

# Avoid Future Damages and Use Funding Wisely in the Public Assistance Program



Do you see opportunities to avoid repetitive damages to your publicly-owned infrastructure?

## 1: Identify opportunities

If you do not want to put your facility back to pre-disaster condition, is there a way to avoid future similar damages through mitigation, replacement, relocation, and improved or alternate projects?

## 2: Communicate with FEMA

It is your responsibility to start the discussion. Alert your FEMA Program Delivery Manager ASAP, ideally at your Exploratory Call and Recovery Scoping Meeting.

## 3: Develop the Project

Work with federal, state, and local partners to write the project and put together cost estimates. Continue partnership with FEMA, local zoning administrator, and the State.

Gabion basket retaining wall



Using two culverts rather than one



## 406 Mitigation through Public Assistance

It works best if you propose hazard mitigation as you work with FEMA to repair and restore your publicly-owned infrastructure: it is often the most opportune time to prevent future losses. While basic Public Assistance funding will return your facilities to pre-disaster design and function, hazard mitigation measures will improve upon the pre-disaster design to prevent future similar damages.

A hazard mitigation proposal is a written description and cost estimate of what it will take to repair the damage in a way that prevents it from reoccurring. The proposal is submitted with the Project Worksheet and describes in detail the additional work and costs associated with constructing the mitigation measure. FEMA evaluates proposed hazard mitigation measures for cost-effectiveness, technical feasibility, and compliance with laws/regulations. Cost-effectiveness and obtaining proper permits to perform the work can slow down the process if you do not communicate that you wish to incorporate mitigation at the start of the project. **Remember that upgrades required to meet applicable codes and standards are part of your basic eligible restoration work, not hazard mitigation measures.**

## 406 Mitigation Examples

- Constructing floodwalls around damaged facilities.
- Installing additional or larger drainage facilities (including culverts) along a damaged road (above).
- Floodproofing damaged buildings that contain components of a system that are functionally interdependent (in cases where the entire system is jeopardized if any one component fails).
- Slope stabilization to protect washout or failures:
  - Riprap
  - Gabion basket retaining walls (above)
  - Geotextile fabric
- Use of disaster-resistant materials for power poles.
- Floodproofing a lift station or other damaged facility.

Mitigation measures can be technically complex and must be thoroughly evaluated for feasibility; you may want to ask your State or FEMA Public Assistance representative for technical assistance in identifying hazard mitigation measures and preparing a proposal. Since hazard mitigation will often change the pre-disaster design of the facility and require consideration of environmental and historic preservation issues, FEMA may also obtain technical assistance in those areas.

Your mitigation measure must be ONE of these:

- Cost no more than 15% of the total cost of eligible repair work.
- Cost no more than 100% of the total cost of eligible repair work AND be on the list of FEMA approved mitigation measures.
- Pass a benefit-cost analysis (BCA).



Public Assistance Program and Policy Guide

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Appendix J of FEMA's PA Guide has more about Section 406 Mitigation (p. 190)

[CLICK HERE](#)

for information on "100% Cost-Effective Hazard Mitigation Measures"





### **Replacement of Facilities**

When evaluating whether a damaged facility is eligible for replacement, FEMA compares the cost to repair with the cost to replace and evaluates the feasibility of each. If the estimated cost to repair a facility to its pre-disaster size, capacity, and function meeting existing codes and standards exceeds 50% of the estimated replacement cost, FEMA will pay to replace the facility. FEMA limits the eligible cost to the estimated cost of repair or replacement, whichever is lower.

Costs to elevate or floodproof a facility to comply with local floodplain ordinances are eligible for PA funding; however, the elevation or floodproofing costs are **not** included in the repair costs for the 50% rule but are included in the replacement cost calculation.

### **Relocation of Facilities**

FEMA may help relocate a destroyed facility to a new location when certain conditions apply:

- Facility is subject to repetitive heavy location-specific damages (e.g. located in the special flood hazard area);
- Approval is not barred by other regulations; and
- The overall project is cost-effective.

Federal, state, or local codes or standards, such as local floodplain ordinances, may also require that a damaged facility be relocated away from the hazard area (e.g. floodway). If relocation is not feasible or cost-effective, you may request an Improved, Alternate, or Alternative Procedure project.

### **Improved Projects**

When restoring a damaged facility, you may decide to make improvements to the facility that go above-and-beyond the pre-disaster function of the damaged facility. The improved facility must have the same function and at least the same pre-disaster capacity as the damaged facility. Federal funding is limited to the lesser of the following:

- The federal share of the approved estimate cost to restore the damaged facility to its pre-disaster design and function; or
- The federal share of the actual costs of completing the Improved Project.

### **Alternate Projects**

When you determine that the public welfare is not best served by restoring the function of the damaged facility, you may request that FEMA apply PA funding toward a different project(s). The Alternate Project must be a permanent project that benefits the general public, serving the same general area that was being served by the original facility.

Federal funding is capped at the federal share of the approved estimate cost to restore the damaged facility to its pre-disaster design and function.



### **Improved Project Ideas:**

- Laying asphalt on a gravel road.
- Replacing a firehouse that had two bays with one that has three bays.
- Relocating a facility when the relocation is not required by FEMA or a local ordinance.



### **Alternate Project Ideas:**

- Repair, expand, mitigate or construct a facility that would be otherwise eligible in the Public Assistance Program.
- Demolish facilities.
- Supplement funds for your Improved or Mitigation Projects.
- Purchase equipment that costs at least \$5,000 with a useful life of at least 1 year.