

RIEMA'S

PUBLIC ASSISTANCE APPLICANTS' BRIEFING



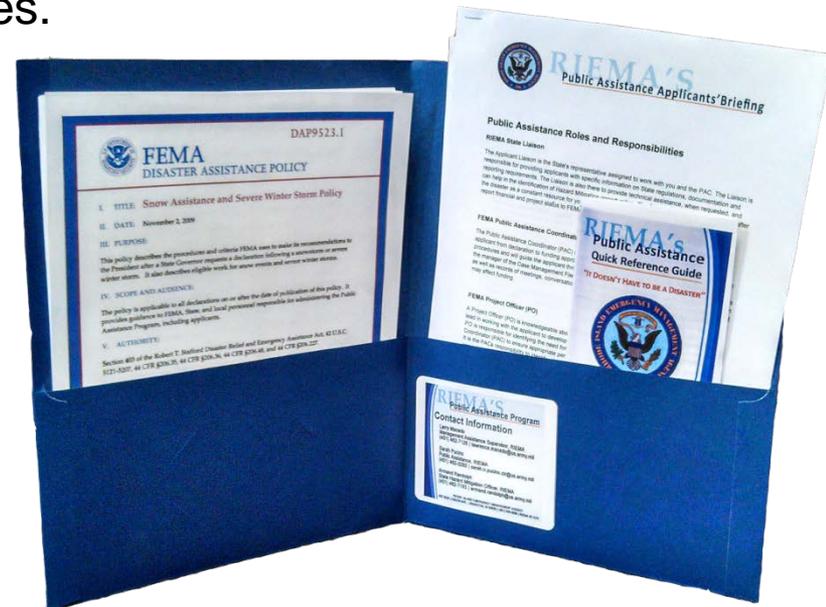
Pamela Leary
RI Emergency Management Agency

Briefing Objectives

- Applicant Eligibility
- Request for Public Assistance Form (RPA)
- Additional Contact Form
- Work Eligibility
- Cost Eligibility
- Public Assistance Best Practices

Inside Your Briefing Folder...

- Outline of PA Staff Roles and Responsibilities.
- Public Assistance Glossary.
- FEMA Policy 9523.1 Snow Assistance
- FEMA's Latest Equipment Rates.
- Declaration Fact Sheet.
- Request for Public Assistance (RPA) Form.
- Inquiry Form.
- Evaluation Form.
- Sandy Recovery Improvement Act Fact Sheet.



Public Assistance (PA)

- The PA Program is a reimbursement program designed to aid in returning public facilities, and the facilities of certain Private Non-Profit (PNP) organizations, to pre-disaster conditions.
- The Federal share of assistance for this disaster is **75%** of the eligible costs for all categories of work, following the Presidential Major Disaster Declaration.

The PA Process

- Preliminary Damage Assessments (PDAs)
- Presidential Declaration
- Applicant's Briefing
- Request for Public Assistance (RPA) submitted to RIEMA/FEMA
- Kickoff Meeting and formulation of Project Worksheets (PWs);
FEMA will help you formulate your PWs
- Project approval by FEMA
- Project completion by Applicant/Notify RIEMA
- Small projects (**\$3,040 - \$121,600**) paid upon completion
- Large projects (**over \$121,600**) inspected, audited, then paid



Winter Storm Event

- FEMA-4212-DR-RI
- DECLARED: April 3, 2015
- INCIDENT PERIOD:
January 26 - 28, 2015
- Severe winter storm and snowstorm



Snow Assistance

- FEMA Disaster Assistance Policy 9523.1
- Snow Assistance is available for all eligible costs incurred over a continuous 48-hour period.
- Eligible work, under Category B, emergency protective measures, includes: snow removal, snow dumps, de-icing, salting, and sanding of roads and other eligible facilities, as well as search and rescue, and sheltering.

Factors of Eligibility

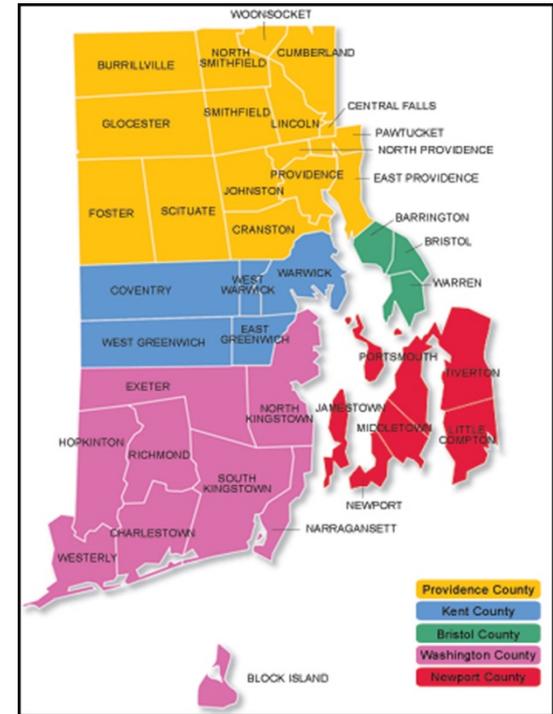
Four factors are considered:

- Are you an eligible applicant?
- Is the work in an eligible facility?
- Is the work eligible?
- Are the costs eligible?



Eligible Applicants

- State Government Agencies
- Local Governments
- Municipal Authorities
- Fire and School Districts
- Narragansett Indian Tribe
- Certain Private & Public Non-Profit Organizations



Eligible Private & Public Non-Profit (PNP)

- Educational Institutions
- Utilities
- Emergency Facilities
- Medical Facilities
- Custodial Care Facilities
- Other Essential Governmental Facilities



All PNP's must have IRS or State Certification and be open to the general public.

Other Essential PNPs

This category is limited to the following facilities:

- Museums
- Zoos
- Community Centers
- Libraries
- Homeless Shelters
- Senior Citizens Centers
- Rehabilitation Facilities
- Shelter Workshops, and
- Facilities which provide health and safety services of a governmental nature to the general public



Request for Public Assistance Form

This form can be found in your briefing folder.

- If you intend to apply for assistance, please fill this form out now.
- All information **MUST** be provided

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY REQUEST FOR PUBLIC ASSISTANCE				O.M.B. NO. 1660-0017 Expires April 30, 2013	
PAPERWORK BURDEN DISCLOSURE NOTICE					
Public reporting burden for this form is estimated to average 10 minutes. Burden means the time, effort and financial resources expended by persons to generate, maintain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (OMB Control Number 1660-0017). You are not required to respond to this collection of information unless it displays a valid OMB number. NOTE: Do not send your completed questionnaire to this address.					
APPLICANT (Political subdivision or eligible applicant)				DATE SUBMITTED	
COUNTY (Location of Damages. If located in multiple counties, please indicate)				DUNS NUMBER	
APPLICANT PHYSICAL LOCATION					
STREET ADDRESS					
CITY		COUNTY		STATE	ZIP CODE
MAILING ADDRESS (If different from Physical Location)					
STREET ADDRESS					
POST OFFICE BOX		CITY		STATE	ZIP CODE
Primary Contact/Applicant's Authorized Agent			Alternate Contact		
NAME			NAME		
TITLE			TITLE		
BUSINESS PHONE			BUSINESS PHONE		
FAX NUMBER			FAX NUMBER		
HOME PHONE (Optional)			HOME PHONE (Optional)		
CELL PHONE			CELL PHONE		
E-MAIL ADDRESS			E-MAIL ADDRESS		
PAGER & PIN NUMBER			PAGER & PIN NUMBER		
Did you participate in the Federal/State Preliminary Damage Assessment (PDA)? <input type="checkbox"/> YES <input type="checkbox"/> NO					
Private Non-Profit Organization? <input type="checkbox"/> YES <input type="checkbox"/> NO					
If yes, which of the facilities identified below best describe your organization? _____					
Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public."					
Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.					
OFFICIAL USE ONLY: FEMA -		-DR-		FIPS#	DATE RECEIVED

Eligible Work

Must be:

- A direct result of the Presidentially Declared Disaster.
- Performed in the eligible time period.
- Located within designated County.
- The Legal responsibility of the Eligible Applicant.
- Not the responsibility of another federal agency with authority to fund the work, *whether or not* it has the funds to so do (Federal Aviation Administration, Federal Highway Administration, etc.)



FEMA Categories of Work

Emergency Work

- **A** – Debris Removal
- **B** – Emergency Protective Measures
 - Save Lives
 - Protects Public Health and Safety
 - Overtime & Equipment are Eligible

FEMA Categories of Work

Permanent Work

- **C** – Roads and Bridges
- **D** – Water Control Facilities
- **E** – Buildings and Equipment
- **F** – Utilities
- **G** – Parks, Recreational Facilities, and other Facilities



Eligible Costs – Force Account

- Labor and Fringe Benefits
 - Emergency Work – Only overtime is eligible
 - Permanent Work – Regular and overtime
- Equipment (Applicant owned) at FEMA rates (unless applicant's established rate is lower) - All time used
- Materials – Used at applicant's net cost

Eligible Costs – Contract

- Reasonable and Necessary for Approved Scope of Work
- Federal, State, and Local contracting and procurement Laws apply
 - Fair and competitive bidding is necessary
- Pre-event Contracts – Subject to FEMA Approval
- Emergency Contracts - Subject to FEMA Approval
- Time & Material - Subject to FEMA Approval (these should generally be avoided)



Project Size

Small Projects

- **No less than \$3,040 (SRIA)**
- No more than \$121,600.00
- Federal Cost Share is paid

after the following:

- Project Worksheet approval
- Confirmation of Project completion received by the State



Project Size

Large Projects

- Over \$121,600
- Final reimbursement will be paid on actual costs
- Federal Cost Share is paid after the following:
 - Project Worksheet approval
 - All work is completed
 - Backup documents provided to State
 - Closeout inspection has been performed by FEMA and RIEMA
 - Audit has been performed by RIEMA



Quarterly Reports

- Each quarter, the State MUST file Quarterly Reports with FEMA on all outstanding Large Projects.
- In order to be compliant with Federal regulation, and avoid de-obligation of funding, it is important for your POC to fill out the Quarterly Reporting form and send it in to RIEMA.
- RIEMA will send you this form electronically via email every quarter.

Documentation

Copies (*NOT originals*) of:

- Time cards / payroll records
- Union Contract / Pay Rate Resolution
- Equipment Log (if available)
- Material use record & cost (invoices)
- Contracts (invoices)
- Insurance Policy
- Local Procurement Policy
- Procurement Documentation (Bid Documents, etc.)
- Permits



Special Considerations

- Insurance
 - You MUST file a claim with your insurance company.
- Environmental (NEPA)
- Historic
- Floodplain
- Wetlands, Endangered Species
- Hazardous Materials



Hazard Mitigation

Cost effective measures that reduce the potential for damages in a future event.

- 406 Mitigation - Provides discretionary authority to fund mitigation measures in conjunction with the permanent repair of a PA Project.
- 404 HMGP Mitigation - Provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. This grant is rolled out post-event.

For information regarding 404 HMGP Mitigation, contact:

Lawrence Macedo, State Hazard Mitigation Officer

(401) 462-7534 | lawrence.macedo@ema.ri.gov

Alternate Projects

You may apply through the State to FEMA to use the eligible funds for your damaged facility for another public purpose.

- Must receive FEMA prior approval
- May be proposed only for permanent restoration projects
- The Sandy Recovery Improvement Act may Alternate Projects

Improved Projects

The repair of disaster damage is also an opportunity to improve the facility that was damaged. You must use your own funds for the improvements and FEMA funds for the basic repair.

- FEMA will provide funding for the FEMA share of eligible costs. Additional costs are your responsibility.
- The improved project must have the same function and pre-disaster capacity as that of the pre-disaster facility.
- Funding for the improved project is capped at the Federal share of the costs that would be associated with repairing or replacing the damaged facility to its pre-disaster design, or to the actual costs of completing the project, whichever is less.
- You must inform the State prior to the start of construction.



Time Limits



- Submission Time Limits
 - RPA – 30 Days after declaration (Deadline May 3, 2015)
 - Damage Identification - 60 days after Kickoff Meeting
- Project Completion Time Limits
 - Projects begin the date of the disaster declaration
 - Emergency Work – 6 Months (October 3, 2015)
 - Permanent Work – 18 Months (October 3, 2016)

Extensions

If you do not anticipate project completion within the time limits, you may request an extension through the State.

- RIEMA can grant the following time extensions:
 - Emergency Work – 6 additional Months
 - Permanent Work – 30 additional Months

Extensions beyond these timeframes must be approved by RIEMA and submitted to FEMA Region 1.

Appeals

It is your right as an applicant to appeal any decision made by FEMA regarding your project(s).

There are two levels of appeal, both of which are processed through RIEMA to FEMA. The first is to the FEMA Region 1 Administrator. The second is to FEMA Headquarters in Washington D.C.

- You must file an appeal with the State within 60 days of receipt of notice of the action or decision that is being appealed.
- You must provide justification to support the appeal.

Contact Information

- Pamela Leary
Public Assistance Coordinator
(401) 462-7016 | pamela.leary@ema.ri.gov

For Information on the 404 Hazard Mitigation Grant Program (HMGP):

- Lawrence Macedo
State Hazard Mitigation Officer, RIEMA
(401) 462-7534 | lawrence.macedo@ema.ri.gov

DECLARED APRIL 3, 2015

SUMMARY

STATE: Rhode Island
NUMBER: FEMA-4212-DR
INCIDENT: Severe Winter Storm and Snowstorm
INCIDENT PERIOD: January 26-28, 2015
DATE REQUESTED BY GOVERNOR: March 25, 2015
FEDERAL COORDINATING OFFICER: Albert L. Lewis
National FCO Program

DESIGNATIONS AND TYPES OF ASSISTANCE:

INDIVIDUAL ASSISTANCE (Assistance to individuals and households):

Not Requested.

PUBLIC ASSISTANCE (Assistance for emergency work and the repair or replacement of disaster-damaged facilities):

Bristol, Kent, Newport, Providence, and Washington Counties.

(Snow Assistance):

This emergency assistance will be provided for a period of 48 hours for Bristol, Kent, Newport, Providence, and Washington Counties.

HAZARD MITIGATION GRANT PROGRAM (Assistance for actions taken to prevent or reduce long term risk to life and property from natural hazards):

All areas in the State of Rhode Island are eligible for assistance under the Hazard Mitigation Grant Program.

OTHER: Additional designations may be made at a later date if requested by the state and warranted by the results of further damage assessments.



Public Assistance Roles and Responsibilities

RIEMA State Liaison

The Applicant Liaison is the State's representative assigned to work with you and the PAC. The Liaison is responsible for providing applicants with specific information on State regulations, documentation and reporting requirements. The Liaison is also there to provide technical assistance, when requested, and can help in the identification of Hazard Mitigation opportunities. The State is here before, during, and after the disaster as a constant resource for you to contact regarding your projects. The State is required to report financial and project status to FEMA Quarterly. The State cannot determine eligibility.

FEMA Public Assistance Coordinator (PAC)

The Public Assistance Coordinator (PAC) is a customer service representative assigned to work with an applicant from declaration to funding approval. The PAC is trained in public assistance policies and procedures and will guide the applicant through the steps necessary to receive funding. This individual is the manager of the Case Management File (CMF) that contains the applicant's general claim information as well as records of meetings, conversations, phone messages and any special issues or concerns that may affect funding.

FEMA Project Officer (PO)

A Project Officer (PO) is knowledgeable about eligibility and Special Considerations, and will take the lead in working with the applicant to develop scopes of work and cost estimates for large projects. The PO is responsible for identifying the need for Specialists and working with the Public Assistance Coordinator (PAC) to ensure appropriate personnel are assigned to assist in large project development. It is the PACs responsibility to identify when POs are needed and to update the PO on pertinent applicant requirements before assigning the PO to the field.

FEMA Specialist

A Specialist is another resource for the applicant. Specialists may have specific expertise such as an infrastructure specialty or a Special Considerations specialty or may have an expert knowledge of Public Assistance Program eligibility. Specialists with an expertise in a specialty area will assist POs with large project development and PACs with project review. Specialists with an expertise on Public Assistance Program eligibility will assist applicants with small project development, if needed, and will conduct small project validations. A Project Specialist can write project worksheets, but cannot determine eligibility.



Categories of Work

Emergency Work

- **Category A: Debris Removal**
Clearance of trees and woody debris; certain building wreckage; damaged/ destroyed building contents; sand, mud, silt, and gravel; vehicles; and other disaster-related material deposited on public and, in very limited cases, private property.
- **Category B: Emergency Protective Measures**
Measures taken before, during, and after a disaster to eliminate/reduce an immediate threat to life, public health, or safety, or to eliminate/reduce an immediate threat of significant damage to improved public and private property through cost-effective measures.

Permanent Work

- **Category C: Roads and Bridges**
Repair of roads, bridges, and associated features, such as shoulders, ditches, culverts, lighting, and signs.
- **Category D: Water Control Facilities**
Repair of drainage channels, pumping facilities, and some irrigation facilities. Repair of levees, dams, and flood control channels fall under Category D, but the eligibility of these facilities is restricted.
- **Category E: Buildings and Equipment**
Repair or replacement of buildings, including their contents and systems; heavy equipment; and vehicles.
- **Category F: Utilities**
Repair of water treatment and delivery systems; power generation facilities and distribution facilities; sewage collection and treatment facilities; and communications.
- **Category G: Parks, Recreational Facilities, and Other Facilities**
Repair and restoration of parks, playgrounds, pools, cemeteries, mass transit facilities, and beaches. This category also is used for any work or facility that cannot be characterized adequately by Categories A-F.



DOCUMENTS REQUIRED BY APPLICANT FOR LARGE PROJECT CLOSEOUT

Applicant Information

- | | |
|--------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Contract invoices | <input type="checkbox"/> Proof of payment |
| <input type="checkbox"/> Extra work orders | <input type="checkbox"/> Summary sheet itemizing all costs |

Force Account Labor

- | | |
|-----------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> Employee Contract | <input type="checkbox"/> Overtime Worked |
| <input type="checkbox"/> Department | <input type="checkbox"/> Hourly/Overtime Rate |
| <input type="checkbox"/> Worker's Name | <input type="checkbox"/> Fringe Benefit |
| <input type="checkbox"/> Worker's Title | <input type="checkbox"/> Average Benefit Rate or Actual Per Employee |
| <input type="checkbox"/> Work Performed | <input type="checkbox"/> Breakdown of Benefits |
| <input type="checkbox"/> Date Worked | <input type="checkbox"/> Copy of Pay Policy - Exempt/Non-Exempt |
| <input type="checkbox"/> Regular Hours Worked | |

Force Account Equipment and Materials

- | | |
|----------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Equipment Used | <input type="checkbox"/> Purchase Documentation |
| <input type="checkbox"/> Hours/Dates Used | <input type="checkbox"/> Receipts for Rental Equipment |
| <input type="checkbox"/> Personnel Assigned to Equipment | <input type="checkbox"/> Equipment Spreadsheet |
| <input type="checkbox"/> FEMA Equipment Codes/Other Acceptable Codes | <input type="checkbox"/> Inventory Stock Documentation |
| <input type="checkbox"/> Equipment Rental Contract and Invoices | |

Applicant Procurement Documentation

- | | |
|---------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Applicant Procurement Policy Statement | <input type="checkbox"/> Certified Payroll from Contractor (Sample) |
| <input type="checkbox"/> Proposal/Bid Form and Bid Tabulation (Min. of 3) | <input type="checkbox"/> Engineering Costs |
| <input type="checkbox"/> Contracts Awarded (Signed and Dated) | <input type="checkbox"/> Signed Engineering Contract |
| <input type="checkbox"/> Newspaper and Central Register Notification | |

Permits

- Permits - Environmental
- DEP/Conservation/USACE/(Check PW for List)
- Any Approvals Received from Agencies After Construction



Public Assistance Glossary

Applicant - A state agency, local government, or eligible private nonprofit organization who submits a request to the Grantee for disaster assistance under the state's grant.

Applicant Liaison - A State representative responsible for providing applicants with State specific information and documentation requirements. The Liaison works closely with the Public Assistance Coordinator to provide any assistance the applicant may require.

Cost Estimating Format (CEF) - A forward pricing methodology for estimating the total cost of repair for large permanent projects by use of construction industry standards. The format uses a base cost estimate and design and construction contingency factors, applied as a percentage of the base cost.

Emergency Work - That work which must be done immediately to save lives and to protect improved property, public health and safety, or to avert or lessen the threat of a major disaster. Emergency work frequently includes clearance of debris and temporary restoration of essential public facilities and services.
(Category A-B)

Force Account - An applicant's own labor forces and equipment.

Hazard Mitigation - Any cost-effective measure that will reduce the potential for damage to a facility from a disaster event.

Kickoff Meeting - The initial meeting between an applicant and the Public Assistance Coordinator. At this working session, the applicant turns in a list of damages and receives comprehensive information about the Public Assistance program and detailed guidance for their specific circumstances. Projects are not reviewed for eligibility at this meeting.

Large Project - Eligible project, either emergency or permanent work, with a damage dollar value in excess of an amount of \$67,500 for Hurricane Sandy.

Permanent Work - That work that must be performed through repairs or replacement to restore an eligible facility on the basis of its pre-disaster design, use, and current applicable standards.
(Category C-G)

Preliminary Damage Assessment (PDA) - A survey to determine the impact and magnitude of damage caused by the disaster and the resulting unmet needs of the public sector and community at large. The PDA is the basis for estimating total disaster-related damage and evaluating the need to request a Presidential declaration of disaster.



Project Worksheet (PW) - Form used to document the damage and develop the scope of work for repair of a damage site.

Project Officer (PO) – A Federal emergency management employee with demonstrated experience and training in management of large and complex repair projects.

Private Nonprofit Organization (PNP) - Any non-governmental agency or entity that currently has either an effective ruling letter from the U.S. Internal Revenue Service granting tax exemption or satisfactory evidence from the state that the non-revenue producing organization or entity is a nonprofit one organized or operating under state law.

Public Assistance (PA) - Supplementary federal assistance provided under the Stafford Act to state and local governments or certain private, nonprofit organizations other than assistance for the direct benefit of individuals and families.

Public Assistance Coordinator (PAC) – A Federal emergency management employee who is responsible for providing continuity of service to an applicant in the Public Assistance program.

Request for Public Assistance (RPA) - The official notification of intent to apply for public assistance monies following declaration of a disaster. It is a short form that asks for general identifying information about an applicant.

Small Project - Eligible project, either emergency or permanent work, with a damage dollar value of less than \$67,500 for Hurricane Sandy.

Special Considerations - Factors that must be addressed before federal grant money can be obligated to repair or restore damaged facilities. These factors include, but are not limited to, general and flood insurance, historic preservation, environmental protection, and hazard mitigation.

Stafford Act - The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended.

Validation - The pre-funding verification that proposed or completed work projects meet statutory and regulatory compliance.



Sandy Recovery Improvement Act

On January 29, 2013, President Barack Obama signed into law the Sandy Recovery Improvement Act (SRIA) of 2013 and the accompanying Disaster Relief Appropriations Act, 2013. In many ways, the passage of SRIA represents the most significant legislative change to the Federal Emergency Management Agency's (FEMA) substantive authorities since the enactment of the [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#).

The law authorizes several significant changes to the way FEMA may deliver federal disaster assistance to survivors.

Public Assistance Permanent Work Alternative Procedures

This provides substantially greater flexibility in use of federal funds for Public Assistance applicants and far less administrative burden and costs for all parties, if applicants accept grants based on fixed, capped estimates, which may be provided by applicants' licensed engineer and validated by independent expert panel.

FEMA is currently piloting the following alternative procedures:

- Grants for public assistance permanent work projects on the basis of fixed estimates for the timely or cost-effective completion of work;
- In-lieu contribution on the basis of estimates for repair, restoration, reconstruction, or replacement of a public facility and management expenses;
- Consolidating the repair, restoration or replacement work on damaged facilities as a single project based upon estimates adopted under the procedures;
- Use of all or part of the excess grant funds for cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster and other activities to improve future Public Assistance operations or planning; and
- Independent expert panel to validate estimated eligible project costs if requested by a Subgrantee for a project of at least \$5 million; and consideration for properly conducted and certified cost estimates prepared by professional licensed engineers (mutually agreed upon by the Administrator and the applicant).

STATUS: Pilot guidance was issued in May 2013 and is available at: www.fema.gov/alternative-procedures.

Debris Removal Program Alternative Procedures

This offers a package of cost share adjustments, reimbursement for force account, and retention of program from recycling to speed debris removal and encourage pre-disaster debris planning.

FEMA is currently piloting the following alternative procedures:

- Use of a sliding scale to determine the Federal share for removal of debris and wreckage, based on the time it takes to complete debris and wreckage removal;

- Use of program income from recycled debris without offset to the grant amount;
- Reimbursement of base and overtime wages for Public Assistance applicants performing Public Assistance performing or administering debris and wreckage removal; and
- Cost-share incentive to a state, tribal or local government to have a debris management plan approved by FEMA and have pre-qualified one or more debris and wreckage removal contractors before the date of declaration of the major disaster.

STATUS: The pilot was first implemented following the Oklahoma tornadoes in May 2013. The nationwide pilot guidance for debris removal, issued on June 28, 2013, is available at: www.fema.gov/alternative-procedures. After one year of implementation, FEMA will continue the pilot in order to gain additional data on whether the provisions of the pilot are meeting the goals outlined in law before deciding the provisions should be made permanent.

Three-year Nationwide Dispute Resolution Pilot (Arbitration) and Related Changes to Appeals Process

SRIA required FEMA to establish within six months of enactment a nationwide Dispute Resolution Pilot Program, including arbitration by an independent review panel, to resolve disputes relating to Public Assistance projects. Most Public Assistance Program projects are free of eligibility disputes or, if eligibility issues do arise, they are quickly resolved. Eligibility disputes are ordinarily resolved through a two level administrative appeals process. The Dispute Resolution Pilot Program allows Public Assistance applicants for all disasters declared on or after October 30, 2012 an option to request binding arbitration for certain projects with an amount in dispute of over \$1 million after first appeal, instead of pursuing a second appeal under FEMA’s Public Assistance Program. Also, FEMA has issued a Public Assistance Appeals Policy to ensure timely, specific and well-reasoned first and second appeals decisions and provide a feedback loop to Public Assistance Program management.

STATUS: Regulation was issued August 16, 2013. By statute, the pilot program is authorized through December 2015. More information is available at: www.fema.gov/public-assistance-process-request-arbitration. On August 15, 2014, [FEMA adjusted](#) the legitimate amount in dispute to \$1,015,000 for disasters declared on or after October 30, 2012 based on the consumer price index.

Coordination between Federal Transit Administration and FEMA on Public Transportation Infrastructure

The Federal Transit Administration’s (FTA) Public Transportation Emergency Relief Program was appropriated \$5,400,000,000 for transit systems affected by Hurricane Sandy. In order to receive the full balance of the appropriation, FTA was required to execute a Memorandum of Agreement (MOA) with FEMA outlining the roles and responsibilities of both agencies in providing federal assistance to repair and restore public transportation systems in areas where the President has declared a major disaster or emergency. FTA also was required to publish interim regulations for the program.

STATUS: In March 2013, FTA issued interim regulations and executed a Memorandum of Agreement with FEMA on roles/responsibilities for all disaster operations. The MOA and interim regulation are available at: www.fta.dot.gov/map21_15025.html.

Analysis of Public Assistance Small Project Threshold (“Simplified Procedures”)

SRIA required the FEMA Administrator to complete an analysis to determine whether an increase in

the Public Assistance grant program small project threshold is appropriate. This analysis had to consider the following factors: cost-effectiveness, speed of recovery, capacity of grantees, past performance, and accountability measures. FEMA submitted its findings in a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Senate Committee on Homeland Security and Governmental Affairs in January 2014. SRIA also required the immediate establishment of a threshold for eligibility in an appropriate amount adjusted annually to reflect changes in the Consumer Price Index. Not later than 3 years after the date on which the Administrator establishes a threshold, and every 3 years thereafter, the FEMA Administrator, shall review the threshold for eligibility under this section.

STATUS: Following a through agency analysis, on January 29, 2014 FEMA submitted a [Report to Congress](#). Based on the analysis within the report, FEMA published a [final rule](#) on February 26, 2014 amending the small project thresholds for disasters declared on or after February 26, 2014. FEMA amended the [minimum](#) and [maximum](#) small project thresholds for disasters declared on or after October 1, 2014 based on the consumer price index. On November 19, 2014 FEMA published a [notice in the Federal Register](#) seeking comments on the findings in the [Report to Congress](#) and to inform any future revisions of the thresholds.

Reimbursement for Certain Force Account Straight Time

SRIA authorizes rulemaking to address reimbursement of straight-time force account labor costs for state, tribal and local government employees performing emergency protective measures, if such work is not typically performed by those employees and is the type of work that may otherwise be carried out by contract or agreement with private entities or individuals.

STATUS: FEMA will implement this authority through the normal notice and comment rulemaking process.

Posting Public Assistance Awards and Mission Assignments on the Web

When issuing a disaster declaration, the President may make Federal funding (Public Assistance) available through FEMA to state, tribal and eligible local governments and certain private nonprofit organizations. This is done on a cost-sharing basis for emergency work, debris removal and the repair or replacement of facilities damaged by the disaster event. The Disaster Relief Appropriations Act, 2013 requires FEMA to publish public assistance grants and mission assignments in excess of \$1 million on the internet within 24 hours of award/issuance.

STATUS: Completed with sustainable process in place and ongoing reporting. Information can be found at: www.fema.gov/public-assistance-grant-awards-activity and www.fema.gov/mission-assignment-activity.

De-obligation of Unexpended Sandy Grants

The Disaster Relief Appropriations Act, 2013 requires the grantee/sub-grantee expenditure of obligated grant funds within 24 months or funds be returned to the agency. Only the Office of Management and Budget (OMB) may waive this requirement and only for good cause with notice to Congress. On July 9, 2013, OMB announced provisions that allow FEMA to waive the 2 year expenditure requirement for \$5 billion for the Public Assistance Grant Program and \$1.5 billion for the Hazard Mitigation Grant Program.

STATUS: The OMB waiver notification can be found at: <https://www.fhwa.dot.gov/specialfunding/er/130709.pdf>. FEMA has notified states of the grant expenditure requirement in accordance with the law and all applicants for Public Assistance funding have also been advised of the requirement. Also, FEMA will continue to use a Strategic Funds Management approach with grantees to ensure funds are made available and obligated based on defined projects that the grantee is capable of executing.

Disaster Relief Fund Reporting

The Disaster Relief Fund (DRF) is an appropriation against which FEMA can direct, coordinate, manage, and fund eligible response and recovery efforts associated with domestic major disasters and emergencies that overwhelm state resources pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Disaster Relief Appropriations Act, 2013 requires FEMA to provide monthly reports to Congress and on the internet regarding DRF spending.

STATUS: Completed with sustainable process in place and ongoing reporting. This information can be found at: www.fema.gov/disaster-relief-fund.

National Strategy to Reduce Costs on Future Disasters

SRIA required FEMA to make recommendations for the development of a national strategy to reduce costs on future disasters that should:

- Respect the constitutional roles and responsibilities of the different levels of government, as well as the private sector;
- Address vulnerability to damage from flooding, severe weather, and other hazards;
- Analyze gaps and duplication of emergency preparedness, response, recovery and mitigation at all levels of government; and
- Include recommendations on improving resiliency of states, local, and tribal communities to lower future response and recovery costs.

STATUS: The recommendations were submitted to Congress in September 2013. Information is available at: www.fema.gov/media-library/assets/documents/35064.

Community Disaster Loans

The Disaster Relief Appropriations Act, 2013 provided \$300 million (\$285 million after sequestration) to the Disaster Assistance Direct Loan Program account that can be used for Community Disaster Loans (CDLs).

The purpose of a CDL is to provide funds to any eligible jurisdiction in a designated disaster area that has suffered a substantial loss of tax and other revenue and demonstrates a need for a loan to perform its governmental functions. The funds must be used to maintain existing government services, or to expand those services to meet disaster-related needs.

STATUS: Loans are being processed as requested. For information on CDL processing, please refer to www.fema.gov/community-disaster-loan-program.

Declarations for Federally Recognized Tribal Governments

SRIA amended the Stafford Act to provide Federally-recognized Indian tribal governments the option to make their own request for a Presidential emergency or major disaster declaration independently of a state or to seek assistance under a declaration for a state.

STATUS: FEMA conducted initial tribal consultation and public comment in Spring 2013. Input received will be used to inform the development of a Tribal Declarations Pilot Guidance which will describe the process for tribal governments to request declarations. Drafts of the pilot guidance will circulate for tribal consultation and public comment. In the meantime, FEMA is processing declaration requests from tribal governments using existing regulations. More information is available on the recent Tribal outreach related to declarations by Tribes at: www.fema.gov/tribal-consultation.

Individual Assistance Declaration Factors

SRIA directs FEMA to provide more objective criteria for evaluating the need for assistance to individuals, to clarify the threshold for eligibility, and to speed a declaration of a major disaster or emergency under the Stafford Act. To satisfy these mandates, SRIA requires FEMA to work with state, tribal and local emergency management agencies to review and revise through rulemaking the factors considered when evaluating the need for the Individual Assistance Program following a major disaster or emergency.

STATUS: FEMA is drafting regulatory text for a Notice of Proposed Rulemaking with anticipated publication no earlier than 2014.

The Lease and Repair Program

When there is limited local housing stock available for disaster assistance, FEMA can provide an additional option for housing for disaster survivors. SRIA affirms FEMA's authority to lease multifamily rental units and provide them to individuals or households for use as direct temporary housing where cost effective. FEMA may make repairs to such properties to the extent necessary to serve as safe and adequate temporary housing. The value of the repairs will be deducted from and may not exceed the value of the lease agreement.

STATUS: FEMA issued policy in September 2013 and is available at: <http://www.fema.gov/media-library/assets/documents/85434>.

Other Needs Assistance: Child Care Expenses

SRIA provides FEMA the specific authority to pay for "child care" expenses as disaster assistance under the Other Needs Assistance (ONA) provision of the Individuals and Households Program in addition to funeral, medical and dental expenses

STATUS: FEMA policy was issued in January 2014 and is available at: <http://www.fema.gov/media-library/assets/documents/90723>.

Changes to the Hazard Mitigation Grant Program (HMGP)

Streamlined Procedures: SRIA directs FEMA to streamline HMGP activities and to adopt measures to expedite implementation of the program. FEMA and the states or tribal governments will collaborate to

improve the efficiency and effectiveness of HMGP by identifying the minimum criteria for complete applications; timeframes for reviewing actions and decisions; phasing projects; industry cost guides for estimates; industry design and construction standards; pre-calculated benefits. These areas present the first phase of our ongoing efforts to seek continuous improvements to HMGP.

STATUS: In May 2013, FEMA issued pilot program guidance to begin the implementation of the procedures enacted in the law. In July 2013, FEMA issued the revised Hazard Mitigation Assistance Unified Guidance which incorporates the streamlining objectives for HMGP stated in SRIA. The next steps include monitoring effectiveness. FEMA may make adjustments as necessary. More details about these streamlining procedures are available by viewing the pilot program guidance at: [SRIA HMGP Streamlining Memorandum](#) and www.fema.gov/library/viewRecord.do?id=7571.

Advance Assistance: SRIA allows FEMA to provide up to 25 percent of the estimated costs for eligible hazard mitigation measures to a state or tribal grantee before eligible costs are incurred. FEMA will continue to implement this Advance Assistance provision on a pilot basis for any state or tribe having a declaration with an open application period. The amount of assistance is limited to 25 percent of the HMGP ceiling or \$10 million, whichever is less.

STATUS: FEMA pilot guidance was issued for Sandy-declared states in April 2013. Pilot guidance was expanded to all states in May 2013. In July, 2013, FEMA issued Hazard Mitigation Assistance Unified Guidance which informs users of the availability of advance assistance and presents it as an option. Florida requested and received Advance Assistance.

Program Administration by States: SRIA allows FEMA to implement, on a pilot basis, HMGP Administration by States (PAS). PAS provides a framework for FEMA and its partner states to better utilize their collective resources to efficiently and effectively implement HMGP.

STATUS: FEMA pilot guidance was issued March 2013. Florida has applied for PAS for two disasters. FEMA-State operational agreement was executed August 2013 with Florida.

The Unified Federal Review Process

SRIA added Section 429 to the Stafford Act which directed the President to establish an expedited and unified environmental and historic preservation (EHP) process by July 29, 2014 for disaster recovery actions. The Unified Federal Environmental and Historic Preservation Review (UFR) process is a framework for coordinating Federal agency EHP reviews for disaster recovery projects associated with Presidentially-declared disasters under the Stafford Act. The UFR was designed to enhance the ability of the Federal EHP review process to inform and expedite disaster recovery decisions for grant applicants and other potential beneficiaries of disaster assistance by improving coordination and consistency across Federal agencies, and assisting agencies in better leveraging their resources and tools.

There are five elements of the UFR process:

- Formalize the unification and standardization of EHP requirements;
- Develop standards and guidance for EHP practitioners to unify the Federal Review Process;
- Provide one stop source for EHP information and resources;
- Develop inter-agency agreements formalizing roles, responsibilities and commitments to the UFR; and

- Support the continued development of the Natural and Cultural Resources Recovery Support Function as part of the National Disaster Recovery Framework.

Each element is designed to support the overall UFR process that will help agencies make better, more efficient decisions with the ultimate goal of building more resilient communities.

A phased implementation plan for the UFR process was developed. Compliance with the legislative requirements will occur in three phases over the span of 18 months. *STATUS: Phase 1-The Unified Federal Review Process was completed in July 2014. Phase 2- Initial implementation began August 2014 and will continue through August 2015. Phase 3- Full implementation is projected for September 2015 and beyond. . Additional information on the UFR can be found at:*

<http://www.fema.gov/environmental-historic-preservation/unified-federal-environmental-and-historic-preservation-review>

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

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RIEMA RHODE ISLAND EMERGENCY MANAGEMENT AGENCY

EVALUATION FORM

Date of workshop: _____

Check the box that best describes your opinion:

AGREE SOMEWHAT AGREE DISAGREE

- | | | | |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| 1. The content of the workshop was relevant to my needs/job. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. I feel more comfortable with the Public Assistance (PA) and grants process now than I did before attending this workshop. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The panel was knowledgeable about the workshop material. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. The length of the workshop was appropriate. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. The panel answered questions effectively. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. The handout materials were helpful and contained relevant topics. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. I would recommend attending this workshop if you plan to apply for grants in the future. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. I was satisfied with the workshop overall. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Please indicate the type of organization where you are employed:

- | | | |
|----------------------------------|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Federal | <input type="checkbox"/> Indian Tribe | <input type="checkbox"/> Voluntary |
| <input type="checkbox"/> State | <input type="checkbox"/> Business | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Local | <input type="checkbox"/> Non-Profit | |

Please indicate your role:

- | | | |
|-----------------------------------------------|--------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Emergency Management | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Public Works | <input type="checkbox"/> Police/Fire | |
| <input type="checkbox"/> Finance/Purchasing | <input type="checkbox"/> City/Town Administrator | |
| <input type="checkbox"/> Elected Official | <input type="checkbox"/> Legislator | |

Which topics covered were particularly helpful for you?

What can we do to improve this workshop?

Thank You for Your Feedback



RIEMA

RHODE ISLAND
EMERGENCY MANAGEMENT AGENCY

INQUIRY FORM

If you have additional questions regarding RIEMA Grants that were not answered today, please list them below, along with your contact information, and someone from will get back to you.

Name: _____

Title: _____

Organization: _____

Phone: _____

This is the best way to contact me.

Email: _____

This is the best way to contact me.

Date of Workshop Attended: _____

Please List Your Question(s) Below:

FOR RIEMA USE ONLY

Please complete the bottom portion after follow up has been completed.

Date:

RIEMA Contact:

Notes: