impact on the quality of the environment.

The Environmental Unit must sign off on all projects before they can be input into NEMIS or provided to FEMA for final approval. If a project is located in a mapped special flood hazard area, it must conform to local flood damage reduction ordinances and be authorized by local permitting requirements.

IX. FINANCIAL ADMINISTRATION

Grant funds will be accounted for in accordance with State laws and procedures for expending and accounting for funds. Accounting procedures and fiscal control of the grantee and subgrantees will be sufficient to permit preparation of reports required by 44 C.F.R. Part 13, and the tracing of funds at a level to establish that such funds have not been used in violation of the restrictions and prohibitions of applicable statutes.

The total federal assistance under Section 404 shall not exceed 15 percent for amounts not more than \$2,000,000,000, 10 percent for amounts of more than \$2,000,000,000 and not more than \$10,000,000,000, and 7.5 percent on amounts of more than \$10,000,000,000 and not more than \$35,333,000,000 of the estimated aggregate amount of grants to be made under this Act with respect to the major disaster. However, with a FEMA approved State Enhanced Hazard Mitigation Plan, HMGP grant funding for FEMA-4068-DR-FL will not exceed 20 percent for amount no more than \$35,333,000,000 (see 44 C.F.R. §206.432).

The HMGP will be managed by the FDEM. Cash draw-downs, disbursements, and all other applicable financial aspects shall be managed with an emphasis on avoiding duplication in processes.

FDEM follows the general policies for determining allowable costs as established in 44 C.F.R. § 13.22; exceptions to those policies are provided in 44 C.F.R. § 206.439.

Match

The federal government will provide up to 75 percent of the total HMGP funds. The exact cost-sharing provisions will be established in the FEMA/State Agreement and the State/Local Agreement. Eligible applicants will, at a minimum, provide the remaining 25 percent match. The State is not obligated to provide match for this program. The eligible applicant will be required to provide the full amount of required match prior to receipt of such funds as provided for in the Section 252.37, Florida Statute. Satisfaction of cost-sharing requirements are pursuant to 44 C.F.R. §13.24.

Processing Requests for Advances

Requests for advances of funds are subject to Section 216.181(15), Florida Statutes. The amount that may be advanced may not exceed the expected cash needs of the subgrantee within the first three (3) months, based upon the funds being equally disbursed throughout the contract term. For a federally funded contract, any advance payment is also subject to 44 CFR Part 13, 2 CFR §215.22(2), Federal OMB Circular A-87, other applicant applicable OMB Circulars, and the Cash Management Improvement Act of 1990 (CMIA 31 CFR 205 June 24, 2002).

If an advance payment is requested, the budget data on which the request is based and a justification statement shall be submitted as an attachment to the sub-grant agreement. The subgrantee shall specify the amount of advance payment needed and provide an explanation of the necessity for and proposed use of these funds.

Requests for reimbursements of funds not already advanced are made quarterly upon submission of required documentation by the subgrantee. The Division reviews the requests and the documentation to assure that the request is for work within the approved scope and that the request is consistent with the quarterly progress report. Final payments are made upon project completion, final inspection and receipt of a completed Request for Reimbursement Form. A final payment will never be made before the SHMO concurs with the Project Manager's close-out recommendation.

Timing of Payments

Payments for costs not already advanced will be made on a quarterly cost reimbursement basis. The State will make withdrawals from the federal account as close as possible to the time of payments to the subgrantees. The State will monitor all advances made by the subgrantees to assure that they conform substantially to the same standards of timing and amount applied to the draw-downs of the State. Final payment will be made upon the project's completion, final inspection and receipt of a Request for Reimbursement Form. In no instances will a final payment be made before the appropriate Project Manager has provided a completed final inspection report.

Reports

1. The SHMO will make available Quarterly Report forms for subgrantees;
2. The subgrantee will complete the quarterly report progress report, provide reimbursement projections for changes and identify the amount of funds advanced to the subgrantee, then forward it to the SHMO for review and approval;
3. The subgrantee quarterly report to the State will identify the work accomplished to date and identify any anticipated problems involving the completion of the project;
4. The State will submit a quarterly progress report to FEMA indicating the status and completion date for each measure funded. Any problems or circumstances affecting completion dates, scope of work, or project cost that are expected to result in noncompliance with the approved scope of work will be described in the progress report. Quarterly reports will comply with 44 C.F.R. § 206.438(c) and 44 C.F.R. § 13.40; and
5. The State will submit a quarterly financial report to FEMA in accordance with 44 C.F.R. § 13.41.

Procedures for the Review and Approval of Cost Overruns

During the execution of work on an approved mitigation measure, the subgrantee may find that actual project costs may exceed the approved estimates. Cost overruns, which can be met without additional federal funds by offsetting cost under-runs on other projects, or cost overruns, which exceed federal obligated funds and require additional federal funds, must be evaluated by the Governor's Authorized Representative (GAR) and receive prior FEMA approval under 44 C.F.R. § 13.30 (c). The GAR shall evaluate each cost overrun and submit a recommendation to the Regional Director for a determination. The applicant's justification for additional costs, revised benefit-cost analysis and other pertinent material shall accompany the request. The Regional Director shall notify the GAR in writing of the determination. The GAR shall deny all requests that are not justified and cost effective. In no case will the total amount obligated to the State exceed the funding limits set forth in 44 C.F.R. § 206.432(b). If a cost overrun appears to be imminent, the subgrantee is responsible for contacting the GAR immediately so that appropriate action can be taken to justify the overrun to FEMA. The overrun must be clearly documented and the request shall be submitted in writing to the GAR. Overruns can be verified by the submission of the documentation of the cost overrun, or by an interim inspection by a State inspector.

Procedures for the Review and Approval of Scope Changes

After the period of availability (the application submittal period for HMGP), the subgrantee may identify any of the following circumstances, which is defined as a

change in the project scope of work:

- Change in the timelines for completing projects (delays or adverse conditions affecting time schedule). In those instances where these changes will exceed the performance period for the funds, the Region may grant a one-time extension request, with the proper justification;
- Change in key personnel specified in the application; and
- Changes in materials needed to complete the project.

Unacceptable changes would include changing the project objectives, the subgrantee, type or size of the project or geographic area of the project once the period of availability (application period) is over. This would include rerouting a stormwater diversion channel outside the project site unless this possibility was described in the original scope of work or adding or replacing properties to an acquisition/demolition project. Therefore, the key is to scope these projects well and develop a scope of work that may allow for possible variables and means for expansion.

The subgrantee must officially notify the State of these developments prior to the occurrence or as soon as they become known. The subgrantee's request is reviewed by the State to determine if the project is still feasible, cost effective and meets regulatory environmental requirements. Once this determination is made, the State will make a written recommendation to FEMA concerning the scope of work changes. The State will include statements addressing the project's cost effectiveness and environmental compliance. The State will not authorize the subgrantee to proceed with the scope of work changes until the State has obtained written approval from FEMA. This approval may be obtained by either of the following methods:

- a. Revised obligation; or
- b. Execution of Concurrence Letter generated by the State.

Management Costs

Grantee

This section identifies key responsibilities of FEMA and grantees in carrying out Section 324 of the Stafford Act, 42 U.S.C. 5165b. These responsibilities are unique to the administration of Management Costs and are in addition to common Federal Government requirements of grantees and subgrantees, consistent with OMB circulars and other applicable requirements, such as 44 C.F.R. Parts 13 and 207. Please see Appendix F for a complete description of this process.

Subgrantee

For this disaster the State will not pass down management costs to the subgrantee. Eligible project management costs (per applicable OMB circulars, codified in 2 C.F.R.)

should be written into the subgrantee's project budget as a separate line item.

Monitoring of Projects where State is Grantee/ Subgrantee

The State will monitor and evaluate the progress and completion of such projects according to 44 C.F.R. Parts 13 and 206, complying with all regulations as clarified therein. The State Hazard Mitigation Officer (SHMO) or designee will act as the Project Manager on behalf of the State as Grantee, while the Hazard Mitigation Grant Program Manager (or designee) will act as the "subgrantee" Project Manager. All practices described in the State's Hazard Mitigation Grant Program Administrative Plan for project management will be followed when the State is both grantee and subgrantee.

Split-Funded Activities

The commingling of funds (split-funding) from multiple fiscal years or disasters is not permitted, as provided in the federal Anti-Deficiency Act. Therefore, the State will not approve projects with commingled funds. However, if an applicant has a proposed activity that can be broken out into distinct projects, or phases, where each project/phase meets all eligibility criteria, then, that activity could be funded under several sources. A phase represents a complete project with a distinct scope of work that falls under only one disaster for the HMGP. An example of phasing an acquisition project is to acquire one group of houses in phase one under one disaster and acquire a second group (if eligible) under FMA or another disaster in phase two.

Request for Reimbursement

In response to the need to expedite the disbursement of mitigation funds, subgrantees are encouraged to request reimbursements at least quarterly for costs incurred in the satisfactory performance of work in an amount to not exceed the amounts listed in the project budget and scope of work.

X. APPEALS

The subgrantee has the opportunity for an administrative proceeding pursuant to Section 120.569, Florida Statutes, regarding the agency's action. The subgrantee is entitled to either an informal proceeding or a formal hearing depending upon whether they allege any disputed issue of material fact in their petition requesting an administrative proceeding.

If the subgrantee's petition for hearing does not allege any disputed issue of material fact concerning the Division's action, then the administrative proceeding will be an informal one, conducted pursuant to Sections 120.569 and 120.57(2) Florida Statutes,

and Chapter 28-106, Parts I and III, Florida Administrative Code. In an informal administrative proceeding, the subgrantee may be represented by counsel or by a qualified representative, and may present written or oral evidence in opposition to the Division's action or refusal to act; or may exercise the option to present a written statement challenging the grounds upon which the Division has chosen to justify its action or inaction.

If the subgrantee disputes any issue of material fact stated in the agency action, then they may file a petition requesting a formal administrative hearing before an administrative law judge of the Division of Administrative Hearings, pursuant to Sections 120.569 and 120.57(1), Florida Statutes, and Chapter 28-106, Parts I and II, Florida Administrative Code. At a formal administrative hearing, the subgrantee may be represented by counsel or other qualified representative, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any recommended order.

Mediation is not available with respect to this action.

If the subgrantee desires either an informal proceeding or a formal hearing, they must file with the Agency Clerk of the Department's Office of General Council a written pleading entitled, "Petition for Administrative Proceedings" within 21 calendar days of receipt of this notice. A petition is filed when it is received by the Agency Clerk, in the Department's Office of General Counsel, 2555 Shumard Oak Boulevard, Tallahassee, Florida, 32399-2100. Subgrantees may also file the Petition by facsimile transmission to (850) 487-6769. If they choose to file by facsimile transmission, they are responsible for verifying that the complete document was received by the Office of the Agency Clerk prior to the deadline.

The petition must meet the filing requirements in Rule 28-106.104(2), Florida Administrative Code. If an informal proceeding is requested, then the petition shall be submitted in accordance with Rule 28-106.301, Florida Administrative Code. If a formal hearing is requested, then the petition shall be submitted in accordance with Rule 28-106.201(2), Florida Administrative Code.

The petition must include the signature of someone authorized to act on the subgrantee's behalf. A petition must specifically request an administrative proceeding, it must admit or deny each material fact contained in the notice of agency action, and it must state any defenses upon which they rely.

The subgrantee waives the right to an administrative proceeding if they do not file a petition with the Agency Clerk within 21 days of receipt of this notice. In that case, the subgrantee will be sent a final order by the Department stating that they have waived their right to an administrative proceeding, and explaining that they still have the right to file an additional appeal with the District Court of Appeal for a period of thirty (30) days from the date the final order is issued by the Department.

In addition to the above rights, the subgrantee has the right under Section 120.542 Florida Statutes to file a petition requesting a variance or waiver from the applicable rules of the Department. Such petition must comply with the statutory and regulatory requirements and be filed within the same 21 day period as that provided for the filing of an administrative proceeding under Section 120.569 Florida Statutes and Section 120.57 Florida Statutes, or such rights as exist under Section 120.542 Florida Statutes are waived. Any proceeding held with respect to Section 120.542 Florida Statutes must be a separate proceeding from the administrative proceeding under Section 120.569 and Section 120.57 Florida Statutes. The granting of a waiver or variance must be based on a demonstration that the purpose of the underlying statute will be or has been achieved by other means, and that the application of the rule would create substantial hardship or would violate principles of fairness. The Department is not authorized to grant variances or waivers to statutes.

XI. TECHNICAL ASSISTANCE

The GAR will continuously provide technical assistance to the subgrantee throughout the disaster assistance process. If technical assistance is needed beyond what will be provided through the SHMO, HMGP staff, and the PA staff, the subgrantee will submit the request in writing to the GAR. At a minimum, the State will offer the following types of technical assistance:

- Project selection;
- Filling out applications;
- Benefit-Cost analysis;
- Interpretation of recommendations of the State Hazard Mitigation Plan;
- Environmental compliance; and
- Other assistance as needed.

XII. AUDIT PROCEDURES

The State will comply with the uniform audit requirements set forth in 44 C.F.R. Part 14 and OMB-133. These requirements will be applied to the grantee and subgrantee as follows:

1. The State will ensure that audits are performed under the Single Audit Act of 1996. The State will review audits completed for each subgrantee and resolve any audit

discrepancies.

2. State auditors will conduct a single audit of the grantee's operations and management of the HMGP, and submit a copy of the audit to the FEMA Inspector General. A copy of the final audit report shall be provided to the subgrantee and others, as appropriate.

3. If applicable, the subgrantee shall provide a written corrective action response of the audit findings within thirty (30) calendar days of receipt of the report to program staff and the Office of Inspector General.

4. Within thirty (30) calendar days following receipt of the audit corrective action response, the program staff shall provide a written determination regarding the acceptability of the subgrantee response. This process shall be completed until such time as the findings are resolved and the contract is closed.

XIII. PLAN MAINTENANCE

Following each major disaster declaration, the State shall prepare any updates, amendments, or plan revisions required to meet current policy guidance or changes in the administration of the HMGP. Funds shall not be awarded until the FEMA Regional Director approves the State HMGP Administrative Plan.

XIV. CLOSE-OUT PROCEDURES

Final Inspection of Hazard Mitigation Projects

Final inspection of a project should be performed within ninety (90) days of project completion.

The Project Manager can confirm if a project is complete by reviewing the Quarterly Progress Reports or by teleconference with the subgrantee. The subgrantee must document completion by sending a written request for Final Inspection and Project Close-out of the relevant project and all additional documentation. This request should include:

- A statement that the project has been completed in compliance with approved Scope of Work;
- The work performed is in accordance with all required permits and local building codes;
- All required hazard insurance has been obtained for insurable building; and

- All “as built” certifications have been obtained.

All acquisition/relocation project close-out documentation is to include:

- Copy of notification that eminent domain was not used to acquire property;
- Duplication of Benefits (DOB) verification for all properties;
- Hazardous materials checklist;
- Statement of Assurances;
- A copy of the recorded deed and attached deed restrictions for each property;
- Restrictive covenants on all property deeds with copies in file, signed and dated;
- Demolition or removal of all structures with completion date;
- A photo of each property site after project completion;
- The latitude-longitude coordinates for each property site;
- For each property identified on the FEMA Repetitive Loss database, a completed FEMA Form AW-501, documenting the completion of mitigation on the repetitive loss property;
- Relocation assistance determination letters in file; and
- Written request stating that the project is ready for final inspection and close-out.

The Project Manager will review the subgrantee's request and initiate interagency correspondence to the State Engineers Coordinator. A team is then composed of the Project Manager, State Engineer and a Grants Specialist. The Project Manager will review all financial and other documents related to the project, informing the State Engineer of possible time-consuming problems that would be avoided at the site by the State Engineer and/or FEMA representative becoming familiar with the documents. This coordination is also intended to reduce the possibility that a list of corrections will be left with the subgrantees, causing the planned Final Inspection to become an Interim Inspection. The subgrantee will be given at least 72 hours notice before the inspection for the same reason. It is the State's ultimate responsibility to perform a Final Inspection.

The "Interim/Final Inspection Report" and its continuation sheet will be completed at Final Inspection. Final inspection reports will be submitted to FEMA with close-out

requests.

Project Close-out

Project Close-out can be accomplished almost simultaneously with final inspection when circumstances permit.

Once the inspection is completed, the Grants Specialist will prepare a letter from the GAR will send a letter to the FEMA Mitigation Division advising of such. In addition, the letter will indicate that all payments have been made to the applicant, any overruns/under-runs associated with the project, and a recommendation that the project be closed out. Additionally, the letter will include the following information and enclosures:

- Project name, Federal project number, and State identification number;
- A financial summary of the project;
- Certifications, as follows:
 1. Of all eligible funds paid to subgrantee;
 2. That work was completed according to FEMA requirements and in conformance with applicable codes, specifications and standards;
 3. That all costs were incurred as the result of eligible work;
 4. That all work was completed in accordance with provision of FEMA-State-Local agreements;
 5. That all payments were made according to Federal and State legal and regulatory requirements;
 6. That no bills are outstanding; and
 7. That no further request for funding will be made for the project.
 8. For acquisition/demolition: no application for disaster assistance will be made to any federal entity or source for any purpose with respect to each property acquired.

Upon the State receipt of Final Claim Amounts from FEMA, the State will review and handle appropriately.

Program Close-out

The State will prepare and submit a program close-out package, once concurrence is received from FEMA and the State that all projects have been closed. This package will include:

- An official letter from the GAR to the Regional Director requesting program close-out and de-obligation of unused funds;
- Statement that SOW(s) have been completed as approved and all EHP requirements have been satisfied.
- Final Status Report as applicable (SF269/SF2010);
- Final Request for Payments ((SF270), if applicable);
- Report of Government Property (if applicable); and
- Report or Unobligated Balance of Federal Funds, Draw Downs, and Undrawn Funds (FEMA form 20-19).

Upon concurrence from FEMA on final program close-out package, the State will process any cost adjustments or return any obligated cash advanced to FEMA via Smartlink.

After the project has been officially closed-out by both the State and FEMA, all records will be retained for a period of three (3) years.

APPENDIX A

REFERENCES AND AUTHORITIES

1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended, Sections 322, 404 and 406)
2. The United States Code of Federal Regulations (C.F.R.) Title 44, Part 13, 14, 80, 201, 205, 206 (Subparts M and N) and 207
3. The United States Code of Federal Regulations (C.F.R.) Title 2, Part 215 (Subpart C) and 225
3. United States Government Office of Management & Budget Circulars A-21, A-87, A-102, A-110, A-122 and A-133
4. The Federal Emergency Management Agency "Hazard Mitigation Assistance Unified Guidance" on the Hazard Mitigation Grant Program
5. The National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA)
6. State Rule Chapter 27P-22, Florida Administrative Code
7. The State of Florida Statutes, Chapter 252 as amended 2000
8. The State of Florida Statutes, Title X, Chapter 120.57 and Chapter 216.181
9. Rule 28-106.201(2) and 28-106.301(2), Florida Administrative Code
10. The current State of Florida Hazard Mitigation Plan, including the Enhanced Mitigation Plan Appendix (Section 7)
11. Executive Order 11988 Floodplain Management

APPENDIX B

CHAPTER 27P-22 HAZARD MITIGATION GRANT PROGRAM

- 27P-22.001 Purpose
- 27P-22.002 Definitions
- 27P-22.003 Eligibility
- 27P-22.004 LMS Working Groups
- 27P-22.005 Local Mitigation Strategy
- 27P-22.006 County Allocations and Project Funding
- 27P-22.007 Application

27P-22.001 Purpose.

This chapter describes the processes for application, project selection and distribution of funds under the Hazard Mitigation Grant Program.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.001.

27P-22.002 Definitions.

(1) “Adoption” means a resolution, ordinance or other formal action taken by the governing body of a county or municipality indicating agreement with and acceptance of the relevant Local Mitigation Strategy.

(2) “Application” means the request for hazard mitigation funding as submitted to the Division by an Applicant.

(3) “Applicant” means a state agency, local government, Native American tribe or authorized tribal organization or private non-profit organization requesting hazard mitigation funding.

(4) “FEMA” means the Federal Emergency Management Agency.

(5) “Florida Hazard Mitigation Strategy” means Florida’s version of the Hazard Mitigation Plan referred to in 44 C.F.R., Part 206, Subpart M. The Florida Hazard Mitigation Strategy (Rev. September 11, 1997) is hereby incorporated into this rule by reference. A copy may be obtained by contacting the Division of Emergency Management.

(6) “Hazard” means a condition that exposes human life or property to harm from a man-made or natural disaster.

(7) “Hazard Mitigation” means any action taken to reduce or eliminate the exposure of human life or property to harm from a man-made or natural disaster.

(8) “Hazard Mitigation Grant Program”, herein referred to as HMGP, means the

program authorized under Section 404 of the Stafford Act and implemented by 44 C.F.R., Part 206, Subpart N, hereby incorporated by reference, a copy of which may be obtained by contacting the Division, which provides funding for mitigation projects as identified in the State Hazard Mitigation Strategy.

(9) “Local Mitigation Strategy” or “LMS” means a plan to reduce the identified hazards within a county.

(10) “Project” means a hazard mitigation measure as identified in an LMS.

(11) “Repetitive loss structures” means structures that have suffered two or more occurrences of damage due to flooding and which have received payouts from the National Flood Insurance Program as a result of those occurrences.

(12) “Working Group” is the group responsible for the development and implementation of the Local Mitigation Strategy.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.002.

27P-22.003 Eligibility.

(1) Eligible types of projects shall include, but not be limited to, the following:

(a) New construction activities that will result in protection from hazards;
 (b) Retrofitting of existing facilities that will result in increased protection from hazards;

(c) Elevation of flood prone structures;

(d) Vegetative management/soil stabilization;

(e) Infrastructure protection measures;

(f) Stormwater management/flood control projects;

(g) Property acquisition or relocation; and

(h) Plans that identify and analyze mitigation problems and include funded, scheduled programs for implementing solutions.

(2) In order to be eligible for funding, projects shall meet the following requirements:

(a) Conform to the Florida Hazard Mitigation Strategy;

(b) Conform to the funding priorities for the disaster as established in the LMS governing the project;

(c) Conform to 44 C.F.R., Part 9, Floodplain Management and Protection of Wetlands, and 44 C.F.R., Part 10, Environmental Considerations, both hereby incorporated by reference, copies of which may be obtained by contacting the Division;

(d) Eliminate a hazard independently or substantially contribute to the elimination of a hazard where there is reasonable assurance that the project as a whole will be completed; and

(e) Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a disaster.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.003.

27P-22.004 LMS Working Groups.

Each county electing to participate in the HMGP must have a formal LMS Working Group and a current LMS.

(1) Not later than the last working weekday of January of each year the Chairperson

of the Board of County Commissioners shall submit to the Division a list of the members of the Working Group and its designated Chairperson and Vice-Chairperson.

(2) The Working Group shall include, at a minimum:

(a) Representation from various agencies of county government which may include, but not be limited to, planning and zoning, roads, public works and emergency management;

(b) Representation from all interested municipalities within the county; and

(c) Representation from interested private organizations, civic organizations, trade and commercial support groups, property owners associations, Native American Tribes or authorized tribal organizations, water management districts, regional planning councils, independent special districts and non-profit organizations.

(3) The county shall submit documentation to show that within the preceding year it has issued a written invitation to each municipality, private organization, civic organization, Native American Tribe or authorized tribal organization, water management district, independent special district and non-profit organization, as applicable, to participate in the LMS working group. This documentation shall accompany the membership list submitted to the Division.

(4) The Working Group shall have the following responsibilities:

(a) To designate a Chairperson and Vice-Chairperson;

(b) To develop and revise an LMS as necessary;

(c) To coordinate all mitigation activities within the County;

(d) To set an order of priority for local mitigation projects; and

(e) To submit annual LMS updates to the Division by the last working weekday of each January. Updates shall address, at a minimum:

1. Changes to the hazard assessment;
2. Changes to the project priority list;
3. Changes to the critical facilities list;
4. Changes to the repetitive loss list; and
5. Revisions to any maps.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.004.

27P-22.005 Local Mitigation Strategy.

Each LMS shall have the following components:

(1) A description of the activities of local government and private organizations that promote hazard mitigation; a description of the policies, ordinances or programs that guide those activities; and any deficiencies in the policies, ordinances, and programs with recommendations to correct those deficiencies;

(2) A description of the methods used to engage private sector participation;

(3) A statement of general mitigation goals, with Working Group recommendations for implementing these goals, and estimated dates for implementation;

(4) A description of the procedures used by the Working Group to review the LMS at regular intervals to ensure that it reflects current conditions within the County;

(5) A hazard assessment to include, at the minimum, an evaluation of the vulnerability of structures, infrastructure, special risk populations, environmental resources and the economy to storm surge, high winds, flooding, wildfires and any other

hazard to which the community is susceptible;

(6) A statement of procedures used to set the order of priority for projects based on project variables which shall include technical and financial feasibility;

(7) A list of approved projects in order of priority with estimated costs and associated funding sources;

(8) A list of critical facilities that must remain operational during and after a disaster;

(9) A list of repetitive loss structures; and

(10) Maps, in Geographical Information System (GIS) format, depicting hazard areas, project locations, critical facilities and repetitive loss structures.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.005.

27P-22.006 County Allocations and Project Funding.

(1) The available HMGP funds shall be allocated to the counties included in the relevant presidential disaster declaration, as defined in Section 252.34(1), F.S., in proportion to each county's share of the federal disaster funding from the Public Assistance, Individual Assistance and Small Business Administration programs as of 90 days after the disaster declaration as reported by FEMA.

(a) Eligible and submitted projects for each county included in the relevant presidential disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted, or all eligible projects are funded, whichever occurs first.

(b) Any allocation remaining after all eligible projects in any declared county are funded shall be reallocated to those counties included in the relevant presidential disaster declaration whose allocation was not sufficient to fund all submitted eligible projects in proportion to each county's share of unfunded projects.

(2) If funds remain after all eligible projects under subsection (1) above have been funded, then they shall be applied to fund eligible projects submitted from counties not included in the relevant presidential disaster declaration on a first-come-first-served basis until all available funds are obligated.

(3) Once a project has been selected for funding, the agreement between the applicant and the Division regarding the terms and conditions of the grant shall be formalized by contract.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.006.

27P-22.007 Application.

(1) The following entities may apply for funding under the program:

(a) State agencies and local governments;

(b) Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in 44 C.F.R., §206.221(e), hereby incorporated by reference, a copy of which may be obtained by contacting the Division; and

(c) Indian tribes or authorized tribal organizations.

(2) The Division shall notify potential applicants of the availability of HMGP funds by publishing a Notice of Funding Availability in the Florida Administrative Weekly.

(3) Applicants will have not less than ninety (90) days from the date of notification to

submit project applications. The opening and closing dates will be specified in the Notice of Funding Availability, and applications must be postmarked or stamped in at the Division no later than 5:00 p.m. on the final due date.

(4) A letter shall accompany each application from the Chairperson or Vice-Chairperson of the LMS Working Group endorsing the project. The endorsement shall verify that the proposed project does appear in the current LMS and state its priority in relation to other submitted projects. Applications without this letter of endorsement will not be considered.

(5) Applications must be submitted using Form No. HMGP/FMA-001, State of Florida Joint Hazard Mitigation Grant Program & Flood Mitigation Assistance Application (Effective Date September 30, 2001), which is incorporated into this rule by reference, a copy of which may be obtained by contacting the Division.

(6) If the Division receives an incomplete application, the applicant will be notified in writing of the deficiencies. The applicant will have thirty (30) calendar days from the date of the letter to resolve the deficiencies. If the deficiencies are not corrected by the deadline the application will not be considered for funding.

(7) Applications are to be delivered or sent to:

Division of Emergency Management

Bureau of Mitigation

2555 Shumard Oak Boulevard

Tallahassee, Florida 32399

ATTENTION: Hazard Mitigation Grant Program

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.007.

APPENDIX C

THE PROCESS FROM APPLICATION THROUGH CLOSE-OUT IS AS FOLLOWS:

1. Schedule initial meeting with applicant	2. Conduct Applicant Briefing (LMS Group)
3. Applications developed (90 days) and submitted to FDEM/Mitigation Section	4. Applications to Policy/Planning Unit to check eligibility; coordinate with the LMS Working Group
5. Implementation- HMGP Planners: Become Project Manager Refine Scope of Work Conduct Sufficiency Review	6. NFIP review of appropriate applications
7. Technical Support Review for: Benefit/Cost Environmental-NEPA Develop Engineer/Environmental Report	8. Return applications to Implementation Unit Project Manager
9. Submit completed application packages to FEMA	10. Obligation Report to FDEM Project Manager
11. Forward Obligation Report, Budget and Scope of Work to Grants Unit for contract development	12. Forward Contract to Grants Unit to send to Subgrantee for signature
15. Grants Unit receives the signed Contract and routes for internal signature	16. Once the Contract is signed, Grants returns it back to Project Manager and distributes to everyone
17. The Project Manager monitors progress: Reviews Quarterly Report Conducts Field Monitoring Provides Status Update of Project Engages Applicant, if needed	18. Request Technical Support Unit to conduct a site visit or review
19. Project Manager requests Interim Inspection	20. TSU conducts an inspection and provides Inspection Report
21. Project Manager reviews Inspection Report	22. Applicant requests Final Inspection
23. Project Manager requests TSU conduct final inspection	24. TSU provides Final Inspection Report to Project Manager. If okay, goes to Grants Unit
25. The Final Payment is processed and file is closed	

APPENDIX D

FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER GRANT AGREEMENT ARTICLES

HAZARD MITIGATION GRANT PROGRAM

ARTICLE I. The United States of America through the Director, Federal Emergency Management Agency (FEMA) (hereinafter referred to as "the Grantor") or his/her delegate, agrees to grant to the State Government, through its designated agency named above (hereinafter referred to as "the Grantee") funds in the amount specified on the Obligating document, to support the Hazard Mitigation Grant Program (HMGP) authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq. By signing the Memorandum of Understanding, the Grantee agrees to abide by the grant terms and conditions as set forth in this document as well as all conditions contained in the FEMA-State Agreement

ARTICLE II. This agreement takes effect at the time it is executed and the obligating document is signed and remains in effect until the grant program is completed. Refer to obligating documents for funding information.

ARTICLE III. The following laws and regulations govern standard grant management practices and are incorporated into this Agreement by reference. Due to the nature of grant administration following Presidential declaration of a disaster or emergency, some variance from standard practice may be warranted upon determination by FEMA.

Public Law 93-288, as amended. Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq.

Title 44 of the Code of Federal Regulations (C.F.R.)

44 C.F.R.	Part 9 Floodplain Management and Protection of Wetlands
44 C.F.R.	Part 10 Environmental Considerations
44 C.F.R.	Part 13 Uniform administrative requirements for grants and cooperative agreements to state and local governments
44 C.F.R.	Part 14 Administration of grants: Audits of State and local governments
44 C.F.R.	Part 17 Government-wide debarment and suspension (non-procurement) and government wide requirements for drug-free workplace (grants)

44 C.F.R.	Part 18 New restrictions on lobbying
44 C.F.R.	SUBCHAPTER B-Insurance and Hazard Mitigation
44 C.F.R.	SUBCHAPTER C-Fire Prevention and Control
44 C.F.R.	SUBCHAPTER D-Disaster Assistance
44 C.F.R.	Part 7 Nondiscrimination in Federally Assisted Programs
2 C.F.R.	Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)
2 C.F.R.	Part 225 Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)

OMB Circular A-110 Uniform Administrative Requirements for Grants and Agreements with institutions of Higher Education, Hospitals, and Other Non-Profit Organizations

OMB Circular A-102 Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments

OMB Circular A-87 Cost Principles for State, Local, and Indian Tribal Governments

OMB Circular A-21 Cost Principles for Educational Institutions

OMB Circular A-122 Cost Principles for Nonprofit Organizations

OMB Circular A-133 Audits of States, Local Governments, and Non-Profit Organizations

Assurances submitted with the SF 424, Application for Federal Assistance

31 CFR 205.6 Funding techniques

ARTICLE IV. The specific terms and conditions of this agreement are as follows:

1. No transfer of funds to agencies other than those identified in the approved grant agreement shall be made without prior approval of FEMA. Grantee shall be paid using the HHS SMARTLINK System, provided Grantee maintains and complies with procedures for minimizing the time between transfer of funds from the US Treasury and disbursement by the state and subgrantees. The state should make drawdowns as close as possible to the time of making disbursements.

2. The Grantee shall submit financial and programmatic reports 30 days after the

end of each Federal quarter following the initial grant award. Reporting dates are: January 30, April 30, July 30, October 30. Final reports are due 90 days after the end of the grant. The FEMA Disaster Recovery Manager (DRM) may waive the initial report if the disaster occurs too close to the end of the Federal quarter. The DRM may suspend state drawdowns if quarterly reports are not submitted on a timely basis.

3. The Grantee shall transfer to FEMA the appropriate share, based on the Federal support percentage, of any refund, rebate, credit or other amounts arising from the performance of this agreement, along with accrued interest, if any. The Grantee shall take necessary action to effect prompt collection of all monies due or which may become due and to cooperate with FEMA in any claim or suit in connection with amounts due.
4. Prior to the start of any construction activity, the Grantee shall ensure that all applicable Federal, State, and local permits and clearances are obtained including FEMA compliance with NEPA.
5. The Grantee is free to copyright any original work developed in the course of or under the agreement. FEMA reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish or otherwise use, and to authorize others to use, the work for Government purposes. Any publication resulting from work performed under this agreement shall include an acknowledgement of FEMA financial support and a statement that the publication does not necessarily reflect FEMA's views.
6. Per 44 C.F.R. § 13.50, when FEMA and the state have completed the agreed upon grant activities, the State shall submit a final financial status report, any required performance reports, a request to close the program, and any other required forms and certifications within 90 days of completion of grant activities. FEMA will evaluate grantee reports, perform the necessary financial reconciliation, make any necessary adjustments, and close-out the grant.
7. The grant shall be completed within three years of the disaster declaration. Written request for an extension will include information and documentation to support the amendment and a schedule for completion. No subsequent grant agreements, monetary increase amendments, or time extension amendments will be approved unless all overdue final financial or performance reports have been submitted by the Grantee to the appropriate Regional Office. Exceptions to this policy can be approved only by the FEMA Regional Director or DRM. (See Section III E above)
8. The State shall take all responsible steps to ensure that disaster victims are aware of procedures for filing insurance claims, are informed of any State procedures instituted for assisting insured disaster victims, and are aware of their responsibility to repay government assistance which is duplicated by insurance proceeds.
9. The State agrees, on its behalf and on behalf of its political subdivisions and other recipients of Federal disaster assistance, to cooperate with the Federal Government in seeking recovery of any funds expended as a result of fraudulent actions that

contributed to those damages, which resulted in a disaster declaration.

10. The certifications signed by the State on the FEMA-State Agreement relating to maintenance of a Drug-Free workplace (per 44 C.F.R. Part 17, Subpart F) and New Restrictions on Lobbying (44 C.F.R. Part 18) apply to this grant agreement and are incorporated by reference.

APPENDIX E

STATE OF FLORIDA

STATE MANAGEMENT COST

Determination of Staffing Requirements

FEMA-4068-DR-FL

This event prompted a Major Presidential Declaration on July 3, 2012. The incident period was designated as beginning on June 23, 2012. The declaration was issued in 34 counties for Public Assistance (PA) and/or Individual Assistance (IA).

MULTIPLE DISASTER STRATEGY

The SHMO has the overall responsibility for the management and administration of the HMGP for the many disasters and the annual mitigation grant programs. In the event of multiple disasters, other staff may be reassigned to assist in administering the program, or temporary hires may be used. Mitigation staffing plans will be modified according to personnel assignments to distinct grants /programs. The salaries, benefits, and indirect cost are charged to State Management Costs for the grant according to the staffing plan allocations. Travel and/or expenses will be charged directly to the appropriate grant and funding cost accumulator.

PERSONNEL, TASK ASSIGNMENTS, AND ACTIVITIES

The Mitigation Section of the Florida Division Emergency Management (FDEM) serves as the state grantee entrusted with managing FEMA's mitigation programs in Florida. It is the philosophy of FDEM to maintain core skill sets with existing staff; however, it may be necessary to contract certain technical expertise and professional infrastructure experts, as needed.

For example, technical analyses to obtain data to run the FEMA benefit-cost module is conducted by the United States Geological Survey as such expertise does not exist on staff. Similarly, the mitigation project scope development and/or engineering monitoring and close-out are often completed by engineers provided by the current FDEM contractor.

As provided in 44 Code of Federal Regulations, Section 206.437 (b) (3), the State of Florida has identified the following staffing needs necessary for the administration of FEMA-4068-DR-FL:

HAZARD MITIGATION GRANT PROGRAM

STATE HAZARD MITIGATION OFFICER

This position is responsible for the overall management, administration and completion of the Section 404-Hazard Mitigation Grant Program (HMGP) made available as a result

of Presidential disaster declarations.

Duties will include the following:

- Work with state and FEMA Mitigation staff in the Joint Field Office following the disaster declaration.
- Assist FEMA in the development of the Mitigation Action Plan and update as required.
- Conduct briefings and meetings with potential applicants on the HMGP.
- Prepare the State's application for Section 404-HMGP funding for submission to FEMA.
- Update the 404-HMGP Administrative Plan as required.
- Development of state guidance in administering the 404-HMGP, and issue to subgrantees.
- Provide technical assistance and support to the State Mitigation Team.
- Coordinate with staff to facilitate their processing of applications and providing of assistance to municipalities.
- Identify and coordinate with other federal and state agencies for funding of mitigation projects.
- Coordinate with Public Information staff on the development of press releases regarding mitigation activities.
- Ensure the implementation, monitoring, and close-out requirements in the Administrative Plan are completed.

ADMINISTRATIVE ASSISTANT

This position is responsible for assisting the State Hazard Mitigation Office in day-to-day tasks related to both HMGP and non-HMGP related issues.

Duties will include the following:

- Assist in receipt, processing and organization of grants applications.
- Develop travel authorizations, vouchers and transportation analysis forms for staff.

DEPUTY STATE HAZARD MITIGATION OFFICER (Program Manager)

This position is responsible for the day-day management and administration of the Section 404-Hazard Mitigation Grant Program (HMGP) made available as a result of Presidential disaster declarations.

Duties will include the following:

- Assist with conducting briefings and meetings with potential applicants on the HMGP.
- Accept and review pre-applications from municipalities interested in applying for hazard mitigation assistance.
- Assist communities in completing formal applications for HMGP and provide technical assistance that may be required.
- Assist communities in completing formal applications for HMGP planning grants and provide technical assistance that may be required.
- Conduct application review (including environmental review and benefit-cost analysis) prior to submitting applications to FEMA for approval.
- Assist communities in implementing approved projects. Monitor subgrantee compliance with Section 404-HMGP requirements.
- Monitor subgrantee progress in meeting project goals, including ensuring timely submittal of quarterly reports by subgrantees and reviewing of such reports.
- Answer written and oral inquiries regarding the 404-HMGP, attend and conduct meetings pertaining to HMGP, and coordinate with FEMA Region IV staff on 404 issues requiring clarification, etc.
- Assist State Mitigation Officer in development of state guidance in administering the 404-HMGP, and issue to subgrantees.
- Other disaster related assignments as directed by the State Hazard Mitigation Officer.
- Entry of plan and completed subgrantee project applications into NEMIS.
- Maintain files and documentation in accordance with disaster applicants.

MITIGATION PLANNER

This position is responsible for working with potential project sub-applicants to ensure on the mitigation planning requirements to maintain eligibility for HMGP funds.

Duties will include the following:

- Reviewing HMGP project pre-applications to determine community's project plan status.
- Providing technical assistance to project pre-applicants and applicants to ensure that project ideas are consistent with local mitigation plans.
- Reviews community mitigation plans and plan updates to ensure eligibility for HMGP funding including completing HMGP plan review crosswalks, coordinating with FEMA, and providing review comments to communities.

PROJECT MANAGER

This position reports to the Unit Manager in the Hazard Mitigation Grant Program. This is an advanced independent position that involves planning, evaluation and monitoring and managing federally funded grant projects based on results of statewide disasters.

Duties will include the following:

- Reviews management plans submitted by applicants for project feasibility, implementation strategies and overall project management in conformance with federal criteria.
- In compliance with applicable federal and state laws, rules and procedures, manages and monitors agreements for disaster relief grants for hazard mitigation subgrantees to assist in mitigating the efforts of future disasters.
- Corresponds with the Federal Emergency Management Agency on transmittal project summaries/recommendations, obligations/de-obligations, project closeouts and technical reviews/guidance, as needed.
- Researches special hazard mitigation issues for possible state and local government adoption to include codes, ordinances and policies.
- Provides technical assistance on hazard mitigation issues to state and local governments and on developing or implementing hazard mitigation programs and policies.
- Assists in development of Section 409 Hazard mitigation addenda to the State Hazard Mitigation Plan and in continuing development and education plans for the HMGP.
- Attend meetings, conferences and workshops related to hazard mitigation planning and participate in the Division's Long Range Planning Team.

- Performs other related duties and travel as assigned, to include disaster duties as a result of declared or non-declared disasters.
- This position is responsible for the approval or processing of vendor's invoices and/or distribution of warrants to vendors.

SENIOR MANAGEMENT ANALYST (Grant reviews & Management Units)

This is an advanced position that involves research, report writing (i.e. research special hazard mitigation issues and provide written opinion), planning and evaluation, monitoring, conducting presentations/trainings and performing a variety of technical activities for federally funded traditional/nontraditional mitigation projects in compliance with applicable federal and state laws, rules and procedures.

Duties will include the following:

- Assist the Community Program Manager (CPM) by providing support of the State's Mitigation efforts for the following disaster and non-disaster mitigation programs: Hazard Mitigation Grant Program (HMGP); Flood Mitigation Assistance (FMA); Repetitive Flood Claims (RFC); Severe Repetitive Loss (SRL).
- Conduct all aspects of Grants/Contract Management including the following: preparing purchase requests; Requests for Bids; Invitation to Negotiate, and Notices of Funding Availability; negotiate contracts and sub-grants, including subsequent changes and modifications; process contract and sub-grant payments and closeout packages; conduct desk and on-site contract/sub-grant monitoring, including development of corrective action plans and follow-up activities.
- Assist the CPM in identifying program priorities and monitor program status; assist with development of procedures and policies, spreadsheets and related methods of communication.
- Provide program technical assistance on hazard mitigation issues to state and local governments and other entities on hazard mitigation activities.
- Attend meetings, training and workshops related to hazard mitigation.
- Perform other related duties and travel as assigned to include disaster duties as a result of declared and non-declared disasters.

GOVERNMENT OPERATIONS CONSULTANT

This position reports to the Community Program Manager in the Hazard Mitigation Grant Program (HMGP).

Duties will include the following:

- Conduct fact-finding research and present findings.
- Prepare outreach materials, research papers, reports, planning documents, and other written products for the Hazard Mitigation Grant Program.
- Work with the agency's external affairs office to develop publications and other educational elements about Florida's mitigation efforts.
- Coordinate with staff to compile work products and other program materials for special projects or other unique requests.
- Respond to public and other inquiries about mitigation, either by phone, letter or email.
- Develop HMGP presentations and associated materials.
- Review reports and other special projects.
- Develop outreach strategy.
- Support CPM with oversight of HMGP updates to the electronic procedures manual.
- Conduct on- going gap analysis of procedures / resources of the HMGP program and present findings with recommendations.
- Attend meetings, training and workshops related to the Hazard Mitigation Grant Program.

Perform other related duties and travel as assigned to include disaster duties as a result of declared and non-declared disasters.

FINANCE MANAGER

Manages the daily activities of Mitigation financial and Quality Control unit in the Long Term Recovery Office and Headquarters.

Duties will include the following:

- Develops quality assurances and implementation processes to enhance Mitigation.

- Assists the program administrator for mitigation programs by providing financial reporting assistance and quality control of the mitigation program activities.
- Ensures project applications are solicited and processed in accordance with identified program eligibility requirements and ensure payments are made to grantees in a timely manner.
- Supervises staff in the accomplishment of the financial and quality control reviews.
- Provides program support, technical assistance and consultation to sub-grantees, contractors, local government and interested parties regarding mitigation programs.
- Manages and assists in implementing all aspects of contracts/grants management, including preparing negotiating contracts with sub-grantees and processing contract/sub-grant closeout packets.
- Assists local applicants with short and long-term mitigation activities.
- Coordinates all disaster closeout activities.
- Performs disaster related duties as deemed appropriate and assist as needed in response and recovery activities associated with declared and non-declared disasters.

GOVERNORS AUTHORIZED REPRESENTATIVE (GAR) AND ALTERNATE GAR

The GAR / Alternate GAR is responsible for the overall management and administration of FEMA's disaster programs in Florida as authorized under the Robert T. Stafford Act after a Presidential disaster declaration and has the following duties as they relate to the Section 404-Hazard Mitigation Grant Program (HMGP):

- Interacting with Florida communities, state legislators, Congressional delegation, media, and citizens to discuss HMGP.
- Securing state matching funds.
- Participating in the development of, review of, and the approval of strategic and planning documents for administration and implementation of HMGP.

GRANT SPECIALIST

The position can also provide technical, fiscal and management assistance to applicants applying for mitigation funds under the laws and rules prescribed by the

Federal emergency Management Agency and other applicable authorities.

Duties will include the following:

- Prepares and maintains financial reports on program activities.
- In compliance with applicable federal and state laws, rules and procedures, manages and monitors agreements for disaster relief grants for qualified applicants.
- Ensures that agreement rules and records are maintained and prepares required reports regarding the status of awarded grants. Maintains an automated logging system for tracking all grant/agreement payments and contracts with applicant representatives.
- Reviews all financial documentation submitted by applicants to ensure technical correctness, numerical accuracy and completeness before submission to the Governor's Authorized Representative for payment approval.
- Assists the Planning Manager in quality control reviews and audits relating to grant and contract management.
- Conduct on-site inspections of approved projects to ensure stage of completion of projects and accuracy of supporting documentation.
- Performs other related duties and travel as assigned, to include disaster duties as a result of Presidentially and non-declared disasters.

ENGINEERS

This position monitors assigned projects, providing technical assistance to subgrantees on project issues, including the monitoring of interim and final inspections.

Duties will include the following:

- Reviews site plans for consistency with federal guidance related to mitigation criteria.
- Reviews disaster and non-disaster grant applications to ensure projects comply with applicable federal, state and local policies.
- Supports subgrantees in development of project worksheets, Benefit Cost Analysis with the appropriate support documentation to determine project feasibility
- Conducts damage assessments to identify the severity and magnitude of infrastructure losses due to disaster events.

- Supports subgrantees in the federal appeals process by preparing, reviewing and monitoring appeals.
- Conducts training for subgrantees and co-workers on Mitigation Grant Programs issues.
- Performs other related duties and travel as assigned, to include disaster duties as a result of emergency events.

ENVIRONMENTAL SPECIALISTS

This position is responsible for coordinating/managing the environmental review component of federal grant and public assistance applications to ensure compliance with applicable environmental laws.

Duties will include the following:

- Review disaster and non-disaster grant applications to ensure projects comply with applicable federal, state and local environmental policies.
- Coordinates with state and federal agencies on project review for compliance with national and state environmental laws, to include the Florida State Clearinghouse.
- Coordinates with FEMA Region IV staff on developing state procedures for conducting environmental assessments.
- Participates in state and federal agency environmental project consultations.
- Provides technical assistance to applicants both before application is submitted and during review.
- Initiates environmental review meetings with subgrantees to help determine appropriate projects; conduct local site inspections and review potential projects for environmental compliance with NEPA and maintain records and databases of site visits.
- Conducts environmental review training workshops for state and local staff involved in preparing and managing projects with disaster-related environmental impacts.
- Performs other duties as assigned to include disaster duties as a result of presidentially and non-declared disasters.

SENIOR MANAGEMENT ANALYST (Financial Management Unit)

This position supports the State's Mitigation efforts for the following disaster and non-disaster programs: Hazard Mitigation Grant Program (HMGP); Flood Mitigation

Assistance (FMA); Repetitive Flood Claims (RFC); Severe Repetitive Loss (SRL); Residential Construction Mitigation Program (RCMP); Pre-Disaster Mitigation (PDM). Duties will include the following:

- Assists the planning manager by providing financial reporting assistance and quality control of the mitigation program activities.
- Prepares procurement requests, contracts and modifications as required.
- Assists the planning manager in developing standard operating guidelines for the Mitigation Bureau.
- Assists staff in the accomplishment of the financial and quality control reviews.
- Provides program support, technical assistance and consultation to sub-grantees, contractors, local governments and interested parties regarding mitigation programs.
- Provide guidance on procurement methods to Mitigation Bureau
- Assists the program managers in identifying program priorities and monitoring program status; assists in the development of procedures and policies, spreadsheets and related methods of communication.
- Processes payments; works with the Grants specialists to accurately reimburse subgrantees on program projects. Maintains Subgrant and Obligation budgets in Mitigation.org.
- Prepares spreadsheets to manage disaster and reconcile project budgets.
- Conducts training and briefings to subgrantees/recipients and assists in training and briefing program staff.
- Reviews project closeout spreadsheets for HMGP projects for accuracy prior to submission to FEMA.
- Assists and travels as needed in response to and recovery from declared and non-declared disasters.

CONTRACTUAL / COOPERATIVE AGREEMENTS FOR PROVISION OF SPECIALIZED TECHNICAL ASSISTANCE

- Provide personnel to augment the State Mitigation staff, as determined by the SHMO.
- Provide Professional Engineers / Infrastructure experts to conduct:

Benefit Cost analysis
Technical and data development,
Hydrologic / hydraulic analysis
Scope of work development / analysis
Mitigation project assessments
Review and provide comments / recommendations on local / state mitigation initiatives
Environmental review and consultation services

- Provide FEMA Programs experts to assist in the following activities, as needed:

Mitigation planning and assistance
Environmental planning and assistance
Flood plain management planning and assistance
State Management Cost development
Fiscal consultation and reconciliation services
Project audit / monitoring / appeals services

- Provide specialized expertise to GAR and / or SHMO to assist in the continued development and improvement of programs and initiatives.

STATE MANAGEMENT COST BUDGET

As described in CFR 44 Section 207.7, the State will submit appropriate documentation, In accordance with procedures for requesting management cost findings.

APPENDIX F

FLORIDA LOCAL MITIGATION STRATEGY STATUS REPORT
As of July 27, 2012

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
Alachua	APPROVED 9/29/10			09/29/15
Alachua County Uninc.	09/29/10	09/29/10		09/29/15
Alachua Cty. Library District	09/29/10		09/29/10	09/29/15
Alachua, City of	09/29/10	12/15/10		09/29/15
Archer, City of	09/29/10	05/06/11		09/29/15
Gainesville, City of	09/29/10	12/15/10		09/29/15
Hawthorne, City of	09/29/10	05/11/11		09/29/15
High Springs, City of	09/29/10	08/17/11		09/29/15
LaCrosse, City of	09/29/10	12/15/10		09/29/15
Micanopy, Town of	09/29/10	12/15/10		09/29/15
Newberry, City of	09/29/10	12/15/10		09/29/15
Santa Fe College	09/29/10		09/29/10	09/29/15
University of Florida	09/29/10	01/25/11		09/29/15
Waldo, City of	09/29/10	12/15/10		09/29/15
Baker	APPROVED 02/08/11			
Baker County Uninc.	02/08/11	02/08/11		02/08/16
Glen St. Mary, Town of	02/08/11	07/06/11		02/08/16
MacClenny, City of	02/08/11	02/08/11		02/08/16
Bay	APPROVED 9/08/10			
Bay County Uninc.	09/08/10	09/20/10		09/08/15
Callaway, City of	09/08/10	09/20/10		09/08/15
Gulf State Community College	04/07/11	04/07/11		
Lynn Haven, City of	09/08/10	09/20/10		09/08/15
Mexico Beach, City of	09/08/10	09/20/10		09/08/15
Panama City, City of	09/08/10	09/08/10		09/08/15
Panama City Beach, City of	09/08/10	09/20/10		09/08/15
Parker, City of	09/08/10	09/20/10		09/08/15
Springfield, City of	09/08/10	02/10/11		09/08/15
Bradford	APPROVED 05/05/11			
Bradford County Uninc.	05/05/11	05/05/11		05/05/16
Brooker, Town of	05/05/11	08/04/11		05/05/16
Hampton, City of	05/05/11	08/04/11		05/05/16

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
Lawtey, City of	05/05/11	08/04/11		05/05/16
Starke, City of	05/05/11	08/04/11		05/05/16
Brevard	APPROVED 08/30/10			
Brevard County Uninc.	08/30/10	12/06/10		08/30/15
Cape Canaveral, City of	08/30/10	12/06/10		08/30/15
Cocoa Beach, City of	08/30/10	10/07/10		08/30/15
Cocoa, City of	08/30/10	10/07/10		08/30/15
Grant-Valkaria, Town of	08/30/10	10/07/10		08/30/15
Satellite Beach, City of	08/30/10	12/06/10		08/30/15
Titusville, City of	08/30/10	09/13/10		08/30/15
Palm Bay, City of	08/30/10	08/30/10		08/30/15
Rockledge, City of	08/30/10	10/07/10		08/30/15
Indian Harbour Beach, City of	08/30/10	09/13/10		08/30/15
Melbourne, City of	08/30/10	12/06/10		08/30/15
West Melbourne, City of	08/30/10	10/07/10		08/30/15
Melbourne Beach, Town of	08/30/10	02/25/11		08/30/15
Indialantic, City of	08/30/10	09/13/10		08/30/15
Palm Shores, Town of	08/30/10	09/13/10		08/30/15
Malabar, Town of	08/30/10	10/07/10		08/30/15
Broward	APPROVED 01/25/10			
Broward County Uninc.	01/25/10	01/25/10		01/25/15
Coconut Creek, City of	01/25/10	05/05/10		01/25/15
Cooper, City of	01/25/10	05/05/10		01/25/15
Coral Springs, City of	01/25/10	03/23/10		01/25/15
Dania Beach, City of	01/25/10	03/23/10		01/25/15
Davie, Town of	01/25/10	05/05/10		01/25/15
Deerfield Beach, City of	01/25/10	07/14/10		01/25/15
Fort Lauderdale, City of	01/25/10	06/22/10		01/25/15
Hallendale Beach, City of	01/25/10	06/22/10		01/25/15
Hillsboro Beach, Town of	01/25/10	05/21/10		01/25/15
Hollywood, City of	01/25/10	05/21/10		01/25/15
Lauderdale-by-the-Sea, Town of	01/25/10	05/05/10		01/25/15
Lauderdale Lakes, City of	01/25/10	06/22/10		01/25/15
Lauderhill, City of	01/25/10	08/12/10		01/25/15
Lazy Lakes, Village of	01/25/10	05/21/10		01/25/15
Lighthouse Point, City of	01/25/10	06/22/10		01/25/15
Margate, City of	01/25/10	03/23/10		01/25/15
Miramar, City of	01/25/10	06/22/10		01/25/15
North Lauderdale, City of	01/25/10	05/21/10		01/25/15
Oakland Park, City of	01/25/10	05/05/10		01/25/15

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
Parkland, City of	01/25/10	03/23/10		01/25/15
Pembroke Park, Town of	01/25/10	05/05/10		01/25/15
Pembroke Pines, City of	01/25/10	03/23/10		01/25/15
Pompano Beach, City of	01/25/10	05/21/10		01/25/15
Plantation, City of	01/25/10	05/05/10		01/25/15
Sea Ranch Lakes, Village of	01/25/10	08/12/10		01/25/15
Southwest Ranches, Town of	01/25/10	05/21/10		01/25/15
Sunrise, City of	01/25/10	08/30/10		01/25/15
Tamarac, City of	01/25/10	05/05/10		01/25/15
West Park, City of	01/25/10	05/21/10		01/25/15
Weston, City of	01/25/10	03/23/10		01/25/15
Wilton Manors, City of	01/25/10	03/23/10		01/25/15
Calhoun	APPROVED 04/19/10			
Calhoun County Uninc.	04/19/10	04/19/10		04/19/15
Altha, Town of	04/19/10	05/11/11		04/19/15
Blountstown, Town of	04/19/10	05/11/11		04/19/15
Charlotte	APPROVED 08/19/10			
Charlotte County Uninc.	08/19/10	08/19/10		08/19/15
Punta Gorda, City of	08/19/10	08/19/10		08/19/15
Citrus	APPROVED 09/13/10			
Citrus County Uninc.	09/13/10	09/13/10		09/13/15
Crystal River, City of	09/13/10	09/13/10		09/13/15
Inverness, City of	09/13/10	09/13/10		09/13/15
Clay	APPROVED 09/15/10			
Clay County Uninc.	09/15/10	09/15/10		09/15/15
Green Cove Springs, City of	09/15/10	01/28/11		09/15/15
Keystone Heights, City of	09/15/10	01/28/11		09/15/15
Orange Park, Town of	09/15/10	01/28/11		09/15/15
Penney Farms, Town of	09/15/10	01/28/11		09/15/15
Collier	APPROVED 04/13/10			
Collier County Uninc.	04/13/10	04/13/10		04/13/15
Everglades, City of	04/13/10	04/13/10		04/13/15
Marco Island, City of	04/13/10	08/01/10		04/13/15
Naples, City of	04/13/10	04/13/10		04/13/15
Columbia	APPROVED 12/14/10			
Columbia County Uninc.	12/14/10	12/14/10		12/14/15
Fort White, Town of	12/14/10	02/25/11		12/14/15
Lake City, City of	12/14/10	08/05/11		12/14/15

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DeSoto	APPROVED 03/19/10			
DeSoto County Uninc.	03/19/10	03/19/10		03/19/15
Arcadia, City of	03/19/10	05/21/10		03/19/15
Dixie	APPROVED 02/18/11			
Dixie County Uninc.	02/18/11	02/18/11		02/18/16
Cross City, Town of	02/18/11	05/10/11		02/18/16
Horseshoe Beach, Town of	02/18/11	06/06/11		02/18/16
Duval	APPROVED 08/18/10			
Duval County Uninc.	08/18/10	12/02/10		12/02/15
Atlantic Beach, City of	08/18/10	01/28/11		12/02/15
Baldwin, Town of	08/18/10	08/18/10		12/02/15
Jacksonville Beach, City of	08/18/10	08/18/10		12/02/15
Neptune Beach, City of	08/18/10	12/02/10		12/02/15
Escambia	APPROVED 10/20/10			
Escambia County Uninc.	10/20/10	12/16/10		10/20/15
Emerald Coast Utilities Authority	10/20/10	05/06/11		10/20/15
Pensacola, City of	10/20/10	09/30/11		10/20/15
Santa Rosa Island Authority	10/20/10	10/20/10		10/20/15
School District of Escambia Co.	10/20/10	07/21/11		10/20/15
Century, Town of	10/20/10	12/09/10		10/20/15
Flagler	APPROVED 06/14/11			
Flagler County Uninc.	06/14/11	08/08/11		06/14/16
Beverly Beach, Town of	06/14/11	12/07/01		06/14/16
Flagler Beach, Town of	06/14/11	07/13/11		06/14/16
Marineland, Town of	06/14/11	09/16/11		06/14/16
Bunnell, City of	06/14/11	06/23/11		06/14/16
Palm Coast, City of	06/14/11	06/14/11		06/14/16
Franklin	APPROVED 02/16/11			
Franklin County Uninc.	02/16/11	02/16/11		02/16/16
Apalachicola, City of	02/16/11	02/16/11		02/16/16
Carrabelle, City of	02/16/11	02/16/11		02/16/16
Gadsden	APPROVED 5/11/12			
Gadsden County Uninc.	05/11/12		01/11/12	05/11/17
Chattahoochee, City of	05/11/12		01/11/12	05/11/17
Greensboro, City of	05/11/12	07/13/12		05/11/17
Gretna, City of	05/11/12	05/11/12		05/11/17
Havanna, City of	05/11/12	05/11/12		05/11/17

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Midway, City of	05/11/12		01/11/12	05/11/17
Quincy, City of	05/11/12		01/11/12	05/11/17
Gilchrist	APPROVED 06/15/11			
Gilchrist County Uninc.	06/15/11	06/15/11		06/15/16
Bell, Town of	06/15/11	06/27/11		06/15/16
Fanning Springs, City of	06/15/11	06/27/11		06/15/16
Trenton, City of	06/15/11	06/22/11		06/15/16
Glades	APPROVED 08/16/11			
Glades County Uninc.	08/16/11	08/16/11		08/16/16
Moore Haven, City of	08/16/11		05/11/11	08/16/16
Gulf	APPROVED 01/18/11			
Gulf County Uninc.	01/18/11	01/18/11		01/18/16
Port St. Joe, City of	01/18/11	01/18/11		01/18/16
Wewahitchka, City of	01/18/11	01/18/11		01/18/16
Hamilton	APPROVED 05/06/11			
Hamilton County Uninc.	05/06/11	05/06/11		05/06/16
Jasper, City of	05/06/11	12/07/11		05/06/16
Jennings, Town of	05/06/11	12/07/11		05/06/16
White Springs, Town of	05/06/11	12/07/11		05/06/16
Hardee	APPROVED 04/09/10			
Hardee County Uninc.	04/09/10	04/09/10		04/09/15
Bowling Green, City of	04/09/10	05/05/10		04/09/15
Wauchula, City of	04/09/10	05/20/10		04/09/15
Zolfo Springs, Town of	04/09/10	05/20/10		04/09/15
Hendry	APPROVED 09/13/10			
Hendry County Uninc.	09/13/10	09/13/10		09/13/15
Clewiston, City of	09/13/10	09/13/10		09/13/15
LaBelle, City of	09/13/10	09/13/10		09/13/15
Hernando	APPROVED 09/13/10			
Hernando County Uninc.	09/13/10	09/13/10		09/13/15
Brooksville, City of	09/13/10	10/07/10		09/13/15
Weeki Wachee, City of	09/13/10	09/13/10		09/13/15
Highlands	APPROVED 08/12/10			
Highlands County Uninc.	08/12/10	08/12/10		08/12/15
Avon Park, City of	08/12/10	09/14/11		08/12/15
Highlands Co. School Dist.	08/12/10	09/13/10		08/12/15

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Lake Placid, Town of	08/12/10	08/12/10		08/12/15
Sebring, City of	08/12/10	08/31/10		08/12/15
Sebring Airport Authority	08/12/10	09/13/10		08/12/15
Spring Lakes Improvement Dist.	08/12/10	09/13/10		08/12/15
South Florida Community Coll.	08/12/10	09/13/10		08/12/15
Sun 'N Lake Improvement Dist.	08/12/10	09/01/10		08/12/15
Hillsborough	APPROVED 07/14/10			
Hillsborough County Uninc.	07/14/10	07/14/10		07/14/15
Plant City, City of	07/14/10	07/14/10		07/14/15
Tampa, City of	07/14/10	08/11/10		07/14/15
Temple Terrace, City of	07/14/10	07/22/10		07/14/15
Holmes	APPROVED 05/09/11			
Holmes County Uninc.	05/09/11	05/09/11		05/09/16
Bonifay, City of	05/09/11	07/13/11		05/09/16
Esto, Town of	05/09/11	07/13/11		05/09/16
Norma, Town of	05/09/11	07/29/11		05/09/16
Ponce De Leon, Town of	05/09/11	07/29/11		05/09/16
Westville, City of	05/09/11		05/09/11	05/09/16
Indian River	APPROVED 08/12/10			
Indian River County Uninc.	08/12/10	08/12/10		08/12/15
Fellsmere, City of	08/12/10	10/07/10		08/12/15
Indian River Shores, Town of	08/12/10	02/25/11		08/12/15
Orchid, Town of	08/12/10	02/03/11		08/12/15
Sebastian, City of	08/12/10	02/03/11		08/12/15
Vero Beach, City of	08/12/10	12/06/10		08/12/15
Jackson	APPROVED 02/09/11			
Jackson County Uninc.	02/09/11	06/14/11		02/09/16
Alford, Town of	02/09/11	08/16/11		02/09/16
Bascom, Town of	02/09/11	06/27/11		02/09/16
Campbellton, Town of	02/09/11	06/27/11		02/09/16
Cottondale, City of	02/09/11	07/13/11		02/09/16
Graceville, City of	02/09/11	02/09/11		02/09/16
Grand Ridge, Town of	02/09/11	07/26/11		02/09/16
Greenwood, Town of	02/09/11	06/27/11		02/09/16
Jacob, City of	02/09/11	07/21/11		02/09/16
Malone, Town of	02/09/11	06/27/11		02/09/16
Marianna, City of	02/09/11	02/09/11		02/09/16
Sneads, Town of	02/09/11	06/27/11		02/09/16
Jefferson	APPROVED			

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	05/31/11			
Jefferson Uninc.	05/31/11	05/31/11		05/31/16
Monticello, City of	05/31/11	05/31/11		05/31/16
Lafayette	APPROVED 12/07/10			
Lafayette County Uninc.	12/07/10	12/07/10		12/07/15
Mayo, Town of	12/07/10	06/16/11		12/07/15
Lake	APPROVED 02/04/11			
Lake County Uninc.	02/04/11	04/04/11		02/04/16
Astatula, Town of	02/04/11	07/21/11		02/04/16
Clermont, City of	02/04/11	11/28/11		02/04/16
Eustis, City of	02/04/11	09/15/11		02/04/16
Fruitland Park, City of	02/04/11	05/03/11		02/04/16
Groveland, Town of	02/04/11	11/28/11		02/04/16
Howley-in-the-Hills, Town of	02/04/11	07/13/11		02/04/16
Lady Lake, Town of	02/04/11	05/03/11		02/04/16
Leesburg, City of	02/04/11	05/03/11		02/04/16
Mascotte, City of	02/04/11	11/28/11		02/04/16
Minneola, City of	02/04/11	09/15/11		02/04/16
Monteverde, Town of	02/04/11	11/28/11		02/04/16
Mount Dora, City of	02/04/11	07/21/11		02/04/16
Tavares, City of	02/04/11	02/04/11		02/04/16
Umatilla, City of	02/04/11	04/04/11		02/04/16
Lee	APPROVED 06/19/12			
Lee County Uninc.	06/19/12	06/19/12		06/19/17
Bonita Springs, City of	06/19/12	06/19/12		06/19/17
Cape Coral, City of	06/19/12	06/19/12		06/19/17
Fort Myers, City of	06/19/12	06/19/12		06/19/17
Fort Myers Beach, Town of	06/19/12		09/09/11	06/19/17
Sanibel, City of	06/19/12		09/09/11	06/19/17
Leon	APPROVED 05/21/10			
Florida Agricultural & Mechanical University	11/20/08	11/20/08		11/19/13
Leon County Uninc.	05/21/10	05/21/10		05/21/15
Tallahassee, City of	05/21/10	01/28/11		05/21/15
Levy	APPROVED 06/29/11			
Levy County Uninc.	06/29/11	06/29/11		04/26/10
Bronson, Town of	06/29/11	06/29/11		04/26/10
Cedar Key, City of	06/29/11	06/29/11		04/26/10
Chiefland, City of	06/29/11	06/29/11		04/26/10

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Fanning Springs, City of	06/29/11	06/29/11		04/26/10
Inglis, Town of	06/29/11	06/29/11		04/26/10
Otter Creek, Town of	Did Not Participate	DNP		04/26/10
Williston, City of	06/29/11	06/29/11		04/26/10
Yankeetown, Town of	06/29/11	06/29/11		04/26/10
Liberty	APPROVED 07/22/11			
Liberty County Uninc.	07/22/11	07/22/11		07/22/16
City of Bristol	07/22/11	07/22/11		07/22/16
Madison	APPROVED 04/07/11			
Madison County Uninc.	04/07/11	04/07/11		04/07/16
City of Madison	04/07/11	09/30/11		04/07/16
Town of Greenville	04/07/11	09/30/11		04/07/16
Town of Lee	04/07/11	09/30/11		04/07/16
Manatee	APPROVED 03/03/10			
Manatee County Uninc.	03/03/10	03/03/10		03/03/15
Anna Maria, City of	03/03/10	12/06/10		03/03/15
Bradenton, City of	03/03/10	06/22/10		03/03/15
Bradenton Beach, City of	03/03/10	06/22/10		03/03/15
Holmes Beach, City of	03/03/10	08/27/10		03/03/15
Longboat Key, Town of	03/03/10	06/22/10		03/03/15
Palmetto, City of	03/03/10	06/22/10		03/03/15
Marion	APPROVED 05/19/11			
Marion County Uninc.	05/19/11	05/19/11		05/19/16
Bellevue, City of	05/19/11	07/12/12		05/19/16
Dunnellon, City of	05/19/11	07/12/12		05/19/16
McIntosh, Town of	05/19/11		05/19/11	05/19/16
Ocala, City of	05/19/11	07/12/12		05/19/16
Reddick, Town of	05/19/11	12/07/11		05/19/16
Martin	APPROVED 12/09/10			
Martin County Uninc.	12/09/10	02/04/11		12/09/15
Jupiter Island, Town of	12/09/10	04/04/11		12/09/15
Ocean Breeze Park, Town of	12/09/10	02/03/11		12/09/15
Sewall's Point, Town of	12/09/10	12/09/10		12/09/15
Stuart, City of	12/09/10	04/04/11		12/09/15
Miami-Dade	APPROVED 05/05/10			
Miami-Dade County Uninc.	05/05/10	05/05/10		05/05/15
Adventura, City of	05/05/10	05/05/10		05/05/15
Bay Harbor Islands, Town of	05/05/10	05/05/10		05/05/15

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Biscayne Park, Village of	05/05/10	05/05/10		05/05/15
Coral Gables, City of	05/05/10	05/05/10		05/05/15
Cutler Bay, Town of	05/05/10	05/05/10		05/05/15
Doral, City of	05/05/10	05/05/10		05/05/15
El Portal, City of	05/05/10	05/05/10		05/05/15
Florida City , City of	05/05/10	05/05/10		05/05/15
Florida International University	05/05/15	07/13/12		05/05/15
Golden Beach, City of	05/05/10	05/05/10		05/05/15
Hialeah, City of	05/05/10	05/05/10		05/05/15
Hialeah Gardens, City of	05/05/10	05/05/10		05/05/15
Homestead, City of	05/05/10	05/05/10		05/05/15
Indian Creek Village, City of	05/05/10	05/05/10		05/05/15
Key Biscayne, City of	05/05/10	05/05/10		05/05/15
Medley, Town of	05/05/10	05/05/10		05/05/15
Miami, City of	05/05/10	05/05/10		05/05/15
Miami Beach, City of	05/05/10	05/05/10		05/05/15
Miami Gardens, City of	05/05/10	05/05/10		05/05/15
Miami Lakes, Town of	05/05/10	05/05/10		05/05/15
Miami Shores Village	05/05/10	05/05/10		05/05/15
Miami Springs, City of	05/05/10	05/05/10		05/05/15
North Bay Village, City of	05/05/10	05/05/10		05/05/15
North Miami, City of	05/05/10	05/05/10		05/05/15
North Miami Beach, City of	05/05/10	05/05/10		05/05/15
Opa-Locka, City of	05/05/10	05/05/10		05/05/15
Palmetto Bay, City of	05/05/10	05/05/10		05/05/15
Pinecrest, Village of	05/05/10	05/05/10		05/05/15
South Miami, City of	05/05/10	05/05/10		05/05/15
Sunny Isles Beach, City of	05/05/10	05/05/10		05/05/15
Surfside, Town of	05/05/10	05/05/10		05/05/15
Sweetwater, City of	05/05/10	05/05/10		05/05/15
Virginia Gardens, Village of	05/05/10	05/05/10		05/05/15
West Miami, City of	05/05/10	05/05/10		05/05/15
Monroe	APPROVED 12/06/10			
Monroe County Uninc.	12/06/10	02/03/11		12/06/15
Key West, City of	12/06/10	04/04/11		12/06/15
Layton, City of	12/06/10	12/06/10		12/06/15
Key Colony Beach, City of	12/06/10	12/06/10		12/06/15
Islamorada Islands, Village of	12/06/10	02/03/11		12/06/15
Marathon, City of	12/06/10	12/06/10		12/06/15
Nassau	APPROVED 02/18/11			

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Nassau County Uninc.	2/18/2011	2/18/2011		02/18/16
Callahan, Town of	2/18/2011	06/09/11		02/18/16
Fernandina Beach, City of	2/18/2011	05/16/11		02/18/16
Hillard, Town of	2/18/2011	05/10/11		02/18/16
Okaloosa	APPROVED 7/26/11			
Okaloosa County Uninc.	7/26/2011	7/26/2011		07/26/16
Cinco Bayou, Town of	7/26/2011	7/26/2011		07/26/16
Crestview, Town of	7/26/2011	08/03/11		07/26/16
Destin, City of	7/26/2011	08/03/11		07/26/16
Fort Walton Beach, City of	7/26/2011	7/26/2011		07/26/16
Laurel Hill, Town of	7/26/2011	7/26/2011		07/26/16
Mary Esther, Town of	7/26/2011	7/26/2011		07/26/16
Niceville, City of	7/26/2011	7/26/2011		07/26/16
Shalimar, Town of	7/26/2011	7/26/2011		07/26/16
Valparaiso, Town of	7/26/2011	7/26/2011		07/26/16
Okeechobee	APPROVED 08/01/11			
Okeechobee County Uninc.	08/01/11	08/01/11		08/01/16
City of Okeechobee	08/01/11	06/05/12		08/01/16
Orange	APPROVED 02/26/10			
Orange County Uninc.	02/26/10	02/01/10		02/26/15
Apopka, City of	02/26/10	07/14/10		02/26/15
Belle Isle, City of	02/26/10	05/05/10		02/26/15
Eatonville, Town of	02/26/10		02/26/10	02/26/15
Edgewood, City of	02/26/10	09/21/10		02/26/15
Maitland, City of	02/26/10	07/14/10		02/26/15
Oakland, Town of	02/26/10	05/21/10		02/26/15
Ocoee, City of	02/26/10	08/11/10		02/26/15
Orlando, City of	02/26/10	10/07/10		02/26/15
Windermere, Town of	02/26/10	05/05/10		02/26/15
Winter Garden, City of	02/26/10	07/14/10		02/26/15
Winter Park, City of	02/26/10	05/21/10		02/26/15
Osceola	APPROVED 12/22/10			
Osceola County Uninc.	12/22/2010	02/25/11		12/22/15
Kissimmee, City of	12/22/2010	12/22/10		12/22/15
St. Cloud, City of	12/22/2010	02/03/11		12/22/15
Palm Beach	APPROVED 01/29/10			
Palm Beach Uninc.	1/29/2010	01/29/10		01/29/15
Atlantis, City of	1/29/2010	12/06/10		01/29/15
Belle Glade, City of	1/29/2010	02/03/11		01/29/15

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
Boca Raton, City of	1/29/2010	12/06/10		01/29/15
Boynton Beach, City of	1/29/2010	07/14/10		01/29/15
Briny Breezes, Town of	1/29/2010	12/06/10		01/29/15
Cloud Lake, Town of	1/29/2010	12/06/10		01/29/15
Delray Beach, City of	1/29/2010	12/06/10		01/29/15
Florida Atlantic Univ.	APPROVED 11/03/09			11/03/14
Golf, Village of	1/29/2010	02/03/11		01/29/15
Greenacres, City of	1/29/2010	08/17/10		01/29/15
Gulf Stream, Town of	1/29/2010	12/06/10		01/29/15
Haverhill, Town of	1/29/2010	02/03/11		01/29/15
Highland Beach, Town of	1/29/2010	12/06/10		01/29/15
Hypoluxo, Town of	1/29/2010	07/14/10		01/29/15
Indian Trail Improvement Dist.	1/29/2010	02/03/11		01/29/15
Juno Beach, Town of	1/29/2010	12/06/10		01/29/15
Jupiter, Town of	1/29/2010	12/06/10		01/29/15
Jupiter Inlet Colony, Town of	1/29/2010	02/03/11		01/29/15
Lake Clarke Shores, Town of	1/29/2010	12/06/10		01/29/15
Lake Park, Town of	1/29/2010	12/06/10		01/29/15
Lake Worth, City of	1/29/2010	04/04/11		01/29/15
Lantana, Town of	1/29/2010	02/03/11		01/29/15
Loxahatchee Groves, Town of	1/29/2010	12/06/10		01/29/15
Manalapan, Town of	1/29/2010	12/06/10		01/29/15
Mangonia Park, Town of	1/29/2010	12/06/10		01/29/15
North Palm Beach, Village of	1/29/2010	12/06/10		01/29/15
Northern Palm Beach Imp. Dis.	1/29/2010	04/04/11		01/29/15
Ocean Ridge, Town of	1/29/2010	03/12/10		01/29/15
Pahokee, City of	1/29/2010	02/03/11		01/29/15
Palm Beach Shores, Town of	1/29/2010	12/06/10		01/29/15
Palm Beach, Town of	1/29/2010	12/06/10		01/29/15
Palm Beach Gardens, City of	1/29/2010	12/06/10		01/29/15
Palm Springs, Village of	1/29/2010	12/06/10		01/29/15
Rivera Beach, City of	1/29/2010	12/06/10		01/29/15
Royal Palm Beach, Village of	1/29/2010	02/03/11		01/29/15
South Bay, City of	1/29/2010	02/03/11		01/29/15
South Palm Beach, Town of	1/29/2010	02/03/11		01/29/15
Tequesta, Village of	1/29/2010	12/06/10		01/29/15
Wellington, Village of	1/29/2010	12/06/10		01/29/15
West Palm Beach, City of	1/29/2010	12/06/10		01/29/15
Pasco	APPROVED 08/28/09			
Pasco County Uninc.	08/28/09	08/28/09		08/28/14
Dade City, City of	08/28/09	08/28/09		08/28/14

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
New Port Richey, City of	08/28/09	08/28/09		08/28/14
Port Richey, City of	08/28/09	08/28/09		08/28/14
San Antonio, City of	08/28/09	08/28/09		08/28/14
St. Leo, City of	08/28/09	08/28/09		08/28/14
Zephyrhills, City of	08/28/09	08/28/09		08/28/14
Pinellas	APPROVED 05/05/10			
Pinellas County Uninc.	05/05/10	05/05/10		05/05/15
Belleair, Town of	05/05/10		05/05/10	05/05/15
Belleair Beach, City of	05/05/10	07/14/10		05/05/15
Belleair Bluffs, City of	05/05/10	08/31/10		05/05/15
Clearwater, City of	05/05/10	05/05/10		05/05/15
Dunedin, City of	05/05/10	08/31/10		05/05/15
Eckerd College	APPROVED 09/15/09			09/15/14
Gulfport, City of	05/05/10	02/25/11		05/05/15
Indian Rocks Beach, City of	05/05/10	05/21/10		05/05/15
Indian Shores, City of	05/05/10	07/14/10		05/05/15
Kenneth, City of	05/05/10	05/05/10		05/05/15
Largo, City of	05/05/10	06/04/10		05/05/15
Maderia Beach, City of	05/05/10	12/06/10		05/05/15
North Redington Beach, Town of	05/05/10	05/05/10		05/05/15
Oldsmar, City of	05/05/10	05/21/10		05/05/15
Pinellas Park, City of	05/05/10	07/14/10		05/05/15
Redington Beach, Town of	05/05/10	05/22/10		05/05/15
Redington Shores, Town of	05/05/10	05/05/10		05/05/15
Safety Harbor, City of	05/05/10	12/06/10		05/05/15
Seminole, City of	05/05/10	08/30/11		05/05/15
South Pasadena, City of	05/05/10	07/14/10		05/05/15
St. Petersburg, City of	05/05/10	07/14/10		05/05/15
St. Petersburg Beach, City of	05/05/10		05/05/10	05/05/15
Tarpon Springs, City of	05/05/10	07/14/10		05/05/15
Treasure Island, City of	05/05/10	05/21/10		05/05/15
Polk	APPROVED 08/31/10			
Polk County Uninc.	08/31/10	08/31/10		08/31/15
Auburndale, City of	08/31/10		08/31/10	08/31/15
Bartow, City of	08/31/10	09/13/10		08/31/15
Davenport, City of	08/31/10		08/31/10	08/31/15
Dundee, City of	08/31/10		08/31/10	08/31/15
Eagle Lake, City of	08/31/10	09/03/10		08/31/15
Fort Meade, City of	08/31/10	09/13/10		08/31/15

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
Frostproof, City of	08/31/10		08/31/10	08/31/15
Haines City, City of	08/31/10		08/31/10	08/31/15
Highland Park, Village of	08/31/10		08/31/10	08/31/15
Hillcrest Heights, Town of	08/31/10		08/31/10	08/31/15
Lakeland, City of	08/31/10	12/06/10		08/31/15
Lake Alfred, Town of	08/31/10	10/07/10		08/31/15
Lake Hamilton, Town of	08/31/10	12/06/10		08/31/15
Lake Wales, City of	08/31/10	02/03/11		08/31/15
Mulberry, City of	08/31/10	12/06/10		08/31/15
Polk City, Town of	08/31/10		08/31/10	08/31/15
Winter Haven, City of	08/31/10	12/22/11		08/31/15
Putnam	APPROVED 07/06/10			
Putnam County Uninc.	07/06/10	07/06/10		07/06/15
Crescent City, City of	07/06/10	07/22/10		07/06/15
Interlachen, Town of	07/06/10	07/22/10		07/06/15
Palatka, City of	07/06/10	07/06/10		07/06/15
Pomona Park, Town of	07/06/10	07/22/10		07/06/15
Welaka, Town of	07/06/10	07/22/10		07/06/15
Santa Rosa	APPROVED 06/09/11			
Santa Rosa County Uninc.	06/09/11	06/09/11		06/09/16
Gulf Breeze, City of	06/09/11	07/13/11		06/09/16
Jay, Town of	06/09/11	07/13/11		06/09/16
Milton, City of	06/09/11	07/13/11		06/09/16
Sarasota	APPROVED 02/23/11			
Sarasota County Uninc.	02/23/11	02/23/11		02/23/16
Longboat Key, Town of	02/23/11	04/04/11		02/23/16
Northport, City of	02/23/11	07/13/11		02/23/16
Sarasota, City of	02/23/11	04/04/11		02/23/16
Venice, City of	02/23/11	04/04/11		02/23/16
Sarasota Public Hospital	02/23/11	09/23/11		
Seminole	APPROVED 05/05/10			
Seminole County Uninc.	05/05/10	05/05/10		05/05/15
AltamonteSprings, City of	05/05/10	07/28/10		05/05/15
Casselberry, City of	05/05/10	07/28/10		05/05/15
Lake Mary, City of	05/05/10	07/28/10		05/05/15
Longwood, City of	05/05/10	07/28/10		05/05/15
Oviedo, City of	05/05/10	05/05/10		05/05/15
Sanford, City of	05/05/10	07/28/10		05/05/15
Winter Springs, City of	05/05/10	07/28/10		05/05/15

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
St. Johns	APPROVED 06/01/10			
St. Johns Uninc.	06/01/10	06/01/10		06/01/15
Hastings, Town of	06/01/10	06/01/10		06/01/15
St. Augustine, City of	06/01/10	06/01/10		06/01/15
St. Augustine Beach, City of	06/01/10	06/01/10		06/01/15
St. Lucie	APPROVED 12/09/10			
St. Lucie Uninc.	12/09/10	12/09/10		12/09/15
Port St. Lucie, City of	12/09/10	09/23/11		12/09/15
Fort Pierce, City of	12/09/10		12/09/10	12/09/15
St. Lucie, Village of	12/09/10		12/09/10	12/09/15
Sumter	APPROVED 08/01/10			
Sumter County Uninc.	08/01/10	08/01/10		08/01/15
Bushnell, City of	08/01/10		08/01/10	08/01/15
Center Hill, City of	08/01/10	08/08/11		08/01/15
Coleman, City of	08/01/10	07/13/11		08/01/15
Webster, City of	08/01/10		08/01/10	08/01/15
Wildwood, City of	08/01/10	08/01/11		08/01/15
Suwannee	APPROVED 01/18/11			
Suwannee County Uninc.	01/18/11	01/18/11		01/18/16
Branford, City of	01/18/11	01/18/11		01/18/16
Live Oak, City of	01/18/11	01/18/11		01/18/16
Taylor	APPROVED 01/06/11			
Taylor County Uninc.	01/06/11	01/06/11		01/06/16
Perry, City of	01/06/11	09/07/11		01/06/16
Union	APPROVED 04/15/11			
Union County Uninc.	04/15/11	04/15/11		04/15/16
Lake Butler, City of	04/15/11	06/20/11		04/15/16
Raiford, Town of	04/15/11	06/20/11		04/15/16
Worthington Springs, Town of	04/15/11	06/20/11		04/15/16
Volusia	APPROVED 04/01/10			
Volusia County Uninc.	04/01/10	04/09/10		04/01/15
Daytona Beach, City of	04/01/10	05/05/10		04/01/15
Daytona Beach Shore, City of	04/01/10	04/01/10		04/01/15
DeBary, City of	04/01/10	04/01/10		04/01/15
Deland, City of	04/01/10	04/09/10		04/01/15
Deltona, City of	04/01/10	05/05/10		04/01/15
Edgewater, City of	04/01/10	06/01/10		04/01/15

County/ Participating Jurisdictions	Plan Status Approval Date	Jurisdictional Approval Date	Pending Approval	Plan Expiration Date
Holly Hill, City of	04/01/10	06/01/10		04/01/15
Lake Helen, City of	04/01/10	06/01/10		04/01/15
New Smyrna Beach	04/01/10	06/01/10		04/01/15
Oak Hill, City of	04/01/10	04/01/10		04/01/15
Orange City, City of	04/01/10	06/01/10		04/01/15
Ormond Beach, City of	04/01/10	05/05/10		04/01/15
Pierson, Town of	04/01/10	05/05/10		04/01/15
Ponce Inlet, Town of	04/01/10	06/01/10		04/01/15
Port Orange, City of	04/01/10	05/05/10		04/01/15
South Daytona, City of	04/01/10	04/09/10		04/01/15
Wakulla	APPROVED 05/04/11			
Wakulla County Uninc.	05/04/11	05/04/11		05/04/16
Sopchoppy, City of	05/04/11	07/16/12		05/04/16
St. Marks, City of	05/04/11	12/07/11		05/04/16
Walton	APPROVED 07/22/10			
Walton County Uninc.	07/22/10	07/22/10		07/22/15
De Funiak, City of	07/22/10	09/15/10		07/22/15
Freeport, City of	07/22/10	09/15/10		07/22/15
Paxton, City of	07/22/10	09/15/10		07/22/15
Washington	APPROVED 07/11/11			
Washington County Uninc.	07/11/11	07/11/11		07/11/16
Chipley, City of	07/11/11	07/27/11		07/11/16
Caryville, Town of	07/11/11	07/27/11		07/11/16
Ebro, Town of	07/11/11	07/27/11		07/11/16
Vernon, Town of	07/11/11	07/27/11		07/11/16
Wausau, Town of	07/11/11	07/27/11		07/11/16
Seminole Tribe of Florida	EXPIRED			06/02/11

APPENDIX G

44 C.F.R. PART 207—MANAGEMENT COSTS

Authority: Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 through 5206; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; Homeland Security Act of 2002, 6 U.S.C. 101; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; E.O. 13286, 68 FR 10619, 3 CFR, 2003 Comp., p. 166.

Source: 72 FR 57875, Oct. 11, 2007, unless otherwise noted.

§ 207.1 Purpose.

The purpose of this part is to implement section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165b.

§ 207.2 Definitions.

Cap means the maximum dollar amount that may be provided to a grantee for management cost funds for a single declaration pursuant to §207.5(c) of this part.

Chief Financial Officer (CFO) is the Chief Financial Officer of FEMA, or his/her designated representative.

Cognizant Agency means the Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals developed on behalf of all Federal agencies. The Office of Management and Budget (OMB) publishes a listing of cognizant agencies.

Grant means an award of financial assistance making payment in cash, property, or in kind for a specified purpose, by the Federal Government to an eligible grantee.

Grantee for purposes of this part means the government to which a Public Assistance (PA) or Hazard Mitigation Grant Program (HMGP) grant is awarded that is accountable for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document.

Generally, the State is the grantee. However, after a declaration, an Indian tribal government may choose to be a grantee, or may act as a subgrantee under the State for purposes of administering a grant under PA, HMGP, or both. When an Indian tribal government has chosen to act as grantee, it will also assume the responsibilities of a “grantee” under this part for the purposes of administering management cost funding.

Hazard Mitigation Grant Program (HMGP) means the program implemented at part 206, subpart N of this chapter.

HMGP lock-in ceiling means the level of HMGP funding available to a grantee for a particular disaster declaration.

HMGP project narrative refers to the request submitted for HMGP funding.

Indian tribal government is a federally recognized governing body of an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of Interior acknowledges to exist as an Indian tribe under the Federally Recognized Tribe List Act

of 1994, 25 U.S.C. 479a. This does not include Alaska Native corporations, the ownership of which is vested in private individuals.

Indirect Costs means costs that are incurred by a grantee for a common or joint purpose benefiting more than one cost objective that are not readily assignable to the cost objectives specifically benefited.

Lock-in means the amount of management cost funds available to a grantee for PA or HMGP, respectively, for a particular major disaster or emergency, as FEMA determines at 30 days, 6 months, and 12 months or upon calculation of the final HMGP lock-in ceiling, whichever is later.

Management Costs means any indirect costs, administrative expenses, and any other expenses not directly chargeable to a specific project that are reasonably incurred by a grantee or subgrantee in administering and managing a PA or HMGP grant award. For HMGP, management cost funding is provided outside of Federal assistance limits defined at §206.432(b) of this chapter.

Project refers to a project as defined at §206.201(i) of this chapter for PA or eligible activities as defined at §206.434(d) of this chapter for HMGP.

Project Worksheet (PW) refers to FEMA Form 90–91, or any successor form, on which the scope of work and cost estimate for a logical grouping of work required under the PA program as a result of a declared major disaster or emergency is documented.

Public Assistance (PA) means the program implemented at part 206, subparts G and H of this chapter.

Regional Administrator is the head of a FEMA regional office, or his/her designated representative, appointed under section 507 of the Post-Katrina Emergency Management Reform Act of 2006 (Pub. L. 109–295). The term also refers to Regional Directors as discussed in Part 2 of this chapter.

Stafford Act refers to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121–5206).

State is any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Subgrantee means the government or other legal entity to which a grantee awards a subgrant and which is accountable to the grantee for the use of the funds provided. Subgrantees can be a State agency, local government, private nonprofit organization, or Indian tribal government.

§ 207.3 Applicability and eligibility.

Only PA and HMGP grantees with PA and HMGP grants awarded pursuant to major disasters and emergencies declared by the President on or after November 13, 2007 are eligible to apply to FEMA for management cost funding under this part.

§ 207.4 Responsibilities.

(a) *General.* This section identifies key responsibilities of FEMA and grantees in carrying out section 324 of the Stafford Act, 42 U.S.C. 5165b. These responsibilities are unique to the administration of this part and are in addition to common Federal Government requirements of grantees and subgrantees, consistent with OMB circulars and other applicable requirements, such as part 13 of this chapter.

(b) *FEMA.* FEMA is responsible for:

- (1) Determining the lock-in amount for management costs in accordance with §207.5.
- (2) Obligating funds for management costs in accordance with §207.5(b).
- (3) Deobligating funds provided for management costs not disbursed in accordance with §207.8(b).
- (4) Reviewing management cost rates not later than 3 years after this rule is in effect and periodically thereafter.

(c) *Grantee.* The grantee must:

- (1) Administer management cost funds to ensure that PA and HMGP, as applicable, are properly implemented and closed out in accordance with program timeframes and guidance.
- (2) Determine the reasonable amount or percentage of management cost funding to be passed through to subgrantees for contributions to their costs for administering PA and HMGP projects and ensure that it provides such funds to subgrantees.
- (3) Address procedures for subgrantee management costs amount or percentage determination, pass through, close-out, and audit in the State administrative plan required in §206.207(b) of this chapter for PA and §206.437 of this chapter for HMGP.

§ 207.5 Determination of management cost funding.

(a) *General.* This section describes how FEMA determines the amount of funds that it will contribute under this part for management costs for PA and/or HMGP for a particular major disaster or emergency.

(b) *Lock-in.* FEMA will determine the amount of funds that it will make available for management costs by a lock-in, which will act as a ceiling for funds available to a grantee, including its subgrantees.

(1) Not earlier than 30 days and not later than 35 days from the date of declaration, FEMA will provide the grantee preliminary lock-in amount(s) for management costs based on the projections at that time of the Federal share for financial assistance for PA and HMGP, as applicable. In accordance with §207.7(c), FEMA will obligate 25 percent of the estimated lock-in amount(s) to the grantee.

(2) For planning purposes, FEMA will revise the lock-in amount(s) at 6 months after the date of the declaration. In accordance with §207.7(e), FEMA may obligate interim amount(s) to the grantee.

(3) FEMA will determine the final lock-in amount(s) 12 months after date of declaration or after determination of the final HMGP lock-in ceiling, whichever is later. FEMA will obligate the remainder of the lock-in amount(s) to the grantee in accordance with §207.7(f).

(4) Rates. (i) For major disaster declarations, FEMA will determine the lock-in for PA based on a flat percentage rate of the Federal share of projected eligible program costs for financial assistance pursuant to sections 403, 406, and 407 of the Stafford Act, 42 U.S.C. 5170b, 5172, and 5173, respectively, but not including direct Federal assistance. For major disaster declarations on or after November 13, 2007, the PA rate will be 3.34 percent.

(ii) For major disaster declarations, FEMA will determine the lock-in for HMGP based on a flat percentage rate of the Federal share of projected eligible program costs under section 404 of the Stafford Act, 42 U.S.C. 5170c. For major disaster declarations on or after November 13, 2007, the HMGP rate will be 4.89 percent.

(iii) For emergency declarations, FEMA will determine the lock-in for PA based on a flat percentage rate of the Federal share of projected eligible program costs for financial assistance (sections 502 and 503 of the Stafford Act, 42 U.S.C. 5192 and 5193, respectively), but not including direct Federal assistance. For emergency declarations on or after November 13, 2007 the rate will be 3.90 percent.

(c) The dollar amount provided to a grantee for management cost funds for a single declaration will not exceed \$20,000,000, except as described in paragraphs (d) and (e) of this section.

(d) The grantee must justify in writing to the Regional Administrator any requests to change the amount of the lock-in or the cap, extend the time period before lock-in, or request an interim obligation of funding at the time of the 6-month lock-in adjustment. The Regional Administrator will recommend to the Chief Financial Officer whether to approve the extension, change, or interim obligation. Extensions, changes to the lock-in, or interim obligations will not be made without the approval of the Chief Financial Officer.

(e) The Chief Financial Officer may change the amount of the lock-in or the cap, or extend the time before lock-in, if the Chief Financial Officer determines that the projections used to determine the lock-in were inaccurate to such a degree that the change to the lock-in would be material, or for other reasons in his or her discretion that may reasonably warrant such changes. The Chief Financial Officer will not make such changes without consultation with the grantee and the Regional Administrator.

§ 207.6 Use of funds.

(a) The grantee or subgrantee must use management cost funds provided under this part in accordance with §13.22 of this chapter and only for costs related to administration of PA or HMGP, respectively. All charges must be properly documented in accordance with §207.8(f).

(b) Indirect costs may not be charged directly to a project or reimbursed separately, but rather are considered to be eligible management costs under this part.

(c) Activities and costs that can be directly charged to a project with proper documentation are not eligible for funding under this part.

§ 207.7 Procedures for requesting management cost funding.

(a) *General.* This section describes the procedures to be used by the grantee in requesting management cost funding.

(b) *State Administrative Plan Requirements.* State administrative plans, as required in §206.207(b) of this chapter for PA and §206.437 of this chapter for HMGP, must be amended to include procedures for subgrantee management costs amount or percentage determination, pass through, close-out, and audit, as required by §207.4(c)(3) before management cost funds will be provided under this part.

(c) *Initial Funding Request Submission.* Upon notification of the preliminary lock-in amount(s) for management costs based on the Federal share of the projected eligible program costs for financial assistance at that time for PA and HMGP, as applicable, the grantee must submit its initial management cost funding request to the Regional Administrator. FEMA must receive the initial funding request before it will provide any management cost funds under this part.

(1) For PA management costs, funding requests shall be submitted using a PW.

(2) For HMGP management costs, funding requests shall be submitted using an HMGP project narrative.

(d) *Request Documentation.* The grantee is required to submit, no later than 120 days after the date of declaration, documentation to support costs and activities for which the projected lock-in for management cost funding will be used. In extraordinary circumstances, FEMA may approve a request by a grantee to submit support documentation after 120 days. FEMA will work with the grantee to approve or reject the request within 30 days of receipt of the request. If the request is rejected, the grantee will have 30 days to resubmit it for reconsideration and approval. FEMA will not obligate the balance of the management costs lock-in pursuant to a final funding request as described in paragraph (f) of this section or any interim amounts as allowed under paragraph (e) of this section unless the grantee's documentation is approved. The documentation must include:

(1) A description of activities, personnel requirements, and other costs for which the grantee will use management cost funding provided under this part;

(2) The grantee's plan for expending and monitoring the funds provided under this part and ensuring sufficient funds are budgeted for grant close-out; and

(3) An estimate of the percentage or amount of pass-through funds for management costs provided under this part that the grantee will make available to subgrantees, and the basis, criteria, or formula for determining the subgrantee percentage or amount (e.g., number of projects, complexity of projects, X percent to any subgrantee).

(e) *Interim Funding Request.* If the grantee can justify a bona fide need for an additional obligation of management cost funds at 6 months, the grantee may submit a request to the Regional Administrator. Any interim obligations by FEMA must be approved by the Chief Financial Officer and will not exceed an amount equal to 10 percent of the 6-month lock-in amount, except in extraordinary circumstances.

(f) *Final Funding Request.* Upon notification of the final lock-in amount(s), the grantee must submit a final management cost funding request to the Regional Administrator. Any necessary revisions to supporting documentation must be attached to the final funding request.

§ 207.8 Management cost funding oversight.

(a) *General.* The grantee has primary responsibility for grants management activities and accountability of funds provided for management costs as required by part 13 of this chapter, especially §§13.20 and 13.36. The grantee is responsible for ensuring that subgrantees meet all program and administrative requirements.

(b) *Period of availability.* (1) For major disaster declarations, the grantee may expend management cost funds for allowable costs for a maximum of 8 years from the date of the major disaster declaration or 180 days after the latest performance period date of a non-management cost PA PW or HMGP project narrative, respectively, whichever is sooner.

(2) For emergency declarations, the grantee may expend management cost funds for allowable costs for a maximum of 2 years from the date of the emergency declaration or 180 days after the latest performance period of a non-management cost PA PW, whichever is sooner.

(3) The period of availability may be extended only at the written request of the grantee, with the recommendation of the Regional Administrator, and with the approval of the Chief Financial Officer. The grantee must include a justification in its request for an extension, and must demonstrate that there is work in progress that can be completed within the extended period of availability. In no case will an extended period of availability allow more than 180 days after the expiration of any performance period extensions granted under PA or HMGP for project completion. FEMA will de-obligate any funds not liquidated by the grantee in accordance with §13.23 of this chapter.

(c) *Reporting requirements.* The grantee must provide quarterly progress reports on management cost funds to the Regional Administrator as required by the FEMA-State Agreement.

(d) *Close-out.* The grantee has primary responsibility for the close-out tasks associated with both the program and subgrantee requirements. Complying with each program's performance period requirement, the grantee must conduct final inspections for projects, reconcile subgrantee expenditures, resolve negative audit findings, obtain final reports from subgrantees and reconcile the close-out activities of subgrantees with PA and HMGP grant awards.

(e) *Audit requirements.* Uniform audit requirements in §13.26 of this chapter apply to all assistance provided under this part.

(f) *Document Retention.* In compliance with State law and procedures and with §13.42 of this chapter, grantees must retain records, including source documentation to support expenditures/costs incurred for management costs, for 3 years from the date of submission of the final Financial Status Report to FEMA that is required for PA and HMGP. The grantee is responsible for resolving questioned costs that may result from audit findings during the 3-year-record-retention period and returning any disallowed costs from ineligible activities.

§ 207.10 Review of management cost rates.

(a) FEMA will review management cost rates not later than 3 years after this rule is in effect and periodically thereafter.

(b) In order for FEMA to review the management cost rates established, and in accordance with part 13 of this chapter, the grantee and subgrantee must document all costs expended for management costs (including cost overruns). After review of this documentation, FEMA will determine whether the established management cost rates are adequate for the administration and close-out of the PA and HMGP programs.