

Applicant Briefing Hurricane Nicole DR-4680

*For this webinar, your microphones have been muted.
Please include all questions in the chat.*

Hello! We will begin 5 minutes after the start time to allow time for all participants to join the briefing. Please note, for this webinar, your microphones have been muted.

Applicant Briefing Hurricane Nicole DR-4680



Houses of Worship

Presented by the Recovery Bureau



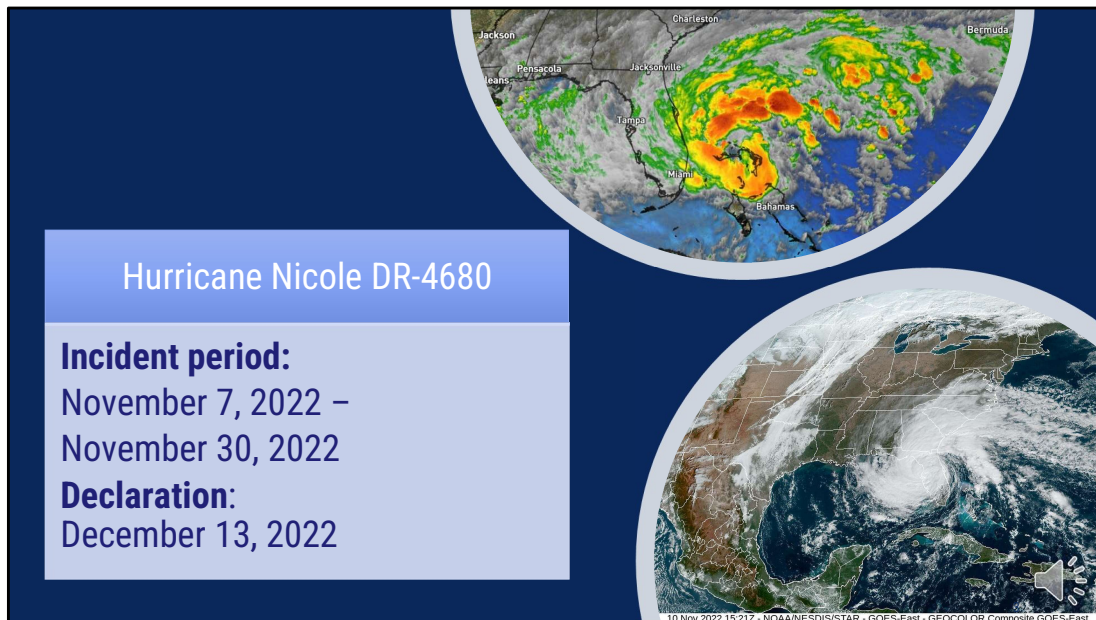
Hello, ladies and gentlemen and welcome to the State of Florida, Division of Emergency Management's Hurricane Nicole (DR-4680) Applicant Briefing for our Houses of Worship. We are here today to review FEMA's Public Assistance program's application procedures, administrative requirements, funding, and program eligibility criteria.

My name is Rebecca Hart, and I am the Education and Training Administrator for the Recovery Bureau here at the Florida Division of Emergency Management (FDEM).

We also have subject matter experts in disaster recovery monitoring the chat, so please include all questions there and they will answer them as they come in.

A copy of this presentation and the recording is uploaded to FloridaPA.org

We will refer to additional resources throughout this presentation. We have compiled all these links and a helpful list of acronyms for you to reference in the pdf: [Hurricane Nicole \(DR-4680\) State Applicant Briefing Additional Resources](#) which is also uploaded to Florida PA and linked for you in the chat.



First, let's review Hurricane Nicole's incident period.

When a Major Disaster Declaration is signed by the president, FEMA specifies an "Incident Period." This establishes the **date range for damage or losses to be eligible for federal disaster assistance**.

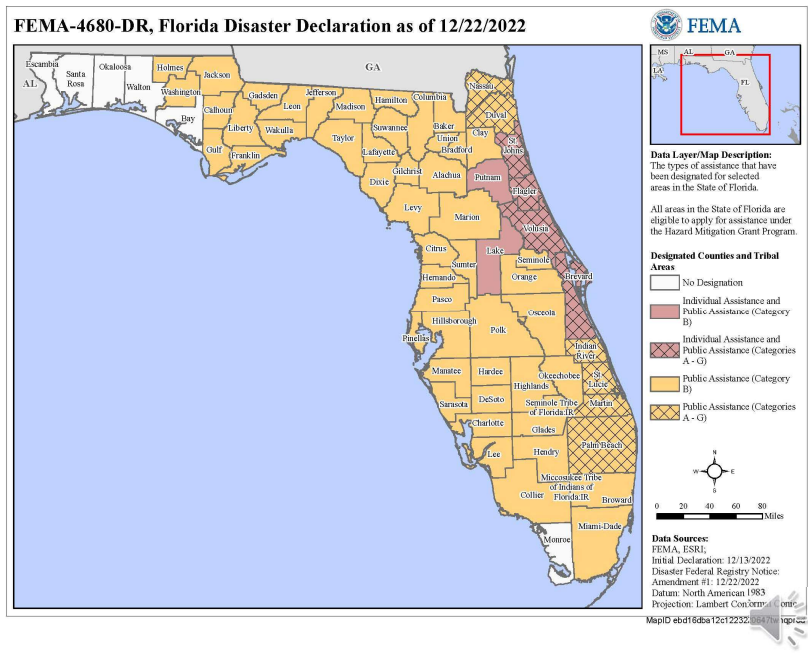
You, as the applicant, are responsible for showing that the work was required in **response to** the declared incident or **to address** damage caused by the declared incident.

For Hurricane Nicole, the incident is **November 7, 2022**, until **November 30, 2022**, and

The Declaration date is December 13, 2022

DR-4680 Florida Disaster Declaration

*as of 12/22/2022



This map shows DR-4680's Florida Disaster Declaration for Hurricane Nicole and its FEMA disaster designations as of December 13, 2022.

We will go over the designated areas for each category of work next.

Map image: <https://www.fema.gov/disaster/4680/designated-areas>



Designated Areas for Categories A-G

1. Brevard	2. Duval	3. Flagler	4. Indian River
5. Martin	6. Nassau	7. Palm Beach	8. St. Johns
	9. St. Lucie	10. Volusia	

*as of December 22, 2022

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The counties listed here have been declared for Categories A-G including Direct Federal Assistance at a 75/25 cost share split with a 75% Federal Cost Share, and a 25% non-Federal Share.

To be eligible for assistance, damages must have occurred within the declared counties you see listed on the screen.

Additional designations continue to be made and can be made if requested by the state and justified by further damage assessments.

DR-4680 Designated Areas: <https://www.fema.gov/disaster/4680/designated-areas>

Designated Areas for Category B Only

1. Alachua	2. Baker	3. Bradford	4. Broward	5. Calhoun	6. Charlotte	7. Citrus	8. Clay
9. Collier	10. Columbia	11. Desoto	12. Dixie	13. Franklin	14. Gadsden	15. Gilchrist	16. Glades
17. Gulf	18. Hamilton	19. Hardee	20. Hendry	21. Hernando	22. Highlands	23. Hillsborough	24. Holmes
25. Jackson	26. Jefferson	27. Lafayette	28. Lake	29. Lee	30. Leon	31. Levy	32. Liberty
33. Madison	34. Manatee	35. Marion	36. Miami-Dade	37. Okeechobee	38. Orange	39. Osceola	40. Pasco
41. Pinellas	42. Polk	43. Putnam	44. Sarasota	45. Seminole	46. Sumter	47. Suwanee	48. Taylor
49. Union		50. Wakulla		51. Washington			

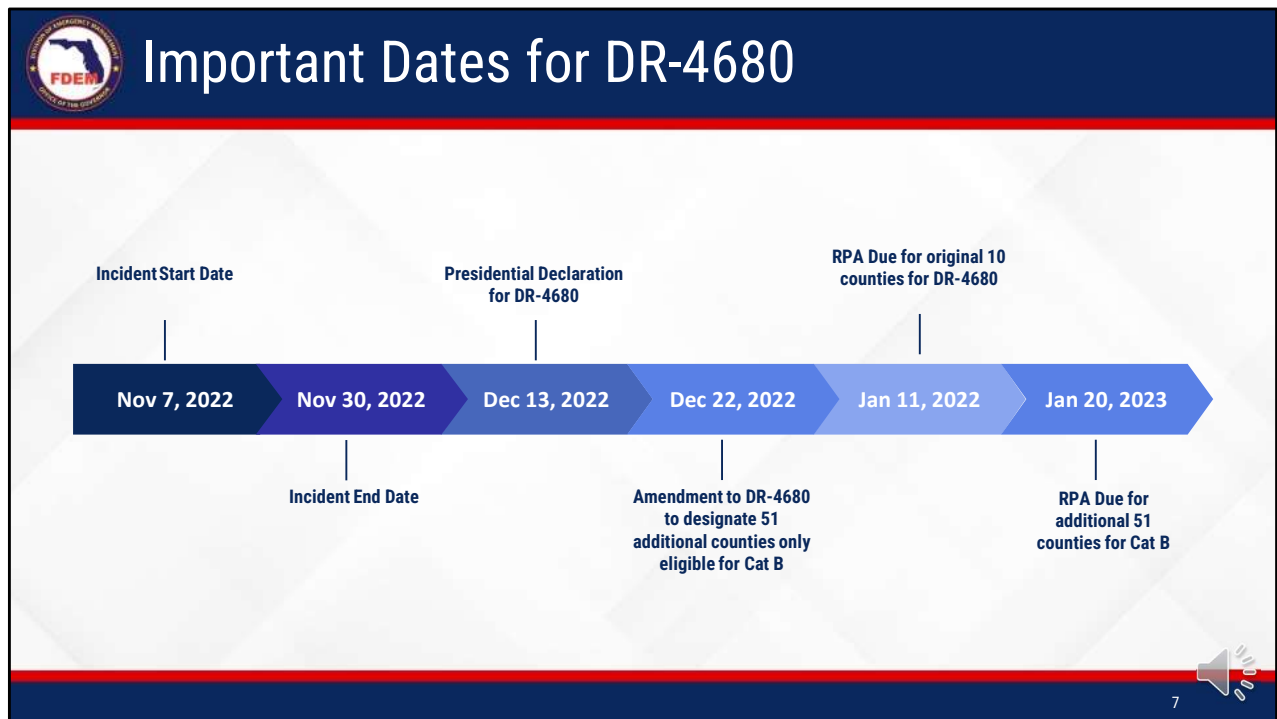
*as of December 22, 2022

The counties listed on this slide have been declared only for Category B Emergency Protective Measures including Direct Federal Assistance at a 75/25 cost share split with a 75% Federal Cost Share, and a 25% non-Federal Share.

As a reminder, to be eligible for assistance, damages must have occurred within the declared counties you see listed on the screen.

Additional designations continue to be made and can be made at a later date if requested by the state and justified by further damage assessments.

DR-4680 Designated Areas: <https://www.fema.gov/disaster/4680/designated-areas>



Let's go over some important dates:

The incident start and end dates: Damage or losses must have occurred between November 7 and November 30 to be eligible for federal disaster assistance

The presidential declaration date of December 13th is the benchmark for the submission of Requests for Public Assistance (RPAs). The RPA for the original 10 counties declared for Categories A-G needs to be submitted by **January 11, 2023**.

On December 22, 2022 FEMA issued an Amendment to DR-4680 and an additional 51 counties were designated to be included in the major disaster declaration. As such, the RPA deadline for those 51 counties to claim Category B work is **January 20, 2023**.

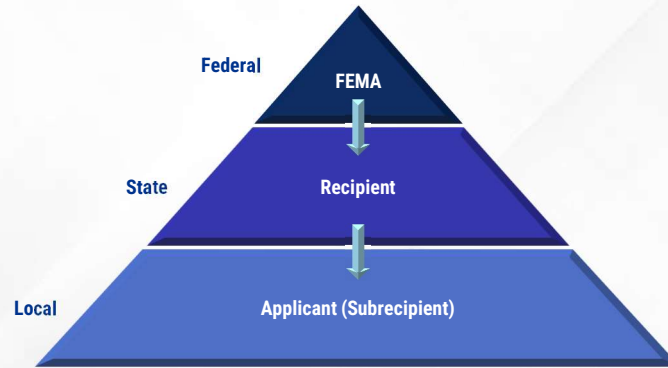
44 C.F.R. § 206.32(f); and, PAPPG, v4 (2020). Chapter 1. Pre-Award Activities. IV. Presidential Declaration., B. Incident Period.

44 C.F.R. § 206.202(c): You must send Requests to the Regional Administrator within 30 days after designation of the area where the damage occurred.



Public Assistance Overview

The mission of FEMA's Public Assistance Program is to provide assistance to State, Territorial, Tribal, and Local governments, and certain types of private nonprofit organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.




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Public Assistance or PA is FEMA's largest grant program providing funds to assist communities responding to and recovering from major disasters or emergencies declared by the President.

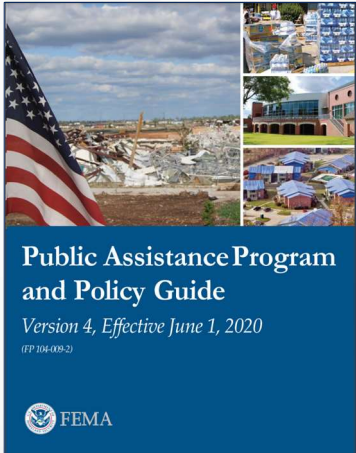
- FEMA – manages the program, provides technical assistance, and approves grants.
- State, or Recipient – educates applicants, works with FEMA to manage the program, and implements and monitors grants awarded.
- "YOU", the Applicant, or Subrecipient – are responsible for identifying the damages, providing documentation, and managing the funded projects.

Florida PA

<https://floridapa.org/site/palInfo.cfm>




Public Assistance Program and Policy Guide - PAPPG



- FEMA's Public Assistance Guide
- Utilize version 4

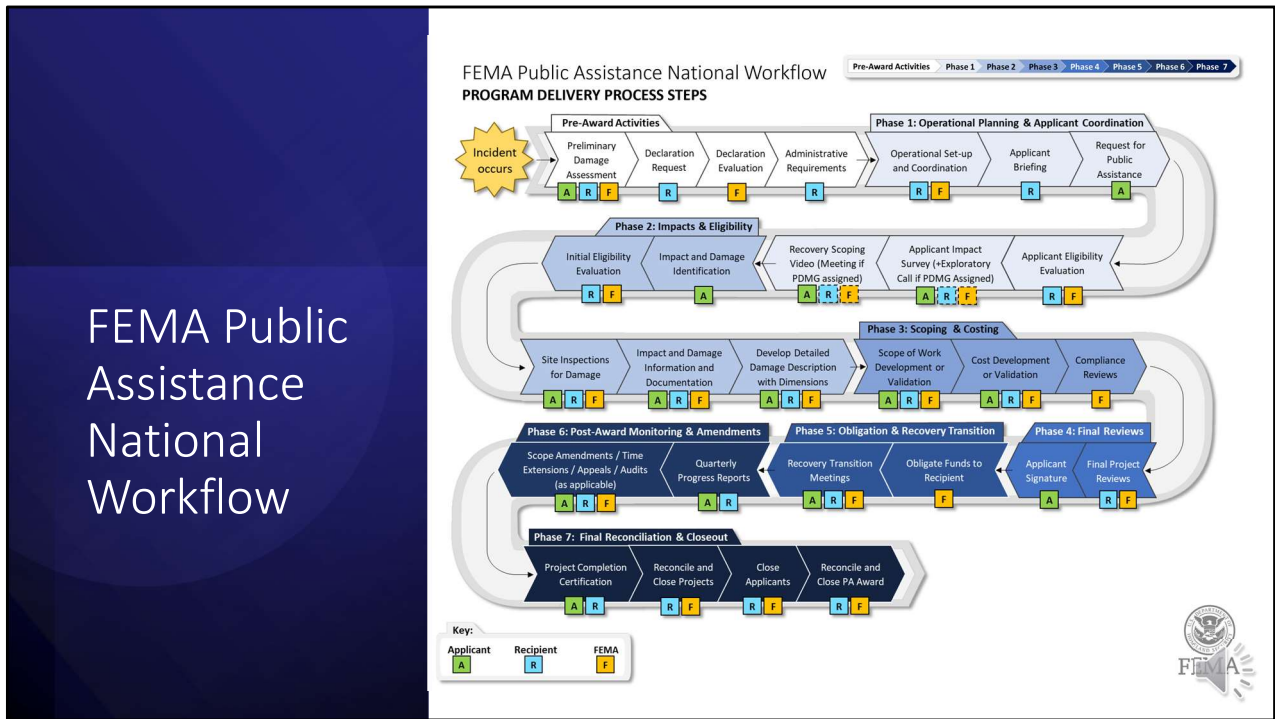
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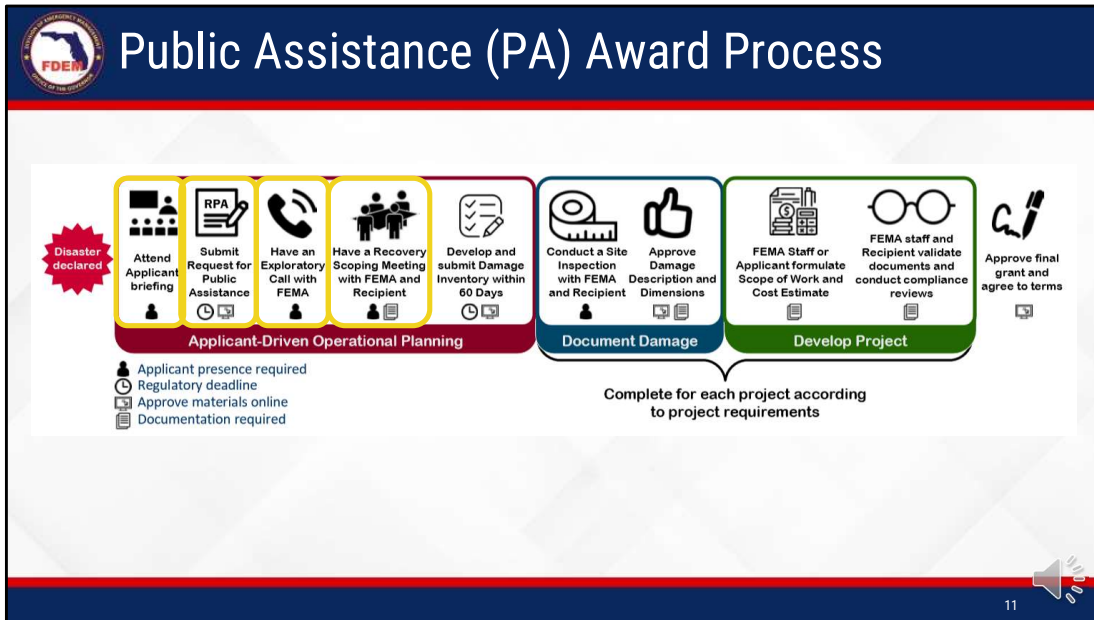
Throughout the presentation, you will hear us mention the PAPPG or the Public Assistance Program and Policy Guide, version 4. This FEMA document is a reference guide that includes policy and procedures for the PA program. As mentioned previously, the link to this document as well as all other policies mentioned in this briefing is available in the Additional Resources pdf.

Public Assistance Program and Policy Guide, Version 4

https://www.fema.gov/sites/default/files/documents/fema_pappg-v4-updated-links_policy_6-1-2020.pdf



The FEMA Public Assistance National Workflow details the process steps that take place in the FEMA PA Program. As you look at the slide, you see that You the APPLICANT, the State of Florida the Recipient, and FEMA, ALL have a role in the program delivery process from the start of the Incident which triggers the Pre-Award Activities all the way to the last step, Final Reconciliation & Closeout. The purpose of this slide is to show you **everyone's** responsibility as we navigate the FEMA PA program.




This figure focuses on the Applicant’s portion of the PA award process.

The Applicant Briefing: this is what you are attending today. (transition)

Next, Submit your **Request for Public Assistance or RPA** by the deadline for your designated area (transition)

Then, you will have your **Exploratory Call:** The FEMA Program Delivery Manager or PDMG should initiate the call within 7 days of an Applicant’s assignment to a PDMG. (transition)

Following that will be your **Recovery Scoping Meeting or RSM:** FEMA will conduct the RSM within 21 days of an Applicant’s assignment to a PDMG.




Recovery Scoping Meeting (RSM)

To help prepare for your Recovery Scoping Meeting, compile a list of claims (specified by location) to include:

- Damage Description(s)
- Scope of Work (SOW)
- Nature of Work
- Estimated Cost

You will have 60 days following your RSM to:

1. Make claims and identify damages via your Damage Inventory
2. Submit your request for an Expedited Project, if desired

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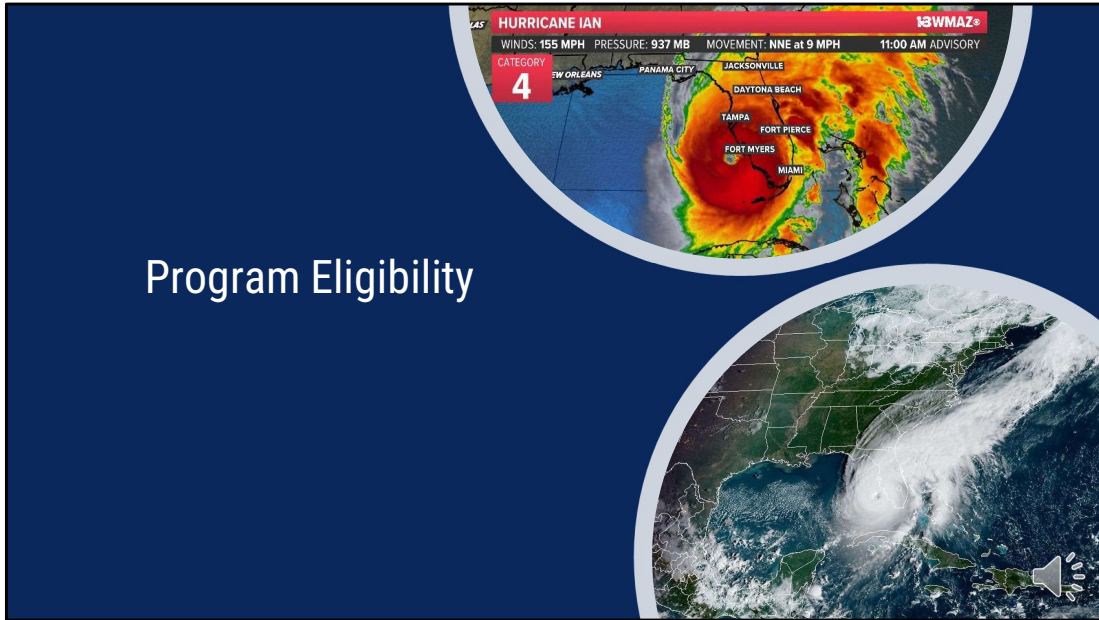
Once your organization receives notice that your RPA was approved, and you have your Exploratory Call, FEMA will contact you to schedule a Recovery Scoping Meeting (RSM). To help prepare for your RSM, you should compile a list of claims (specified by location) to include:

Damage Description(s) including photos of the damages
Scope of Work
Nature of Work
And the Estimated Cost

You may also want to gather
Maintenance Records and your entire Insurance Policy

Please note, You will have 60 days following your RSM to:
Make claims and identify damages via your Damage Inventory, and
Submit your request for an Expedited Project, if desired.

So, be sure to document the date of your RSM so that you don't miss these important deadlines.



Next, we will discuss program eligibility.

Program Eligibility for PNPs

Cost

Work

Applicant, Facility, Services

January 11, 2023 or
January 20, 2023

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Houses of Worship are considered Private Nonprofit organizations, and this is the eligibility pyramid specific to our Private Nonprofits: On the bottom tier you see: Applicant, Facility, and Services. Then you have Work and finally, Cost. To be eligible, a house of worship must own or operate a facility that provides an eligible service.

You **MUST** have all 3 tiers of this pyramid to be eligible for reimbursement.

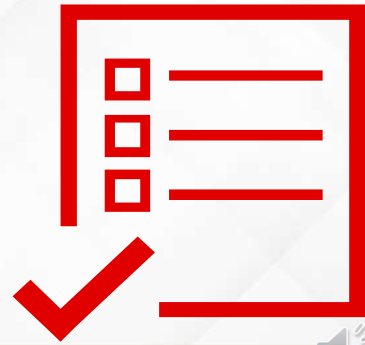
For example, [transition 1] an eligible applicant [transition 2] that performed eligible work [transition 3] but did not have an eligible facility would be considered [transition 4] **ineligible** for reimbursement. That facility may be eligible under a different applicant, but this information must be submitted correctly [transition 5] during the RPA enrollment period.

[transition 6] This is why it is of utmost importance to know who holds the legal responsibility of your facility.



Eligible Applicants

- State
- Local governments
- State Agencies
- Certain Private Nonprofit Organizations
 - **Including Houses of Worship**
- Other State Political sub-divisions



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Eligible applicants include:

State

Local governments

State Agencies

Certain Private Nonprofit Organizations, including Houses of Worship; and

Other State Political sub-divisions



Houses of Worship Eligibility

To be an eligible HOW Applicant, you must show:

- A ruling letter from the U.S. Internal Revenue Service that was in effect as of the declaration date and granted tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code; OR
- Documentation from the State substantiating it is a non-revenue producing, nonprofit entity organized or doing business under State law.

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To be an eligible Applicant as a house of worship, you must show that you have:

- an IRS letter stating tax-exempt status under section 501 (c), (d), or (e)
 - or evidence that the organization is a non-revenue producing nonprofit under state law
- And you must demonstrate that you own or operate a facility that provides an eligible service

Now, if your organization is not required to obtain 501(c)(3) status or tax-exempt status under applicable State law, you must provide articles of association, bylaws, or other documents indicating that it is an organized entity, and a certification that it is compliant with Internal Revenue Code section 501(c)(3) and State law requirements.



Facility Eligibility

To be eligible, facilities must:

- Be damaged as a result of the Hurricane Nicole
- Be located within the Presidentially Declared Area
- Be the Legal Responsibility of an eligible Applicant
- Not be under the Authority of another Federal Agency



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To be eligible, facilities must

Be damaged as a result of Hurricane Nicole

Be located within the Presidentially Declared Area

Be the Legal Responsibility of an eligible Applicant

AND cannot be under the Authority of another Federal Agency such as,

-Army Corps of Engineers or the Federal Highway Administration



Legal Responsibility

Documents that support legal responsibility can include, but are not limited to:


- Deeds;
- Titles;
- Lease agreements (required for leased facilities); and
- Contracts (required for facilities under construction at the time of the incident)

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Some documents that support legal responsibility can include, but are not limited to:

Deeds;
Titles;
Lease agreements; and
Contracts

Please note, you must submit documentation demonstrating your legal responsibility of the facility in your Request for Public Assistance.



Houses of Worship - Critical vs. Non-Critical

Critical	Non-Critical
<ul style="list-style-type: none">• Education• Utilities• Emergency Medical• Emergency Services	<ul style="list-style-type: none">• Houses of Worship• Museums• Homeless Shelters• Assisted Living

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For houses of worship, an eligible facility is one that provides an eligible service. Now, an eligible service may be a critical service or, a facility that provides a noncritical, but essential social service AND provides those services to the general public.

A **Critical Facility** is one that provides eligible critical services such as education, utilities, emergency, or medical services. Private Nonprofits and religious organizations that provide a critical service can apply directly for Public Assistance. In some instances, a house of worship may be considered a critical service. For example, a house of worship that operates an accredited school in more than 50 percent of the building may qualify for a FEMA grant. However, this only applies to facilities providing the critical services.

Some houses of worship are considered **noncritical, but essential social services**, a category which includes community centers, daycare and food programs.

FDEM Fact Sheet FEMA PA: HOW Organizations 10.17.22

House of Worship Critical Services

Utilities

- Communication transmission
- Electric power generation
- Irrigation to provide water for drinking water supply, fire suppression or electrical generation
- Sewer and wastewater collection
- Water treatment

Education

Primary or secondary education as determined under State law and provided in a day or residential school, including parochial schools; OR

- Higher-education institutions that meet all the of the following criteria:
- Admit students having a high school diploma or equivalent
- Legally authorized to provide education beyond secondary level
- Award bachelors degree or 2- year degree
- Credited by a nationally recognized agency

Emergency Medical

- Emergency medical care (diagnosis or treatment of mental or physical injury) provided in:
- Clinics
- Dialysis facilities
- Facilities that provide in-patient care for convalescent or chronic disease patients
- Hospices and nursing homes
- Long-term care facilities
- Outpatient facilities
- Rehabilitation centers

Emergency Services

- Ambulance
- Fire Protection
- Rescue
- Public Broadcasting that monitor, receive, and distribute communication from the Emergency Alert System to the public

Critical Services

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As previously stated, a critical facility is one that provides eligible critical services such as education, utilities, emergency, or medical;

Please review the examples on this screen to see if your facility falls under one of these categories that would indicate that you provide a critical service.

House of Worship Noncritical, Essential Social Services

Community centers established and primarily used for the following services to the general public:

- Art services
- Educational enrichment activities
- Multi-purpose arts programming
- Senior citizen projects, rehabilitation programs, community clean-up projects
- Performing arts centers with a primary purpose of producing, facilitating, or presenting live performances

Noncritical Services

Facilities that do not provide medical care, but provide:

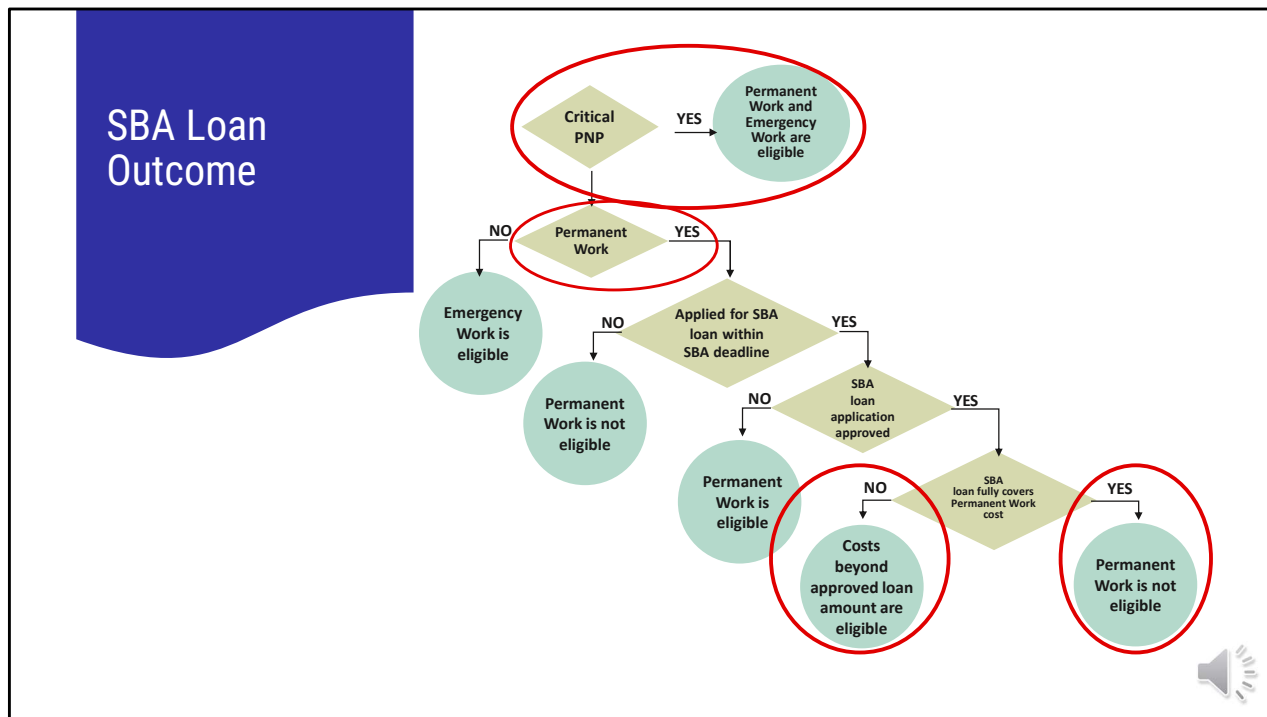
- Alcohol and drug treatment and other rehabilitation services
- Assisted living
- Custodial care
- Childcare
- Day care for individuals with disabilities
- Food assistance programs
- Homeless shelters
- Houses of worship
- Libraries
- Low-income housing
- Senior citizen centers
- Zoos

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To help you determine if you provide a noncritical service, please review the examples listed on this screen. Please note, houses of worship typically fall under noncritical essential social services unless you provide one of the services we discussed in the last slide.

*With exception of custodial care facilities and museums, administrative and support facilities essential to the provision of **noncritical** services are ineligible facilities.*

For a full list of critical and noncritical services, please refer to the PAPPV4.



Now on to a question that many houses of worship may have... When do they need to apply for an SBA Loan.

If your facility provides critical services, you are eligible for FEMA PA for both emergency work and permanent work and do **not** need to apply for an SBA loan.

If your facility provides noncritical services, you are eligible for emergency work under FEMA PA. Now, if your facility provides noncritical services [transition 1] and you are seeking FEMA assistance for **permanent** repairs, [transition 2] you must **first** apply to the U.S. Small Business Administration (SBA) for a loan.

Now depending on the SBA loan application there are two possible outcomes:

[transition 3] If the SBA loan fully covers the permanent work cost, then you will not be eligible for FEMA PA. [transition 4]


[transition 5] If it does not fully cover the permanent work cost, then those costs beyond the approved loan are eligible for FEMA PA. [transition 6]

Houses of Worship should visit [SBA.gov](https://www.sba.gov) for a list of approved counties eligible for SBA disaster loans and their deadlines. This link will be provided to you now in the chat.

As a reminder, [transition 7] houses of worship who provide critical services do **not** need to apply for an SBA loan.

U.S. Small Business Administration


<https://www.sba.gov/funding-programs/disaster-assistance/hurricane-ian>



Non-Critical Facilities

1	2	3	4
<ul style="list-style-type: none">— Identify if non-critical facility is in a FEMA disaster declared county eligible for PA	<ul style="list-style-type: none">— Register at FEMA Grants Portal for both emergency and permanent work costs claimed.— If claiming permanent work costs, apply for an SBA Loan at the same time	<ul style="list-style-type: none">— Once your account at FEMA Grants Portal is approved, submit your RPA— If SBA approves loan for permanent work, accept it— If permanent work is denied by SBA, or if loan is insufficient, continue with the FEMA Grants Portal Process	<ul style="list-style-type: none">— If claiming permanent work costs, provide FEMA with SBA letter and continue with the Grants Portal process

Additional information:
FEMA Cannot duplicate benefits from SBA



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Just to recap for non-critical facilities:


1st determine if your non-critical facility is in a FEMA declared county.

2nd if you are claiming costs associated with emergency and/or permanent work, register for an account at FEMA Grants Portal. If you are claiming **permanent** work costs, also apply for an SBA loan at the same time.

3rd once your account at FEMA Grants Portal is approved, submit your RPA by the deadline for your designated area. Do not wait for your SBA determination letter to submit your RPA. If the Small Business Administration approves your loan for permanent work, then accept it. But, if the application is denied by SBA, or if the loan is insufficient, then continue with the Grants Portal process.


Lastly, you must provide FEMA with your SBA denial letter if you are claiming public assistance for permanent work costs. So be sure to keep it in your records.

We will go over the steps to request an account in Grants Portal and submit your RPA near the end of this briefing.



Facility Eligibility – Multiple or Mixed Use

- Multiple Services:**
 - In cases where the facility provides multiple services, FEMA reviews additional items to determine the primary service that facility provides.
- Multiple Facilities:**
 - If a house of worship operates multiple facilities, or a single facility composed of more than one building, FEMA must evaluate each building independently, even if all are located on the same ground.
- Mixed Use Facilities and Mixed Use Space:**
 - Houses of worship facilities that provide both eligible and ineligible services are considered mixed use facilities. Eligibility of mixed use houses of worship facilities is dependent on the primary use of the facility.

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Multiple Services: in cases where the facility provides multiple services, FEMA reviews additional items to determine the primary service that facility provides.

Multiple Facilities: If a house of worship operates multiple facilities, or a single facility composed of more than one building, FEMA must evaluate each building independently, even if all are located on the same grounds.

Mixed Use Facilities and Mixed-Use Space: Houses of Worship facilities that provide both eligible and ineligible services are considered mixed-used facilities. Eligibility of mixed-use facilities is dependent on the primary use of the facility, which is determined by the amount of physical space dedicated to eligible and ineligible services. For houses of worship mixed-use facilities to be eligible, more than 50 percent of the facility had to be in **active** use for an eligible purpose **at the time of the incident**. Which, remember, is from September 23rd to November 4th, 2022.

Program Eligibility for PNPs

Cost

Work

Applicant, Facility,
Services

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Next, determine if you have performed eligible work.



Work Eligibility

To be eligible, Work must be:

- Direct result of event
- Location: the work must be within the designated disaster area.
- Legal Responsibility: the work must be the legal responsibility of an eligible applicant.
- Not the responsibility of another federal agency

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The work must meet the following criteria to be eligible for public assistance funding:

The work must:

- Be a direct result of Hurricane Nicole
- Be located within the designated disaster area,
- Be the legal responsibility of an eligible Applicant
- **AND** not the responsibility of another federal agency

Program Eligibility for PNPs

Cost

Work

Applicant, Facility,
Services

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Last step is to determine if costs are eligible



Cost Eligibility

To be eligible, Cost must be:

- In Compliance with federal, state, and local laws and regulations.
- Authorized and not prohibited under Federal, State, Territorial, Tribal, or local government laws or regulations.
- Consistent with the Applicant's internal policies
- Reasonable and necessary to accomplish the work



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To be eligible for reimbursement, the cost must be reasonable and necessary to accomplish eligible work

The cost must be:

- Authorized and not prohibited under Federal, State, Territorial, Tribal, or local government laws or regulations.
- And the cost must be consistent with the Applicant's internal policies, regulations, and procedures that apply uniformly to both Federal awards and other activities of the Applicant.



Examples of Eligible Costs for Houses of Worship

- Damaged contents necessary to the operation of houses of worship facilities
- Debris removal limited to that associated with an eligible facility
- Donated resources such as labor or equipment (must be properly documented)
- Permanent repairs on an eligible facility

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Eligible costs may include funding to carry out permanent repairs and the replacement of damaged structures, likewise assistance may be available to replace damaged contents that are necessary to the operations of the facility.

Emergency protective measures to prevent further damage to the facility may also be eligible. Such as mold remediation and temporary roof repair to your facility.



Examples of Ineligible Costs for Houses of Worship

- Duplication of Benefits (DOB)- the Applicant receives disaster-related funding from two sources for the same item of work
 - Funding from another Federal agency, insurance, etc.
- For-profit enterprise that the Applicant used for fundraising purposes
- Loss of revenue
- Shelter and food distribution costs **except** when a House of Worship provides these services at the request of, and certified by, **the legally responsible government entity**, FEMA provides PA funding through that government entity as the eligible Applicant

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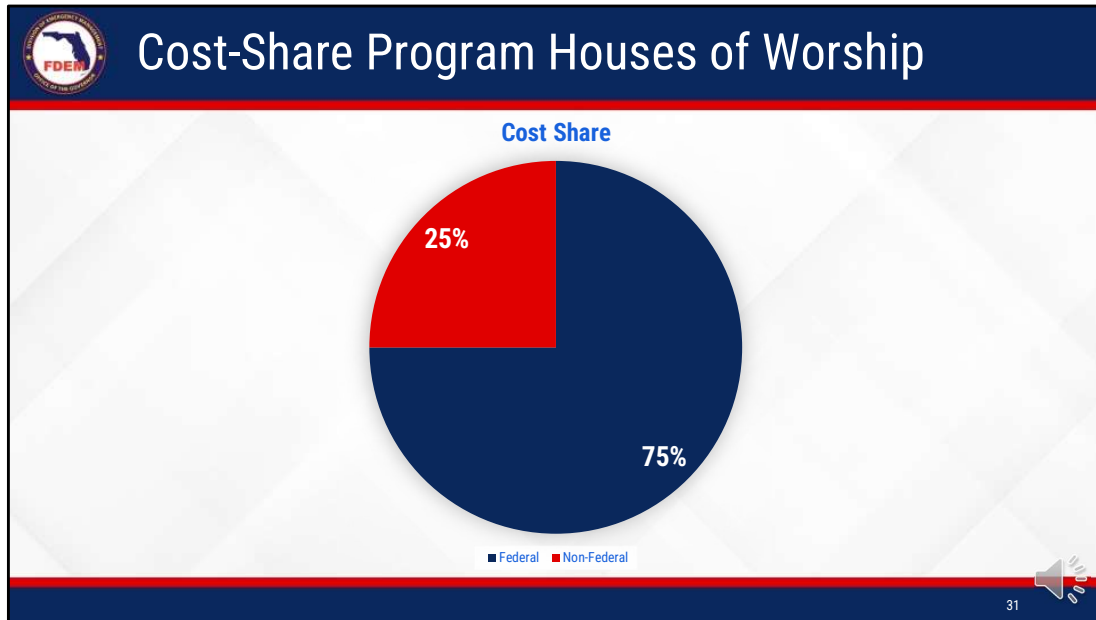
Now we will go over a few examples of ineligible costs for houses of worship.

- Ding! Ding! Ding! Duplication of Benefits, meaning the Applicant receives disaster-related funding from two sources for the same item of work. For example, funding from another Federal agency or insurance for the same item of work for which the applicant is requesting FEMA funding.

Additional examples of ineligible costs include

- Claiming a for-profit enterprise that the Applicant used for fundraising purposes such as a clothing store operated by the house of worship
- Loss of revenue such as cancelling a fundraising event due to an entity using a venue for incident-related activities, such as sheltering
- Shelter and food distribution costs are usually deemed ineligible **except** when a House of Worship provides these services at the request of, and certified by, the legally responsible government entity. When this occurs, FEMA provides PA funding through that government entity as the eligible Applicant
 - We will review how to obtain delegated legal responsibility and set up those mass care agreements with local governments later in this briefing.

*Duplication of Benefits (DOB) definition https://emilms.fema.gov/is_1024/groups/57.html
https://www.fema.gov/sites/default/files/documents/fema_private-nonprofit-eligibility-factsheet.pdf, October 2022*



The assistance FEMA provides through its PA Program is subject to a cost share. The Federal cost-share program is no less than 75 percent Federal and 25 percent non-federal.

Meaning, the House of Worship is responsible for the remaining 25%
Please note, if you cannot provide the 25% cost share, you could jeopardize your ability to receive full PA funding.

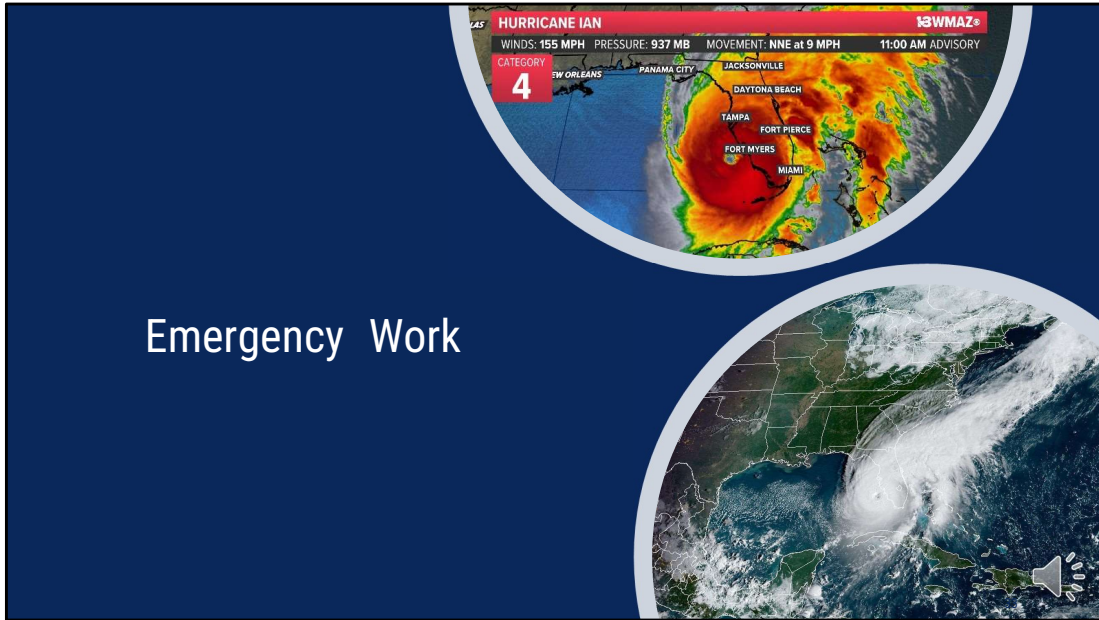


Eligible work is broken into the following public assistance categories:

- Cat. A (Debris Removal) & Cat. B (Emergency Protective Measures) are both considered Emergency Work.
- The deadline to complete Emergency Work is 6-months from the declaration date
- Within its discretion, the State, as the Recipient, has the authority to grant a time extension of up to 6 months, and then FEMA may grant additional time extensions

- Cat. C – G are considered Permanent Work.
- The deadline to complete Permanent Work is 18-months from the declaration date
- Within its discretion, the State, as the Recipient, may grant a time extension for up to 30-months for Permanent work on a project-by-project basis *44 C.F.R. §206.204*

PAPPG, v4. Chapter 7. Emergency Work Eligibility, II. Emergency Protective Measures, V. 7.
PAPPG, v4. Chapter 11. Post Award Monitoring, V. Work Completion Dates.



Now let's review emergency work.



Emergency Work - Force Account Labor

Emergency Work Labor Eligibility		
Budgeted Employees	Overtime	Straight-Time
Permanent employee	<input checked="" type="checkbox"/>	
Seasonal employee working during normal season of employment	<input checked="" type="checkbox"/>	
Unbudgeted Employees	Overtime	Straight-Time
Essential employee called back from administrative leave	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Permanent employee funded from external source	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Temporary employee hired to perform eligible work	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Seasonal employee working outside normal season of employment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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A few items to note for Emergency Work and Force Account Labor, *which by the way means*: labor performed by non-contracted forces. For Emergency Work, budgeted employees straight time is not eligible **only** their overtime, and for **un**budgeted employees you can claim **both** straight time and overtime.

When you submit your documentation for force account labor, please ensure you include the following:

The employees'

- Name
- Their Job Title and Function
- What type of Employee they are: if they're full-time, temporary, Exempt, or Non-exempt
- The days and hours they worked and for this, please include the time they clocked in and out
- Their Pay rates with fringe benefits
- A description of work performed which includes their location, and you can provide in this in daily logs, activity reports, or other methods.
- Timesheets, and your
- Pay Policy

Please note, we're reviewing labor costs now. But equipment, materials, and supplies can also be found eligible as long as they are documented properly.



Category A – Debris Removal

Clearance, removal, and disposal, will be considered *if* the removal is in the public interest

- Eliminates immediate
 - threats to life, public health, and safety
 - threats of significant damage to public or private property
- On September 6, 2022, new FEMA debris guidance was released that changed the measurement requirements
 - Applicants must ensure they adhere to the contract terms in place with pre-existing and standby debris vendor contracts.



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Now, let's go over Category A- Debris Removal:

Debris removal work eliminates an immediate threat to lives, public health and safety. It promotes the economic recovery of the affected area to benefit the community at large. Debris includes, but is not limited to

- vegetative debris, construction and demolition debris, and vehicle and vessel wreckage.

Clearance, removal, and disposal, will be considered if the removal is in the public interest, meaning it's not merely benefiting an individual or a limited group of individuals.

On September 6, 2022, in FEMA's Memo *Simplifying Public Assistance Part 2* new FEMA debris guidance was released that changed the measurement requirements

However, applicants must ensure they adhere to the contract terms in place with **pre-existing** and **standby** debris vendor contracts.

A link to this document is included in the Additional Resources pdf.

PAPPGv4v4, Chapter 7. Emergency Work Eligibility, I. Debris Removal



Alternative Procedures for Debris Removal

Applicants may elect to participate in the Alternative Procedures for debris removal and receive reimbursement for straight-time for the Applicant's budgeted employees that conduct debris removal activities.

The Applicant opts-in by including straight-time in their debris removal (Category A) project claims.



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Now, let's go over some alternative procedures for Debris Removal:

Applicants may elect to participate in the Alternative Procedures for debris removal and receive reimbursement for **straight-time** for the Applicant's **budgeted** employees that conduct debris removal activities. The Applicant opts-in simply by including straight-time in their debris removal (Category A) project claims.

Work with your FEMA PDMG to include straight time of your budgeted employees who conduct debris removal activities in your CAT A projects.

 **Private Property Debris Removal (PPDR)**

Debris Removal from Private Property



Debris removal from private property (PPDR) is the responsibility of the property owner and is usually ineligible under the PA Program.

FEMA may determine that debris removal from private property is eligible under the PA Program.

- FEMA works with the SLTT governments to designate specific areas where debris removal from private property, including private waterways, is eligible.
- The debris removal must be in the ***public interest***

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Debris removal from private property (PPDR) is the responsibility of the property owner and is usually ineligible under the PA Program.

However, in limited circumstances, based on the severity of the impact of an incident and whether debris on private property is so widespread that it threatens public health and safety or the economic recovery of the community, FEMA may determine that debris removal from private property is eligible under the PA Program.


In such cases, FEMA works with the State, Local, Territorial, and Tribal governments (SLTT) to designate specific areas where debris removal from private property, including private waterways, is eligible.

There is an approval process for PPDR. You can reference the PAPPG version 4 for more information

FEMA (2020). Public Assistance Program and Policy Guide V4 G.

 **Private Property Debris Removal (PPDR)**

Debris Removal from Private Roads
Open to Public



If the public **has unrestricted access** (no locks, gates, or guards) and frequently uses the private road, then removal and disposal of the debris, including debris placed at the curbside by residents, is in the public interest and the Applicant is not required to submit documentation demonstrating the debris removal is in the public interest.

Does not include debris on private driveways or parking lots.

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Next, let's take a look at private roads.

Private roads are those that are not owned, operated or maintained by SLTT governments. These private roads can include orphan roads, roads in gated communities, and homeowners' association roads.


FEMA categorizes private roads into one of two categories, those that are open to the public, and those that are rarely used or have limited public access.

For private roads to be considered open to the public, the public must have unrestricted access (meaning no locks, gates, or guards on the road) and the public must frequently use the private road.

If that is the case, then removal and disposal of the debris, including debris placed at the curbside by residents, is in the public interest and the Applicant is not required to submit documentation demonstrating the debris removal is in the public interest.


Please note, this does not include debris on private driveways or parking lots.

FEMA (2020). Public Assistance Program and Policy Guide V4 Chapter 7



Private Property Debris Removal (PPDR)

Debris Removal from Private Roads *Rarely Used or Limited Public Access*



If the public **does not have unrestricted** access (locks, gates, or guards), or the road is rarely used by the public, then removal and disposal of the debris, including debris placed at the curbside by residents, is **typically not eligible for reimbursement**.

Required documentation:

- Is in the public interest
- Related to health or economic impacts
- Legal responsibility of the Applicant
- Permission and Indemnification

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Now, let's review private roads that are rarely used or have limited public access

If the public **does not have unrestricted** access (meaning roads with locks, gates, or guards on them) [transition], or the road is rarely used by the public, then removal and disposal of the debris, including debris placed at the curbside by residents, is typically not eligible for reimbursement. However, to be considered eligible for reimbursement the Applicant is required to submit documentation demonstrating **all** of the following:

That the debris removal:

- 1. Is in the public interest
- 2. Is related to health or economic impacts
- 3. Is the legal responsibility of the Applicant
- 4. That the applicant has permission or Right of entry (Because this road is privately owned, the Applicant must show proof that they received permission to remove the debris), and
- 5. Indemnification – Proof that the owner of the private road will not file a lawsuit against the Applicant for removing the debris on their road.

FEMA (2020). Public Assistance Program and Policy Guide V4 Chapter 7

 Private Property Debris Removal (PPDR)

Commercial Property Debris Removal



Removal of debris from commercial properties is usually not eligible since commercial enterprises are expected to retain insurance.

In limited circumstances, FEMA may grant an exception; however, FEMA must approve the work **PRIOR** to the Applicant removing the debris.

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Now, let's look at Commercial Property Debris Removal

The most important item I want you to remember here is that Commercial Property debris removal requires FEMA's Pre-approval.

Removal of debris from commercial properties, such as industrial parks, golf courses, cemeteries, apartments, condominiums, and trailer parks is usually not eligible because commercial enterprises are expected to retain insurance that covers debris removal. In very limited, extraordinary circumstances, FEMA may grant an exception.

However, FEMA must approve the work **prior** to the Applicant removing the debris.



Category B - First Push

Debris clearance (first push or cut and toss) for emergency access may be eligible as Category B work.

First Push may even be eligible for PPDR even if the private road was rarely used or had limited public access. However, this is only considered a Category B, not A activity.

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Some of you may have heard about first push and are wondering where that fits in.

Debris clearance (also known as first push or cut and toss) for emergency access may be eligible as Category B work if it meets the criteria in PAPPv4.

First Push **may even** be eligible for PPDR even if the private road was rarely used or had limited public access. However, this is only considered a Category B, not A activity.

PAPPv4, Chapter 7. Emergency Work Eligibility, II. Emergency Protective Measures.



Category B – Emergency Protective Measures for HOWs

Activities taken *before, during, and after* a disaster and are necessary to eliminate or reduce an **imminent** threat to life, public health or safety, or they eliminate or reduce immediate threat of significant damage to improved public or private property.

Overtime costs of staff used to board up windows, remove outside equipment, fill sandbags, etc.

Materials, Supplies, and Equipment if documented properly

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Now, let's review Category B, Emergency Protective Measures

Emergency Protective Measures are activities taken **before, during, and after** a disaster and are necessary to **eliminate or reduce an imminent threat to life, public health or safety**, or they eliminate or reduce immediate threat of significant damage to improved public or private property.

In addition to the examples listed on this slide, you may also be required to submit the following:

- A narrative and methodology regarding how personnel costs were calculated
- And a statement including:
 - 1. that only Overtime and/or reassigned (unbudgeted) labor costs are included
 - 2. that no administrative leave hours were incorporated in documented costs, and
 - 3. that staging was not utilized and is not incorporated in documented costs



Donated Resources

Can help Offset the non-Federal share

- Applicant uses the resources in the performance of eligible work; and
- The Applicant or volunteer organization tracks the resources (materials, equipment, etc.) and work performed, including description, specific locations, and hours.
- If the donation is specific to permanent work on an eligible facility, then offset to permanent work may be done under some circumstances.

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Now, let's review donated resources

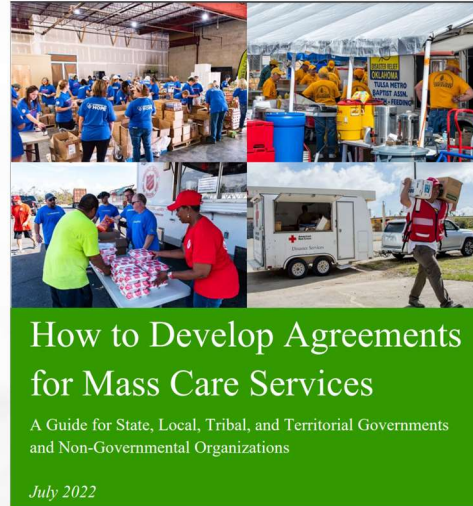
- Applicants may use the value of donated resources such as equipment, supplies, materials, or labor to offset the non-Federal share of their eligible projects. Remember, Houses of Worship that's the 25% you'll be responsible for. All donated resources being claimed must be documented. Make sure you show who, what, when, where, why, and how the donated resources activity occurred. For example, for your volunteers make sure you include their:
 - Name, the days and hours they worked and for this, please include the time they clocked in and out, and
 - A description of work performed which includes their location. You can provide this in daily logs, activity reports, or other methods.
- FEMA considers unpaid individuals who volunteer their labor to an Applicant to be a third party even if they are officially members or employees of the Applicant's organization
- FEMA prepares the donated resources project separate from the Emergency Work projects for the Applicant's incurred costs. FEMA does not obligate the donated resources project until after it obligates all the Applicant's Emergency Work projects.
- Please remember, if the donated resources are not sufficiently documented, they will not be considered eligible to offset the non-federal cost share.

<https://www.fema.gov/fact-sheet/donated-resources-can-help-offset-public-assistance-project-costs>, *Donated Resources Can Help Offset Public Assistance Project Costs. February 9, 2022.*



Houses of Worship Donated Resources – Mass Care

As a house of worship, you could donate resources (equipment, supplies, materials, or labor) to assist with response activities and enable other Applicants to use the value of your donated resources to offset their non-Federal share of eligible Emergency Work projects and Direct Federal Assistance (DFA).



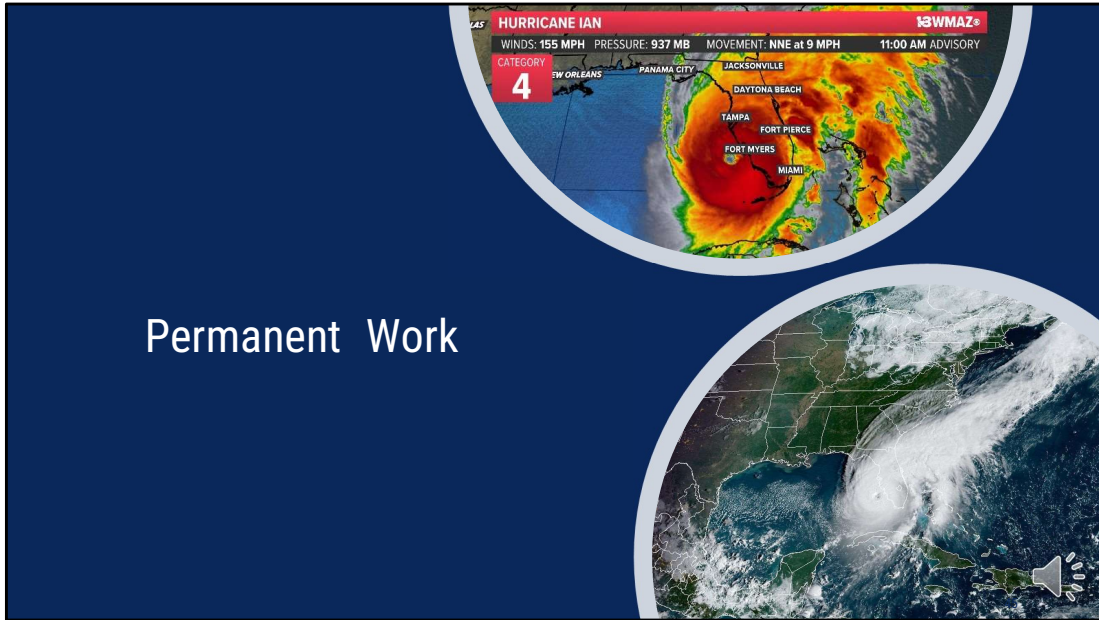
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As you may have heard, Public Assistance has specific eligibility requirements for Houses of Worship. Houses of Worship that are **not** eligible for PA reimbursement can still develop a Memorandum of Agreement or Understanding (MOA/MOU) with a government entity if they do not expect reimbursement **directly** as an eligible Applicant for the same work or costs through the PA program. For example, *according to FEMA governments, not houses of worship, governments* are responsible for the delivery of mass care services and emergency assistance that save and sustain lives within their jurisdictions.

As a House of Worship, you could donate resources including equipment, supplies, materials, or labor, to assist with response activities and enable other Applicants to use the value of your donated resources to offset their non-Federal share of eligible Emergency Work projects and Direct Federal Assistance (DFA). [44 C.F.R. 206.208; 2 C.F.R. 200.434]

This document, *How to Develop Agreements for Mass Care Services*, emphasizes the importance of MOAs/MOUs for work which may be considered for reimbursement for certain Houses of Worship through governments and/or the FEMA Public Assistance program. A link to this document is included in the Additional Resources pdf.

https://nationalmasscarestrategy.org/wp-content/uploads/2022/08/DvlpngMssCareAgrmntsGuide_20220727_508.pdf . *How to Develop Agreements for Mass Care Services: A Guide for State, Local, Tribal, and Territorial Governments and Non-Governmental Organizations/ July 2022.*



Let's move on to permanent work, Categories C-G.

Category C – Roads and Bridges

Includes:

Roads: surfaces, bases, shoulders, ditches, drainage structures, low water crossings, etc.

Bridges: decking, pavement, piers, girders, abutments, slope protection, approaches, etc.

Does *not* include:

Unmaintained roads/bridges

FHWA roads/bridges

Private roads, with exceptions

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Category C- Roads and Bridges

This includes repairs of roads, bridges, and associated features such as bases, shoulders, and ditches.

YOU the Applicant must,

- Ensure that the road was maintained prior to the disaster – ONLY repairs of damages caused by the disaster are eligible. So, be prepared to submit those maintenance records.
- For Bridges also be sure to have the most recent safety inspections on hand or available.

Some ineligible examples of Category C projects include

- Unmaintained** roads or bridges
- Federal Highway Administration roads
- And Private roads with some exceptions.

PAPPGv4, Chapter 8. Permanent Work Eligibility, IX. Eligibility Considerations by Facility, A. Roads and Bridges

PAPPGv4, TERMS and DEFINITIONS



Category D – Water Control Facilities



Includes:

Dams, reservoirs, levees, lined and unlined engineered drainage channels, canals, aqueducts, sediment basins, shore protective devices, irrigation/pumping facilities.



Does not include:

Facilities under the control of the US Army Corps of Engineers (USACE) or National Resource Conservation Service (NRCS) or any other Federal agency with very few exceptions.



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Category D- Water Control Facilities

This includes repairs of irrigation systems, drainage channels and pumping facilities to include levees.

This does not include water control facilities under the control of another Federal agency with very few exceptions,

So please, check with your water management district if you are unsure of the legal responsibility of your Water Control Facility.



Category E – Buildings and Equipment



Includes:

Buildings, structural components, interior electrical or mechanical work, and contents.

Replacement/repair of vehicles and equipment damaged by the disaster or damaged in the response.



Does not include:

Damages covered by insurance.

Accidental damages/neglect.



Category E- Buildings and equipment

This category may apply to Houses of Worship the most, and includes repairs or replacement of buildings, including their contents and systems, or their heavy equipment.

Work required to restore damaged buildings will be considered along with upgrades required by Building Codes and Standards. This includes all structural and non-structural components, including mechanical, electrical, and plumbing systems, as well as, Contents, Furnishings, and Equipment within the building.

But, this does not include damages already covered by insurance, because that would be a duplication of benefits.



Category F – Utilities



Includes:

Water treatment plants and delivery systems, power generation and distribution facilities, sewage collection systems and other treatment plants, communications.



Does not include:

Loss of revenue expenses (i.e. time off-line).

Increased operating costs (i.e. obtaining water/electricity from alternate source).



Category F- Utilities

This includes repairs of water treatment and delivery systems; power generation facilities and distribution lines; and sewage collection and treatment facilities.

Please note, FEMA will not provide reimbursement for increased operating expenses or revenue lost if a utility is shut down.



Category G – Parks & Recreation, Other



Includes:

Mass transit facilities, swimming pools, playgrounds, tennis courts, piers, docks, picnic tables, golf courses, walkovers, anything not in Categories C – F.

Beach Restoration on beaches.



Does *not* include:

Unimproved natural features. Replacement of trees, shrubs, ground cover **unless** for slope stabilization or to minimize erosion.

PNP-owned recreational facilities **unless** the facility is providing eligible essential social services.

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- Finally, Category G, Parks and Recreation, Other
- Category G projects include the repair and restoration of
 - parks, playground equipment, beaches, ball fields, public cemeteries and other facilities that do not otherwise fit in categories C-F.
- This does not include unimproved natural features, or the replacement of trees, shrubs, or ground cover **unless** they are used for slope stabilization or to minimize erosion, and it does not include PNP-owned recreational facilities **unless** the facility is providing eligible essential social services.

PAPPG, V4. APPENDIX B: PRIVATE NONPROFIT FACILITY ELIGIBLE EXAMPLES

PAPPG, v4. Chapter 8. IX. Eligibility Considerations by Facility. E. Parks, Recreational, Other (Category G)



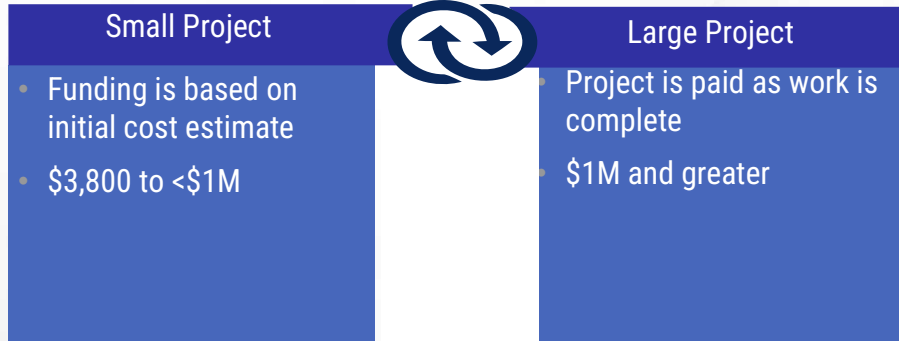
Next let's go over project costs such the PA Project Threshold, management costs, and a quick overview of Expedited Projects.



Project Threshold

Public Assistance projects are processed as either small or large projects. FEMA implemented a major change to its PA program by increasing the Large Project threshold to \$1 million.

The minimum threshold necessary for an eligible project is \$3,800 dollars.



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Public Assistance projects are processed as either small or large projects.

On August 3, 2022, FEMA implemented a major change to its Public Assistance program by increasing the Large Project threshold to \$1 million.

Let's break that down, if the project cost is less than \$1M, the project is processed as a small project. If the project cost equals, or exceeds the threshold, the project is processed as a large project.

Please note, the minimum threshold necessary for an eligible project is \$3,800 dollars.

Let's look another difference between a small and a large project:

For Small Projects

- Funding is based on an initial cost estimate, and

For large projects:

- The project cost is paid as work is accomplished

<https://www.fema.gov/assistance/public/tools-resources/per-capita-impact-indicator>



Management Costs

- Management Costs are the costs incurred to meet administrative requirements while working within the Public Assistance (PA) program and developing eligible PA projects.
- 5% of the total award amount obligated

Management Cost	Examples
Preliminary Damage Assessments	Developing the detailed site-specific damage description
Meetings regarding the PA Program or overall PA damages claimed	Evaluating Section 406 hazard mitigation measures
Organizing PA damage sites into logical groups	Preparing Small and Large Projects
Correspondence with Recipient / affiliate	Reviewing PWs
Site inspections	Collecting documents to support a claim
Travel expenses	Requesting disbursement of PA funds

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Next, let's review management costs which are the costs incurred to meet administrative requirements while working within the Public Assistance program and developing eligible PA projects.

There is not a minimum threshold for this category.

FEMA formulates a Project Worksheet or (PW) for a maximum of 5% of the total award amount obligated for a subrecipient at the time of its request.

Total award amount is the **actual** eligible PA project cost including the non-federal share, after insurance and any other reduction. This does not include any Donated Resources projects.

Although management costs are awarded at the end of the project, please start documenting your efforts now. It is very important that you document **all** your administrative costs to substantiate the eligibility of costs and activities claimed as management costs. Your documentation should include activity logs, procurement data, invoices, and proof of payments.



Management Costs - Category Z

Contributions for management costs are based on actual costs incurred up to 5 percent of the total award amount for each Subrecipient.



- Includes management costs for all projects, both Large & Small (except Category B Donated Resources PWs)
- Obligated as a Category Z Project Worksheet
- Funded at a 100 percent Federal cost share



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As a reminder, management costs are based on actual costs incurred up to 5% of the total award.

This includes management costs for all projects, both Large & Small (except Category B Donated Resources PWs)

- it is obligated as a Category Z Project Worksheet, and
- it is funded at a 100 percent Federal cost share

Expedited Project Overview

- After FEMA determines you are eligible for the PA Program and you begin project development, such funding may be available as an "Expedited Project."
- Obligated at 50% of eligible costs incurred for CAT A & CAT B
- Allowed for Large Projects ONLY (\$1M or higher)
- Once the initial award of the expedited project is processed at 50% of the eligible costs incurred, applicants will need to provide all required documentation prior to the remaining funds being awarded

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Now, Expedited projects:

We understand that some Applicants may need access to funding on an expedited basis in order to address costs incurred responding to or recovering from the disaster.

After FEMA determines you are eligible for the PA Program and you begin project development, such funding may be available as an "Expedited Project."

Please note, you will have 60 days following your RSM to Submit your request for an Expedited Project, if desired.

Expedited Projects are obligated at 50 percent of eligible costs incurred for Debris Removal (Category A) and Emergency Protective Measures (Category B).

Only projects totaling \$1M or greater or large projects can be processed through the Expedited project process.

Once the initial award of the expedited project is processed at 50% of the eligible costs incurred, applicants will need to provide all required documentation prior to the remaining funds being awarded

If you have questions on an eligibility determination for your organization, please bring them to your Recovery Scoping Meeting held after submitting your RPA.

PAPPG, v4 (2020). Chapter 9. Scope of Work and Cost Development, II. Cost Development, B.

Expedited Projects for Emergency Management Work.

B. Expedited Projects for Emergency Work



Let's discuss procurement requirements for using contracts for eligible work.

The slide features a dark blue header with the FEMA logo on the left and the title 'Procurement – Using Contracts for Eligible Work' in white. Below the header, three white circles are connected by a vertical line on the left side. Each circle is linked to a text box on the right. The top text box is dark blue with white text, the middle is medium blue with white text, and the bottom is light blue with dark blue text. A small speaker icon is in the bottom right corner of the slide area.

Procurement – Using Contracts for Eligible Work

- FEMA provides PA funding for contract costs based on the terms of the contract if the Applicant meets Federal procurement and contracting requirements.
2 C.F.R. § 200 (Uniform Rules) and/or 44 C.F.R. § 13.36
- Federal procurement requirements for Tribal, local governments, and PNPs are found at 2 C.F.R. § 200.318 through 200.327.
- Applicants must use their own documented procurement procedures. Unless the corresponding local procurement rule is more stringent, Federal law and standards should be applied.

- FEMA provides PA funding for contract costs based on the terms of the contract if the Applicant meets Federal procurement and contracting requirements.
- Contract costs must be reasonable
- You may be wondering "What is reasonable"??
 - FEMA generally considers contract costs reasonable when the Applicant adheres to full and open competition
 - Applicants must use their own documented procurement procedures. Unless the corresponding local procurement rule is more stringent, Federal law and standards should be applied.
 - Please note, you **MUST** have an internal procurement policy before submitting your RPA. 2 C.F.R. § 200.319
- Some general requirements and best practices for procurement are:
 - 1. Document everything and retain those documents related to procurement
 - 2. Include FEMA's required clauses and provisions in contracts
 - 3. Take the required 6 affirmative steps to encourage women and minority small business owners and labor surplus areas if applicable to participate in the contracting process
 - 4. Please consider attending procurement trainings offered by FEMA. A schedule of virtual trainings being offered right now is available on fema.gov.
- Another best practice we recommend for our applicants:

Be sure that your organization identifies multiple staff members who are familiar with the processes and the documentation that your organization will be required to submit to the State and FEMA PA staff. Identifying these individuals now can ensure a seamless review, project development, and anticipated approval of your organization's damages.

You should have a procurement policy in place detailing how your organization acquired services and contracted services to be in compliance with federal procurement guidelines. If your organization does not have a procurement policy, then you may consider downloading a template. Your organization's procurement policy needs to be in place prior to submission of your Request for Public Assistance.

Procurement Under Grants Training Schedule

<https://www.fema.gov/grants/procurement/training>

The slide features a dark blue header with the Florida Department of Emergency Management (FDEM) logo on the left and the title 'Exigency or Emergency?' in white. Below the header, there are two blue rounded rectangular boxes. The first box is labeled 'Exigency' and contains the text 'A need to avoid, prevent or alleviate serious harm or injury, financial or otherwise'. The second box is labeled 'Emergency' and contains the text 'Immediate action needed to alleviate a threat to life, public health or safety, or improved property'. A small speaker icon is visible in the bottom right corner of the slide area, and the number '58' is printed in the bottom right corner of the slide.


Now, Exigency or Emergency?

The existence of an Executive Order from the Governor does not automatically create an exigency (ex-uh-genc-ee) or emergency. These situations are LIMITED to as long as the dangerous condition exists. Once the condition is over, FEMA would expect the applicant to terminate these contracts and competitively procure a new contract (if there is still a need to continue work).

Please check your specific circumstances to determine whether an emergency still exists in your area. Relying on the Governor's Executive Order for the whole State of Florida may not be enough to indicate the continuation of an emergency situation.

If you are using **sole sourcing** due to emergency or exigency, you must


- Justify it with proper documentation
- Use it only during the period of actual exigent or emergency circumstances
- And transition to a competitive method, as soon as the period ends.



Procurement – Cost or Price Analysis Required

Applicants must:

- Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold, currently \$250K, including contract modifications.
- Make independent estimates before receiving bids or proposals.



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- An Applicant must perform a cost or price analysis in connection with every procurement action in excess of the simplified acquisition threshold, currently \$250,000, including contract modifications.
 - The method and degree of analysis depends on the facts surrounding the specific procurement situation.
- And the Applicant must make independent estimates before receiving bids or proposals.



Procurement – Acceptable Contract Types



- FEMA reimburses costs incurred using three types of contract payment obligations:
 - fixed-price,
 - cost-reimbursement, and
 - to a limited extent, time and material (T&M).
- Include required contract provisions
- Maintain oversight
- FEMA **does not** reimburse costs incurred under a cost plus a percentage of cost contract or a contract with a percentage of construction cost method.

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Now let's review some acceptable contract types

FEMA reimburses costs incurred using three types of contract payment obligations:


fixed-price,
cost-reimbursement, and
to a limited extent, time and material.

The Applicant must include the required provisions in all awarded contracts and maintain oversight to ensure that contractors perform according to the contract's conditions and specifications, as well as, any purchase orders.

FEMA does not reimburse costs incurred under a cost plus a percentage of cost contract, or a contract with a percentage of construction cost method.

A FEMA guidance document outlining these required contract provisions can be found on [FloridaPA](#) under the PA Info TAB.

https://emilms.fema.gov/is_1009/groups/21.html




Procurement – Time and Material Contract

FEMA advises against the use of T&M contracts and generally limits the use of these contracts to a reasonable time based on the circumstances during which the Applicant could not define a clear scope of work (SOW).

FEMA may reimburse costs incurred under a T&M contract only if all the following apply:

- No other contract was suitable;
- The contract has a ceiling price that the contractor exceeds at its own risk; and
- The Applicant provides a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.



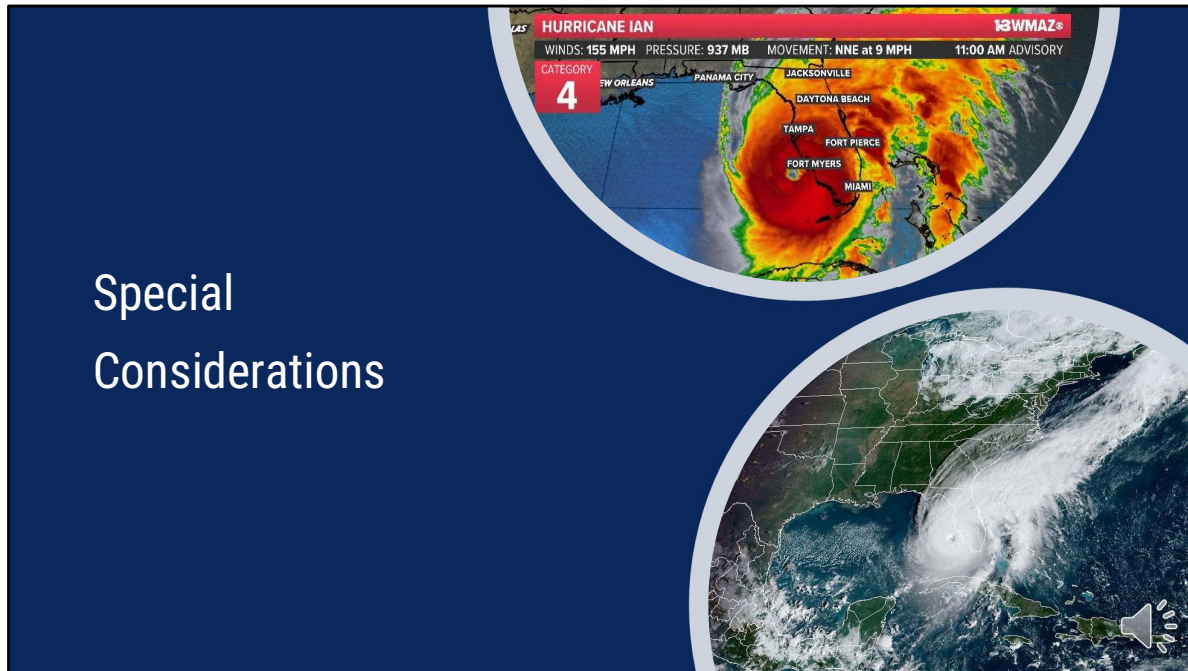
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FEMA advises against the use of Time & Material contracts and generally limits the use of these contracts to a reasonable time based on the circumstances during which the Applicant could not define a clear scope of work.

FEMA reimburses costs incurred during a Time & Material contract only if all of the following apply:


1. No other contract was suitable;
2. The contract has a ceiling price that the contractor exceeds at its **own** risk; and
3. The Applicant provides a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

The Applicant should define the Scope of Work as soon as possible to enable procurement of a more acceptable type of contract.




Now, let's review some special considerations which are issues other than program eligibility that could affect the scope of work and the funding of a project such as:

- Insurance
- Floodplain Management
- Hazard Mitigation
- Environmental Protection, and
- Historic Preservation and Cultural Resources



Insurance Proceeds

- PA Funding will be reduced by:
 - Actual insurance proceeds, if known.
 - Anticipated insurance proceeds based on the applicant's policy, if known.
- Applicants **must** pursue and recover entitled claims
- There cannot be *any* duplication of benefits.
- Obtain & Maintain
 - Applicants must insure facilities with the types and extent of insurance reasonably available, adequate, and necessary to protect against future loss to the property.

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No double-dipping! FEMA cannot provide assistance for disaster-related losses when duplication of benefits occurs for an applicant, which, as a reminder, means that the Applicant receives disaster-related funding from two sources for the same item of work. For instance, funding from insurance and FEMA for the same item of work; not acceptable. Before FEMA approves assistance for a property, an applicant must provide FEMA with information about any actual or anticipated insurance settlement or recovery it is entitled to for that property. This is because FEMA PA funding will be reduced by these insurance proceeds to avoid a duplication of benefits.

Applicants must make reasonable efforts to pursue and recover all claims.

Applicants that receive PA funding for permanent work to replace, repair, reconstruct, or construct a facility must **obtain** and **maintain** insurance on the FEMA funded facilities with the types and extent of insurance reasonably available, adequate, and necessary to protect against **future** loss to the property.

Stafford Act § 311, 42 U.S.C. § 5154; 44 C.F.R. § 206 Subpart I.

Duplication of Benefits (DOB) definition https://emilms.fema.gov/is_1024/groups/57.html




National Flood Insurance Program (NFIP)

FEMA must reduce PA funding when the facility is:

- Located in an area that FEMA has identified as a Special Flood Hazard Area (SFHA) for more than 1 year;
- Damaged by flooding; **and**
- Uninsured for flood loss.

If the Applicant does not have flood insurance for the facility or carries inadequate flood insurance for the insurable facility, FEMA reduces eligible project costs by the lesser of:

- The maximum amount of insurance proceeds that could have been obtained from an NFIP standard flood insurance policy for the building and its contents; or
- The value of the building and its contents at the time of the incident.



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One type of insurance you may consider obtaining and maintaining is a standard flood insurance policy provided by the National Flood Insurance Program (NFIP)

Please note,

FEMA must reduce PA funding when the facility is:

- Located in an area *that FEMA has identified as a Special Flood Hazard Area* for more than 1 year;
- Is damaged by flooding; **and**
- Uninsured for flood loss.

If the Applicant does not have flood insurance for the facility **or** carries **inadequate** flood insurance, FEMA reduces eligible project costs by the lesser of:

- The maximum amount of insurance proceeds that could have been obtained from an NFIP standard flood insurance policy for the building and its contents; or
- The value of the building and its contents at the time of the incident.

The reduction stated previously shall not apply to a house of worship facility which could not be insured because it was located in a community not participating in the NFIP.

So, please notify your PDMG if you believe your facility meets this listed criteria.

44 C.F.R. § 206.252



406 Hazard Mitigation

Hazard Mitigation, Section 406 of the Stafford Act is a funding source for cost-effective measures to reduce or eliminate the potential threat of similar damage to a facility during a future disaster.

- These are measures to prevent repetitive damage and are for permanent work only.
- Section 406 mitigation is applied on the parts of an eligible facility that were damaged during a declared disaster.

FEMA may approve if cost is:

- Up to 15% of eligible project cost
- Can be up to 100% of eligible project cost if on FEMA's pre-approved list
- If not on FEMA's pre-approved list, Appendix J (PAPPGv4), must be cost effective based upon acceptable benefit-cost analysis (BCA)

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Next, let's review 406 Hazard Mitigation -

Hazard Mitigation, Section 406 of the Stafford Act is a funding source for cost-effective measures to reduce or eliminate the potential threat of similar damage to a facility during a future disaster.

These are measures to prevent repetitive damage and are for permanent work only.

Section 406 mitigation is applied on the parts of an eligible facility that were damaged during a declared disaster.

FEMA considers mitigation measures to be cost-effective if any of the following criteria are met:

1. The cost for the mitigation measure does not exceed 15 percent of the total eligible repair cost (prior to any insurance reductions)

2. The mitigation measure is specifically listed in [Appendix J: Cost-Effective Hazard Mitigation Measures](#) in the PAPPG AND the cost of the mitigation measure does not exceed 100 percent of the eligible repair cost (prior to any insurance reductions) of the facility or facilities for which it applies, or

3. The Recipient or Applicant demonstrates through an acceptable benefit-cost analysis (BCA) methodology that the measure is cost-effective.

Many mitigation measures that do not meet the first two criteria mentioned previously prove to be cost-effective based on a BCA. If that is the case, FEMA, the Recipient, and the Applicant will work together to develop a BCA methodology to determine whether the project is cost-effective.

PAPPG, v4. Chapter 8. Permanent Work Eligibility, IV. Hazard Mitigation, A. Public Assistance Hazard Mitigation
PAPPG, v4. Appendix J. Cost-effective Public Assistance Hazard Mitigation Measures



Environmental and Historic Preservation (EHP)

FEMA uses all practical means and measures to protect, restore and enhance the quality of the environment, to avoid or minimize adverse impacts to the environment, and to preserve historic, cultural and natural aspects of national heritage, as required by Federal environmental and historic preservation policies and laws.

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Moving on to Environmental and Historic Preservation (EHP), FEMA uses all practical means and measures to protect, restore and enhance the quality of the environment, to avoid or minimize adverse impacts to the environment, and to preserve historic, cultural and natural aspects of national heritage, as required by Federal environmental and historic preservation policies and laws.

EHP reviews must occur before construction, let me repeat that.. Environmental and Historic Preservation reviews must occur before construction and failure to comply with applicable Federal, State and local EHP requirements could **jeopardize** or **delay** your PA funding.

EHP Codes and Standards IS 1019 https://emilms.fema.gov/is_1019/groups/62.html



Environmental and Historic Preservation (EHP)

All PA awards must comply with the following:

National Historic Preservation Act	Coastal Zone Management Act
National Environmental Policy Act	Farmland Protection Policy Act
Endangered Species Act	Fish and Wildlife Coordination Act
Clean Water Act	Wild and Scenic Rivers Act
Coastal Barrier Resources Act	Magnuson-Stevens Fishery Conservation and Management
Migratory Bird Treaty Act	Floodplain Management
Resource Conservation and Recovery Act	Protection of Wetlands
Clean Air Act	Environmental Justice



All PA awards must comply with the applicable EHP laws and regulations and all EHP permits such as the ones outlined in the National Historic Preservation Act, the National Environmental Policy Act, the Endangered Species Act, and so on...

The links to all these policies are available in the Additional Resources pdf.

Clean Air Act (CAA)

<https://www.epa.gov/laws-regulations/summary-clean-air-act>

Clean Water Act (CWA)

<https://www.epa.gov/laws-regulations/summary-clean-water-act>

Endangered Species Act (ESA)

<https://www.fws.gov/law/endangered-species-act>

National Environmental Policy Act (NEPA)

<https://www.epa.gov/nepa>

Resource Conservation and Recovery Act (RCRA)

<https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>

National Historic Preservation Act

<https://www.achp.gov/digital-library-section-106-landing/national-historic-preservation-act>

Coastal Barrier Resources Act

<https://www.fws.gov/program/coastal-barrier-resources-act>

Migratory Bird Treaty Act

<https://www.fws.gov/law/migratory-bird-treaty-act-1918>

Coastal Zone Management Act

<https://coast.noaa.gov/czm/act/>

Farmland Protection Policy Act

<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/fppa/>

Fish and Wildlife Coordination Act

<https://www.fws.gov/law/fish-and-wildlife-coordination-act>

Wild and Scenic Rivers Act

<https://www.energy.gov/nepa/downloads/wild-and-scenic-rivers-act>

Magnuson-Steven Fishery Conservation and Management Act

<https://www.fisheries.noaa.gov/resource/document/magnuson-stevens-fishery-conservation-and-management-act>

Floodplain Management Act

<https://www.epa.gov/cwa-404/floodplain-management-executive-order-11988>

<https://www.fema.gov/floodplain-management>

Protection of Wetlands Act

<https://www.epa.gov/cwa-404/protection-wetlands-executive-order-11990>

Environmental Justice Act

<https://www.epa.gov/environmentaljustice/environmental-justice-and-national-environmental-policy-act>



National Historic Preservation Act

- If the facility is listed in, or meets the criteria to be listed in, the National Register of Historic Places, then costs associated with work to comply with that specific code or standard are eligible, even if repair costs exceed replacement costs.
- This is an exception to the regulatory requirement that when a facility is eligible for replacement, FEMA limits eligible costs to the less expensive of repairs or replacement.



Let's take a closer look at the National Historic Preservation Act : If your facility is listed in, or meets the criteria to be listed in, the *National Register of Historic Places*, **then** costs associated with work to comply with that specific code or standard are **eligible, even if repair costs exceed replacement costs**.

This is an exception to the regulatory requirement that when a facility is eligible for replacement, FEMA limits eligible costs to the **less** expensive of repairs or replacement

Please inform your PDMG if your facility has a building that is on or meets the criteria to be on the National Register of Historic Places. You can check this by going to: nps.gov

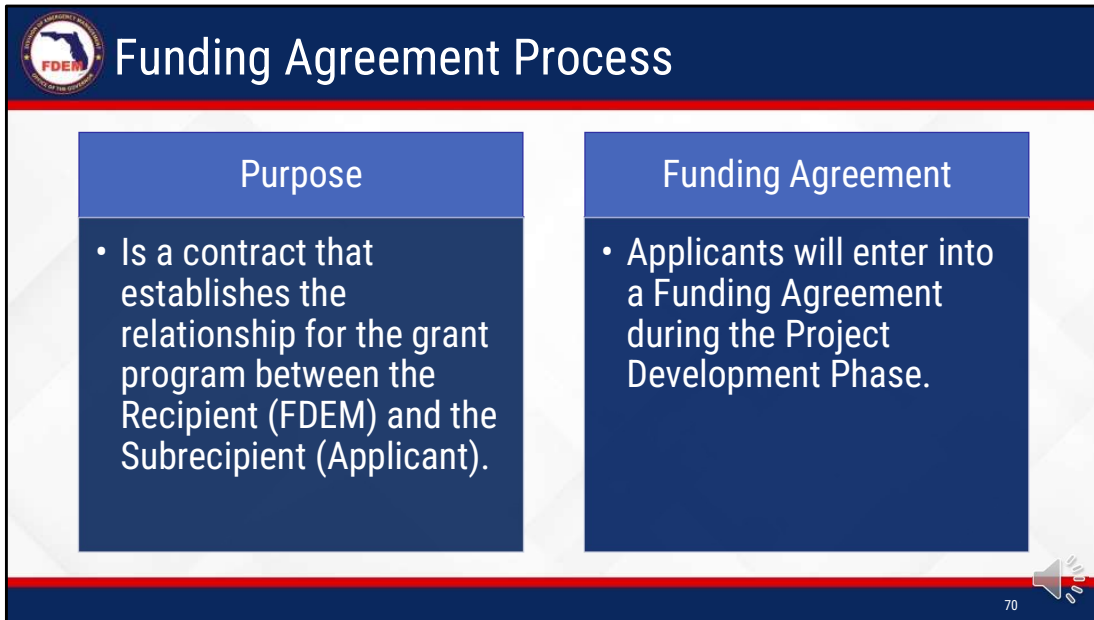
www.nps.gov/subjects/nationalregister/database-research.htm

https://emilms.fema.gov/is_1016/groups/90.html

National Register of Historic Places, Creative Commons License, flickr.com <https://www.flickr.com/photos/samagnew/6138737993>



Finally, let's go over some requirements to receive this reimbursement.



The slide features a dark blue header with the FDEM logo on the left and the title "Funding Agreement Process" in white. Below the header, two blue boxes with white text are arranged side-by-side. The left box is titled "Purpose" and contains a bullet point describing the contract between FDEM and the Applicant. The right box is titled "Funding Agreement" and contains a bullet point stating that applicants enter into such an agreement during the Project Development Phase. A small speaker icon and the number "70" are located in the bottom right corner of the slide.

Funding Agreement Process

Purpose	Funding Agreement
<ul style="list-style-type: none">• Is a contract that establishes the relationship for the grant program between the Recipient (FDEM) and the Subrecipient (Applicant).	<ul style="list-style-type: none">• Applicants will enter into a Funding Agreement during the Project Development Phase.

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In order to receive reimbursement, the Applicant is required to enter into a Funding Agreement with the State (FDEM) as a pass-through entity. The Funding Agreement outlines the terms and conditions of accepting Federal funding through the Public Assistance Program, and Applicants will enter into a Funding Agreement with the State during the Project Development Phase

The slide features a dark blue header with the FDEM logo on the left and the title "Audits and Retention of Records" in white. Below the header, a white box contains the text: "All documents are subject to an audit by the State, FEMA, and the U.S. Department of Homeland Security Office of Inspector General". A large white arrow points from this box down to a second white box containing the text: "maintain ALL records for 5 years post Account closeout". To the right of the second box is a red stamp that says "AUDIT" and a red pushpin. In the bottom right corner of the slide, there is a small speaker icon and the number "71".

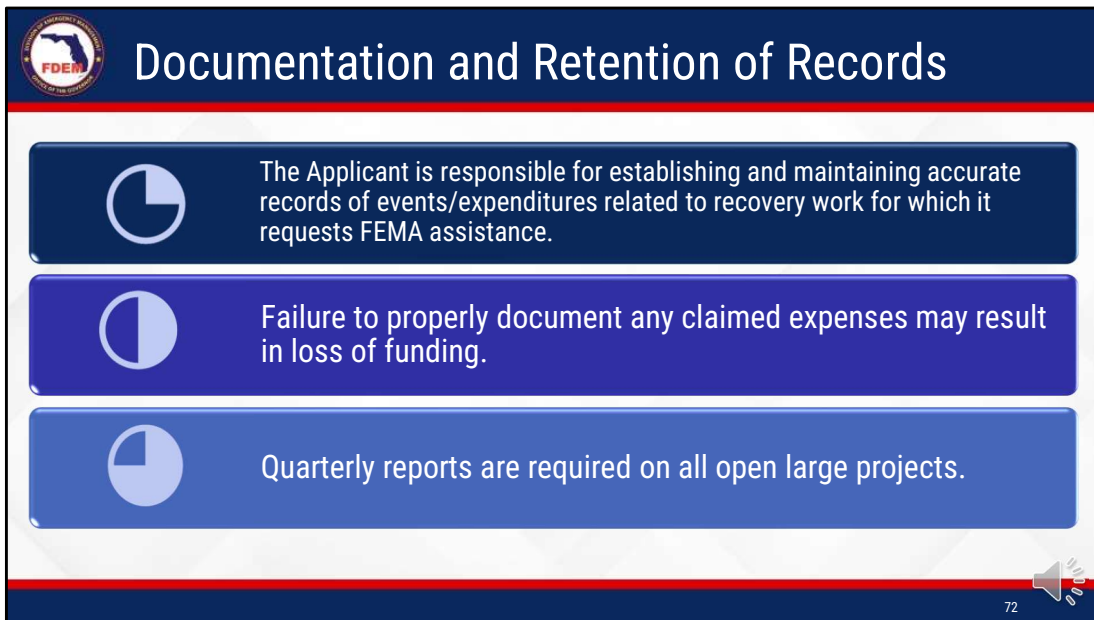
All documents are subject to an audit by the State, FEMA, and the US Department of Homeland Security, Office of Inspector General. Failure to properly document any claimed expenses may result in loss of funding.

[transition]

You must maintain ALL records for 5 years post *Account* closeout.

So, preserve everything for 5 years after the last activity is performed on the account. Appeals and other administrative actions could shift that deadline slightly.

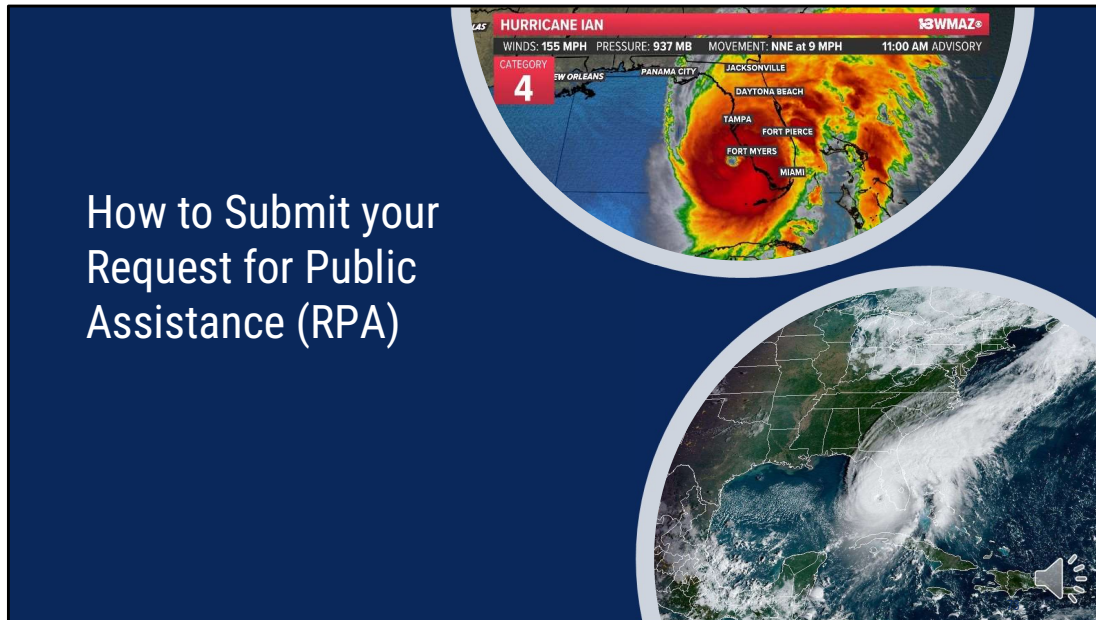
<https://files.floridados.gov/media/703328/g1-sl-2020.pdf>



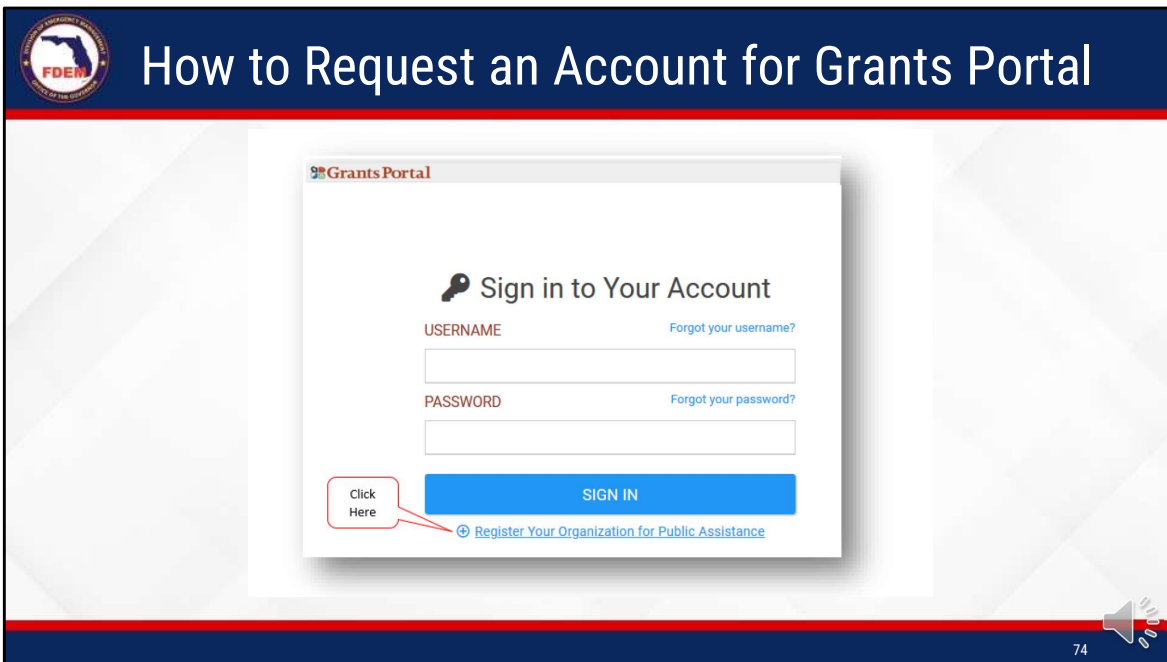
The slide features a dark blue header with the FEMA logo on the left and the title "Documentation and Retention of Records" in white. Below the header are three horizontal bars of varying shades of blue, each containing a pie chart icon and a text box. The first bar is dark blue with a white pie chart icon and text: "The Applicant is responsible for establishing and maintaining accurate records of events/expenditures related to recovery work for which it requests FEMA assistance." The second bar is medium blue with a white pie chart icon and text: "Failure to properly document any claimed expenses may result in loss of funding." The third bar is light blue with a white pie chart icon and text: "Quarterly reports are required on all open large projects." A small speaker icon and the number "72" are located in the bottom right corner of the slide.

And finally, documentation and retention of records:

You, as the Applicant, are responsible for establishing and maintaining accurate records of events or expenditures related to recovery work for which you request FEMA assistance. Failure to properly document any claimed expenses may result in loss of funding; and quarterly reports are required on all open large projects.



Congratulations! You may have determined that you are an eligible applicant, have an eligible facility and are providing an eligible, essential service, have performed eligible work, and have incurred eligible costs. If so, you're ready to submit your request for public assistance! Let's go over those steps.



First, if you have never requested an account in Grants portal, you'll want to follow these directions.

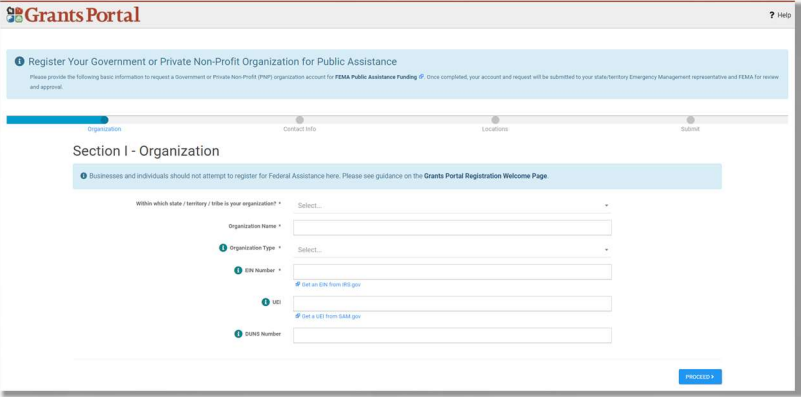
Please note, we will be providing the links to Grants Portal as well as an Applicant Quick Guide from FEMA in the chat.

To request Grants Portal access, go to the Grants Portal home page at grantee.fema.gov and click on "Register your Organization for Public Assistance".

Grants Portal

<https://grantee.fema.gov>

[https://grantee.fema.gov/Content/files/Applicant%20Quick%20Guide%20Grants%20Portal%20Account%20and%20RPA%20\(Mar%2028%202020\).pdf](https://grantee.fema.gov/Content/files/Applicant%20Quick%20Guide%20Grants%20Portal%20Account%20and%20RPA%20(Mar%2028%202020).pdf)



The screenshot shows the 'Grants Portal' registration interface. At the top left is the FEMA logo. The main heading is 'How to Request an Account for Grants Portal'. Below this is a navigation bar with 'Organization', 'Contact Info', 'Locations', and 'Submit'. The current section is 'Section I - Organization'. A blue banner at the top of the form reads: 'Register Your Government or Private Non-Profit Organization for Public Assistance'. Below this, a message states: 'Please provide the following basic information to request a Government or Private Non-Profit (PNP) organization account for FEMA Public Assistance Funding. Once completed, your account request will be submitted to your state/territory Emergency Management representative and FEMA for review and approval.' The form fields include: 'Within which state / territory / tribe is your organization?' (dropdown), 'Organization Name' (text input), 'Organization Type' (dropdown), 'EIN Number' (text input with a link 'Get an EIN from IRS.gov'), 'USC' (text input with a link 'Get a USC from FEMA.gov'), and 'DUNS Number' (text input). A 'Process' button is at the bottom right of the form.

RPA.Help@em.myflorida.com 1-866-337-8448 FEMA-Recovery-PA-Grants@fema.dhs.gov

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You, the Applicant, are then prompted to complete basic information about the organization, contact information, and location and then submit the form for Recipient review. The online form will prompt you to select the “Organization Type”. If you select an incorrect “type”, the processing of the RPA will be delayed.

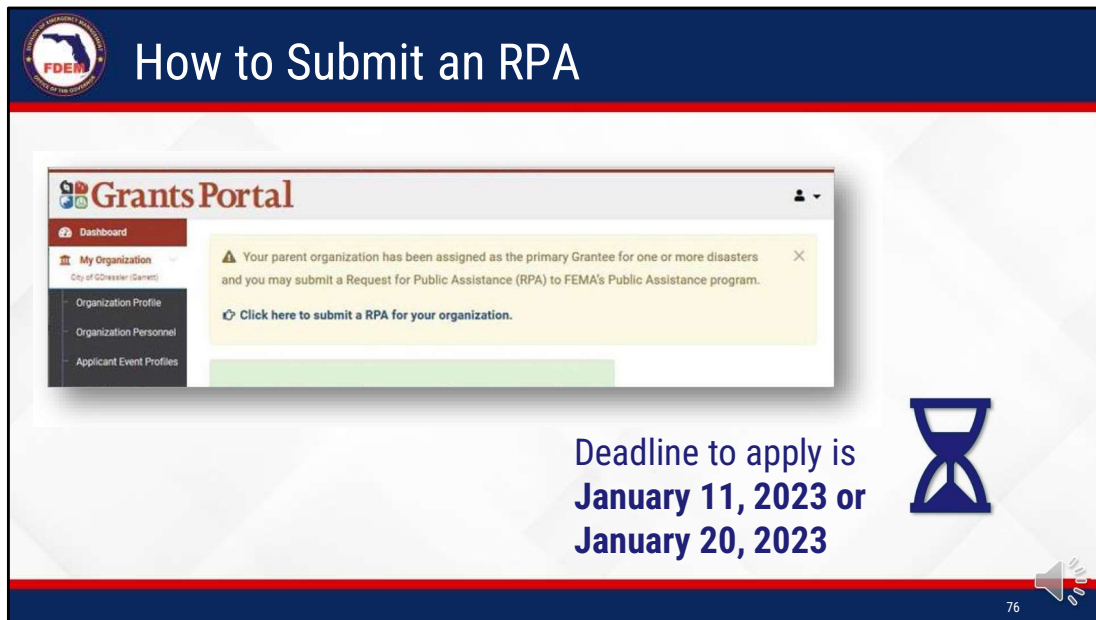
If you are unsure of your type or are having any difficulties with registering or submitting your RPA, please email: [transition1] RPA.Help@em.myflorida.com to be connected with a State of Florida representative.

To speak with a FEMA representative, call the hotline at [transition2] 1-866-337-8448, or email: [transition3] FEMA-Recovery-PA-Grants@fema.dhs.gov

After you complete the account request, you will receive a system-generated email with a username and temporary password to gain access to Grants Portal.

The system will then prompt you to create a permanent password.

Once you have access to Grants Portal, you can choose to follow the instructions we are going to talk about next to either directly submit an RPA in the system or request an RPA to be submitted by the Recipient on your behalf.



The image shows a screenshot of the FEMA Grants Portal dashboard. At the top left is the FEMA logo. The main heading is "How to Submit an RPA". The dashboard itself has a "Grants Portal" header and a "Dashboard" section. A notification box states: "Your parent organization has been assigned as the primary Grantee for one or more disasters and you may submit a Request for Public Assistance (RPA) to FEMA's Public Assistance program." Below this is a link: "Click here to submit a RPA for your organization." To the right of the dashboard, there is a blue hourglass icon and the text: "Deadline to apply is **January 11, 2023** or **January 20, 2023**". A small speaker icon is visible in the bottom right corner of the slide.

Houses of Worship must wait for account creation approval from the Recipient before submitting an RPA. As stated previously, if you are required to submit an application for an SBA loan, then please submit your request for account creation in Grants Portal at the same time. You do not need to wait to receive your SBA determination letter before you submit your Request for Public Assistance. Please submit your RPA by [transition] January 11th for the original 10 counties and January 20th for the additional 51 counties.

This section describes how an Applicant who has a Grants Portal account may submit its RPAs: simple, it's directly through Grants Portal.

The Applicant logs into Grants Portal and selects "Click here to submit an RPA for your organization" on the Dashboard.

Request Public Assistance

General Info | Contacts | Addresses | **PNP Info** | Other Info | Submit

FEMA and State personnel use this questionnaire to determine the eligibility of a Private Non-Profit (PNP) organization (See 44 CFR 206.221). Owners or operators of facilities that provide critical services can apply to FEMA for assistance for emergency work (debris removal and emergency protective measures) and permanent work (restoring a damaged facility). Critical services include education, emergency medical care, other emergency services, and utilities (power, sewer, wastewater treatment, communications, water—including water provided by an irrigation organization or facility, if it is not provided solely for irrigation purposes).

Owners or operators of facilities that provide non-critical, but essential social-type services to the general public can apply to FEMA for assistance for emergency work, but must also apply to the U.S. Small Business Administration (SBA) for assistance for permanent work.

Additional information about PNP eligibility can be found in the [Public Assistance Program and Policy Guide](#).

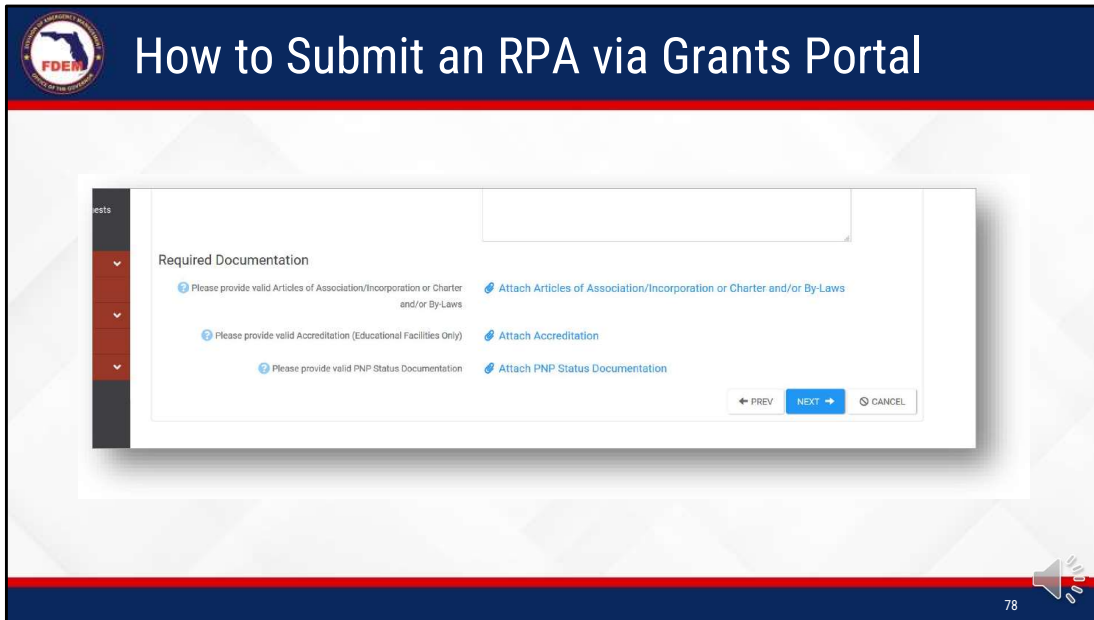
1 Name of the damaged facility and location

2 What was the primary purpose of the damaged facility?

3 Is the facility a critical facility as described above? Yes No

4 Who may use the facility?

Next, complete all required information including marking whether or not your facility provides critical services. Remember, facilities that provide noncritical, but essential social services can apply to FEMA for assistance for emergency work but must also apply for an SBA loan for permanent work.



Houses of Worship should upload all required information and documentation here such as:

- Documents to support legal responsibility of your facility: those Deeds, Titles, Contracts, or Lease Agreements we talked about previously;
 - Tax-exempt status documentation, such as a 501(c)(3) letter,
 - Your insurance policy, and
 - Articles of incorporation or Bylaws
- before clicking “next”

The image shows a screenshot of the 'Request Public Assistance' form in the Grants Portal. The form is titled 'Request Public Assistance' and has a navigation bar with tabs for 'General Info', 'Contacts', 'Addresses', 'Other Info', and 'Submit'. The 'General Info' tab is active. The form contains several sections: 'General Info' with fields for Applicant, State, and Participation ID; 'Primary Contact' with fields for Name, Title, Email, and Phone; 'Primary Location' with fields for Address, City, State, Zip, and County; 'Mailing Address' with fields for Address, City, State, Zip, and County; and 'Other Info' with a Comments field. A green 'Submit' button is located at the bottom right of the form. Two callout boxes are present: one pointing to the 'Submit' button with the text 'Step 1: Review Information' and another pointing to the 'Submit' button with the text 'Step 2: Click Submit'. The FDEM logo is visible in the top left corner of the slide.

When finished, click “Submit.”


Once submitted, the Recipient and FEMA review the RPA for Applicant eligibility. The Applicant can view the status of its RPA in Grants Portal.

Please note, an applicant can request an RPA is submitted by the Recipient (the State) on their behalf. If you’d prefer that, please provide the State with the information listed on page 5 of the Applicant Quick Guide from FEMA that has been linked for you in the chat.

The image shows a screenshot of the SAM.gov website. On the left side, there is a dark blue vertical overlay with the white text "Register with SAM.gov". The main content of the screenshot is the SAM.gov homepage, which includes a navigation bar with "Home", "Search", "Data Bank", "Data Services", and "Help". The SAM.gov logo is prominently displayed. Below the logo, there are several sections: "The Official U.S. Government System for:" with links to "Contract Opportunities", "Contract Data", "Wage Determinations", and "Federal Hierarchy"; "Assistance Listings"; "Entity Information"; and "Entity Reporting". A "Register Your Entity or Get a Unique Entity ID" section features "Get Started", "Renew Entity", and "Check Registration Status" buttons. A search bar is present with the text "Already know what you want to find?". At the bottom, there are "Announcements" and "Have Questions about SAM.gov?" sections. A speaker icon is visible in the bottom right corner of the screenshot.


Applicants will also be asked to enter in their Unique Entity Identifier (UEI) upon submitting their RPA. You can register for your UEI at [SAM.gov](https://sam.gov) which we have linked for you in the Additional Resources pdf.

U.S. General Service Administration
<https://sam.gov/content/home>



Reminder – Important Steps

- 1 • Access FEMA's Grants Portal.
- 2 • Apply for an SBA loan (if applicable)
- 3 • Submit RPA in Grants Portal.
- 4 • Document! Document! Document!

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As a reminder, the important steps are:

- Get FEMA's Grants Portal access, if needed.
- Apply for an SBA loan, if applicable
- Submit your RPA.
- And, as always, Document your Efforts.



Contact Information

Florida Division of Emergency Management
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100
www.floridadisaster.org

Melissa Shirah Recovery Bureau Chief Melissa.Shirah@em.myflorida.com (850) 815-4410	Ben Fairbrother Deputy Bureau Chief Ben.Fairbrother@em.myflorida.com (850) 815-4462	Doug Roberts Deputy Bureau Chief Douglas.Roberts@em.myflorida.com (850) 815-4409
Kevin Adkison State Public Assistance Officer (SPA0) Kevin.Adkison@em.myflorida.com (850) 815-4456	Jose Morales Deputy SPA0 Jose.Morales@em.myflorida.com (850) 815-4430	Ian Ohlin Individual Assistance Officer Ian.Ohlin@em.myflorida.com (850) 815-4488

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This is the contact information for our leadership here at the Recovery Bureau.

Regional Coordinators for Recovery/Mitigation

Elizabeth Caison
Region 1 Coordinator
Elizabeth.Caison@em.myflorida.com
(850) 524-0225

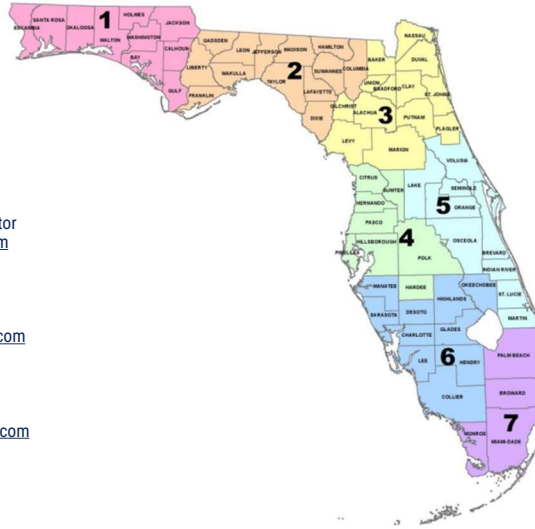
Justin Lazzara
Region 2 Coordinator
Justin.Lazzara@em.myflorida.com
(850) 567-6959

Joshua Saunders
Region 3 Coordinator
Joshua.Saunders@em.myflorida.com
(850) 591-3855

Jeremy O'Dell
Manager and Region 4 Coordinator
Jeremy.ODell@em.myflorida.com
(850) 591-5189

Shannon Hagan
Region 5 Coordinator
Shannon.Hagan@em.myflorida.com
(850) 815-5769

Dana McGeehan
Region 7 Coordinator
Dana.McGeehan@em.myflorida.com
(850) 591-6025



This is the contact information for our Regional Coordinators who specialize in recovery and mitigation. They are located all over the state and are available to meet your needs.



Please send any additional questions to
FDEM-Recovery-Questions@em.myflorida.com

We hope you've enjoyed this briefing, if you'd like to recommend this presentation to others, or want to check in for future updates, please see the updated schedule posted in [Florida PA](#), [WebEOC](#) or [FloridaDisaster.org](#).

Thank you for posting your questions in the chat. Please send any other questions to FDEM-Recovery-Questions@em.myflorida.com or reach out to your Regional Coordinators. A copy of this presentation and the recording is uploaded to FloridaPA. Additional resources mentioned throughout this presentation have been compiled for you in the pdf: [Hurricane Nicole \(DR-4680\) State Applicant Briefing Additional Resources](#)

which is also uploaded to Florida PA and linked for you in the chat.

This concludes our Applicant Briefing for Hurricane Nicole for our Houses of Worship. We will leave the webinar open for 5 more minutes for any questions you'd like to include in the chat. Thank you for attending.