V. OTHER THINGS YOU NEED TO KNOW THAT MAY AFFECT YOUR FEMA DOLLARS

PROCUREMENT TOOLBOX
WHEN WE DISAGREE – APPEALS PROCESS

What do you do when you disagree with a FEMA decision regarding a project funded through FEMA Public Assistance (PA)? You can file an appeal.

When an agreement cannot be reached, as a Subrecipient (Applicant) for FEMA PA grants, you can appeal a determination made by FEMA relating to FEMA grant assistance.

What You Need to Know

The FEMA PA administrative appeals process is governed by 44 CFR 206.206. The process provides two (2) opportunities (1st and 2nd appeals) for you to have a decision with which you disagree resolved.

• First (1st) appeal decisions are rendered by FEMA Region VI.
• Second (2nd) appeal decisions are determined by FEMA Headquarters.

When to Consider an Appeal

An appeal can be made at any time while participating in the FEMA PA Program.

Any eligible Recipient or Subrecipient (Applicant) may appeal any determination previously made related to an application for or the provision of Federal assistance. [SOURCE: 44 CFR 206.206]

Time is Critical!

When you receive a written determination from FEMA – and that determination is one with which you disagree – you have 60 days from receipt of the notification letter of a FEMA determination to appeal.

The clock starts ticking when you receive notification of the action taken by FEMA.

Three (3) Simple Steps to Your Appeal

1. Explain in writing (see chart below) why you think FEMA's decision is incorrect.
2. Include the FEMA Federal Information Processing Standards (FIPS) number and disaster number (shown at the top of your decision letter) in your letter of appeal.
3. Submit your appeal letter within **60 days** of receipt of your notification letter of a FEMA determination through GOHSEP to:

GOHSEP  
**ATTENTION: Public Assistance - Appeal Section**  
7667 Independence Boulevard  
Baton Rouge, LA 70806  

OR

Email: gohseappeal@la.gov

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### ROLES + RESPONSIBILITIES [SOURCE: 44 CFR 206.206]

<table>
<thead>
<tr>
<th>ACTION</th>
<th>FROM</th>
<th>TO</th>
<th>TIMEFRAME</th>
<th>DESCRIPTIONS OF REQUIREMENTS</th>
</tr>
</thead>
</table>
| WRITTEN APPEAL | Subrecipient (Applicant) | GOHSEP | To be received by GOHSEP within **60 days** from your RECEIPT of written notification of a FEMA determination. | Written appeal should include:  
  - Description of **historical facts**.  
  - FEMA determination at issue.  
  - Monetary figure in dispute.  
  - Narrative citing provisions in Federal law or policy with which you believe FEMA’s initial action was **inconsistent**.  
  - Analysis supporting Subrecipient (Applicant) position.  
  - Any relevant documents referenced in appeal. |
| REVIEW       | GOHSEP          | FEMA            | **60 days** | GOHSEP reviews appeal and submits its evaluation and recommendation to FEMA. |
| DECISION     | FEMA            | Subrecipient (Applicant) | **90 days** | FEMA renders a decision or requests additional information.  
  (If FEMA requires additional information from you, you will receive a letter. Once FEMA receives the requested information, FEMA has **90 days** to render a decision.) |
AUDITS

Federal grant Subrecipients (Applicants) are responsible for understanding and complying with a significant amount of rules and regulations applicable to FEMA disaster grants, which include those for Public Assistance (PA) and Hazard Mitigation (HM). Subrecipients (Applicants) are subject to Audits by GOHSEP, Louisiana Legislative Auditors (LLA), Office of State Inspector General (State-OIG) and the Department of Homeland Security – Office of Inspector General (DHS-OIG) to assist with regulatory compliance.

A non-Federal entity that expends $750,000 or more during the non-Federal entity’s fiscal year must have a single audit conducted in accordance with 2 CFR 500 et. seq. These audits are conducted by the Louisiana Legislative Auditor (LAA); Local Office of Inspector General (Local-OIG); and/or DHS-OIG.

Several factors are considered when determining which activities to audit. These factors include:

- The risk of fraud, waste and abuse of Federal funds;
- Statutory and regulatory requirements;
- Current or potential dollar magnitude;
- Requests from Congressional, FEMA or State officials; and
- Reports or allegations of impropriety or problems implementing FEMA programs.

If a Subrecipient (Applicant) is selected for audit, GOHSEP will provide an audit liaison to assist the Subrecipient (Applicant) in walking through the process.

Learn More

Additional information regarding audits can be found at:
- oig.dhs.gov
- lla.la.gov

Contact GOHSEP at GohsepLegal@la.gov for any questions.
**TIPS TO PREPARE FOR AN AUDIT INCLUDE:**

1. Maintaining a **contract administration system** to ensure that contractors perform in accordance with **terms**, **conditions** and **specifications** of their contracts or purchase orders.

2. Taking all **necessary affirmative steps** to assure the use of small, minority, women’s business enterprises and labor-surplus area firms when possible.

3. Having **identified methods for monitoring** the **performance** of the Contractor to ensure that the work conforms to project design and the scope of work in the *Project Worksheet (PW)*, **quality controls** are being met, and potential delays or costs overruns are identified.

4. Maintaining **written standards of conduct** covering **conflicts of interest** and governing the **performance** of employees.

5. Maintaining **records** sufficient to detail the history of the **procurement**.

6. Designating a person to coordinate the **accumulation of records**.

7. Establishing a **separate** and **distinct account** for recording revenue and expenditures, and a **separate identifier** for each distinct FEMA project.

8. Ensuring that the **final claim** for each project is supported by amounts **recorded** in the accounting system.

9. Ensuring that each **expenditure** is recorded in the accounting system and is referenced to **supporting source documentation** such as checks and invoices that can readily be retrieved.

10. Researching **insurance** coverage and submit claims for the **maximum coverage amount**. **Credit** the appropriate FEMA project with that amount.

11. Ensuring that materials taken from **existing inventories** for use under FEMA projects are **documented** by inventory withdrawal and usage records.

12. Ensuring that expenditures claimed under a FEMA project are **reasonable** and **necessary**, are authorized under the **scope of work**, and directly benefit the project.

To read more regarding audits, see the **DHS-OIG REPORT, AUDIT TIPS FOR MANAGING DISASTER-RELATED PROJECT COSTS** at [https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-120-D-Sep17.pdf](https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-120-D-Sep17.pdf).
HOW TO GET REIMBURSED FOR DIRECT ADMINISTRATIVE COSTS (DAC)

Administrative costs that are associated with grant management and can be tracked and charged to a specific eligible project are reimbursable as Direct Administrative Costs (DAC). Here’s what you need to know.

- Project management costs are **NOT** reimbursable as DAC. Management costs should be **tracked** on the Project Worksheet (PW) as a regular cost associated with the project.

- Funding for DAC is subject to the **same cost share** as other Public Assistance (PA) funding.

- **Examples of eligible activities for DAC reimbursement:**
  - Site inspections.
  - Developing detailed site-specific damage description.
  - Evaluating Section 406 hazard mitigation (HM) measures.
  - Reviewing the PW.
  - Preparing small projects.
  - Preparing correspondence.
  - Travel expenses.
  - Collecting, copying, filing, or submitting documents to support the claim.
  - Requesting disbursement of PA funds.
  - Grant Closeout activities.

- If the Subrecipient (Applicant) has tracked similar costs in the past as **indirect costs**, then those costs cannot be claimed as DAC in **subsequent projects**.

- Both **labor** and **travel expenses** must be tracked for individual employees, and must be applicable to a **single project**.
  
  » NOTE: If a Subrecipient (Applicant) chooses to fly in a Consultant / Specialist to address an issue that spans several projects, the travel for that Specialist would **NOT** be eligible for DAC.

- Claimed DAC must be **reasonable** to be approved:
  
  » The **type of employee** and **skill level** must be appropriate for activity performed. For example if a highly skilled engineer performs basic clerical functions, FEMA will only fund based on clerical employee pay rate.
  
  » The **level of effort** required to perform the activity is considered. FEMA states that it will base its determination on the effort that FEMA staff uses to perform similar activities.
  
  » For disasters declared **prior** to **August 25, 2017**, FEMA generally considers **3%** of the total project costs to be **reasonable DAC**. Any Subrecipient (Applicant) seeking a higher percentage for DAC needs to document the extra costs and provide a persuasive explanation of why they are reasonable. For disasters declared **after August 25, 2017**, FEMA has implemented **PA Alternative Procedures** that allow Subrecipients (Applicants) to receive up to **5%** of eligible costs in DAC.

- A Subrecipient’s (Applicant’s) costs associated with appealing a FEMA decision **may** be eligible for **reimbursement** as DAC. The costs will only be held eligible if the appeal results in an **increase** in grant funding.
## PROCUREMENT – THINGS TO DO! NOT TO DO!

### Pre-Disaster Contracts

<table>
<thead>
<tr>
<th><strong>DO’S</strong></th>
<th><strong>DON'TS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Comply with FEMA, State and local procurement laws, regulations, rules and ordinances. <strong>Follow the most restrictive rule.</strong></td>
<td>• Use and then <strong>not</strong> review and rebid <strong>at least every three (3) years</strong>. Some may need to be reviewed and rebid more often.</td>
</tr>
<tr>
<td>• Include <strong>all required contract provisions</strong> in resulting Contract.</td>
<td>• Use <strong>geographic</strong> or local preferences.</td>
</tr>
<tr>
<td>• Regularly <strong>review</strong> and <strong>rebid</strong> to ensure market-driven reasonable prices.</td>
<td></td>
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<tr>
<td>• <strong>Coordinate</strong> with <strong>other like jurisdictions</strong> to possibly undertake a joint procurement.</td>
<td></td>
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<tr>
<td>• Undertake the <strong>six (6) required affirmative steps</strong> to include <strong>small, women-owned and minority business enterprises</strong> and <strong>labor surplus firms</strong> (see page 71).</td>
<td></td>
</tr>
<tr>
<td>• Contact <strong>GOHSEP Legal</strong> with questions and for compliance assistance.</td>
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</table>
## Emergency Contracting

<table>
<thead>
<tr>
<th>DO’S</th>
<th>DON'TS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Have <strong>pre-positioned contracts</strong> in place that you procured prior to the disaster incident period. These can be used <strong>right away</strong> and for the <strong>duration</strong> of the need.</td>
<td></td>
</tr>
<tr>
<td>• Once the emergency or exigency period is over, <strong>transition</strong> to a <strong>competitive procurement</strong> with <strong>full</strong> and <strong>open competition</strong>.</td>
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</tr>
<tr>
<td>• If possible, even during the incident period, <strong>use proper procurement methods</strong>.</td>
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</tr>
<tr>
<td>• Award <strong>time and materials (T + M) contracts</strong> only when <strong>necessary</strong> and <strong>always</strong> include a <strong>ceiling</strong> or <strong>not-to-exceed clause</strong>.</td>
<td></td>
</tr>
<tr>
<td>• Include the <strong>required contract provisions</strong>, even in emergency contracts.</td>
<td></td>
</tr>
<tr>
<td>• Contact <strong>GOHSEP Legal</strong> with questions and for compliance assistance.</td>
<td></td>
</tr>
<tr>
<td>• Award contracts to those with whom you have a <strong>conflict of interest</strong>.</td>
<td></td>
</tr>
<tr>
<td>• Keep an <strong>improperly procured Contractor</strong> simply because you do not want to undertake a full and open procurement.</td>
<td></td>
</tr>
<tr>
<td>• Make <strong>cardinal changes</strong> (very significant changes) to a contract scope or amount without re-procuring.</td>
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<tr>
<td>• <strong>Piggybacking</strong> off of another jurisdiction’s existing contract.</td>
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</table>
INSURANCE CONSIDERATIONS

Insurance proceeds are an important component of emergency and disaster recovery. It is important to know . . .

- FEMA requires Subrecipients (Applicants) located in a Special Flood Hazard Area (SFHA) to carry flood insurance equal to either the value of their property or $500,000, whichever is lower:
  - SFHA Zones are generally designated as “AE” or “V” Zones.
  - Public Assistance (PA) funding for which the Subrecipient (Applicant) is eligible are reduced by proceeds from insurance claims.
- If a Subrecipient (Applicant) in an SFHA does not carry the required level of flood insurance, FEMA reduces funding of the PA project by the amount of insurance that the Applicant was required to carry.
- Regardless of flood zone designation, a Subrecipient (Applicant) who received PA funding in the past is required to obtain and maintain (O + M) sufficient insurance to cover the amount of previous damages.
  - The type of insurance obtained after previous assistance must cover the same type of damage (flood vs. non-flood).
- If a Subrecipient (Applicant) cannot afford to maintain the level of insurance required, the Subrecipient (Applicant) may seek an Insurance Commissioner’s Certification (ICC). The ICC reduces the level of insurance required of a Subrecipient (Applicant) when the Insurance Commissioner determines that the required level of insurance is not reasonably available to the Subrecipient (Applicant).
  - To qualify for an ICC, a Subrecipient (Applicant) must obtain the maximum amount of National Flood Insurance Program (NFIP) insurance or other, similar, insurance available to them.

Learn More

To learn more about FEMA PA insurance requirements:
- Contact your GOHSEP Insurance Specialist at 225.379.4028 or LAPAInsurance@la.gov

To learn more about Public Assistance Program (PA), please visit:
- PA Insurance Requirement page: gohsep.la.gov/GRANTS/RECOVERY-GRANTS/Public-Assistance/Insurance-Requirements
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STAFFORD ACT
Insurance Commissioner’s Certification PROCESS

PURPOSE OF THIS PUBLICATION
To raise awareness and to serve as a job aid so users better understand when and how to apply for an Insurance Commissioner’s Certification (ICC).

INTENDED AUDIENCE
For any Subrecipient (Applicant) or entity that has received, or might receive, Federal Emergency Management Agency (FEMA) Public Assistance (PA) funds; State, Parish, city or other local government officials, including elected leadership, chief administrative officers (CAOs), chief financial officers (CFOs), risk managers and insurance professionals; private nonprofits (PNPs) that have received or might receive FEMA PA funds; and other disaster recovery stakeholders.
Dear Louisiana Disaster Recovery Stakeholder,

As a condition of receiving FEMA Public Assistance (PA) funding, Subrecipients (Applicants) must obtain and maintain insurance coverage, often called the O + M requirement, at least equal to the amount of the eligible damage to the facility receiving Federal assistance.

The purpose of the O + M requirement is to protect against future loss from the same type of peril.

**INSURANCE COMMISSIONER’S CERTIFICATION (ICC)**

Sometimes insurance market conditions prevent your ability to reasonably meet the O + M requirement. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) then allows you to apply for an Insurance Commissioner’s Certification (ICC). The ICC acts as a declaration that some portion of the O + M requirement is not reasonably available to a FEMA PA Subrecipient (Applicant). It may be the best way to ensure your continued eligibility for FEMA PA funding if you incur damage to insurable assets in a subsequent disaster.

The Louisiana Commissioner of Insurance, working with the Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP), has established criteria you must meet to be eligible for an ICC. This brochure is designed to help you understand the criteria and the process when applying for an ICC.

Check with your risk manager and/or insurance professionals to see if an ICC is right for you. If you believe you qualify for an ICC, you must submit your application and required documentation to GOHSEP.

If the insurance required by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) is not reasonably available, the Subrecipient (Applicant) must demonstrate compliance with the Insurance Commissioner’s established criteria and follow the Insurance Commissioner’s Certification process.
Emergency Preparedness

The Subrecipient (Applicant) acts as a declaration that some portion of the O + M from the same type of peril. The purpose of the O + M requirement is to protect your continued eligibility for FEMA PA funding if you incur damage to insurable assets in a subsequent disaster. An ICC to the O + M requirements applicable to the type and extent of insurance required by the FEMA PA Program are not reasonably available, the Insurance Commissioner can issue an ICC. It's important to know:

- If granted an ICC, a Subrecipient (Applicant) must maintain insurance coverage consistent with that in place at the time of the initial certification.
- Should another major disaster strike, resulting in the Subrecipient’s (Applicant’s) need for additional Stafford Act assistance, a new application for a certification applicable to that disaster is required.

Roles + responsibilities

SUBRECIPIENT (APPLICANT)

You are responsible for risk management.

It is important to know that private insurance is the first source of help after a disaster. FEMA PA (and other Federal support) is supplemental in nature and available when communities are overwhelmed by a disaster and after insurance benefits and other local or State resources have been exhausted.

INSURANCE COMMISSIONER

The Louisiana Commissioner of Insurance is charged with determining whether required O + M insurance is reasonably available. Stafford Act Section 311 states, “...the President shall not require greater types and extent of insurance than are certified to him as reasonable by the appropriate State insurance commissioner...” The Louisiana Commissioner of Insurance issued a Letter to the President July 20, 2010 certifying that certain types and amounts of insurance were not reasonably available to Louisiana FEMA PA Subrecipients (Applicants).

Why an ICC may be needed

- A Subrecipient (Applicant) who has not obtained and maintained required insurance (for the full amount of FEMA PA eligible damages) in a current disaster is at risk for de-obligation of that funding.
- Eligibility for future FEMA PA funding requires Subrecipients (Applicants) to obtain and maintain insurance for each damaged facility (in at least the amount of previously eligible damages) that has received FEMA PA funding in a prior disaster of the same type.
- A Subrecipient (Applicant) that cannot reasonably obtain and maintain the required level of insurance coverage can apply for an ICC. For future PA eligibility, FEMA does not require greater amounts of insurance than certified as reasonable by the State Insurance Commissioner.
- Facilities that sustained eligible damages less than $5,000 do not have an O + M requirement.

How it works

An ICC applies only to the O + M requirements applicable to the storm or hazard specified in the application.

Once a Subrecipient (Applicant) provides evidence that the type and extent of insurance required by the FEMA PA Program are not reasonably available, the Insurance Commissioner can issue an ICC. It’s important to know:

- If granted an ICC, a Subrecipient (Applicant) must maintain insurance coverage consistent with that in place at the time of the initial certification.
- Should another major disaster strike, resulting in the Subrecipient’s (Applicant’s) need for additional Stafford Act assistance, a new application for a certification applicable to that disaster is required.
Blanket policies

Subrecipients (Applicants) utilizing blanket or scheduled policies, pooling arrangements and layered programs should also consider an ICC.

Increased deductibles

In a post-disaster insurance market, insurance carriers attempt to protect themselves from future losses of the same type. One of the methods they use is to increase deductibles. This results in a significant increase in out-of-pocket cost to the Subrecipient (Applicant) in the event of future damage. The Insurance Commissioner stipulates that the deductible cannot exceed 15% of property insurance coverage and cannot be combined with business interruption insurance coverage.

Not a guarantee...

Demonstrating you have met the criteria set by the Insurance Commissioner and followed the process is not a guarantee that an ICC will be granted. If granted, an ICC does not exempt a Subrecipient (Applicant) from procuring insurance coverage. You still must carry insurance to the extent that it is reasonably available to you.

REMEMBER:

- FEMA PA is supplemental. It does not replace other assistance (including insurance).
- FEMA PA grants are only provided for Presidentially declared disasters.
Certification criteria

The ICC process requires that you spend what the Insurance Commissioner has determined is a minimum amount on appropriate insurance coverage based on the type of entity you are.

GOHSEP has worked closely with the Insurance Commissioner to develop a process allowing Subrecipients (Applicants) to pursue an ICC when full O + M requirements cannot reasonably be met.

The Subrecipient (Applicant) must demonstrate compliance with the criteria set by the Insurance Commissioner and follow the Commissioner’s certification process to be considered for an ICC.

**MINIMUM INSURANCE BUDGET**

- A Subrecipient (Applicant) must allocate a reasonable portion of its current annual operating budget to the purchase of property insurance, including wind and flood coverage, for each of its properties that are the subject of FEMA PA grants.
  - The required yearly minimum insurance budget is expressed as a percentage of annual operating budget.
  - The percentage is defined specifically for different entities.
  - The schedule established by the Insurance Commissioner for Subrecipient (Applicant) to use in determining a minimum insurance budget is shown in the table below.

- When calculating a minimum insurance budget . . .
  - DO base it on your prior year’s audited financial statement.
  - Do NOT include capital outlays.

**INSURANCE PROCUREMENT GUIDELINES**

- A Subrecipient (Applicant) must also follow guidelines defined by the Insurance Commissioner for the type of insurance procured:
  - Obtain and maintain maximum amount of insurance available through the National Flood Insurance Program (NFIP) for:
    - Building and contents for every facility that sustained flood damage as a result of the disaster.
    - Procure property coverage (including wind and other perils, exclusive of flood) up to replacement costs.
    - With remaining funds, procure excess flood coverage.

**NOTE:** Cost of business interruption insurance is separate and cannot be used to meet your percentage of budget requirement.

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**TABLE: Minimum budget for insurance expressed as a percentage of annual operating budget**

<table>
<thead>
<tr>
<th>Organization Type</th>
<th>Percentage of Operating Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government</td>
<td>0.33%</td>
</tr>
<tr>
<td>Elementary and Secondary Education</td>
<td>0.29%</td>
</tr>
<tr>
<td>Post-Secondary Education</td>
<td>0.17%</td>
</tr>
<tr>
<td>Health Care</td>
<td>0.26%</td>
</tr>
<tr>
<td>Nonprofit Association</td>
<td>2.91%</td>
</tr>
<tr>
<td>Nonprofit Trust</td>
<td>1.41%</td>
</tr>
<tr>
<td>Nonprofit Religious</td>
<td>2.61%</td>
</tr>
</tbody>
</table>

Please note that this is a minimum percentage schedule for the purpose of determining a reasonable insurance budget. It cannot be used as rationale to reduce insurance if the current expenditure exceeds the listed percentage amounts.
Contact your risk manager or insurance professional if you think an ICC might be right for you.

If you have questions regarding an ICC, please contact:

Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP) Insurance Team
225-376-5330
lapainsurance@la.gov

Louisiana Department of Insurance (LDI)
Warren Byrd
225-342-5203
wbyrd@ldi.la.gov

lapainsurance@la.gov
Visit LouisianaPA.com for an ICC application.
IMAC + EMAC

Both the Intrastate Mutual Aid Compact (IMAC) and the Emergency Management Assistance Compact (EMAC) are tools to connect resources for the prevention of, response to and recovery from an emergency or any other event that exceeds resource capacity.

**IMAC: Intrastate Mutual Aid Compact; Parish-to-Parish assistance.**

**EMAC: Emergency Management Assistance Compact; State-to-State assistance.**

The below chart identifies what each does and how to access these valuable response and recovery tools.

<table>
<thead>
<tr>
<th>IMAC LA RS 29:739</th>
<th>EMAC LA RS 29:733 PL 104-321</th>
</tr>
</thead>
<tbody>
<tr>
<td>• By executing an IMAC request, authorized representatives from both the assisting and requesting Parish, enter into a Contract to provide and reimburse for services to be rendered under the IMAC.</td>
<td>• EMAC is a nationally adopted mutual aid agreement that enables States to share resources during emergency events or disasters.</td>
</tr>
<tr>
<td>• Requesting Parish must: Declare a state of emergency prior to requesting assistance, document the mutual aid process from declaration through reimbursement, identify the resources needed and agree on a price and scope.</td>
<td>• Requesting State must: Declare a state of emergency due to a natural or man-made emergency or disaster, identify the resource need and identify the shortfalls in which assistance is needed, request resources through the National EMAC system, and agree to a price and scope.</td>
</tr>
<tr>
<td>• Assisting Parish must: Verify the details of the request for assistance, ensure receipt of proper authorization from a requesting Parish prior to deploying resources and agree on a price and scope.</td>
<td>• Assisting State must: Identify available resources in response to a request made in the system and mobilize and deploy in accordance with the agreement.</td>
</tr>
<tr>
<td>• Both requesting and assisting Parish must: Utilize the State emergency management process (WebEOC), adhere to the guidelines set out in the National Incident Management System (NIMS), and participate in an After Action Review (AAR) and implement corrective actions.</td>
<td>• Requesting State reimburses the assisting State.</td>
</tr>
<tr>
<td>• The requesting Parish reimburses the assisting Parish.</td>
<td>See the new Louisiana Administrative rules governing EMAC at doa.la.gov/Pages/osr/reg/regs2017.aspx.</td>
</tr>
</tbody>
</table>
Mission Ready Packages (MRPs)

MRPs are specific response and recovery capabilities that are organized, developed, trained and exercised prior to an emergency or disaster. MRPs are based on NIMS resource typing – defining and categorizing, by capability, the resources requested, deployed and used in incidents – and taking the concept one (1) step further by considering the:

**MISSION**

- Limitations that might impact the mission;
- Needed equipment, commodities and required support to successfully achieve the mission;
- Footprint of the space needed to stage and complete the mission; and
- Estimated costs.

MRPs also include credentialed personnel – those who are identified by the resource provider as having the knowledge, skills and abilities needed to conduct the specific mission for which MRP is to be deployed.

Resource providers should work in cooperation with State emergency management agencies to develop MRPs.

Learn More

To learn more about IMACs contact:

- Your Parish Office of Homeland Security and Emergency Preparedness (OHSEP) or
- GOHSEP-Operations@la.gov

To learn more about EMACs and Mission Ready Packages (MRPs), visit the following websites:

- emacweb.org/
- fema.gov/pdf/emergency/nrf/EMACoverviewForNRF.pdf

OR Contact:

- GOHSEP EMAC Coordinator at 225.925.7517 or
- Email Victoria.Carpenter@la.gov
To raise awareness and encourage utilization of hazard mitigation measures that reduce or eliminate the threat of future similar damage to facilities that are repaired, restored or reconstructed after a disaster. Assistance is available through the Federal Emergency Management Agency (FEMA) Public Assistance (PA) program and authorized under Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5172.

This publication is intended for local and State officials, Federally recognized Tribal governments, those applying for and/or receiving recovery-funding grants through the FEMA PA program and other disaster-recovery and mitigation stakeholders.
GETTING STARTED IS AS EASY AS 1, 2, 3, 4 . . .

Step 1: When evaluating disaster damages, Subrecipients (Applicants) are encouraged and responsible to identify potential hazard mitigation opportunities.

Step 2: Hazard mitigation opportunities are then evaluated for cost effectiveness and applicability (see previous panel).

Step 3: Subrecipients (Applicants) prepare a Hazard Mitigation Proposal (HMP). The HMP must:

- Identify cause + damages to be mitigated;
- Include proposed mitigation measures;
- Demonstrate methodology (including scope of work [SOW], determination of cost effectiveness, etc.) used to determine applicability of proposed mitigation measures.

Step 4: HMP is submitted through GOHSEP to FEMA.

Proposed 406 HM measure(s) must be approved by FEMA prior to start of work to ensure eligibility and compliance with Federal requirements.

IMPORTANT TO KNOW

- Frequently, due to the urgency of repair, potential mitigation measures are not fully explored, leaving the disaster damage/repair cycle to repeat in future events.
- Both 404 + 406 HM funding can be used in combination on certain projects. FEMA will help you determine the appropriate split. (To learn more, please visit fema.gov/media-library/assets/documents/15271 and https://www.fema.gov/hazard-mitigation-grant-program.)
  
  — You must be able to identify specific mitigation work to be accomplished under each separate program.
- Those applying for 406 HM funding through the FEMA PA program should be aware there may be a non-Federal or local cost share.

  - If the approved project involves a completely new or replacement facility on the same or different site, 406 HM funding cannot be used.
  - 406 HM funding may be approved for an Improved Project (IP) – any project where additional improvements are made to the facility while making disaster repairs.
  - 406 HM funding will NOT be applied toward an Alternate Project (AP) – the alternative use of project funding to repair, replace or newly construct alternative public infrastructure on the same or different site.

  - If mitigation work begins prior to FEMA approval, funding for the entire project may be jeopardized.

NOTE: *Signature by the Federal Inspector is not an approval of this work, and signature by the State and local applicant is not a commitment to perform the work.*

CONCURRENCE BY LOCAL REPRESENTATIVE (Signature)*

CONCURRENCE BY STATE INSPECTOR (Signature)*

FEMA Form 90-61, JUL 07 REPLACES ALL PREVIOUS EDITIONS.

NOTE: *Signature by the Federal Inspector is not an approval of this work, and signature by the State and local applicant is not a commitment to perform the work.*

HAZARD MITIGATION PROPOSAL (HMP)

QUANTITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

AGENCY

AGENCY

AGENCY

DATE

DATE

DATE

DATE

NOTE

ON THIS SHEET

IMPORTANT TO KNOW

• 406 HM funding may be approved on certain projects. FEMA will help you determine the HM funding can be used in local cost share program should be aware there may be a non-Federal or local cost share.

• If the approved project involves a completely new or replacement facility on the same or different site, 406 HM funding cannot be used.

• 406 HM funding may be approved for an Improved Project (IP) – any project where additional improvements are made to the facility while making disaster repairs.

• 406 HM funding will NOT be applied toward an Alternate Project (AP) – the alternative use of project funding to repair, replace or newly construct alternative public infrastructure on the same or different site.

• If mitigation work begins prior to FEMA approval, funding for the entire project may be jeopardized.
Hazard mitigation (HM) defined...

Hazard Mitigation (HM) is defined in Federal law (44 Code of Federal Regulations [CFR] 201.2) as any sustained action taken to reduce or eliminate the long-term risk to human life and property from hazards.

Funding sources

There are multiple funding sources available to eligible Subrecipient (Applicant) for BOTH post-disaster as well as non-disaster HM activities.

Funding sources are authorized through the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Sections 404, 406 and 203; Sections 1323, and 1366 of the National Flood Insurance Act of 1968 (NFIA).

POST-DISASTER MITIGATION FUNDING

- **FEMA PA 406 HM ASSISTANCE GRANTS**
  Stafford Act provides authority to fund the repair, restoration or replacement of damaged facilities as a result of a disaster. Additional funding for HM measures may be available through Section 406 of the Stafford Act. This is typically referred to as 406 HM. (SOURCES: Stafford Act §406(c)(1)(B)(iii); 44 CFR 206.226; FEMA RP 9526.1 — Hazard Mitigation Funding Under Section 406 (Stafford Act))

- **FEMA 404 HAZARD MITIGATION GRANT PROGRAM (HMGP)**
  There is also funding for post-disaster hazard mitigation measures through the FEMA Hazard Mitigation Grant Program (HMGP), authorized under Section 404 of the Stafford Act. This is also called 404 HM.

Because both the 406 HM program and the 404 HMGP program are available as a result of a disaster, it is easy to get them confused. It is important to know that BOTH of these resources may be available to fund post-disaster mitigation initiatives.

NON-DISASTER RELATED MITIGATION FUNDING

- **FEMA ANNUAL HM GRANTS**
  There are other grant opportunities available through the FEMA annual competitive grants process for non-disaster mitigation measures.

This publication focuses on PA post-disaster 406 HM.

For more information about other grant opportunities, please see the Governor’s Office of Homeland Security and Emergency Preparedness [GOHSEP] publication, the NEW 10 Things to know about funding hazard mitigation at: gohsep.la.gov/publications.aspx OR go to FEMA’s Hazard Mitigation Assistance (HMA) page at: fema.gov/hazard-mitigation-assistance
Fundamentals of FEMA PA
406 hazard mitigation (HM)

APPLICABILITY

406 HM funding can only be spent on eligible permanent repair work. (SOURCE: FEMA RP 9526.1)

406 HM measures MUST be cost effective.

406 HM can be used only to fund protective measures that reduce or eliminate the threat of future similar damages to a disaster-damaged element or facility.

COST EFFECTIVENESS

FEMA requires all HM projects to be cost effective. Cost effective simply means that benefits (avoidance of future damages) of a mitigation measure are appropriate to the expenditure. Benefits must equal or exceed the cost of the hazard mitigation measure.

Cost-effective mitigation measures include:

- Applicable mitigation measures that cost up to 15% of the total eligible repair cost (e.g. equipment elevation, window shutters, hurricane clips, headwalls, floodwalls, erosion control, etc.).
- Certain mitigation measures (see Appendix A of FEMA RP 9526.1) are predetermined as cost effective if the cost of the mitigation measure:
  - Does not exceed 100% of the total eligible cost of the eligible repair work on the project;
  - Is appropriate to the disaster damage (e.g. wind, flood, rain, etc.);

- Prevents future similar damage;
- Is directly related to the eligible damaged elements;
- Does not increase risks or cause adverse effects to surrounding areas or damage from another hazard;
- Is technically feasible for the hazard + location; and
- Meets requirements stipulated in policy + law + regulation.

Those measures include:

- Drainage + crossings + bridges
- Sanitary/storm sewer systems
- Wastewater treatment plants
- Potable water systems
- Electrical power distribution systems
- Above ground storage tanks
- Underground pipelines

For those mitigation measures that do not fall within the above two (2) categories, an acceptable Benefit-Cost Analysis (BCA) methodology must be used to demonstrate cost effectiveness.

To learn more, please visit: fema.gov/benefit-cost-analysis.

EXAMPLE

SCENARIO 1: A project cost $2M to restore a flooded building to its pre-disaster condition. FEMA can approve up to an additional $2M in 406 HM funding for cost-effective, mitigation measures.

SCENARIO 2: A project cost $2M to restore. The proposed mitigation measures cost more than $2M – an analysis is required to determine if the additional expenditure is cost effective.
406 HM is an important post-disaster funding opportunity!

Here’s why.

Damage to public infrastructure can vary greatly, depending upon the location, condition and magnitude of a disaster. Mitigation helps fund solutions to safeguard your community.

**VALUE OF MITIGATION MEASURES**

- Hazard mitigation measures result in safer + stronger communities by reducing loss of life and/ or property due to an emergency or disaster.
  - Stronger communities lessen physical and financial impacts of disaster at the State + Federal level and to local + Tribal communities.
- Hazard mitigation measures result in more resilient communities, enabling them to recover more rapidly from future disasters.

It makes sense to break the cycle of damage-repair-damage-repair . . .

For every $1 spent on mitigation, approximately $4 are saved in future reduced losses.*

(SOURCE: *United States Congressional Budget Office, Potential Cost Savings from the Pre-Disaster Mitigation Program, 2007.)

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**PERMANENT WORK CATEGORIES**

- Roads + Bridges
- Water Control Facilities
- Buildings + Equipment
- Utilities
- Parks + Recreational + other

---

Before mitigation: culverts washed out during event

After mitigation: new culvert with protective headwall
### ACROSYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AP</td>
<td>Alternate Project</td>
</tr>
<tr>
<td>BCA</td>
<td>Benefit-Cost Analysis</td>
</tr>
<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
</tr>
<tr>
<td>FEMA</td>
<td>Federal Emergency Management Agency</td>
</tr>
<tr>
<td>GOHSEP</td>
<td>Governor’s Office of Homeland Security and Emergency Preparedness</td>
</tr>
<tr>
<td>HM</td>
<td>Hazard Mitigation</td>
</tr>
<tr>
<td>HMA</td>
<td>Hazard Mitigation Assistance</td>
</tr>
<tr>
<td>HMGP</td>
<td>Hazard Mitigation Grant Program</td>
</tr>
<tr>
<td>HMP</td>
<td>Hazard Mitigation Proposal</td>
</tr>
<tr>
<td>IP</td>
<td>Improved Project</td>
</tr>
<tr>
<td>NFIA</td>
<td>National Flood Insurance Act</td>
</tr>
<tr>
<td>PA</td>
<td>Public Assistance</td>
</tr>
<tr>
<td>PACL</td>
<td>Public Assistance Crew Leader</td>
</tr>
<tr>
<td>RP</td>
<td>Recovery Policy</td>
</tr>
<tr>
<td>SAL</td>
<td>State Applicant Liaison</td>
</tr>
<tr>
<td>SOW</td>
<td>Scope of Work</td>
</tr>
</tbody>
</table>

### REFERENCES

44 CFR

FEMA Benefit-Cost Analysis

FEMA Benefit-Cost Analysis Toolkit Version 5.1

FEMA Public Assistance Program and Policy Guide (PAPPG) — FP 104-009-2 / April 2017


FEMA PA

Small Business Toolkit: Tools and Resources to Plan, Prepare and Protect

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

For more information on 406 Hazard Mitigation (HM), contact your GOHSEP Public Assistance (PA) State Applicant Liaison (SAL) OR FEMA Public Assistance Coordinator OR Call GOHSEP at 225-925-7500.
PURPOSE OF THIS PUBLICATION

To provide awareness and guidance for the preservation and protection of the natural and cultural aspects of environmental and historic resources when seeking Federal assistance.

INTENDED AUDIENCE

This publication is intended for local and State officials, Federally recognized Tribal governments and other disaster-recovery stakeholders applying for and/or receiving recovery funding through Federal Emergency Management Agency (FEMA).
All Federally funded projects **must** comply with the National Environmental Policy Act (NEPA) of 1970, as amended. [42 USC 4321 & 4331-4335]. Under NEPA, the Federal agency responsible for funding a project **must consider** the project’s impacts on the natural, cultural and socioeconomic conditions. In the environmental and historic preservation (EHP) world, you may hear that called **impact**.

Failure to comply with NEPA can result in project delays and denial of funding. The Federal Emergency Management Agency (FEMA), through the Environmental and Historic Preservation (EHP) Program, engages in a **review process** (EHP review) to ensure FEMA-funded activities comply with NEPA.

To understand the FEMA EHP review and formulate a **project schedule** that adheres to Federal grant-funding requirements, you need to know about EHP concerns that could have an impact on your project.

**WHAT DETERMINES THE DEPTH OF EHP REVIEW?**

**All projects** funded through FEMA receive an **EHP review** that identifies if and what **conditions** are needed to ensure compliance. The depth of EHP review is dependent on a number of factors.

- **Special Consideration Questions** form as a tool to trigger reviews for possible negative impacts to protected resources from your proposed project.
- Other FEMA-funded grant programs utilize the project **Scope of Work (SOW)** to determine the level of EHP review needed.

Regardless of the FEMA grant program to which you are applying, the SOW and the **project’s location** determine the depth of EHP review.

The FEMA EHP Team considers a range of Federal laws, regulations and Executive Orders (EOs) to ensure **compliance** prior to funding.

**AVOID DELAYS WITH EHP REVIEW**

Those applying for (Applicants) or those receiving (Subrecipients) FEMA assistance can greatly aid FEMA in streamlining the EHP review by:

- Writing detailed **project descriptions**.
- Anticipating requirements under applicable laws (see insert).
- Designing projects to address requirements or avoid problem areas by involving FEMA EHP during the early planning stages of your project.

---

**Remember . . . any changes to approved SOW results in an additional EHP review!**
FEMA ROLE

FEMA EHP reviews the proposed SOW for compliance with Federal environmental and historic preservation laws and EOs. The FEMA EHP program integrates the protection and enhancement of environmental, historic, and cultural resources into FEMA’s mission, programs, and activities, to include disaster response, recovery, and emergency preparedness.

FEMA consults with regulatory agencies and other interested parties to determine the impacts and requirements for project compliance. FEMA is required to notify the public, Tribal government representatives, historic societies and other stakeholders. [44 CFR Parts 9 & 10]

FEMA EHP provides environmental and historic preservation technical assistance to local, State, and Federal partners, grantees, and Subrecipients for compliance with Federal environmental and historic preservation laws and EOs. [44 CFR 200.207(c)]

GOHSEP ROLE

We can help.

The Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP) has a vested interest in the success of your projects and in helping you keep eligible funding obligated for your project.

- GOHSEP EHP staff monitors projects to ensure appropriate implementation. Technical support is available for compliance with FEMA regulations and grant supported activities. [2 CFR 200.328(a)]

EXCLUSIONS TO ENVIRONMENTAL ASSESSMENTS (EAs)

<table>
<thead>
<tr>
<th>REVIEW EXCLUSIONS</th>
<th>STATEX</th>
<th>CATEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency/critical + essential needs.</td>
<td>• Project will not have significant effect on the environment.</td>
<td>• FEMA creates a list of project tasks with no adverse effects on EHP concerns. [40 CFR 1500]</td>
</tr>
<tr>
<td>Must comply with applicable local + State + Federal regulations.</td>
<td>Stipulations may be attached to the grant to ensure that the project is performed as proposed in compliance with CATEX regulations + all local + State + Federal regulations.</td>
<td></td>
</tr>
<tr>
<td>Examples:</td>
<td>• Emergency debris removal.</td>
<td>• Window/roof replacement on a non-historic facility.</td>
</tr>
<tr>
<td></td>
<td>• Establishing a temporary medical triage/clinic.</td>
<td>• Procurement of goods/services for emergency operational activities.</td>
</tr>
</tbody>
</table>

Action taken or assistance provided in support of local and State emergency assistance efforts to save lives, protect property and public health and safety, and lessen or avert the threat of a catastrophe [40 CFR 1500] can be statutorily excluded (STATEX) from an Environmental Assessment (EA).

Other projects may be categorically excluded (CATEX) because they are so common and have little or no effect on environmental and historic preservation concerns. [40 CFR 1500]

FEMA EHP reviews the Special Considerations Questionnaire to determine the level of impact a proposed project might have on the landscape.

If a project is granted a STATEX or CATEX, the project is allowed to move forward through the grant approval process.

PERMITS

Prior to starting work, you must obtain and retain the appropriate permits and approval letters from the respective agencies for compliance with NEPA requirements. [2 CFR 200.333]

GOHSEP encourages Subrecipient (Applicant) to upload all important grant documentation to the documents tab on the appropriate Louisiana grants management website – LouisianaPA.com or LouisianaHM.com.

These permits must be retained for future project compliance verification and grant closeout.

Approvals + permits first
do not act first and then seek forgiveness!
RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

FEMA EHP reviews the proposed project to determine if the undertaking has the potential to pose adverse impacts to protected resources. If the project work does not pose any known adverse impacts, FEMA issues a record of environmental consideration (REC) and the project is allowed to move forward through the approval process.

PROJECT AGREEMENTS

Some projects may require certain measures to be taken to meet compliance. FEMA may request the Subrecipient (Applicant) and other stakeholders sign an agreement that specifies measures to take in order to avoid, minimize, or mitigate the adverse effects resulting from the undertaking. For example: FEMA will coordinate programmatic agreements, memorandums of understanding (MOUs), or memorandums of agreement (MOAs) to comply with Federal regulations.

ENVIRONMENTAL ASSESSMENT (EA)

Projects with complex concerns to consider require a more in-depth project evaluation. In these cases, an environmental assessment (EA) is used to analyze the SOW and consider alternatives.

Regulatory agencies and stakeholders are consulted about possible impacts to the protected resources being considered. If the resulting analysis produces no significant impact to the protected resources, then a finding of no significant impact (FONSI) is issued under the EA. FEMA prepares and submits an EA if required [44 CFR 10.5(a)] and allows the project to continue through the approval process.

If an EA has a finding of significant impact, an environmental impact statement (EIS) will be required. A notice of intent (NOI) to implement an EIS will be issued by the agency through public notice and to the Subrecipient (Applicant) stating reasons why an EIS is required.

ENVIRONMENTAL IMPACT STATEMENT (EIS)

An Environmental Impact Statement (EIS) is required when the project work has an irreversible and negative effect on protected resources, as well as the community.

A detailed study of the project’s impact to the environment, historic resources, economy and landscape is conducted with proposed alternatives identified. This study is open to the public for review and comments.

The final EIS will result in a record of determination (ROD) after all sensitive issues are evaluated, studied and public meetings are conducted.
Four (4) Steps to compliance

(Failure to comply can jeopardize funding.)

1 Plan your project with sufficient detail!
   Depending on the project, most reviews that require design need sufficient plans that include:
   - To-scale drawings
   - Elevation views
   - Site location along with a narrative of the proposed SOW

2 Obtain permits and FEMA approval before proceeding with non-emergency work!
   Regardless of the project (STATEX or CATEx included), all regulatory permits and consultation letters must be obtained prior to physical work.

3 Comply with permit requirements!
   You must comply with all stipulations identified in the permits, consultation letters and grant requirements.

4 Retain documentation!
   All permits and consultation letters must be retained for future project compliance verification and grant closeout.

   You may elect to proceed without FEMA approval. However, failure to meet EHP regulations puts Federal funding at extreme risk.

What else do I need to know?

It is YOUR responsibility to have a working knowledge of AND comply with local + State + Federal laws, regulations and policy.
For more information on EHP, contact GOHSEP at 225-925-7500.
**Who to call?**

Please use the following contacts for further information on your specific project concerns.

---

### Environmental + historic preservation regulatory agencies

<table>
<thead>
<tr>
<th>PROJECT CONCERNS</th>
<th>WHO TO CALL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Historic</strong></td>
<td></td>
</tr>
<tr>
<td>Ground-disturbing activities.</td>
<td>Louisiana Office of Cultural Development – Louisiana State Historic Preservation Office (SHPO)</td>
</tr>
<tr>
<td>Impact to archaeological resources, to include shipwrecks within State waterways.</td>
<td>Division of Historic Preservation – Structures and Historic Districts</td>
</tr>
<tr>
<td>Impact/repairs to properties – 45 years or older or that have cultural significance to history and eligible for listing on the National Register of Historic Place (NRHP).</td>
<td>Division of Archaeology – Ground Disturbance Activities and Discovery Human Remains&lt;br&gt;crt.state.la.us/cultural-development/historic-preservation/ (225) 342-8160</td>
</tr>
<tr>
<td>Impact to historic districts.</td>
<td></td>
</tr>
<tr>
<td>Human remains 50 years or older.</td>
<td></td>
</tr>
<tr>
<td>Unmarked + marked cemeteries.</td>
<td></td>
</tr>
<tr>
<td>Discovery of human remains.</td>
<td>Local Coroner + Police&lt;br&gt;louisianasca.org/parish-offices/</td>
</tr>
<tr>
<td>Activities within or along the boundary of a designated national park.</td>
<td>National Parks Service (NPS)&lt;br&gt;nps.gov/contacts.htm&lt;br&gt;Southeastern Archaeology Center (SEAC)&lt;br&gt;nps.gov/seac/index.htm</td>
</tr>
<tr>
<td>Conflicts associated with:</td>
<td>Louisiana Governor’s Office of Indian Affairs&lt;br&gt;gov.louisiana.gov/page/indian-affaris (225) 219-8715</td>
</tr>
<tr>
<td>- Archaeological discoveries.</td>
<td></td>
</tr>
<tr>
<td>- Inadvertent discovery of human remains.</td>
<td></td>
</tr>
<tr>
<td>- Unmarked burials.</td>
<td></td>
</tr>
<tr>
<td>Conflicts associated with:</td>
<td>Advisory Council of Historic Places (ACHP)&lt;br&gt;achp.gov</td>
</tr>
<tr>
<td>- Impact to historic properties.</td>
<td></td>
</tr>
<tr>
<td>- Impact to archaeological resources.</td>
<td></td>
</tr>
<tr>
<td>- Unmarked burials.</td>
<td></td>
</tr>
<tr>
<td>Unmarked cemeteries.</td>
<td>Louisiana Attorney General&lt;br&gt;(225) 326-6079&lt;br&gt;<a href="https://www.ag.state.la.us">https://www.ag.state.la.us</a></td>
</tr>
<tr>
<td>Human remains.</td>
<td></td>
</tr>
<tr>
<td>Impact to navigable water-ways and tributaries to include lakes/ponds + stock tanks + mining pits.</td>
<td>U.S. Army Corps of Engineers (USACE)&lt;br&gt;<a href="https://www.usace.army.mil">https://www.usace.army.mil</a></td>
</tr>
<tr>
<td>Wetlands/floodplains.</td>
<td>U.S. Coast Guard (USCG)&lt;br&gt;<a href="https://www.uscg.mil">https://www.uscg.mil</a>&lt;br&gt;(225) 298-5400</td>
</tr>
<tr>
<td>Bridges over navigable water-ways.</td>
<td></td>
</tr>
<tr>
<td>Impact within wetlands/floodplains.</td>
<td>Local Floodplain Manager&lt;br&gt;lfma.org</td>
</tr>
<tr>
<td>Flood elevation requirements.</td>
<td></td>
</tr>
<tr>
<td>Impact to natural + scenic rivers.</td>
<td>Louisiana Department of Transportation and Development (DOTD)&lt;br&gt;<a href="http://wwwsp.dotd.la.gov/Inside_LaDOTD/Pages/Contact_Us.aspx">http://wwwsp.dotd.la.gov/Inside_LaDOTD/Pages/Contact_Us.aspx</a>&lt;br&gt;(877) 452-3683</td>
</tr>
<tr>
<td>Hazardous material spills.</td>
<td></td>
</tr>
<tr>
<td>Conflicts associated with:</td>
<td>Environmental Protection Agency (EPA), Council of Environmental Quality&lt;br&gt;epa.gov/nepa/forms/contact-us-about-national-environmental-policy-act</td>
</tr>
<tr>
<td>- Impacts to the natural environment.</td>
<td></td>
</tr>
<tr>
<td>- Remediation of contaminants.</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>PROJECT CONCERNS</th>
<th>WHO TO CALL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetlands/floodplains.</td>
<td>Louisiana Department of Wildlife and Fisheries (LDWF) <a href="http://wlf.louisiana.gov">wlf.louisiana.gov</a> (225) 765-2800</td>
</tr>
<tr>
<td>Endangered species – threats to the wildlife + fishery.</td>
<td>Environmental Protection Agency (EPA), Council of Environmental Quality <a href="https://www.epa.gov/compliance">https://www.epa.gov/compliance</a></td>
</tr>
<tr>
<td>Impact to coastal barrier resources.</td>
<td>Louisiana Department of Natural Resources (LDNR) <a href="http://wlf.louisiana.gov">wlf.louisiana.gov</a> (225) 765-2800</td>
</tr>
<tr>
<td>Hazardous spills.</td>
<td>Louisiana State Police (LSP) <a href="http://lsp.org/contact.html">lsp.org/contact.html</a></td>
</tr>
<tr>
<td>Endangered marine species.</td>
<td>Louisiana Department of Transportation and Development (DOTD) [<a href="http://wwwsp.dotd.la.gov/Inside_LaDOTD/Pages/Contact">http://wwwsp.dotd.la.gov/Inside_LaDOTD/Pages/Contact</a> Us.aspx](<a href="http://wwwsp.dotd.la.gov/Inside_LaDOTD/Pages/Contact">http://wwwsp.dotd.la.gov/Inside_LaDOTD/Pages/Contact</a> Us.aspx) (877) 452-3683</td>
</tr>
<tr>
<td>Disposal of dredged soil.</td>
<td>Louisiana Department of Environmental Quality (LDEQ) <a href="http://deq.louisiana.gov">deq.louisiana.gov</a> (866)-896-LDEQ</td>
</tr>
<tr>
<td>Protection of farmlands.</td>
<td>Environmental Protection Agency (EPA), Council of Environmental Quality <a href="https://www.epa.gov/compliance">https://www.epa.gov/compliance</a></td>
</tr>
<tr>
<td>Impact to drinking water.</td>
<td>Louisiana Department of Health and Hospitals (DHH) <a href="http://new.dhh.louisiana.gov">http://new.dhh.louisiana.gov</a> (225) 342-9500</td>
</tr>
<tr>
<td>Cremation + burial of animal carcasses.</td>
<td>Louisiana Department of Environmental Quality (LDEQ) <a href="http://www.deq.louisiana.gov">www.deq.louisiana.gov</a> (866)896-LDEQ</td>
</tr>
<tr>
<td>Animal carcasses.</td>
<td>Louisiana Department of Environmental Quality (LDEQ) <a href="http://www.deq.louisiana.gov">www.deq.louisiana.gov</a> (866)896-LDEQ</td>
</tr>
<tr>
<td>Termite infested demolition properties.</td>
<td>Louisiana Department of Agriculture and Forestry (LDAF) (225) 922-1234</td>
</tr>
<tr>
<td>Debris + solid waste disposal.</td>
<td>Louisiana Department of Environmental Quality (LDEQ) <a href="http://www.deq.louisiana.gov">www.deq.louisiana.gov</a> (866) 896-LDEQ</td>
</tr>
<tr>
<td>Hazardous materials + hazardous waste.</td>
<td>Environmental Protection Agency (EPA), Council of Environmental Quality <a href="https://www.epa.gov/compliance">https://www.epa.gov/compliance</a></td>
</tr>
<tr>
<td>Contaminants + discharges + spills.</td>
<td><a href="#">Disclaimer – Subrecipient (Applicant) is required to comply with all local, State and Federal laws, regulations and policies regardless of whether concerns are referenced or not. Example: Local tree protection ordinances may be imposed by Parish and City government agencies and is not referenced under this brochure. Many laws and regulations require compliance regardless of FEMA funding like the Clean Water Act (CWA), Resource Conservation and Recovery Act (RCRA) and National Flood Insurance Program (NFIP). This brochure is to offer assistance only and should not be considered all inclusive.</a></td>
</tr>
</tbody>
</table>
**Alternate and Improved projects**

**PURPOSE OF THIS PUBLICATION**
To inform Subrecipients (Applicants) using Federal disaster recovery funds, of options to build back smarter when developing their projects.

**INTENDED AUDIENCE**
This publication is intended for those applying for and/or receiving recovery funding grants through the Federal Emergency Management Agency (FEMA) Public Assistance (PA) program, which includes local and State government agencies, Federally recognized Tribal governments and eligible private nonprofit (PNP) organizations.

For more information or help with your A/I questions, contact GOHSEP at 225-925-7500.
So, what’s next?

- Review your Project Worksheets (PWs).
- Determine if you want to rebuild or restore in kind or consider something different.
- If considering Alternate or Improved projects, identify what you want to do.
- Talk to your GOHSEP State Applicant Liaison (SAL) to formulate an Alternate/Improved (A/I) project request and complete the Special Projects Checklist.
- Submit a letter to the State Coordinating Officer (SCO) along with the Special Projects Checklist. Your letter should include:
  - Which original projects you want to include.
  - Any supporting documentation for your proposed A/I project. Include drawings, sketches, maps and any other available details of your project plans.
After a disaster, our focus is to return our lives, businesses and communities to what they were pre-disaster or pre-event. FEMA and the Governor’s Office Of Homeland Security and Emergency Preparedness (GOHSEP) help Subrecipients (Applicants) respond to and recover from major disasters declared by the President through PA grants.

Do you want to rebuild smarter – better, different, stronger? You have options.

**IF YOU ANSWERED “YES” TO THE ABOVE QUESTION . . .

**THERE IS GOOD NEWS!**

The FEMA PA program allows you to use grant funding from disaster damages in ways that better meet your community’s recovery needs.

You have **two (2)** options that may help you **better** utilize your project funding . . . an **Alternate** or an **Improved** project. [44 CFR 206.203(d) and PAPPG]

[Image 91x193 to 288x333]

**WHAT ARE A/I PROJECTS?**

An **ALTERNATE project** is the use of your obligated grant funding for use on other community needs or priorities, such as:

[44 CFR 206.203(d)(2)]

- Constructing new public facilities.
- Repairing or expanding other public facilities.
- Purchasing capital equipment over $5,000 (e.g. buses, backhoes, ambulances, police cars, fire trucks, etc.).
- Funding mitigation measures on non-damaged elements.

An **IMPROVED project** restores pre-disaster function and capacity of a damaged facility and further enhances the facility. [44 CFR 206.203(d)(1)]

Some examples include:

- Laying asphalt on a gravel road.
- Expanding a facility such as two (2) bays to three (3) bays on a damaged fire house.
- Adding a heliport to a repaired hospital.
- Upgrading capital equipment such as replacing a 10 year-old bus with a new bus.

**NOTE:** Incremental costs – cost beyond returning a disaster–damaged eligible facility to its pre-disaster function and capacity – are funded by the Subrecipient (Applicant).

Do not begin work on an Alternate or Improved Project until approval is received from the State and/or FEMA.
To be eligible for the Alternate/Improved (A/I) funding option, your Project Worksheet (PW) must be for permanent work.

When reviewing your recovery needs, consider the following to decide which option [Alternate Project or Improved Project] may work best for you.

**ALTERNATE PROJECT**

You should request an Alternate Project if:

- Your **damaged facility** is no longer needed by the community and you want to use the funding for a different facility.
  
  **EXAMPLE**: Tearing down an administrative building to create a much needed water treatment plant.

- Your **damaged equipment** is no longer needed but the community needs other equipment.
  
  **EXAMPLE**: Buy new ambulances instead of replacing damaged fire trucks.

- You want to use funding from damaged facilities or equipment to restore an existing facility, build a new or different facility, purchase new equipment or any combination.
  
  **EXAMPLE**: Purchasing buses instead of rebuilding a facility.

**IMPROVED PROJECT**

You should request an Improved Project if:

- You want to increase the size of the facility.
  
  **EXAMPLE**: Adding a cafeteria or additional classrooms to a damaged school.

- You want to move a school or fire station due to demographic changes.
  
  **EXAMPLE**: Move a fire station across town to better support an increased population.

- You want to restore or rebuild a damaged facility plus add enhanced features or materials.
  
  **EXAMPLE**: Adding solar panels to a restored facility; adding asphalt to a gravel road; rebuilding a damaged timber bridge with a concrete structure.
## Things you must know that will impact your A/I project selection

<table>
<thead>
<tr>
<th>Authorized Funding</th>
<th>Alternate</th>
<th>Improved</th>
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</thead>
<tbody>
<tr>
<td>For governmental entities, the amount of dollars available for your Alternate Project is equal to 90% of the original obligated PW. For PNPs, the amount of dollars available for your Alternate Project is equal to 75% of the original obligated PW. Insurance: You are not required to apply funds received from insurance on the original facility towards the Alternate Project.</td>
<td>All Subrecipients (Applicants) that request an Improved Project are limited to the obligated dollars stated in your PW. Funding for such projects is limited to 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 Improved Project, whichever is less. Insurance: You are required to apply funds received from insurance on the original facility towards the Improved Project.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>406 Hazard Mitigation (HM)</th>
<th>Alternate</th>
<th>Improved</th>
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</thead>
<tbody>
<tr>
<td>If your original project contains funding for 406 HM, those funds will not be transferred to the Alternate Project.</td>
<td>If your original facility was eligible for repair, FEMA may provide 406 HM funds which transfer to the Improved Project. Replacement and relocated facilities are not eligible for 406 HM funds.</td>
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<table>
<thead>
<tr>
<th>Funding Usage</th>
<th>Alternate</th>
<th>Improved</th>
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</thead>
<tbody>
<tr>
<td>Funds for an Alternate Project may not be used for operating costs. If you decide to build a new facility or repair a different facility, you must make the original facility safe and secure, or sell or demolish the facility. Funds for an Alternate Project can be combined with a grant from another Federal agency. Alternate Project funding cannot be used to meet the FEMA PA non-Federal cost share.</td>
<td>Funds for an Improved Project must be used to restore the facility to pre-disaster function and, at a minimum, pre-disaster capacity. Funds for an Improved Project can be combined with a grant from another Federal agency.</td>
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<thead>
<tr>
<th>Approvals</th>
<th>Alternate</th>
<th>Improved</th>
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<tbody>
<tr>
<td>PRIOR to beginning any construction on either an Alternate or Improved project, you must have FEMA's Environmental and Historic Preservation (EHP) review completed.</td>
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### Categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Alternate</th>
<th>Improved</th>
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<tbody>
<tr>
<td>Utilities</td>
<td></td>
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<tr>
<td>Roads + Bridges</td>
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</tbody>
</table>

### Permanent Work

- **Utilities**
- **Roads + Bridges**

### Decide Which Option

FACILITY DAMAGED AIRPORT TO EXPAND A WASTE WATER TREATMENT ALTERNATE PROJECT – USE FUNDS FROM OUTDATED STORM

- **FACILITY**
- **DAMAGED**
- **AIRPORT**
- **TO**
- **EXPAND**
- **A** **WASTE** **WATER** **TREATMENT**
- **ALTERNATE** **PROJECT** – **USE** **FUNDS** **FROM** **OUTDATED** **STORM**
ST. BERNARD IMPROVED PROJECT – CHANGING A ONE-STORY FIRE STATION TO A TWO-STORY FIRE STATION

PURPOSE OF THIS PUBLICATION

To inform Subrecipients (Applicants) using Federal disaster recovery funds, of options to build back smarter when developing their projects.

INTENDED AUDIENCE

This publication is intended for those applying for and/or receiving recovery funding grants through the Federal Emergency Management Agency (FEMA) Public Assistance (PA) program, which includes local and State government agencies, Federally recognized Tribal governments and eligible Private Nonprofit (PNP) organizations.

For more information or help with your A/I questions, contact GOHSEP at 225-925-7500
ITEMS IN THE PACKAGE SHOULD FOLLOW THE ORDER OF THE CHECKLIST.

<table>
<thead>
<tr>
<th>PROJECT TYPE</th>
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<tbody>
<tr>
<td>Alternate Project</td>
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<tr>
<td>Improved Project</td>
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<tr>
<th>DISASTER</th>
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<tr>
<td>DR # _______________</td>
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<table>
<thead>
<tr>
<th>PROJECT/CONSTRUCTION DATA</th>
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<tbody>
<tr>
<td>Applicant Name _________</td>
<td></td>
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<tr>
<td>FIPS # _______________</td>
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<tr>
<td>Proposed Project Address</td>
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<tr>
<td>Four (4) Corner Coordinates of the Proposed Project</td>
<td></td>
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<tr>
<td>Applicant Request Letter to GOHSEP</td>
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</tr>
<tr>
<td>List of donor Project Worksheet (PW) Number(s) ______</td>
<td></td>
</tr>
<tr>
<td>Vicinity map showing proposed location, disturbed areas, waterways and wetlands</td>
<td></td>
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<tr>
<td>Map or drawing showing existing footprint and proposed footprint</td>
<td></td>
</tr>
<tr>
<td>New Special Consideration Form (9 Questions) for A/I Project Request</td>
<td></td>
</tr>
<tr>
<td>New Scope of Work (SOW) for Proposed Project, including any available costs, plans, specifications, contracts, functional area square footage comparisons between damaged and proposed facilities, and additional information as requested by GOHSEP/FEMA</td>
<td></td>
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<tr>
<td>Explanation of all ground disturbing activities including maximum depth, if applicable (digging, excavation, structure removal, soil replacement, site work, access roads, staging areas)</td>
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**SUPPORTING DOCUMENTATION**

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<td></td>
<td>Copies of all Federal and State environmental and regulatory permits and approvals and/or other relevant documentation (e.g., environmental site assessments or Phase I environmental baseline surveys or other environmental reports) (if applicable and available)*</td>
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</tr>
<tr>
<td></td>
<td>Documentation of consultation with the State Historic Preservation Officer (SHPO) and/or other relevant State and local agencies by Subrecipient (Applicant), State or FEMA personnel (if applicable and available)*</td>
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<td></td>
<td>Projected construction project schedule (timeline) from approval to completion (if applicable)*</td>
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<td></td>
<td>Copies of Project Worksheets (PWs) and applicable photos (clear pictures or digital format)</td>
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<td></td>
<td>Copies of insurance settlement documents (particularly Statements of Loss), including adjuster estimate of damages</td>
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*Information not required for equipment or contents projects

**CONTACT (NAME/PHONE)**

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<tr>
<td></td>
<td>State Applicant Liaison (SAL)</td>
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<td>FEMA PA Coordinator (PAC)</td>
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