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BACKGROUND

The Pre-Disaster Mitigation (PDM) program will provide funds to states, territories, Indian tribes, communities, colleges, and universities for pre-disaster mitigation planning and the implementation of cost-effective mitigation projects prior to a disaster event. Funding these plans and projects reduces overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. This is an overview of the FY 2005 Pre-Disaster Mitigation program.

USES OF FUNDS

**Funds:** Approximately \$255 million is available for competitive grants, technical assistance, and program support for the FY 2005 PDM program. As PDM funds are available until expended, this amount is comprised of approximately \$13 million FY 2003 funds, approximately \$144.6 million FY 2004 funds, and approximately \$97 million FY 2005 funds. PDM grants are to be awarded on a competitive basis and without reference to state allocations, quotas, or other formula-based allocation of funds.

**Eligible Activities:**

- Mitigation planning: \$3M cap on Federal share, not to exceed 3 years
- Mitigation projects: \$3M cap on Federal share, not to exceed 3 years
- Information dissemination activities: not to exceed 10%, must directly relate to planning or project sub-application
- Applicant management costs: not to exceed 10%
- Sub-applicant management costs: not to exceed 5%

**Cost-share:** 75% Federal/25% non-Federal. Small, impoverished communities may be eligible for up to a 90% Federal cost-share.

KEY POINTS

**Ineligible Project Activities:**

- Major flood control projects
- Projects that address ecological issues related to land and forest management
- Warning and alert notification systems
- Phased or partial projects (e.g., engineering designs, feasibility studies, or drainage studies that are not integral to a proposed project)
- Dry floodproofing of residential structures
- Generators for non-critical facilities or as a stand-alone activity
- Demolition/rebuild projects
- Response and communication equipment

**Planning Activities:**

The outcome of a mitigation planning grant award must be a FEMA-approved multi-hazard mitigation plan that complies with the requirements of 44 CFR Part 201.

ELIGIBILITY REQUIREMENTS

**Applicant Eligibility:** Only the state emergency management agencies or a similar office (i.e., the office that has emergency management responsibility) of the state, the District of Columbia, the U.S. Virgin Islands, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, as well as Federally-recognized Indian tribal governments are eligible to apply to FEMA for assistance as Applicants under this program. Each state, territory, or tribal government shall designate one Agency to serve as the Applicant for this program.

**Sub-applicant Eligibility:** State-level agencies; Federally-recognized Indian tribal governments; local governments to include state-recognized Indian tribes, authorized Indian tribal organizations, and Alaska Native villages; public colleges and universities; and tribal colleges and universities are eligible to apply to the Applicant for assistance. Private non-profit (PNP) organizations and private colleges and universities are **not** eligible Sub-applicants; however, a relevant state agency or local government may apply to the Applicant for assistance on their behalf.

KEY POINTS

**NFIP Participation:** All Applicants and Sub-applicants must be participating in the National Flood Insurance Program (NFIP) if they have been identified through the NFIP as having a Special Flood Hazard Area (a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) has been issued). In addition, the Applicant/Sub-applicant must not be on probation, suspended or withdrawn from the NFIP. Applicants/Sub-applicants that are not mapped under the NFIP are eligible.

**Mitigation Plan Requirement:** Applicants and Sub-applicants must have a FEMA-approved Mitigation Plan in order to receive project grants by the date of selection for award, anticipated to be on or after May 1, 2005. PDM planning grants will continue to be available to Applicants and Sub-applicants that do not have a FEMA-approved Mitigation Plan to enable them to meet the planning requirements.

## APPLICATION PROCESS

**Application Process:** FEMA strongly encourages Applicants and Sub-applicants to use the electronic grant (e-Grants) system. If an Applicant does not use the e-Grants system, then they must use the e-Grants paper application format that can be obtained from the FEMA Regional Office for sub-applications as well as the overall grant application. Only applications received through the e-Grants system: <https://portal.fema.gov> or using the e-Grants paper application format will be accepted.

**Benefit-Cost Analysis:** A Benefit-Cost Analysis (BCA) is required for all mitigation project sub-applications and must be completed by Applicants/Sub-applicants. A BCA will be required for all properties, including substantially damaged structures. The pilot alternate determination of cost-effectiveness may be used for certain insured NFIP repetitive flood loss properties.

**Technical Assistance:** FEMA will provide technical assistance to both Applicants and Sub-applicants by answering general questions about the PDM program, as well as providing general technical assistance related to project engineering feasibility, Benefit-Cost Analysis, and Environmental/Historic Preservation compliance. However, in no case will technical assistance involve conducting a Benefit-Cost Analysis, or reviewing project-specific information for completeness or technical feasibility. Receipt of technical assistance is not a guarantee of selection for award.

## APPLICATION REVIEW

**Application Review:** FEMA will review all applications to ensure the following:

- Eligibility of Applicants and Sub-applicants
- Eligibility of proposed activities and costs
- Application completeness, including Scope of Work and Cost Estimate
- Eligibility and availability of non-Federal cost share
- Consistency of mitigation projects with the FEMA-approved mitigation state/tribal, local and university plans
- Engineering feasibility of mitigation projects
- Benefit-cost ratio of 1.0 or greater for mitigation projects
- Technical accuracy, complete supporting documentation, and source credibility of the BCA for mitigation projects
- Complete responses to the Environmental/Historic Preservation questions and supporting documentation for mitigation projects and inclusion of appropriate treatment measures in project cost
- Complete responses to Evaluation Information questions for National Ranking and Evaluation, including the hazard risk assessment for planning activities and the BCA for projects

**Technical Review:** FEMA will conduct the following technical reviews of project sub-applications:

- Engineering Feasibility
- Benefit-Cost Analysis
- Environmental/Historic Preservation

## KEY POINTS

**Application Period:** When the application period officially opens, FEMA will post an announcement on the PDM web page: <http://www.fema.gov/fima/pdm>. Applicants must submit a grant application to the appropriate FEMA Regional Office by February 28, 2005, at 11:59 p.m. Eastern Standard Time.

**FY 2005 PDM Guidance:** FY 2005 PDM guidance document and additional guidance materials, such as a model planning scope of work, Benefit-Cost Analysis Guidelines, and engineering case studies, are available on the FEMA web page: <http://www.fema.gov/fima/pdm> or from the FEMA Regional Office.

**e-Grants:** After the application period is officially opened, FEMA will provide technical assistance regarding the e-Grants system through the e-Grants Helpdesk: 1-866-476-0544 or [mtegrants@dhs.gov](mailto:mtegrants@dhs.gov).

**Project Technical Assistance Helplines:** Technical assistance for engineering feasibility, Benefit-Cost Analysis, and Environmental/Historic Preservation compliance is available through the Technical Assistance Helpline: 1-866-222-3580 or [enghelpline@dhs.gov](mailto:enghelpline@dhs.gov), [bchelpeline@dhs.gov](mailto:bchelpeline@dhs.gov), and [ehhelpline@dhs.gov](mailto:ehhelpline@dhs.gov).

## KEY POINTS

### Elimination Criteria:

- Ineligible Applicant/Sub-applicant
- Applicant/Sub-applicant mapped through the NFIP, but not participating or not in good standing in the NFIP
- Incomplete application
- Ineligible activities
- Mitigation projects from Applicants/Sub-applicants that do not have approved plans
- Mitigation projects that are determined not to be feasible and/or effective at solving the problem for which they were designed
- Mitigation projects with a Benefit-Cost Ratio less than 1.0
- Mitigation projects without a BCA or with inadequately documented BCA
- Missing cost-share funding

Sub-applications that do not satisfy the eligibility and completeness requirements will be removed from further consideration and will not be selected for award.

## RANKING & EVALUATION PROCESS

**National Ranking:** FEMA will score all eligible planning and project sub-applications on the basis of predetermined, objective, quantitative factors to calculate a National Ranking Score. National Ranking factors in order of importance are:

- Benefit-Cost Ratio by Hazard (projects only)
- Confidence in the Benefit-Cost Ratio (projects only)
- Assessment of Frequency & Severity of Hazards (planning only)
- Applicant Ranking
- Engineering Feasibility (projects only)
- Community Mitigation Factors
- FEMA-Approved Mitigation Plan
- Protection of Critical Facilities (projects only)
- Percent of the Population Benefiting (projects only)
- Small, Impoverished Community

**National Evaluation:** National panels, chaired by FEMA and composed of representatives from FEMA Headquarters and Regions, other Federal agencies, states, and Indian tribal governments, will convene to evaluate planning and project sub-applications on the basis of additional predetermined qualitative factors to determine a National Evaluation Score. National Evaluation factors in order of importance are:

- Assessment of Frequency & Severity of Hazards (planning only)
- Implementation Timeline & Expectations (projects only)
- Potential Benefits to Constituents (planning only)
- Strategy for Completing the Planning Process (planning only)
- Sufficient Staff & Resources
- Benefit-Cost Ratio by Hazard (projects only)
- Confidence in the Benefit-Cost Ratio (projects only)
- Engineering Feasibility (projects only)
- Protection of Critical Facilities (projects only)
- Performance Measures (projects)
- Durable Financial & Social Benefits (projects only)
- Compliance with Federal laws and Executive Orders & Consistency with Federal Programs (projects only)
- Leveraging Partners
- Performance measures (planning)
- Appropriate Outreach Activities &/or Model for Other Communities
- Community Mitigation Factors

## KEY POINTS

**National Ranking:** Sub-applications will be sorted in descending order based on the National Ranking scores, and eligible sub-applications representing up to 150% of available funds will progress to the National Evaluation. The two highest scoring sub-applications from each state and the two highest scoring sub-applications from tribal Applicants may be included in the National Evaluation - if not already included to ensure geographic spread of the applications.

## AWARD PROCESS

**Selection/Award:** The Approving Federal Official at FEMA Headquarters shall consider the National Evaluation Score, the comments and recommendations from independent panelists, and any other pertinent information in determining which sub-applications are selected for award up to the amount of funds available for the program. Sub-applications shall be awarded in order unless a sub-application is justified for selection out of rank order based upon one or more of the following factors:

- Availability of funding
- Balance/distribution of funds geographically or by type of recipient
- Duplication of sub-applications
- Program priorities and policy factors
- Other pertinent information

## KEY POINTS

**Environmental Review:** For selected mitigation projects that require any level of environmental review or an environmental assessment, funds will not be awarded and the project cannot be initiated until FEMA has completed its review.

**Unsuccessful Applications:** FEMA will notify Applicants of sub-applications that do not satisfy completeness and eligibility requirements; sub-applications that are not forwarded to National Evaluation following the National Ranking; and sub-applications that are not selected for award by the Approving Federal Official.

## **SECTION 2. GRANT APPLICATION GUIDANCE**

### **2.1. PURPOSE**

FEMA's Fiscal Year (FY) 2005 Pre-Disaster Mitigation (PDM) program will provide funds to states, territories, Indian tribes, communities, and colleges and universities for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event. The PDM program provides a significant opportunity to raise risk awareness and reduces the nation's disaster losses through pre-disaster mitigation planning and the implementation of cost-effective mitigation measures. The PDM program promotes the implementation of activities that are designed to reduce injuries, loss of life, and damage and destruction to property from natural hazards.

FEMA will continue to support mitigation planning and project activities for colleges and universities through the FY 2005 PDM program. Multi-hazard mitigation plans and projects will reduce the overall risk to facilities, research assets, students, and faculty. In FY 2003, colleges and universities competed separately for a limited amount of PDM funds; however, they will now compete with states, Indian tribal governments, and local governments for funds through the FY 2005 PDM program.

### **2.2. AUTHORIZATION AND APPROPRIATION**

#### **2.2.1. AUTHORIZATION**

The Pre-Disaster Mitigation program was authorized by §203 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act), 42 U.S.C. 5133, as amended by §102 of the Disaster Mitigation Act of 2000 (DMA), to assist states and communities to implement a sustained pre-disaster natural hazard mitigation program to reduce overall risk to the population and structures, while also reducing reliance on Federal funding from actual disaster declarations. PDM funds should be used primarily to support mitigation activities that address natural hazards, although multi-hazard mitigation projects and plans also may address hazards caused by manmade events. The Catalog of Federal Domestic Assistance (CFDA) number is 97.017.

#### **2.2.2. APPROPRIATION**

Approximately \$255 million is available for competitive grants, technical assistance, and program support for the FY 2005 PDM program. As PDM funds are available until expended, this amount is comprised of approximately \$13 million FY 2003 funds, approximately \$144.6 million FY 2004 funds, and approximately \$97 million FY 2005 funds.

\$150 million was provided to the National Pre-Disaster Mitigation Fund for the PDM grant program under Department of Homeland Security Appropriations Act, 2004 (Public Law 108-90). From the \$150 million FY 2004 appropriation, there was a .59% rescission. \$100 million was provided for the PDM program under Department of Homeland Security Appropriations Act, 2005 (Public Law 108-334). Three percent of the funds are reserved for administrative costs, thus approximately \$144.6 million FY 2004 funds and approximately \$97 million FY 2005 funds is available for PDM competitive grants, technical assistance and

program support. PDM grants are to be awarded on a competitive basis and without reference to state allocations, quotas, or other formula-based allocation of funds.

## **2.3. GRANT PROGRAM ELIGIBILITY**

### **2.3.1. ELIGIBLE APPLICANTS**

Only the state emergency management agencies or a similar office (*i.e.*, the office that has primary emergency management responsibility) of the state, the District of Columbia, the U.S. Virgin Islands, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, as well as Federally-recognized Indian tribal governments are eligible to apply to FEMA for assistance as Applicants under this program. Each state, territory, or tribal government shall designate **one** agency to serve as the Applicant for the PDM program.

Consistent with the FEMA policy and 44 Code of Federal Regulations (CFR) “Government-to-Government Relations with American Indian and Alaska Native Tribal Governments,” published in the January 12, 1999, issue of the Federal Register, Federally-recognized Indian tribal governments may choose to apply for PDM grants either through the state as a Sub-applicant or directly to FEMA as an Applicant. (This choice is independent of a designation under other FEMA grants and programs.) Some state regulations prohibit the state from acting as an Applicant for an Indian tribe. In such cases, or if the Indian tribe chooses, the tribal government may act as an Applicant. If awarded, the tribal government therefore assumes the full responsibilities of a Grantee for the purposes of administering the grant. FEMA has determined that the unique status of Indian tribal governments justifies providing this option to apply directly to FEMA. However, when legally permitted, tribal governments are encouraged to continue existing relationships with the state.

### **2.3.2. ELIGIBLE SUB-APPLICANTS**

The following entities are eligible to apply to the Applicant for assistance: state-level agencies; Federally-recognized Indian tribal governments; local governments, including state-recognized Indian tribes, authorized Indian tribal organizations, and Alaska Native villages; public colleges and universities; and Indian tribal colleges and universities.

Private non-profit (PNP) organizations and private colleges and universities are **not** eligible Sub-applicants; however, a relevant state agency or local government may apply to the Applicant for assistance on their behalf. For example, a state’s Parks and Recreation Department or Cultural Resources Agency may apply for funds to mitigate a private museum, or a State Education Agency may apply for funds to mitigate a private university.

### **2.3.3. PROGRAM REQUIREMENTS**

#### **2.3.3.1. PLANNING REQUIREMENTS**

44 CFR Part 201, Hazard Mitigation Planning, establishes requirements for state, tribal, and local hazard mitigation planning. By November 1, 2004, states and Indian tribal governments that choose to apply directly to FEMA must have an approved mitigation plan to be eligible to receive **project** grant funding under the PDM program. Please see FEMA’s planning web site: <http://www.fema.gov/fima/planning.shtm>. In addition, as of November 1, 2003, local governments, Indian tribal governments applying as Sub-applicants, and

universities must have a FEMA-approved mitigation plan to be eligible to receive **project** grant funding under the PDM program. PDM **planning** grants will continue to be available to states, Indian tribes, local governments, and universities that do not have a FEMA-approved Mitigation Plan.

Because the FY 2005 PDM program awards will occur after the November 1, 2004, deadline, a FEMA-approved State/Tribal Standard or Enhanced Mitigation Plan will be required by the date of selection for award (see Section 2.10.1, Selection) as a condition of Applicants receiving FY 2005 PDM awards for state, Indian tribal, local, and university mitigation project grants. A FEMA-approved Tribal/Local Mitigation Plan also will be required by the date of selection for award as a condition of Sub-applicants receiving FY 2005 PDM awards for Indian tribal, local, and university mitigation project grants. This ensures that Applicants and Sub-applicants do not miss the opportunity to submit project applications under the FY 2005 PDM program, while providing a uniform date for determining eligibility to receive project grants in this round of competition. The date of selection by the Approving Federal Official is anticipated to be on or after May 1, 2005. Therefore, Applicants and Sub-applicants that do not currently have a FEMA-approved Mitigation Plan must ensure that they have an approved plan by the selection date in order to receive project grants.

All activities submitted for consideration must be consistent with the Applicant's State/Tribal Standard or Enhanced Mitigation Plan. In addition, Indian tribal, local, and university projects must be consistent with the Sub-applicant's Tribal/Local Mitigation Plan.

#### **2.3.3.2. NATIONAL FLOOD INSURANCE PROGRAM (NFIP)**

All Applicants and Sub-applicants must be participating in the National Flood Insurance Program (NFIP) if they have been identified through the NFIP as having a Special Flood Hazard Area (SFHA), and a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) has been issued. In addition, the Applicant/Sub-applicant must not be on probation, sanctioned, suspended, or withdrawn from the NFIP. Applicants/Sub-applicants who are **not** mapped under the NFIP are eligible.

A private college or university that has an identified SFHA must be located within a community that is participating in the NFIP and is not on probation, sanctioned, suspended, or withdrawn from the NFIP. Projects located on campuses of private institutions will be completed in accordance with the local floodplain management requirements of their host community. Projects located on campuses of public institutions will be completed in conformance with either local or State floodplain management requirements. If the community lacks jurisdiction to enforce NFIP floodplain management requirements on state-owned college or university property, then the project must be in compliance with state floodplain management requirements.

PDM funding may not be used to support planning activities or projects for jurisdictions mapped under the NFIP that are not participating in the NFIP. All jurisdictions that are mapped under the NFIP must be participating in the NFIP and not on probation, sanctioned, suspended, or withdrawn from the NFIP. In addition, all jurisdictions included in a multi-jurisdictional planning sub-application or project sub-application that are mapped under the

NFIP must be participating in the NFIP and not on probation, sanctioned, suspended, or withdrawn from the NFIP.

Property owners located in SFHAs who participate in a mitigation project that improves their structure must obtain and maintain flood insurance on the property (see Section 4.3, Mitigation Project Requirements).

### **2.3.3.3. NON-DISCRIMINATION**

Like other FEMA mitigation programs, the PDM program must be administered in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, or economic status. The PDM program complies with Section 308 of the Stafford Act and Title VI of the 1964 Civil Rights Act. All Grantees must comply with Title VI, including state and local governments distributing Federal assistance.

In implementing the PDM program, Applicants and Sub-applicants will ensure that no discrimination is practiced. Applicants must consider fairness, equity, and equal access when prioritizing and selecting PDM applications to submit for funding. Sub-applicants must ensure fairness and equal access to homeowners and individuals that benefit from property acquisitions, structures improvements, etc.

### **2.3.3.4. COST-EFFECTIVENESS**

Project sub-applications must demonstrate cost-effectiveness through a Benefit-Cost ratio of 1.0 or greater (see Section 4.7, Benefit-Cost Analysis).

### **2.3.3.5. PAPER APPLICATIONS**

If the electronic grants (e-Grants) management system is not used to submit applications, then the e-Grants paper application format must be used (see Section 2.7.3, FEMA's Electronic Grants System). Only the e-Grants paper application format obtained from the e-Grants website or the FEMA Regional Office (see Section 2.15, Regional Contact Information) will be accepted for paper applications.

### **2.3.3.6. INCOME TAX ON MITIGATION PROJECT FUNDS**

FEMA will provide guidance on this issue.

### **2.3.3.7. GEO-CODING MITIGATION PROJECTS**

The location of all approved mitigation projects funded by the PDM program must be geo-coded using standard datum. The Guidance for Geo-coding Mitigation Data, available from the FEMA Regional Office (see Section 2.15, Regional Contact Information) or the PDM web site: <http://www.fema.gov/fima/pdm>, provides guidance for collecting and formatting location information.

## **2.3.4. PROGRAM RESTRICTIONS**

### **2.3.4.1. COST OVERRUNS AND COST UNDER-RUNS**

The PDM program is a competitive grant program and, therefore, Federal award amounts are final. There will be no additional FEMA funding beyond the initial allocation. FEMA will

not cover cost overruns associated with grant activities. All costs for which funding is requested should be included in the original application's cost estimate.

Cost under-runs (*i.e.*, unexpended funds), remaining after the expiration of the performance period must be reported to FEMA for de-obligation. Cost under-runs from one sub-application cannot be used to meet another sub-application's cost overrun.

#### **2.3.4.2. DUPLICATION OF BENEFITS**

PDM grants may not duplicate benefits received by or available to the Applicant or Sub-applicant from insurance, other assistance programs, legal awards, or any other resource to address the same purpose. An Applicant must notify FEMA of all benefits that are received or anticipated by the Applicant or Sub-applicant from other sources for the same purpose, and Applicants and Sub-applicants must seek all such benefits available to them. FEMA will reduce the PDM grant by the amounts available for the same purpose from another source. If FEMA provides assistance under this program when other benefits are available to an Applicant or Sub-applicant, the Applicant will be liable to FEMA for any duplicative amounts that are received or available to the Applicant or Sub-applicant from other sources, and must reimburse FEMA for such amounts.

#### **2.3.4.3. DUPLICATION OF PROGRAMS**

FEMA will not provide assistance under the PDM program for activities that another Federal program has a specific or primary authority to provide. FEMA may disallow or recoup amounts that fall within another Federal program's authority.

#### **2.3.4.4. PDM PROGRAM FUNDS**

PDM funds retain their Federal identity and, thus, cannot be used as cost share for another Federally funded activity. In addition, the non-Federal cost share for the PDM program cannot be used as cost share for other Federal grant programs.

#### **2.3.4.5 FUNDING LIMITS**

Funding is restricted to a maximum of \$3 million Federal share for both mitigation planning and mitigation project sub-applications.

#### **2.3.4.6. PERFORMANCE PERIOD**

The performance period for mitigation planning sub-grants and project sub-grants shall not exceed three years.

#### **2.3.4.7. CONFLICT OF INTEREST**

Applicants and Sub-applicants must avoid conflicts of interest. Sub-applicants must comply with the procurement guidelines at 44 CFR 13.36. Among other requirements, 44 CFR 13.36 urges Sub-applicants to avoid situations where local officials with oversight authority might benefit financially from the grant disbursement. Applicants must comply with guidelines for awarding and administering sub-grants at 44 CFR 13.37.

## **2.4. ELIGIBLE ACTIVITIES & ASSOCIATED COSTS**

Mitigation plans and projects must be long-term, feasible, and meet all requirements referenced in the FY 2005 PDM Guidance. Projects also must demonstrate cost-effectiveness.

The following are eligible activities for the PDM program:

- Mitigation planning activities (see Section 3, Mitigation Planning Sub-application Guidance);
- Mitigation project activities (see Section 4, Mitigation Project Sub-application Guidance); and,
- Applicant management costs (see Section 2.5, Applicant Management Costs).

## **2.5. APPLICANT MANAGEMENT COSTS**

### **2.5.1. ELIGIBLE MANAGEMENT COST ACTIVITIES**

Applicants may apply for up to 10 percent of the total budget requested in their grant application for management costs to support the planning and project sub-applications included as part of their grant application. Eligible activities include the solicitation, review, and processing of PDM planning and project sub-applications and sub-grant awards; providing technical assistance to Sub-applicants regarding engineering feasibility, Benefit-Cost Analysis, and Environmental and Historic Preservation documentation; geo-coding mitigation projects selected for award (see Section 4.3, Mitigation Requirements); managing grants (*e.g.*, quarterly reporting and close-out); and technical monitoring (*e.g.*, site visits, technical meetings). Hiring state staff to perform these activities is also eligible.

Applicants who request Applicant management costs must provide supporting documentation and must include these costs as separate line items in their Cost Estimate for the management cost sub-application (See Section 2.5.3, Applicant Management Cost Sub-application Checklist).

If requested, indirect costs may only be included as part of Applicant management costs and must be supported with a current Indirect Cost Rate approved by a Federal Cognizant Agency. Applicant management costs will not be approved in excess of 10 percent of the total amount awarded for the Applicant's mitigation planning and project sub-grants. There are no exceptions. Applicants who are not awarded PDM funds will not receive reimbursement for management costs.

Applicants may include the delivery of planning technical assistance (*e.g.*, plan reviews) and planning workshops (*e.g.*, instructor, materials, and facility rental) intended to support the development of proposed planning activities as part of a planning sub-application. Sub-applicants may not submit technical assistance and training activities as part of their planning sub-applications.

### **2.5.2. PRE-AWARD MANAGEMENT COSTS**

Eligible pre-award management costs incurred prior to the grant award, but after issuance of the FY 2005 PDM Guidance, are identified as pre-award management costs. FEMA may allow pre-award planning costs at its discretion and as funds are available.

Applicants may be reimbursed for eligible pre-award management costs incurred prior to award but after issuance of the FY 2005 PDM Guidance. Eligible pre-award management costs must be included as separate line items in the Cost Estimate for the management cost sub-application.

In lieu of requesting pre-award management costs, Applicants may submit eligible costs incurred prior to award but after issuance of the FY 2005 PDM Guidance as their non-Federal cost share (see Section 2.8.2, Non-Federal Cost Share).

### **2.5.3. APPLICANT MANAGEMENT COST SUB-APPLICATION CHECKLIST**

Applicants who request management costs must submit a separate management cost sub-application. If the e-Grants system is used, Applicants must use the Technical Assistance/Management Costs sub-application. If submitting paper applications, Applicants must use the Technical Assistance/Management Costs paper sub-application format available on the e-Grants website (see Section 2.7.3, FEMA’s Electronic Grants System) or from the FEMA Regional Office (see Section 2.15, Regional Contact Information).

Applicant management cost sub-applications must include the following to be eligible for consideration under the PDM grant program:

1. **Applicant Information:** Provide name, type, and state of the Applicant, state and Federal tax numbers, and Federal Employer Identification Number;
2. **Contact Information:** Provide the name, agency, and address for the point of contact for the sub-application;
3. **Community Information:** Indicate the entity that will benefit from the sub-application (use “statewide” if using e-Grants);
4. **Mitigation Plan Information:** Indicate whether the Applicant is covered by a FEMA-approved State/Tribal Standard or Enhanced Mitigation Plan;
5. **Mitigation Activity Information:** Indicate the type, intent and title of the proposed activity;
6. **Hazard Information:** Describe the area to be covered and identify the source of the hazards to be addressed by the activity;
7. **Scope of work:** Describe the goals and objectives of the activity and how they will be implemented, including timeline/schedule/milestones;
8. **Cost Estimate:** Provide all anticipated and potential costs for each activity, including Federal and non-Federal shares, including an Approved Indirect Cost Agreement, if applicable. Indicate all pre-award costs as separate line items;
9. **Match Sources:** Provide the non-Federal cost share for the proposed activity, including documentation to support the non-Federal cost share and Applicant status as a small, impoverished community, if appropriate, for Federal cost share of up to 90 percent (see Section 2.8, Cost Share Requirements);
10. **Cost-Effectiveness Information:** Management costs are exempt from a Benefit-Cost Analysis; and,
11. **Assurances and Certifications:** Complete the Summary Sheet for Assurances and Certification, FEMA Form 20-16; Assurances - Non-Construction Programs, FEMA Form 20-16A; Certification Regarding Lobbying; Debarment, Suspension and Other

Responsible Matters; and Drug-Free Workplace Requirements, FEMA Form 20-16C; and, Disclosure of Lobbying Activities, Standard Form LLL, if applicable.

#### **2.5.4. NATIONAL RANKING AND EVALUATION**

Applicant management costs will neither factor into the National Ranking nor National Evaluation of planning or project sub-applications (see Sections 2.9.2, National Ranking and 2.9.3, National Evaluation).

#### **2.5.5. SELECTION AND AWARD**

FEMA Regional Offices will work with Applicants who have planning and/or project sub-applications selected for award (see Section 2.10.1, Selection) to implement the award of Applicant management costs sub-applications. Applicant management costs awarded will be based on the Applicant's planning and project sub-applications selected for award and may not exceed 10 percent of the total grant award or the amount requested by the Applicant, whichever is less. FEMA may amend an Applicant's grant to increase management costs if additional planning or project sub-applications are selected for award, or decrease management costs if any selected planning or project sub-applications are not awarded.

#### **2.5.6. PERFORMANCE PERIOD**

The performance period for the Applicant management costs sub-grant shall begin on the date that the management costs sub-grant is awarded and end on the last day of the performance period for the grant (see Section 2.12, Performance Period).

### **2.6. INELIGIBLE ACTIVITIES**

Mitigation planning and project sub-applications must meet all requirements referenced in the FY 2005 PDM Guidance. Specific ineligible mitigation planning activities are listed in Section 3.2, Ineligible Mitigation Planning Activities. Ineligible project activities are listed in Section 4.2, Ineligible Project Activities.

### **2.7. APPLICATION PROCESS**

#### **2.7.1. APPLICATION DEADLINE**

Grant applications must be received by the Director of the Applicant's respective FEMA Regional Office (see Section 2.15, Regional Contact Information) by **February 28, 2005, 11:59 p.m., Eastern Standard Time. Applications received after this deadline will not be eligible to compete in the FY 2005 PDM Program.**

Sub-applicants should consult the official designated point of contact in their state/Indian tribe for more information regarding the application process. States/Indian tribes may establish an earlier deadline for planning and project sub-applications in order to allow time to review and prioritize them and to enter grant applications into FEMA's Electronic Grants System (see Section 2.7.3, FEMA's Electronic Grants System).

#### **2.7.2. GRANT APPLICATION CHECKLIST**

PDM applications must include the following items to be eligible for consideration:

1. **Applicant Information:** Provide name, type, and state of the Applicant, state and Federal tax numbers, Federal Employer Identification Number. Indicate whether the

- Applicant has a Smartlink account, whether the application is subject to review by the Executive Order 12372 process, and whether the Applicant is delinquent on any Federal debt;
2. **Contact Information:** Provide the name, agency, and address for the point of contact for the application;
  3. **Sub-grant applications:** Include sub-applications that the Applicant has reviewed and approved. **Applicants must rank each sub-application** included in the grant application **in order of their priority for funding based on the Applicant's Standard or Enhanced Mitigation Plan. Each sub-application must be assigned a unique rank** (*i.e.*, only one number 1) to be considered for PDM funding. If the Applicant is including a Technical Assistance/Management Cost sub-application, it should be ranked last. Applicants should explain the rank given to each sub-application and how it relates to their mitigation plan. Applicants should certify that they have evaluated the activities included in each sub-application to address all program requirements, thereby meeting the program criteria outlined under Section 203(g) of the Stafford Act; and that they will be implemented in accordance with 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;
  4. **Schedule:** Provide the title of the grant application and the overall schedule for the grant, and ensure that the work plan for each sub-application included with the grant application is appropriate (see Section 2.12, Performance Period);
  5. **Budget:** Ensure that the requested Cost Estimate for each sub-application is appropriate and provide the grant budget class for each item. Provide documentation to support Sub-applicant status as a small, impoverished community, if appropriate, for Federal cost share of up to 90 percent (see Section 2.8, Cost Share Requirements). Provide an Approved Indirect Cost Agreement, if applicable;
  6. **Properties:** Ensure that all of the properties in each project sub-application are included, if applicable;
  7. **Assurance and Certifications:** Complete the Assurances - Non-Construction Programs, FEMA Form 20-16A, if applicable; Certification Regarding Lobbying; Debarment, Suspension and Other Responsible Matters; and Drug-Free Workplace Requirements, FEMA Form 20-16C; and Disclosure of Lobbying Activities, Standard Form LLL, if applicable.

Applicants should review planning and project sub-applications for eligibility, completeness, and consistency with the Applicant's Standard or Enhanced Mitigation Plan prior to submission with their PDM grant application. **FEMA strongly encourages Applicants to review the Sub-applicant's responses to the Evaluation Information questions**, including the assessment of the frequency and severity of hazards for mitigation planning activities (see Section 3.6, Evaluation Information), and the Benefit-Cost Analysis for mitigation projects (see Section 4.9, Evaluation Information), which will support competitiveness in both the National Ranking and Evaluation processes.

### **2.7.3. FEMA'S ELECTRONIC GRANTS SYSTEM**

**FEMA strongly encourages Applicants and Sub-applicants to use the electronic grants (e-Grants) system.** FEMA has developed the e-Grants system to meet the intent of the E-

government initiative authorized by Public Law 106–107, passed on November 20, 1999. This initiative requires that all government agencies both streamline the grant application processes and provide the means to electronically create, review, and submit a grant application via the Internet. Use of the e-Grants system will expedite FEMA’s review and evaluation of the applications for the PDM program. FEMA encourages the use of e-Grants as it facilitates the competitive process and simplifies the selection and award process.

The electronic process may replace the paper-based process in that Sub-applicants’ planning and project sub-applications may be electronically transmitted to the Applicant for review and then included with the Applicant’s planning, project, and management cost sub-applications, if any, in the Applicant’s grant application to FEMA. FEMA will use the e-Grants system to monitor ongoing performance, manage the flow of Federal funds, and close out the grant award when all work is completed.

FEMA’s e-Grants system incorporates all elements of the PDM application in a user-friendly format for both Applicant and Sub-applicant use. If a Sub-applicant does not use the e-Grants system, the Applicant may enter the Sub-applicant’s paper sub-application into the e-Grants system on their behalf.

Applicants may provide a hard copy of any supporting documentation that cannot be electronically attached to the e-Grants application (*e.g.*, engineering drawings, photos). However, **FEMA must receive the entire application by the application deadline, including any hard copy documentation.**

**If an Applicant does not use the e-Grants system, then they must use the e-Grants paper application format for sub-applications as well as the overall grant application.** Only the e-Grants paper application format available from the e-Grants website or the FEMA Regional Office (see Section 2.15, Regional Contact Information) will be accepted for paper applications. Therefore, Applicants and Sub-applicants who wish to resubmit revised planning and/or project sub-applications for the FY 2005 PDM program that were unsuccessful in the FY 2003 PDM competition must submit them in e-Grants or using the new paper application format.

FEMA has established an e-Grants Helpdesk to provide technical assistance to Applicants and Sub-applicants on completing applications in the e-Grants system. The e-Grants Helpdesk can be reached via telephone: 1-866-476-0544 or e-mail: [mtegrants@dhs.gov](mailto:mtegrants@dhs.gov). Standard and extended hours of operation may be obtained directly through FEMA’s e-Grants website at <https://www.portal.fema.gov>.

## **2.8. COST SHARE REQUIREMENTS**

FEMA will contribute up to 75 percent of the total amount approved under the grant award to implement approved activities. At least 25 percent of the total eligible costs must be provided from a non-Federal source. Funding is restricted to a maximum of \$3 million Federal share per each planning or project sub-application (see Section 2.3.4, Program Restrictions).

### 2.8.1. SMALL, IMPOVERISHED COMMUNITIES

Grants awarded to “small, impoverished communities” may receive a Federal cost share of up to 90 percent of the total amount approved under the grant award to implement eligible approved activities in accordance with the Stafford Act. Documentation must be submitted with the sub-application to support the eligibility for a higher FEMA cost share.

#### **A small, impoverished community must meet all of the following criteria:**

- Must be a community of 3,000 or fewer individuals that is identified by the state as a rural community, and is not a remote area within the corporate boundaries of a larger city;
- Must be economically disadvantaged, with residents having an average per capita annual income not exceeding 80 percent of the national per capita income, based on best available data. (The Department of Commerce, Bureau of Economic Analysis (BEA) website states that the per capita personal income for the United States in 2003 was \$31,619.) More up to date information may be used. Please see the BEA web site at: <http://www.bea.doc.gov>;
- Must have a local unemployment rate that exceeds by one percentage point or more the most recently reported, average yearly national unemployment rate. (According to the U.S. Bureau of Labor Statistics (USBL), the current average unemployment rate for 2004 is 6.0 percent. More up to date information may be used. Please see the USBL web site located at: <http://stats.bls.gov>; and,
- Must meet any other factors as determined by the state/Indian tribe in which the community is located.

### 2.8.2. NON-FEDERAL COST SHARE

The non-Federal cost share must be in direct support of the approved activities and must be an eligible cost for PDM funding. All contributions, cash and in-kind or any combination thereof, may be accepted as part of the non-Federal cost share. In lieu of requesting pre-award costs, Applicants and Sub-applicants may submit eligible costs incurred prior to award but after issuance of the FY 2005 PDM Guidance as their non-Federal cost share.

PDM funds retain their Federal identity and **cannot** be used as cost share for another Federally funded activity. In addition, non-Federal cost share funds for the PDM program **cannot** be used as cost share for other Federal grant programs. In general, the non-Federal cost share may not include funds from other Federal agencies, except for Federal funds that have authorizing statutes that explicitly allow the funds to be used as a cost share for other Federal grants. Examples include:

- Department of Housing and Urban Development Community Development Block Grant (CDBG) monies may be used as cost share for property acquisition projects as long as the projects are eligible under the CDBG program.
- The U.S. Small Business Administration loan funds and the U.S. Department of Agriculture’s Farm Service Agency loan funds, which lose their Federal identity once the loan is approved, may be used as a cost share.

- Indian Health Services funds may be used as cost share for PDM funds as long as the mitigation activity “contributes to the purposes for which grants...are made” under the Indian Health Services statute.
- Bureau of Indian Affairs funds may be used as cost share.
- Appalachian Regional Commission funds may be used as cost share, per Section 302(a)(3) of the Appalachian Regional Development Act of 1965.
- Funds derived from Title III of the Secure Rural Schools Act (P.L. 106-393) may be used as cost share, so long as the use also is consistent with the purposes of that Act.
- The NFIP Increased Cost of Compliance (ICC) claim payment from previous flood events may be used to meet the non-Federal cost share requirements, to the extent that the period for making such a claim remains open.

### **2.8.2.1. COST SHARE DOCUMENTATION**

Requirements for in-kind contributions can be found in 44 CFR 13.24. In-kind contributions must be comprised of eligible program costs. The following documentation is required for third-party cash and in-kind contributions:

- Record of donor;
- Dates of donation;
- Rates for staffing, equipment or usage, supplies, etc.;
- Amounts of donation; and,
- Deposit slips for cash contributions.

## **2.9. FEMA REVIEW, NATIONAL RANKING, AND NATIONAL EVALUATION**

### **2.9.1. FEMA REVIEW**

FEMA will review all planning (see Section 3.8.1, FEMA Review) and project (see Section 4.11.1, FEMA Review) sub-applications to ensure eligibility and completeness. **Sub-applications that do not satisfy either the eligibility or completeness requirements will be removed from further consideration and will not be selected for award.**

### **2.9.2. NATIONAL RANKING**

FEMA will score all eligible mitigation planning and project sub-applications on the basis of predetermined, objective, quantitative factors (see Section 3.8.2, National Ranking and Section 4.11.2, National Ranking) to calculate a National Ranking Score for each sub-application. Applicant management cost sub-applications will not be scored but will be awarded based on planning and project sub-applications awarded for each Applicant (see Section 2.5, Applicant Management Costs).

All mitigation planning and project sub-applications will be sorted in descending order based on National Ranking Scores. FEMA will forward the highest scored eligible sub-applications, representing up to 150 percent of funding available for the PDM program, to the National Evaluation. FEMA may include the two highest scoring eligible sub-applications from each state and the two highest scoring eligible sub-applications from Indian tribal Applicants in the National Evaluation to ensure a geographic spread of sub-applications.

### **2.9.3. NATIONAL EVALUATION**

National panels, chaired by FEMA and composed of representatives from FEMA Headquarters and Regions, other Federal agencies, states, territories, and Indian tribal governments will convene to evaluate the mitigation planning and project sub-applications forwarded from the National Ranking. Evaluators will score sub-applications based on predetermined qualitative factors (see Section 3.8.3, National Evaluation and Section 4.11.3, National Evaluation) to calculate a National Evaluation Score for each sub-application.

FEMA will ensure that panel evaluations are conducted consistently and fairly and that there are no conflicts of interest. All mitigation planning and project sub-applications will be granted equal consideration during the National Evaluation regardless of their National Ranking Score. Applicant management cost sub-applications will **not** be scored but will be awarded based on planning and project sub-applications awarded for each Applicant (see Section 2.5, Applicant Management Costs). After the National Evaluation is completed, all planning and project sub-applications will be sorted in descending order based on National Evaluation Scores.

## **2.10. SELECTION, FEMA PRE-AWARD ACTIVITIES, AND AWARDS**

### **2.10.1. SELECTION**

The Approving Federal Official at FEMA Headquarters shall consider the National Evaluation Score, the comments and recommendations from independent panelists, and any other pertinent information in determining which planning and project sub-applications are selected for award up to the amount of funds available for the program.

**At the time that the Approving Federal Official identifies a project sub-application for selection, FEMA will determine whether the Applicant and/or Sub-applicant has a FEMA-approved Mitigation Plan. Selection is anticipated to be on or after May 1, 2005. At that time, project sub-applications from Applicants without a FEMA-approved State/Tribal Standard or Enhanced Mitigation Plan will be removed from funding consideration. In addition, project sub-applications from Sub-applicants without a FEMA-approved Tribal/Local Mitigation Plan will be removed from funding consideration (see Section 2.3.3, Program Requirements).**

The Approving Federal Official shall select the highest scored eligible planning and project sub-applications for award in order up to the amount of funds available for the program unless a sub-application is justified for selection out of rank order based upon one or more of the following factors:

- Availability of funding;
- Balance/distribution of funds geographically or by type of recipient;
- Duplication of sub-applications;
- Program priorities and policy factors; and,
- Other pertinent information.

### **2.10.2. FEMA PRE-AWARD ACTIVITIES**

After selection and prior to grant award, FEMA Regional Offices will work with Applicants who have mitigation planning and project sub-applications selected for award to implement

required pre-award activities, such as verifying Applicant and Sub-applicant commitments and understanding of grant terms. FEMA also may, at its discretion, request information or documentation from Applicants to support certain planning or project sub-applications as part of pre-award activities (see Section 3.9, FEMA Pre-Award Activities and Section 4.12, FEMA Pre-Award Activities). Applicants must respond to requests for information from the FEMA Regional Offices regarding their sub-applications within 30 calendar days. **Please note that pre-award activities are not considered notification of an award.**

FEMA will complete the environmental/historic preservation compliance review for projects selected for award as part of pre-award activities (see Section 4.12, FEMA Pre-Award Activities). **Project sub-applications will not be awarded and projects cannot be initiated until FEMA has completed the environmental/historic preservation review.**

### **2.10.3. AWARDS**

Regional Offices will provide an award package to Applicants for successful sub-applications once pre-award activities are completed. The award package must be signed by the Applicant and returned to FEMA before funds can be awarded. The Applicant must agree to abide by the grant award terms and conditions as set forth in the Articles of Agreement available on FEMA's PDM web page: <http://www.fema.gov/fima/pdm> or from the Regional Offices (see Section 2.15, Regional Contact Information).

If an Applicant or Sub-applicant does not accept an award, FEMA may select additional sub-applications for award (see Section 2.10.1, Selection) or return the funds to the National Pre-Disaster Mitigation Fund. Awarded mitigation planning and project sub-applications will be listed on the FEMA website: <http://www.fema.gov/fima/pdm>.

### **2.10.4. UNSUCCESSFUL SUB-APPLICATIONS**

FEMA will notify Applicants of sub-applications that do not satisfy completeness and eligibility requirements during FEMA's review (see Section 2.9.1, FEMA Review); sub-applications that are not forwarded to National Evaluation following the National Ranking (see Section 2.9.2, National Ranking); and sub-applications that are not selected for award by the Approving Federal Official (see Section 2.10.1, Selection).

## **2.11. RECONSIDERATION**

At its discretion, FEMA may review a decision regarding an unsuccessful planning or project sub-application only where there is an indication of material, technical, or procedural error that influenced FEMA's decision. There will be no reconsideration regarding the amount of Applicant management costs (see Section 2.5, Applicant Management Costs). In addition, Applicants who are not awarded PDM funds may not receive reimbursement for management costs.

Applicants should send requests for reconsideration based upon material, technical, or procedural error to the FEMA Regional Director **within 60 calendar days of the date of the notice of FEMA's decision.** The Regional Director will analyze the reconsideration request and make a recommendation to the Director of the Mitigation Division at Headquarters or his designee. As PDM grants are awarded on a competitive basis, FEMA will not consider new information

provided in the request for reconsideration. FEMA encourages Applicants to incorporate any new information into applications for future grant cycles.

A small percentage of funds will be set aside to fund additional planning and project sub-applications after reconsideration requests have been analyzed. FEMA may convene a panel to determine the National Evaluation Score (see Section 2.9.3, National Evaluation), if necessary, for any sub-applications that FEMA reconsiders. Reconsidered sub-applications and the remaining eligible planning and project sub-applications will be sorted by National Evaluation Score, and the highest scored sub-applications will be selected and awarded in order up to the amount of funds available (see Section 2.10, Selection, FEMA Pre-Award Activities, and Awards). Remaining funds may be returned to the National Pre-Disaster Mitigation Fund for use in the next grant cycle.

## 2.12. PERFORMANCE PERIOD

The performance period is the period of time specified in the Agreement Articles (see Draft Pre-Disaster Mitigation Agreement Articles, available on the PDM web page: <http://www.fema.gov/fima/pdm> or from the FEMA Regional Offices) during which the Applicant is expected to complete the grant activities and to incur and expend funds approved for the PDM grant. The performance period for the grant shall begin on the date that the grant is awarded and end on the last day of the performance period of the longest sub-grant awarded to the Applicant. **Neither planning sub-grants nor project sub-grants may exceed a three-year performance period** (see Section 2.3.4, Program Restrictions).

The Applicant has up to 90 days following the expiration of the performance period to liquidate valid expenditures incurred during the performance period. Cost under-runs remaining after the performance period expiration date must be reported to FEMA for de-obligation.

## 2.13. EXTENSIONS

Requests for extensions to the performance period will be considered but will not be approved automatically. In accordance with the Financial and Acquisition Management Division's Extension Policy, the Regional Office may extend the performance period up to one year. Requests for a period of performance extension must be submitted in writing to the Regional Director and must be supported by adequate justification in order to be processed. This justification is a written explanation of the reason or reasons for an extension and must demonstrate that work is in progress and will be completed within the extended period of performance.

The justification must address the following areas to enable the review of extension requests:

1. **Submission Date:** The request must be submitted at least 60 calendar days prior to the expiration date of the performance period;
2. **Reason for Delay:** Identify the status of the activity and give a brief description for the delay (*e.g.*, weather conditions);
3. **Budget:** Identify the remaining funds, both FEMA share and local cost share, available for the extended period and outline how the funds will be used. Identify sources of additional funding if remaining FEMA funds and cost share will not support the extension request;

4. **Plan for Completion:** Identify the objectives necessary to complete the activity, completion date for each objective, and list the position/person responsible for oversight of completion of the activity;
5. **Completion Date:** Identify the projected completion date for the activity; and,
6. **No change of scope:** Provide a certification that the activity will be completed within the extended period without any modification to the original Scope of Work approved by FEMA.

If a second extension becomes necessary, then the Applicant must submit an additional formal written request to the FEMA Regional Director. As with the first request, the second extension request must be made no later than 60 calendar days prior to the expiration of the initially extended period of performance and must include a justification for the extension that addresses the six items noted above. The Regional Office will make a recommendation and submit the second request to the Senior Procurement Executive at Headquarters, who will process the request in coordination with the Headquarters Mitigation Division. The total period of performance for a planning or project sub-grant shall not exceed five years.

Should any sub-grant performance period be extended, the grant performance period will be extended as well; however, the extension should be conditioned so that all completed sub-grants are closed out within their individual performance periods.

## **2.14. REPORTING REQUIREMENTS**

The following reports are required from Grantees:

### **2.14.1. FEDERAL CASH TRANSACTION REPORTS**

If the Grantee uses the HHS Payment Management System-SMARTLINK, the Grantee shall submit to FEMA a copy of the SF 272, Federal Cash Transaction Report (Appendix FF) submitted to the Federal Health and Human Services (HHS).

### **2.14.2. FINANCIAL STATUS REPORTS**

The Grantee shall submit Financial Status Reports, FF 20-10, to the FEMA Regional Office within 30 days from the end of the first Federal quarter following the initial grant award. The Regional Director may waive the initial report. The Grantee shall submit quarterly financial status reports thereafter until the grant ends. Reports are due on January 30, April 30, July 30, and October 30.

Financial Quarterly Reports will be available for completion in the e-Grants system. Financial reports must include the activity name or other identification, expenditures, and payment-to-date information (reference 44 CFR 13.40 “Monitoring and Reporting” for additional information).

Note: The Regional Director may suspend drawdowns from the HHS/Payment Management System-SMARTLINK if quarterly financial reports are **not** submitted on time.

### **2.14.3. PERFORMANCE REPORTS**

The Grantee shall submit performance/progress reports for each grant award to the FEMA Regional Office within 30 days from the end of the first Federal quarter following the initial grant award. The Regional Director may waive the initial report. The Grantee shall submit quarterly performance/progress reports thereafter until the grant ends. Reports are due on January 30, April 30, July 30, and October 30.

Quarterly Performance Reports will be available for completion in the e-Grants system. Performance/progress reports must include the activity name or other identification as well as:

- Describe significant activities and developments that have occurred that show performance during the quarter, including a comparison of actual accomplishments to the objectives established in the sub-application;
- Indicate whether completion of work is anticipated within the performance period. If not, describe any problems, delays, or adverse conditions that will impair the ability to meet the stated objectives in the sub-application; and,
- Indicate whether cost under-run/cost overrun, change of scope request, or request for extension of performance period are anticipated.

### **2.14.4. FINAL REPORTS**

The Grantee shall submit a Final Financial Status Report and Performance Report within 90 days from Grant Award Performance Period expiration date, per 44 CFR 13.50. Final Financial and Performance Reports will be available for completion in the e-Grants system.

## **2.15. REGIONAL CONTACT INFORMATION**

Contact information for FEMA Regional Offices is provided on the FEMA website: <http://www.fema.gov/regions> and also is listed here for your information.

**FEMA Region I** - Serving Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont: 99 High Street, 6th Floor, Boston, MA 02110. (617) 956-9540.

**FEMA Region II** - Serving New York, New Jersey, Puerto Rico, and the U.S. Virgin Islands: 26 Federal Plaza, Rm. 1307, New York, NY 10278-0001. (212) 680-3600.

**FEMA Region III** - Serving the District of Columbia, Delaware, Maryland, Pennsylvania, Virginia, and West Virginia: 1 Independence Mall, 6th Floor, 615 Chestnut Street, Philadelphia, PA 19106-4404. (215) 931-5608.

**FEMA Region IV** - Serving Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee: 3003 Chamblee-Tucker Road, Atlanta, GA 30341. (770) 220-5400.

**FEMA Region V** - Serving Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin: 536 S. Clark Street, 6th Floor, Chicago, IL 60605. (312) 408-5320.

**FEMA Region VI** - Serving Arkansas, Louisiana, New Mexico, Oklahoma, and Texas: 800 North Loop 288, Denton, TX 76209-3698. (940) 898-5399.

**FEMA Region VII** - Serving Iowa, Kansas, Missouri, and Nebraska: 2323 Grand Avenue, Suite 900, Kansas City, MO 64108-2670. (816) 283-7061.

**FEMA Region VIII** - Serving Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming: Denver Federal Center, Building 710, Box 25267, Denver, CO 80225-0267. (303) 235-4800.

**FEMA Region IX** - Serving Arizona, California, Hawaii, Nevada, the Territory of American Samoa, the Territory of Guam, and the Commonwealth of the Northern Mariana Islands: 1111 Broadway, Suite 1200, Oakland, CA 94607-4052. (510) 627-7100.

**FEMA Region X** - Serving Alaska, Idaho, Oregon, and Washington: Federal Regional Center, 130 228th Street, SW, Bothell, WA 98021. (425) 487-4600.

## SECTION 3. MITIGATION PLANNING SUB-APPLICATION GUIDANCE

Mitigation plans are the foundation for effective hazard mitigation. The mitigation plan is a demonstration of the commitment to reduce risks from natural hazards and serves as a guide for decision makers as they commit resources. After November 1, 2004, a FEMA-approved State/Tribal Standard or Enhanced Mitigation Plan will be required as a condition of receiving non-emergency Stafford Act assistance as well as Pre-Disaster Mitigation (PDM) funds for state, Indian tribal, local, and university mitigation projects. Please see FEMA's planning web site located at: <http://www.fema.gov/fima/planning.shtm>. In addition, local governments, Indian tribal governments applying as Sub-applicants, and universities must have a FEMA-approved Local/Tribal Mitigation Plan in order to receive project grants.

The PDM program is FEMA's primary mechanism to provide grant assistance for mitigation planning. Therefore, states, Indian tribes, local governments, colleges, and universities are encouraged to submit planning sub-applications for the FY 2005 PDM program in order to develop or update their mitigation plans which, when approved by FEMA, will maintain their eligibility for future FEMA funding.

### 3.1. ELIGIBLE MITIGATION PLANNING ACTIVITIES

Planning activities that develop state, Indian tribal, local, and university multi-hazard mitigation plans that meet planning criteria outlined in 44 Code of Federal Regulations (CFR), Part 201 are eligible for the FY 2005 PDM program. The outcome of a mitigation planning grant award must result in a FEMA-approved multi-hazard mitigation plan within three years of award (see Section 3.10, Performance Period). Therefore, it is essential that the Scope of Work include sufficient time and resources for FEMA plan review, incorporation of needed revisions, plan adoption, and FEMA approval (see Section 3.4, Scope of Work).

The planning grant deliverable can be an initial plan, an updated plan (*e.g.*, using more extensive risk assessment data) or a plan revision (*e.g.*, from a State/Tribal Standard Mitigation Plan to a State/Tribal Enhanced Mitigation Plan, or from a Community Rating System plan to a multi-hazard mitigation plan). Multi-hazard mitigation planning activities must primarily focus on natural hazards but also may address hazards caused by manmade events. Plans may be either single or multi-jurisdictional. Countywide or multi-jurisdictional multi-hazard mitigation plans may be submitted for funding, as many mitigation issues are better resolved by evaluating hazards in a more comprehensive fashion. **Funding is restricted to a maximum of \$3 million Federal share per planning sub-application.**

The mitigation planning activities listed below also may be submitted for approval **as part of** a planning sub-application.

#### 3.1.1. RISK ASSESSMENT/MAPPING ACTIVITIES

Development of risk assessments for multi-hazard mitigation plans, including Geographic Information Systems (GIS) and other mapping activities, may be submitted as part of a planning sub-application. Mapping activities must be completed **as part of** a risk

assessment and may include the mapping of critical facilities, repetitive flood loss structures, the location of at risk structures, land use, and populations. Mapping activities must not exceed 30 percent of the total funds requested for each planning sub-application. Mapping activities must be identified as separate line items in the Cost Estimate (see Section 3.5, Cost Estimate) for the planning sub-application or they will not be considered.

Mapping activities must not duplicate eligible mapping activities available under any other Federal program or agency, such as National Flood Insurance Program (NFIP) flood mapping activities (see Section 2.3.4, Program Restrictions). Applicants/Sub-applicants are required to make use of already developed materials and to seek available resources, such as state mapping initiatives and GIS resource repositories, and:

- FEMA's Multi-Hazard Mapping Initiative: <http://www.hazardmaps.gov>;
- U.S. Geological Survey (USGS) National Map View: <http://nationalmap.usgs.gov>; and,
- FEMA's Hazards U.S. (HAZUS): [http://www.fema.gov/hazus/lk\\_main.shtm](http://www.fema.gov/hazus/lk_main.shtm).

### **3.1.2. INFORMATION DISSEMINATION**

Sub-applicants may apply for up to 10 percent of the funds requested for their mitigation planning sub-application for information dissemination activities (public awareness and education) regarding cost-effective mitigation technologies. These activities may include marketing and outreach (brochures, videos, etc.) and must relate directly to the planning sub-application. Information dissemination activities must be identified as separate line items in the Cost Estimate (see Section 3.5, Cost Estimate) for the planning sub-application or they will not be considered.

### **3.1.3. SUB-APPLICANT MANAGEMENT COSTS**

Sub-applicants may include a maximum of 5 percent of the total funds requested for their planning sub-application for management costs to support the planning activities. Sub-applicants requesting management costs must provide supporting documentation and must include these costs as separate line items in their Cost Estimate (see Section 3.5, Cost Estimate) for the planning sub-application or they will not be considered. Applicants may not request Sub-applicant management costs under any circumstance (see Section 2.5, Applicant Management Costs).

If requested, indirect costs must be included as part of the Sub-applicant management costs and must be supported with current Indirect Cost Rates approved by a Federal Cognizant Agency. However, in no case will the total Federal share for any planning activity, including management costs, exceed \$3 million. There will be no exception to permit the increase in Sub-applicant management costs.

### **3.1.4. PRE-AWARD PLANNING COSTS**

Eligible planning costs incurred prior to the grant award, but after issuance of the FY 2005 PDM Guidance, are identified as pre-award planning costs. FEMA may allow pre-award planning costs at its discretion and as funds are available. Applicants and Sub-applicants may be reimbursed for pre-award planning costs for activities directly related to the development of the proposed planning activity, such as risk assessments or planning

workshops. Pre-award planning costs must be identified as separate line items in the Cost Estimate for the planning sub-application or they will not be considered.

In lieu of requesting pre-award planning costs, Applicants and Sub-applicants may submit eligible costs incurred prior to award but after issuance of the FY 2005 PDM Guidance as their non-Federal cost share (see Section 2.8.2, Non-Federal Cost Share).

### **3.2. INELIGIBLE MITIGATION PLANNING ACTIVITIES**

Proposed mitigation planning activities must be long-term, feasible, and meet all requirements referenced in the FY 2005 PDM Guidance. In addition to the specific ineligible planning activities listed below, any planning effort that can be funded through the primary authority of another Federal program will be considered ineligible (see Section 2.3.4, Program Restrictions).

The following planning activities are **not** eligible for the PDM grant program:

- Flood studies or flood mapping;
- Risk assessments, technical assistance, or workshops not resulting in a FEMA-approved multi-hazard mitigation plan; and,
- Information dissemination activities not tied directly to a PDM planning sub-application.

### **3.3. MITIGATION PLAN REQUIREMENTS**

Planning activities must meet the following criteria:

- The outcome of a mitigation planning grant award must be an adopted FEMA-approved multi-hazard mitigation plan that complies with the requirements of 44 CFR Part 201. Mitigation plans must be reviewed, adopted by the jurisdiction, and FEMA-approved before the end of the performance period (see Section 3.10, Performance Period);
- For Sub-applicants, a completed Local Plan Review Worksheet must be submitted to FEMA with the plan, demonstrating that all criteria required for approval have been addressed within the plan;
- Countywide or multi-jurisdictional multi-hazard mitigation plans may be submitted for funding, as many mitigation issues are better resolved by evaluating hazards in a more comprehensive fashion. However, each jurisdiction to be covered by a multi-jurisdictional plan must participate in the planning effort and adopt the plan in order to receive credit for the plan when applying for mitigation grants;
- Mitigation planning activities must focus primarily on natural hazards but also may address hazards caused by manmade forces;
- Local, multi-jurisdictional, or college/university planning activities must be consistent with the goals and objectives identified in the Applicant's mitigation plan;
- Planning activities proposed for states, Indian tribes, communities, or universities with an existing FEMA-approved multi-hazard mitigation plan must clearly build on the existing plan and result in a significant improvement in quality, detail, and/or involvement of a broader range of public and private sector partners;
- Planning activities must be unique to hazard mitigation planning and not primarily associated with programs for which another Federal program has the primary authority (see Section 2.3.4, Program Restrictions) [*e.g.*, the Natural Resources and Conservation Service has primary responsibility for funding watershed management plans]; and,

- Planning activities must meet the requirements of Federal, state, tribal, local laws, and Executive Orders.

### 3.4. SCOPE OF WORK

The Scope of Work (SOW) describes the objectives, methodology, feasibility, outcomes, timeline, milestones, resources, deliverables, and benefits of as well as reasons for the proposed planning activity.

The Scope of Work must:

- Describe the proposed planning effort to include an identification of the hazards to be addressed; purpose of the plan; whether the plan is a college/university, single, or multi-jurisdictional plan; if multi-jurisdictional, which jurisdictions are expected to be covered by the plan and which organization or community will assume the lead role; location within the community and/or geographical extent of the planning effort; and any pertinent strengths, weaknesses, opportunities, and constraints affecting the proposed planning effort;
- Indicate the goals and objectives of the planning effort;
- Describe how the plan document will be prepared and by whom; what agencies, organizations, groups, and individuals are expected to be involved in the planning process and how they would be involved; proposed composition of the Local Planning Team; public involvement opportunities; the proposed workflow of the Local Planning Team addressing both program milestones and outreach to participating organizations and the public (*e.g.*, public hearings, workshops, solicitation of input, plan review and updates); and function of contractor(s), if any, in supporting, facilitating, or implementing the planning process;
- Describe the data that already exists to support various elements of the planning effort, such as the risk assessment, and the general nature and scope of data that would be developed;
- Describe the functions and roles of any consultants or contractors involved in the preparation of the plan;
- Provide a description of the entity directly benefiting by the plan (*e.g.*, campus, entire community, specific neighborhoods, geographic areas, such as floodplain or wildfire-prone areas);
- Describe how the proposed planning activity relates to current local, university, or state/Indian tribal multi-hazard mitigation plans. If the proposed planning activity is to update or revise an existing multi-hazard mitigation plan, specifically describe any perceived deficiencies or shortcomings with the existing plan and/or planning effort that led to the development of the plan as well as how the proposed planning effort will remedy those deficiencies. (For example, a community may desire to develop or use more detailed wildfire information that could lead to a modification of the existing plan goals, objections, and action plan to address that hazard.);
- Indicate how the proposed planning activity aligns with the goals, objectives, and priorities identified in the Applicant's existing multi-hazard mitigation plan;
- Describe the strategy for completing this planning activity, including the plan review process, plan adoption, and FEMA's approval;

- Provide the anticipated work schedule and all tasks for the planning activity, including significant milestones throughout the entire performance period (see Section 3.10, Performance Period), including when a draft plan and any other deliverables will be submitted to FEMA for review; and,
- Where applicable, include attachments to provide details, supplementary data, references, and information requiring in-depth analysis, such as the Request for Proposals for a planning contract, a study or report identifying the need for the proposed planning activity, or a report on the successes of the community's or university's existing mitigation efforts.

#### **3.4.1. KEY QUESTIONS**

As the planning Scope of Work (SOW) is developed, keep the following questions in mind:

1. Are there any aspects to the proposed planning activity that may affect the performance period?
2. Can you anticipate any delays, problems or adverse conditions that may affect your ability to complete the objectives of the planning sub-application?
3. What are the chances of a cost under-run or overrun?
4. Is there any possibility of the local cost-share contribution changing?
5. Have you identified any pre-award costs (*i.e.*, costs that are currently being incurred or could be incurred prior to the grant award)?

A model planning SOW is available on FEMA's PDM web page:

<http://www.fema.gov/fima/pdm> or from the Regional Offices (see Section 2.15, Regional Contact Information).

#### **3.4.2. SCOPE OF WORK CHANGES, INCLUDING COST OVERRUNS**

FEMA will not consider changes to the Scope of Work between the close of the application period and the completion of the selection and award process and no changes will be approved for cost overruns. Requests for changes to the Scope of Work **after award** are permissible as long as they do not change the nature of the activity. Requests must be supported by adequate justification from the Applicant in order to be processed. The justification is a description of the proposed change; a written explanation of the reason or reasons for the change; an outline of remaining funds available to support the change; and a description of the work necessary to complete the activity. All approvals will be at FEMA's discretion, and there is no guarantee that Scope of Work changes will be approved.

### **3.5. COST ESTIMATE**

The Cost Estimate describes all anticipated and potential costs associated with the proposed planning activity and represents the Sub-applicant's best estimate of the total value of the proposed activity. Sufficient detail should be provided regarding various cost item categories such as labor, materials, equipment, subcontract costs, etc, and include anticipated cash and in-kind non-Federal cost share. In particular, the labor cost line item should estimate anticipated donated in-kind labor from various community agencies and/or other participating jurisdictions that will count toward the non-Federal cost share.

The Cost Estimate must include:

- **Costs associated with any mapping activities or risk assessment, information dissemination activities, and Sub-applicant management costs:** These must be identified as separate line items **to ensure cost thresholds for these activities are not exceeded** (see Section 3.1, Eligible Mitigation Planning Activities);
- Pre-award costs: Indicate all costs that may be incurred prior to grant award but subsequent to the publishing of the FY 2005 PDM Guidance **as separate line items** (see Section 3.1.4, Pre-award Planning Costs);
- Potential cost under-runs: Indicate any item for which a cost has been over-estimated which could result in a cost under-run. (For example, if the quotation received from a contractor will increase if the sub-application is not awarded for up to one year after the date of the receipt of initial quotation, this cost should be over-estimated and noted as such.)

Back-up documentation for all costs, including the basis for each, should be provided (*e.g.*, salary and fringe benefit rates for personnel involved in the project, bids from qualified professionals, nationally published or local cost estimating guides).

### **3.5.1. COST ESTIMATE CHANGES**

FEMA will not consider changes to the Cost Estimate between the close of the application period and the completion of the selection process, **and** no changes will be approved for cost overruns.

Revisions to the approved budget may be considered after the selection process so long as the approved deliverable is not adversely impacted. In accordance with 44 CFR Part 13, adjustments may be made among cost line items in the approved budget up to a cumulative threshold of 10% of the total budget without seeking formal approval from FEMA.

Adjustments exceeding this threshold must be approved in advance by FEMA. As with Scope of Work changes, requests for a budget revision must be supported by adequate justification from the Applicant in order to be processed. In any case, the limitations on mapping, information dissemination, and Sub-applicant management costs still apply, and the Federal share will not be increased.

### **3.6. EVALUATION INFORMATION**

The Evaluation Information section of the planning sub-application is required for the PDM grant program. Responses to questions in this section will be used in both the National Ranking and Evaluation processes (see Sections 3.8.2 and 3.8.3, National Ranking and National Evaluation). Therefore, please provide complete responses for each question, even if duplicating the information in another section of the planning sub-application.

The assessment of the frequency (high, moderate, low, very low, not applicable) and severity (catastrophic, extensive, serious, minor) of an event for various hazards may be better addressed by the Applicant than the Sub-applicant in most cases; therefore, a response is not required of the Sub-applicant. However, if the Sub-applicant responds to the question, the Applicant must

review the information before submitting the planning sub-application and ensure that documentation to support the hazard risk assessment is provided with the planning sub-application.

### 3.7. PLANNING SUB-APPLICATION CHECKLIST

Mitigation planning sub-applications must include the following to be eligible for consideration under the PDM grant program:

1. **Applicant Information:** Provide name, type, and state of Sub-applicant, state and Federal tax numbers, and Federal Employer Identification Number;
2. **Contact Information:** Provide the name, agency, and address of the point of contact for the sub-application;
3. **Sub-application Name:** Applicants should verify that the sub-application name includes the location of the proposed activity and the activity type.
4. **Community Information:** Provide the name of the community or entity (*i.e.*, college or university) that will benefit from the sub-application, including a Community Profile with a brief description of the community to include population, location, any geographic areas of interest, description of critical facilities of a national, statewide, or regional significance (*e.g.*, military bases, hydroelectric dams), a synopsis and history of hazards affecting the community or entity, and other applicable information that will clarify the need for the mitigation planning effort. For multi-jurisdictional planning sub-applications, both an overall Community Profile, and a brief profile for each participating jurisdiction should be provided, as well as information on how the multi-jurisdictional planning effort will be coordinated;
5. **Mitigation Plan Information:** Indicate whether the entity that will benefit from the sub-application and the state/ Indian tribe are covered by a FEMA-approved multi-hazard mitigation plan and identify any previous planning grants received;
6. **Mitigation Activity Information:** Indicate the type, intent and title of the proposed planning activity. If the proposed planning activity is an update to an existing mitigation plan, indicate how will it build off of and improve the existing plan;
7. **Hazard Information:** Describe the area to be covered by the planning activity and identify the source of the hazards to be addressed in the planning activity;
8. **Scope of Work:** Describe the goals and objectives of the planning activity and how it will be implemented, including work schedule/tasks for each activity and who will compete each task (see Section 3.4, Scope of Work);
9. **Cost Estimate:** Provide all anticipated and potential costs for each proposed planning activity, including Federal and non-Federal shares (see Section 3.5, Cost Estimate). Provide an Approved Indirect Cost Agreement, if applicable;
10. **Match Sources:** Provide the non-Federal cost share for the proposed activity, including documentation to support the non-Federal cost share and Sub-applicant status as a small, impoverished community, if appropriate, for Federal cost share of up to 90 percent (see Section 2.8, Cost Share Requirements);
11. **Cost-Effectiveness Information:** All planning grants are exempt from a Benefit-Cost Analysis;
12. **Evaluation Information:** Provide responses to the questions for each planning sub-application for competitive National Ranking and Evaluation, including documentation to support the hazard risk assessment (see Section 3.6, Evaluation Information); and,

13. **Assurances and Certifications:** Complete the Summary Sheet for Assurances and Certification, FEMA Form 20-16, if applicable; Assurances - Non-Construction Programs, FEMA Form 20-16A, if applicable; Certification Regarding Lobbying; Debarment, Suspension and Other Responsible Matters; and Drug-Free Workplace Requirements, FEMA Form 20-16C; and, Disclosure of Lobbying Activities, Standard Form LLL, if applicable.

The Benefit-Cost Analysis and the Environmental and Historic Preservation documentation are not necessary for mitigation planning activities, and therefore, are not required to be submitted with mitigation planning sub-applications.

### **3.8. FEMA REVIEW, NATIONAL RANKING, AND NATIONAL EVALUATION**

#### **3.8.1. FEMA REVIEW**

FEMA will review all planning sub-applications to ensure the following:

- Eligibility of the Applicant and Sub-applicant (see Section 2.3, Grant Program Eligibility);
- Eligibility of proposed planning activities and costs (see Section 3.1, Eligible Mitigation Planning Activities);
- Completeness of the sub-application (see Section 3.7, Planning Sub-application Checklist);
- Consistency of the proposed planning activity with the goals and objectives of the Applicant's multi-hazard mitigation plan;
- Adequacy of the justification for the proposed planning activity if the Sub-applicant already has a FEMA-approved multi-hazard mitigation plan or has already received a planning grant;
- Completeness of Scope of Work (see Section 3.4, Scope of Work);
- Completeness of the Cost Estimate and consistency with the Scope of Work (see Section 3.5, Cost Estimate);
- Eligibility and availability of non-Federal cost share (see Section 2.8, Cost Share Requirements); and
- Complete responses to Evaluation Information questions for National Ranking and Evaluation, including the assessment of the frequency and severity of hazards (see Section 3.6, Evaluation Information).

Sub-applications that do not satisfy the eligibility and completeness requirements will be removed from further consideration and will not be selected for award.

#### **3.8.2. NATIONAL RANKING**

FEMA will score all eligible planning sub-applications on the basis of predetermined, objective, quantitative factors to calculate a National Ranking Score (see Sections 2.9.2 and 2.9.3, National Ranking and National Evaluation). Ranking factors for mitigation planning activities and the respective weighting of each in the National Ranking are:

1. Assessment of frequency and severity of hazards (see Section 3.6, Evaluation Information) (45 percent);
2. The priority given to the sub-application by the Applicant (see Section 2.7.2, Grant Application Checklist) (36 percent);

3. Whether the Applicant has a FEMA-approved Standard/Enhanced Mitigation Plan (10 percent);
4. Community mitigation factors such as Community Rating System class, Cooperating Technical Partner, participation as a Firewise Community, and adoption and enforcement of codes including the International Code Series and National Fire Protection Association 5000 Code, as measured by the Building Code Effectiveness Grading Schedule (5 percent); and,
5. Status of the Sub-applicant as a small, impoverished community (4 percent).

### **3.8.3. NATIONAL EVALUATION**

National panels will convene to evaluate planning sub-applications forwarded from the National Ranking on the basis of predetermined qualitative factors to determine a National Evaluation Score for each planning sub-application (see Section 2.9.3, National Evaluation). Evaluation factors for mitigation planning activities and the respective weighting of each in the National Evaluation are:

1. Assessment of frequency and severity of hazards (25 percent);
2. Potential benefits to constituents (20 percent);
3. Strategy for completing the planning process (18 percent);
4. Sufficient staff and resources for implementation (15 percent);
5. Leverages partners to enhance outcome (10 percent);
6. Performance measures (5 percent);
7. Inclusion of outreach activities that advance mitigation and/or serve as a model for other communities (4 percent); and,
8. Community mitigation factors (3 percent).

### **3.9. FEMA PRE-AWARD ACTIVITIES**

FEMA Regional Offices will work with Applicants who have planning sub-applications selected for award to implement required pre-award activities prior to grant award (see Section 2.10.2, FEMA Pre-Award Activities). FEMA may, at its discretion, request information or documentation from Applicants to resolve outstanding administrative or procedural requirements as part of its pre-award activities.

In accordance with 44 CFR 10.8d(2)(iii), FEMA has determined that mitigation planning activities have no impact on the environment and will require no further environmental or historic preservation review. Therefore, environmental or historic preservation documentation is not required for planning activities.

### **3.10. PERFORMANCE PERIOD**

Mitigation planning sub-grant performance periods are limited to three years (see Section 2.3.4, Program Restrictions). Planning sub-applications that exceed three years will not be considered for PDM funding. Mitigation plans must be reviewed, adopted, and FEMA-approved before the end of the performance period (see Section 3.3, Mitigation Plan Requirements). Requests for extensions to the performance period will be considered but will not be approved automatically (see Section 2.13, Extensions).

## SECTION 4. MITIGATION PROJECT SUB-APPLICATION GUIDANCE

The Pre-Disaster Mitigation (PDM) program seeks to reduce damages and the loss of life and property from natural hazards through the development and implementation of mitigation projects that are consistent with the goals and objectives identified in multi-hazard mitigation plans. Mitigation is defined as sustained action taken to reduce or eliminate long-term risk to people and property from hazards and their effects. Effective mitigation projects are critical to reducing community vulnerabilities and are a key component of the PDM program.

### 4.1. ELIGIBLE MITIGATION PROJECT ACTIVITIES

Proposed multi-hazard mitigation projects must primarily focus on natural hazards but also may address hazards caused by manmade forces. **Funding is restricted to a maximum of \$3 million Federal share per project sub-application.** The following are eligible mitigation projects:

- Voluntary acquisition or relocation of hazard-prone structures for conversion to open space in perpetuity;
- Construction of “safe rooms”(i.e., tornado and severe wind shelters) that meet the FEMA construction criteria in FEMA 320 “Taking Shelter from the Storm” and FEMA 361 “Design and Construction Guidance for Community Shelters”;
- Structural and non-structural retrofitting of existing buildings and facilities for wildfire, seismic, wind or flood hazards (e.g., elevation, storm shutters, hurricane clips), including designs and feasibility studies when included as part of the proposed project;
- Minor structural hazard control or protection projects that may include vegetation management, stormwater management (e.g., culverts, floodgates, retention basins), or shoreline/landslide stabilization;
- Localized flood control projects, such as certain ring levees, bank stabilization and floodwall systems that are designed specifically to protect critical facilities (defined as Hazardous Materials Facilities, Emergency Operation Centers, Power Facilities, Water Facilities, Sewer and Wastewater Treatment Facilities, Communications Facilities, Emergency Medical Care Facilities, Fire Protection, and Emergency Facilities) and that do not constitute a section of a larger flood control system; and,
- Any of the above mitigation projects for a critical facility, as defined above, may include the purchase of a generator or related equipment purchases, such as generator hook-ups, as a functional portion to the larger eligible mitigation project sub-application, as long as the generator or related equipment purchase directly relates to the hazard(s) that threaten the facility.

#### 4.1.1. INFORMATION DISSEMINATION

Sub-applicants may request up to 10 percent of the funds requested for their mitigation project sub-application for information dissemination activities (public awareness and education) regarding cost-effective mitigation technologies. These activities may include marketing and outreach (e.g., brochures, videos) and must relate directly to the project sub-application. Any information dissemination activities must be identified as separate line items in the Cost Estimate for the project sub-application or they will not be considered.

#### **4.1.2. SUB-APPLICANT MANAGEMENT COSTS**

Sub-applicants may include a maximum of 5 percent of the total funds requested for their project sub-application for management costs to support the project. Sub-applicants who request management costs must provide supporting documentation. Sub-applicant management costs must be included as separate line items in the project Cost Estimate (see Section 4.5, Cost Estimate) for the project sub-application or they will not be considered and also must be included in the project's Benefit-Cost Analysis (BCA) (see Section 4.7, Benefit-Cost Analysis). Applicants may not request Sub-applicant management costs under any circumstance (see Section 2.5, Applicant Management Costs).

If requested, indirect costs must be included as part of the management costs and must be supported with a current Indirect Cost Rate approved by a Federal Cognizant Agency. However, in no case will the total Federal share for any project, including management costs, exceed \$3 million. **There will be no exception to permit the increase in Sub-applicant management costs.**

#### **4.1.3. PRE-AWARD PROJECT COSTS**

Eligible project costs incurred prior to the grant award, but after issuance of the FY 2005 PDM Guidance, are identified as pre-award project costs. FEMA may allow pre-award planning costs at its discretion and as funds are available. Applicants and Sub-applicants may be reimbursed for pre-award costs incurred after the publication of the FY 2005 PDM Guidance for activities directly related to the development of the proposed project. Activities may include, but are not limited to, development of the Benefit-Cost Analysis and environmental/historic preservation data and documentation and engineering design. Pre-award project costs must be identified as separate line items in the Cost Estimate for the project sub-application. Pre-award project costs associated with construction activities started prior to the issuance of the FY 2005 PDM Guidance will not be eligible.

In lieu of requesting pre-award project costs, Applicants and Sub-applicants may submit eligible costs incurred prior to award but after issuance of the FY 2005 PDM Guidance as their non-Federal cost share (see Section 2.8.2, Non-Federal Cost Share).

#### **4.2. INELIGIBLE PROJECT ACTIVITIES**

Proposed mitigation projects must be long-term, feasible, demonstrate cost-effectiveness and meet all requirements referenced in the FY 2005 PDM Guidance. In addition to the specific ineligible project activities listed below, any project that should be covered by another Federal agency will be considered ineligible. **Activities determined by FEMA to be infeasible and/or ineffective at mitigating the hazard(s) for which the project was designed also will be considered ineligible.**

The following project activities are **not** eligible for the PDM grant program:

- Major flood control projects such as the construction or repair of dikes, levees, floodwalls, seawalls, groins, jetties, or dams, waterway channelization, and beach nourishment or re-nourishment;
- Projects that address ecological issues related to land and forest management (*i.e.*, insects, diseases, weather-related damages or infestations);

- Warning and alert notification systems (*e.g.*, NOAA weather radios);
- Phased or partial projects (*e.g.*, engineering designs, feasibility studies, or drainage studies that are not integral to the proposed project);
- Flood studies or flood mapping;
- Dry floodproofing of residential structures;
- Generators, and related equipment, such as generator hook-ups, for non-critical facilities (see Section 4.1, Eligible Mitigation Activities) or as a stand-alone activity;
- Demolition/rebuild projects;
- Projects that solely address a manmade hazard; and,
- Response and communication equipment.

### **4.3. MITIGATION PROJECT REQUIREMENTS**

#### **4.3.1. PLAN REQUIREMENT**

A FEMA-approved State/Tribal Standard or Enhanced Mitigation Plan, pursuant to 44 Code of Federal Regulations (CFR) Part 201, Hazard Mitigation Planning, will be required by the date of selection for award as a condition of Applicants receiving FY 2005 PDM funds for state, Indian tribal, local, and university mitigation projects grants (see Section 2.10.1, Selection). In addition, a FEMA-approved Tribal/Local Mitigation Plan, pursuant to 44 CFR Part 201, will be required by the date of selection for award as a condition of Sub-applicants receiving FY 2005 PDM funds for Indian tribal and local mitigation project grants. Universities must have a FEMA-approved mitigation plan or be covered under a FEMA-approved State/Tribal/Local Mitigation Plan by the date of selection for award as a condition of receiving FY 2005 PDM funds for projects. Selection by the Approving Federal Official is anticipated to be on or after May 1, 2005. Therefore, Applicants and Sub-applicants that do not currently have a FEMA-approved Mitigation Plan must ensure that they have an approved plan by the selection date in order to receive project grants.

Projects submitted for consideration must be consistent with the goals and objectives in the State/Tribal Mitigation Plan. Tribal, local, and university projects also must be consistent with the goals and objectives in the Tribal/Local Mitigation Plan.

#### **4.3.2. FEASIBILITY REQUIREMENT**

Projects must be technically feasible (see Section 4.6, Engineering Feasibility) and ready for implementation. Proposed schematic or detailed engineering drawings, or engineering designs for projects must be included in the project sub-application to allow FEMA to assess the effectiveness and feasibility of the proposed project. The project Cost Estimate must reflect the engineering design, including all anticipated costs. FEMA has several formats that it uses in estimating costs for projects. Additionally, other Federal agencies' approaches to project cost estimating may be used as long as the method provides for a complete and accurate estimate. Upon request, FEMA will provide technical assistance regarding engineering documentation and cost estimation (see Section 5, Technical Assistance).

### 4.3.3. ELIGIBILITY CRITERIA

Mitigation projects also must meet the following criteria:

- Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster, consistent with 44 CFR 206.434(c)(5) and related guidance, and have a BCA using a FEMA-approved methodology that results in a Benefit-Cost Ratio (BCR) of 1.0 or greater (see Section 4.7, Benefit-Cost Analysis). **Only mitigation projects with a Benefit-Cost Ratio of 1.0 or greater will be considered for the PDM program;**
- Be consistent with the goals and objectives identified in the current FEMA-approved State/Tribal and applicable local multi-hazard mitigation plans, or university multi-hazard mitigation plan, where appropriate;
- Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed, consistent with 44 CFR 206.434(c)(4);
- Conform with 44 CFR Part 9, Floodplain Management and Protection of Wetlands, and 44 CFR Part 10, consistent with 44 CFR 206.434(c)(3);
- Not duplicate benefits available from another source for the same purpose or assistance that another Federal agency or program has the primary authority to provide (see Part 3.4, Program Restrictions);
- Not be located in a coastal barrier area as defined by the Coastal Resource Barrier Act (CRBA). Restrictions in this Act prevent the use of PDM funds in any designated CBRA area;
- Be located in a community that is participating in the National Flood Insurance Program (NFIP) if they have been identified through the NFIP as having a Special Flood Hazard Area (a Flood Hazard Boundary Map [FHBM] or Flood Insurance Rate Map [FIRM] has been issued). In addition, the community must not be on probation, suspended or withdrawn from the NFIP; and,
- Meet the requirements of applicable Federal, state, Indian tribal, and local laws, implementing regulations, and executive orders.

### 4.3.4. PROPERTY ACQUISITION AND RELOCATION REQUIREMENTS

For property acquisition and relocation projects, Applicants and Sub-applicants must comply with additional requirements consistent with 44 CFR 206.434(e). Sub-applicants receiving assistance for a real property acquisition or building relocation will enter into an agreement with the Applicant, subject to FEMA concurrence prior to award. The agreement must include the deed restriction that the local government will record with each property deed. A Model Deed Restriction is available on FEMA's PDM web page:

<http://www.fema.gov/fima/pdm> or from the Regional Office (see Section 2.15, Regional Contact Information). **Open space acquisition projects without these formal assurances will not be funded by the PDM program** (see Section 3.9, FEMA Pre-Award Activities).

The agreement will provide assurances that:

- The prospective participants were informed in writing that participation in the program is voluntary and that the Applicant/Sub-applicant will not use its eminent domain authority to acquire their property for the project purposes should negotiations fail.

A Model Statement of Voluntary Participation is available on FEMA's PDM web page: <http://www.fema.gov/fima/pdm> or from the Regional Office (see Section 2.15, Regional Contact Information);

- The Sub-applicant agrees that land acquired for open space purposes under the PDM program will be restricted in perpetuity to open space uses and will be unavailable for the construction of flood damage reduction levees, transportation facilities, and other incompatible purposes;
- The Sub-applicant accepts all of the requirements of the deed restriction governing the use of the PDM grant and use of the land;
- In consultation with the U.S. Army Corps of Engineers, the Sub-applicant has addressed and considered the potential future use of these lands for the construction of flood damage reduction levees, has rejected consideration of such measures in the future in the project area, and instead has chosen to proceed with acquisition of permanent open space;
- The Sub-applicant has coordinated with its State Department of Transportation to ensure that no future, planned improvements or enhancements are under consideration that will affect the proposed project area; and,
- Existing buildings will be removed within 90 days of settlement.

For acquisition projects, changes to the properties in an approved mitigation project will be considered by FEMA but not approved automatically. The Applicant/Sub-applicant must identify the alternate properties in the project application and must include a Benefit-Cost Analysis for each alternate property. However, the alternate properties must **not** be included in the Cost Estimate or the overall project Benefit-Cost Analysis (see Section 4.7, Benefit-Cost Analysis). Eligible properties may be substituted as long as the substitution does not change the overall nature of the project or increase the amount of the Federal share.

Sub-applicants considering the purchase of commercial or industrial property should ensure that the owner provides information identifying what, if any, hazardous materials are on the property. Before purchasing commercial or industrial properties, the Sub-applicant must require the owner to remove hazardous materials and containers. The owner must provide a clean-site certification from the appropriate state agency before the Sub-applicant can purchase any interest in the property, including easements for development rights. Clean-up costs are not eligible project costs. When the Sub-applicant purchases easements for development rights only, the seller also must agree to indemnify the state, FEMA, and the Sub-applicant for any liability arising from previous contamination of the property.

The presence of non-leaking underground storage tanks, septic systems, home heating oil tanks, and normal quantities of lead, asbestos, and household hazardous materials does not preclude the use of PDM funds for acquisition. However, local permitting ordinances should be followed. The costs of removing these items should be addressed in the project Cost Estimate (see Section 4.5, Cost Estimate).

#### **4.3.5. SPECIAL FLOOD HAZARD AREA REQUIREMENTS**

The following requirements apply to any project to alter existing structures that are sited within a Special Flood Hazard Area (SFHA):

- When the project is implemented, all structures that will **not** be demolished or relocated out of the SFHA must be covered by flood insurance to an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to the particular property, whichever is less; and,
- The participating property owner(s) must agree that the Sub-applicant will legally record with the property's deed a notice that states:  
"This property has received Federal hazard mitigation assistance. Federal law requires that insurance coverage on this property must be maintained during the life of the property regardless of transfer of ownership of such property. Pursuant to 42 U.S.C. §5154a, failure to maintain flood insurance on this property may prohibit the owner from receiving Federal disaster assistance with respect to this property in the event of a flood disaster. The property owner is also required to maintain this property in accordance with the flood plain management criteria of Title 44 of the Code of Federal Regulations Part 60.3 and City/County Ordinance."

For example, owners of elevated properties must purchase and maintain flood insurance; a project involving the acquisition of agricultural easement would require insurance on a remaining building; or in a project where hurricane shutters are installed on a building within the SFHA, insurance is required even though it is not a flood mitigation project. The status of flood insurance for properties included in project sub-applications sited in SFHAs are subject to FEMA review prior to award (see Section 4.12, FEMA Pre-Award Activities).

Applicants receiving assistance for projects sited in a SFHA will ensure that these requirements are met by requesting the participating property owner(s) to sign a notice of the conditions for receiving FEMA grant funds for projects in a SFHA. A Model Notice of Conditions for Receiving FEMA Grant Funds for Projects in a Special Flood Hazard Area is available on the PDM web page: <http://www.fema.gov/fima/pdm> or from the FEMA Regional Offices. **Properties that do not meet these requirements will not be eligible to receive assistance under the PDM program** (see Part 4.12, FEMA Pre-Award Activities).

#### **4.3.6. INCOME TAX ON MITIGATION PROJECT FUNDS**

FEMA will provide guidance on this issue.

#### **4.3.7. GEO-CODING REQUIREMENTS**

All approved mitigation projects funded by the PDM program must be geo-coded using standard datum (see Section 2.3.3, Program Requirements). Geospatial coordinates, in the form of latitude and longitude with an accuracy of +/- 20 meters (64 feet), must be provided for all individual sites contained in the mitigation project, including:

- Individual property information on properties mitigated, and
- Project sites for mitigation activities such as stormwater management, road and bridge improvement, and critical facility protection, and flood control projects.

FEMA will work with Applicants to ensure this information is provided prior to award (see Section 3.9, FEMA Pre-Award Activities).

### 4.3.8. PROJECT MAINTENANCE

FEMA is **not** responsible for maintaining the project after the initial implementation phase. FEMA will not pay for any future maintenance, such as mowing open space or ensuring hurricane shutters are operable. Sub-applicants must provide a maintenance plan that identifies the maintenance tasks and budget, and identify the entity that will perform long-term maintenance. Maintenance costs must be included in the Cost Estimate (see Section 4.5, Cost Estimate) and the Benefit-Cost Analysis (see Section 4.7, Benefit-Cost Analysis).

## 4.4. SCOPE OF WORK

The Scope of Work (SOW) describes the objectives, methodology, feasibility, outcomes, timeline, milestones, resources, deliverables, and benefits of as well as reasons for the proposed project. The narrative must establish the “who, what, where, when, and how” of the proposal and timeline. The SOW **must**:

- Describe the proposed project, to include:
  - Identification of the hazards to be addressed and the effectiveness and level of protection provided by the project in mitigating the hazards;
  - Location within the community and/or geographical extent of the project;
  - Basic information about the proposed action, including its dimensions, size and area; and,
  - Any pertinent strengths, weaknesses, opportunities, and constraints affecting the proposed project;
- Indicate the purpose of the project and the hazard(s) it addresses; strategy for completing the project; and goals and objectives of the project;
- Include a description of the methodology used to identify the proposed activity;
- Identify alternatives considered prior to deciding upon the project;
- Provide a description of the members of the community population directly benefiting from the project (*e.g.*, entire community, specific neighborhoods, geographic areas, such as floodplain or wildfire-prone areas);
- Indicate how the proposed project aligns with the goals, objectives, and priorities identified in the Applicant’s FEMA-approved Mitigation Plan;
- Describe how the project will be utilized over the long-term. For example, include a description of maintenance agreements to be in place for long-term upkeep of the proposed project;
- Provide the anticipated Work Schedule for the project, including significant milestones throughout the entire performance period (see Section 4.13, Performance Period) and all tasks (*e.g.*, survey, appraisal, permitting, inspection requirements, site preparation);
- If applicable to the project, include proposed schematic or detailed engineering drawings, or engineering design. The specific basis of the engineering design must be identified to include:
  - The applicable building code/edition being used. Relevant model building codes may include International Code Council (ICC) Series (to include International Building Code (IBC), International Residential Code (IRC) for One- and Two-Family Dwellings (IRC), the Uniform Building Code (UBC), the Standard [Southern] Building Code (SBC), and the Building Officials & Code Administrators (BOCA National Building Code)),

- The engineering standard being used,
- The level of protection for which the project is designed,
- The adopted practice by the Applicant/Sub-applicant for similar facilities that they own, and
- Any residual risk to the facility after project implementation;
- If a new technology is proposed for the mitigation project, information should be provided regarding laboratory tests, field-testing, and other aspects of the technology;
- Include applicable photographs, maps, sketches, and/or drawings (*e.g.*, appropriate sections of Flood Insurance Studies and Flood Insurance Rate Maps) to document elements of the project and project parameters; and,
- Include applicable sources, references, citations, and/or notations.

#### **4.4.1. DOCUMENTATION**

Where applicable, include attachments to provide details, supplementary data, references, and information requiring in-depth analysis, such as the Request for Proposals for a project contract, a study or report identifying the need for the proposed project, or a report on the successes of the community's existing mitigation efforts. Applicants/Sub-applicants must identify the project location(s) and the extent of the proposed project through a graphic and visual representation of the proposed project location(s) on at least a 1:24,000 scale U.S. Geological Survey (USGS) topographic map, site plan, and relevant photographs to be provided with the project sub-application.

Whenever possible, data that is being used to document existing conditions or the hazard itself must be obtained from recognized sources such as Federal agencies (*e.g.*, USGS and National Oceanic and Atmospheric Administration), state agencies, and academic organizations. When using local data, include references and/or supporting documentation from qualified/credible sources (*e.g.*, professional engineer or local government records). Any deviations from standard procedures, methods, techniques, or best practices should be thoroughly explained and documented.

#### **4.4.2. SOW CHANGES**

FEMA will not consider changes to the SOW between the close of the application period and the completion of the selection and award process and no changes will be approved for cost overruns. Requests for changes to the SOW after award are permissible as long as they do not change the nature of the activity. Requests must be supported by adequate justification from the Applicant in order to be processed. The justification is a written explanation of the reason or reasons for the change; an outline of remaining funds available to support the change; and a description of the work necessary to complete the activity. There is no guarantee that SOW changes will be approved and all approvals will be at FEMA's discretion.

### **4.5. COST ESTIMATE**

The Cost Estimate describes all anticipated and potential costs associated with the proposed planning activity, and represents the Sub-applicant's best estimate of the total value of the proposed activity. Sufficient detail must be provided regarding various cost item categories such as labor, materials, equipment, subcontract costs, etc, and include anticipated cash and in-kind

non-Federal match. In particular, the labor cost line item must estimate anticipated donated in-kind labor from various agencies and/or other participating jurisdictions that will count toward the non-Federal match. Documentation of the base year of all cost estimates provided as well as the anticipated date of construction must be provided, if applicable.

The Cost Estimate must include:

- All anticipated project costs, such as:
  - Conducting the Benefit-Cost Analysis (see Section 4.7, Benefit-Cost Analysis);
  - Anticipated environmental resource remediation or historic property treatment measures (see Section 4.8, Environmental/Historic Preservation Compliance);
  - Engineering schematics, detailed engineering drawings, or engineering designs (see Section 4.6, Engineering Feasibility);
  - Other related construction/demolition/relocation costs, such as survey, permitting, site preparation, material disposal; and,
  - Other related acquisition costs, such as appraisals, legal recordation, displacement costs for renters, maintenance;
- Costs associated with any information dissemination activities and/or Sub-applicant management costs: These **must be identified as a separate line item** to ensure cost thresholds for these activities are not exceeded (see Section 4.1, Eligible Mitigation Project Activities);
- Pre-award costs: Indicate all costs that may be incurred prior to grant receipt but subsequent to the publishing of the FY 2005 PDM Guidance as **separate line items**;
- Potential cost under-runs: Indicate any item in which a cost has been over-estimated which could result in a cost under-run. (For example, if a quotation received from a contractor will increase if the project is not awarded for up to one year after the date of the receipt of initial quotation, this cost should be over-estimated and noted as such.);
- Anticipated Future Funding: Describe identified sources of future funding once the initial grant has been implemented and no further funding will be available from the PDM program. (For example, will the local government be charged with supporting the project in the future, or will the Applicant agency be responsible?); and,
- Back-up documentation for all costs, including the basis for each should be provided (*e.g.*, salary and fringe benefit rates for personnel involved in the project, bids from qualified professionals, nationally published or local cost estimating guides).

**The amount of the Federal share will not be increased to cover any additional costs identified after the application deadline. If the Cost Estimate does not reflect the work proposed in the Scope of Work, does not include all the costs for items proposed, or was prepared without adequate documentation, the Cost Estimate will be determined incomplete and the sub-application may be eliminated from further consideration.**

#### **4.5.1. DOCUMENTATION**

Applicants and Sub-applicants should avoid “lump sum” items whenever possible and provide references for all sources of the Cost Estimate (*e.g.*, RS Means). Identify sources of cost items (*e.g.*, documented local cost, bids from qualified professionals, published national or local cost estimating guides) and provide documentation supporting each source, as appropriate (*e.g.*, salary and fringe benefit rates for personnel involved in the project, bids

from qualified professionals, published nationally or local cost estimating guides). If another project is used as the source of the Cost Estimate, detailed documentation showing the related project scope items should be provided.

The project should be identified with enough details so that material, labor and other costs associated with the project can be identified. The cost estimating tools used must be identified and a detailed Cost Estimate must be provided. Examples of cost estimating tools may include: national cost estimating guides; an Applicant's own cost estimating guides; an estimate based on bids; or an estimate based on awarded contracts for similar work.

For example, the project proposes replacing a roof on an existing museum building. The roof is a low-slope roof with internal drainage only, in an area subject to snow and rainfall that may clog the drains. The project will completely remove the existing roof, install tapered insulation and place scuppers at the exterior wall locations. The Applicant has identified the size of the roof and has included a roof plan and roof sections and calculated the materials and labor needed to complete the job. The Applicant has awarded a similar roofing job two years ago that they have used to estimate the costs of this project. The Applicant has included a copy of the costs for the other job, compared the SOW for the completed job and the proposed job, and updated the costs for the proposed project based on a national cost estimating guide and adjusted for inflation.

#### **4.5.2. COST ESTIMATE CHANGES**

FEMA will not consider changes to the Cost Estimate after the close of the application period until after the completion of the selection and award process, and no changes will be approved for cost overruns.

Revisions to the approved Cost Estimate may be considered after the selection and award process so long as the approved deliverable is not adversely impacted. In accordance with 44 CFR Part 13, adjustments may be made among cost line items in the approved budget up to a cumulative threshold of 10% of the total budget without seeking formal approval from FEMA. Adjustments exceeding this threshold must be approved in advance by FEMA. As with Scope of Work changes, requests for a Cost Estimate revision must be supported by adequate justification from the Applicant in order to be processed. In any case, the limitations on information dissemination and Sub-applicant management costs still apply, and the Federal share will not be increased.

#### **4.6. ENGINEERING FEASIBILITY**

Mitigation projects funded by the FY 2005 PDM Program must be both feasible and effective at mitigating the hazard(s) for which the project was designed. Therefore, engineering feasibility will be a critical factor in both the National Ranking and National Evaluation process (see 4.11.2, National Ranking and 4.11.3, National Evaluation). To determine both feasibility and effectiveness, FEMA will use the information provided in the sub-application to perform an Engineering Feasibility Technical Review of the proposed project (see Section 4.11.1.1, Engineering Feasibility Technical Review). **Project sub-applications that are not determined to be feasible and effective will be removed from PDM funding consideration.**

#### 4.6.1 DOCUMENTATION

To enhance a project's competitiveness for PDM, Applicants and Sub-applicants are encouraged to provide detailed documentation relative to:

- The Scope of Work (see Section 4.4, Scope of Work), including proposed schematic or detailed engineering drawings, or engineering designs, and adequate references to all applicable building codes and standards; and,
- The Cost Estimate (see Section 4.5, Cost Estimate).

Project sub-applications that do not include appropriate documentation to support the determination of feasibility will be less competitive, or in some cases, may be deemed completely inadequate and removed from PDM funding consideration.

#### 4.7. BENEFIT-COST ANALYSIS

The FY 2005 PDM program must fund cost-effective mitigation activities. To ensure this objective is met, a FEMA-approved Benefit-Cost Analysis (BCA) will be required for all mitigation projects and will be a critical factor in the National Ranking and Evaluation process (see Sections 4.11.2 and 4.11.3, National Ranking and National Evaluation). **FEMA will not perform the BCA and will not consider project sub-applications without a BCA.** However, the actual cost of performing the BCA and providing supporting documentation may be included by the Sub-applicant as part of the project Cost Estimate (see Section 4.5, Cost Estimate) and by the Applicant as management costs (see Section 2.5, Applicant Management Costs).

BCA is a well-established method for quantitatively comparing the benefits and costs of mitigation projects. The end result is a Benefit-Cost Ratio (BCR), which is derived from a project's total net present value of benefits (*i.e.*, the value of benefit today versus the value of future benefits after taking inflation and return into account) divided by the total project Cost Estimate, which must include all documented project and maintenance costs. The Applicant is required to perform a BCA for each property, including repetitive flood loss properties and substantially damaged properties. For projects that address multiple structures (*e.g.*, acquisition or elevation), the BCR is calculated by totaling the anticipated or net present value of benefits for each structure to obtain the project's total net present value of benefits and dividing the total project benefits by the total project Cost Estimate. **Only mitigation projects with a BCR of 1.0 or greater will be considered for the PDM competitive grant program.** To enhance a project's competitiveness for PDM, Applicants are encouraged to conduct a thorough, supported BCA that completely documents both benefits and costs associated with the proposed mitigation project.

FEMA's BCAs are governed by guidance from the Office of Management and Budget (OMB). OMB Circular A-94, Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs. The benefits of mitigation projects are avoided damages, disruptions, losses, and casualties. Examples of common benefits include avoided or reduced:

- Damages to buildings, contents or infrastructure;
- Economic impacts of loss of function of buildings;
- Displacement costs for temporary quarters;
- Loss of public services;
- Loss of net business income;

- Economic impacts of loss of function of infrastructure;
- Road or bridge closures;
- Loss of utility services; and,
- Deaths and injuries.

The OMB guidance excludes indirect benefits or “multiplier” effects, for example long-term changes in regional economic activity, future employment and tourism, which are not directly linked to the project. For further details of categories of benefits that may or may not be counted see “What is a Benefit? - Guidance on Benefit-Cost Analysis of Hazard Mitigation Projects” located on the Mitigation BCA Toolkit CD (see Section 5, Technical Assistance). This document provides standardized benefit categories, approaches, and data inputs for many common mitigation projects.

If the Applicant or Sub-applicant is submitting a project for which FEMA performed the BCA in the past, the Applicant or Sub-applicant certifies that they accept the BCA as their own by entering their own name as the Analyst and submitting the BCA as part of their application. Applicants or Sub-applicants submitting projects prepared for other FEMA mitigation programs are strongly encouraged to revisit the BCAs to ensure complete documentation of mitigation project benefits and costs.

#### **4.7.1. METHODOLOGY**

Applicants and Sub-applicants must use a FEMA-approved methodology to determine the BCA. Applicants and Sub-applicants are strongly encouraged to use FEMA’s BCA software for their analyses, which may be obtained from FEMA by contacting the BCA helpline via phone: 1-866-222-3580 or e-mail: [bchelp@fema.gov](mailto:bchelp@fema.gov) (see Section 5, Technical Assistance) or the applicable FEMA Regional Office (see Section 2.15, Regional Contact Information). Using FEMA-approved software will ensure that the calculation is done in accordance with OMB and FEMA’s standardized methodologies and approaches and will facilitate the application review process.

The OMB-mandated discount rate for the PDM program is 7 percent. This discount rate is incorporated into all FEMA software programs as a default and must **not** be modified.

Alternative non-FEMA BCA software also may be used, but only if the FEMA Regional Office and FEMA Headquarters approve the software prior to the Applicant’s submission of the PDM grant application to FEMA. The Applicant must provide verification that FEMA has approved the alternative BCA software or methodologies. An e-mail or letter signed and dated by FEMA is considered appropriate verification. Applications using BCAs conducted with non-FEMA software not approved in advance by FEMA will not be considered for the PDM program.

FEMA has developed a simplified, alternative methodology to conduct the BCA, which may be used in lieu of a traditional BCA for certain properties insured under the NFIP and included in the Pilot NFIP Repetitive Loss Properties List. The list of properties and the guidance for using this alternative approach was provided to the FEMA Regional Offices under separate cover (information on the alternative approach is available on the FEMA

website: <http://www.fema.gov/fima/pdm.shtm>). The Pilot NFIP Repetitive Loss properties may be combined in a project with other repetitive flood loss properties and/or non-repetitive flood loss properties; however, the alternative cost-effectiveness approach may only be used for the Pilot NFIP Repetitive Loss properties, and a representative BCR must be calculated for the project.

#### **4.7.2. DOCUMENTATION**

Project sub-applications that do not include appropriate documentation to support the submitted BCAs will not be considered for PDM funding.

The documentation must support figures, assumptions, data derivation and calculation methods used in the BCA. Sub-applications must include full and credible documentation, which:

- Clearly explains the data used in the analysis, including the source;
- Explain reasons and sources of information for the use of non-default values in the BCA;
- Is well organized; and
- Provides references to the appropriate parts of the analysis.

Project sub-applications should include surveys, copies of elevation certificates, copies of appropriate sections of Flood Insurance Studies (FIS) and Flood Insurance Rate Maps (FIRM), copies of relevant supporting information from engineering reports and other documentation to support figures used in their BCAs. A good rule of thumb to observe is that a subject matter expert should be able to reproduce the BCA based upon the information provided in the application without any additional explanation.

For each BCA, the project sub-application must include a copy of each page of the actual analysis used, whether the BCA was performed using FEMA software or a pre-approved alternative methodology. It is highly recommended that an electronic version of the BCA be provided as well. **BCA summary reports will not suffice.**

The credibility of data sources also is extremely important. FEMA recommends obtaining information from published technical sources, in particular engineering studies such as FISs and technical web sites such as those operated by the USGS, National Oceanic and Atmospheric Administration, and a range of academic organizations and state agencies. Professional licensure is strongly preferred in all cases (*e.g.*, a licensed structural engineer to provide fragility curves for an earthquake mitigation project). In addition, data from FEMA software and default values from FEMA guidance will be accepted as completely credible.

#### **4.7.3. FEMA REVIEW**

FEMA will review all project sub-applications (see Section 3.8.1, FEMA Review) for eligibility and completeness and will not consider projects for funding if the BCR is less than 1.0 or if a BCA has not been provided with the sub-application.

## **4.8. ENVIRONMENTAL/HISTORIC PRESERVATION COMPLIANCE**

Sub-applicants are required to provide information to support FEMA's environmental and historic preservation compliance process. The purpose of this information is threefold. First, it helps a Sub-applicant understand the compliance requirements for the proposed project and how in meeting some of those requirements, the overall design and cost of the project may be affected. Second, this information helps the reviewers and evaluators determine how well the Sub-applicant understands these issues and has addressed them in the project design. And third, if the project is selected, this information can be helpful in expediting the actual environmental and historic preservation compliance process that FEMA must complete before final approval and funding of the project. Funds will not be awarded and the Sub-applicant may not initiate the project until FEMA has completed its review.

The following list identifies a few examples of the many laws and Executive Orders for which Federal review is required:

- National Environmental Policy Act (NEPA);
- National Historic Preservation Act (NHPA);
- Endangered Species Act (ESA);
- Executive Orders on Wetlands, Floodplains, and Environmental Justice.

### **4.8.1. SCOPE OF WORK**

An accurate and thorough Scope of Work (SOW) provides crucial information to FEMA when undertaking environmental/historic preservation review (see Section 4.4, Scope of Work). The SOW must include a description of the proposed action, the specific project location(s) and the means to implement and construct the proposed project. The Sub-applicant must include:

- A description of the proposed project and extent of ground disturbance, giving the dimensions (area, volume, depth, etc.) and location(s);
- A description of any associated construction activities such as temporary access roads, staging yards, or borrow areas; and,
- A graphic and visual representation of the proposed project location(s) on at least a 1:24,000 scale USGS topographic map or similar map, site plan and relevant photographs.

### **4.8.2. ENVIRONMENTAL/HISTORIC PRESERVATION QUESTIONS**

In addition to the information provided in the SOW, Sub-applicants must answer a series of environmental/historic preservation questions to provide information about potential environmental resources and/or historic properties in the project area, and potential impacts to those resources. If the Sub-applicant identifies potential resources, specific additional information must be provided in order for the project sub-application to be complete. It is important to cite the source and date for all information provided.

FEMA will review the completeness of the responses to the questions in the Environmental/Historic Preservation section of the project sub-application and supporting documentation and will not consider projects for funding if the application does not include the basic required information (see Section 3.8.1, FEMA Review).

The required information includes:

- The property address and original date of construction for any buildings or structures that are 50 years or more in age;
- Any identified Federally listed threatened or endangered species and their designated critical habitat in the project area;
- Vegetation, including amount (area), type, and extent to be removed or affected;
- Identification of all water bodies in the project area regardless of whether the Sub-applicant thinks there may be an effect. Information about the water bodies should include their dimensions, proximity of the project activity to the water bodies, and the expected and possible changes to the water bodies, if any; and,
- Description of any disproportionate or adverse effects on low or minority populations in the project area.

To enhance competitiveness of project sub-applications and expedite the environmental approval process, FEMA strongly encourages the Sub-applicant to:

- Work with Federal and state resource agencies to begin collecting information about potential environmental or historic preservation impacts from the proposed project and provide any documentation from the resource agency;
- Evaluate if any identified environmental or historic preservation impacts could affect the overall project feasibility or if project alternatives or changes to the design, scope or location of the project may be required to minimize potential adverse impacts;
- Determine if potential remediation actions, treatment measures or changes to the project to minimize adverse effects to environmental resources or historic properties may affect the overall project costs; and,
- Provide as much supporting documentation as available at the time of the sub-application submission, including clearly labeled maps, diagrams, photographs, or letters/documentation from resource agencies.

FEMA will use the information provided in the Scope of Work, Cost Estimate, and Environmental and Historic Preservation section of the project sub-application to perform an Environmental Technical Review of the proposed projects. The Environmental Technical Review may identify issues that could affect the feasibility of the project and the confidence in the BCA in the National Ranking and Evaluation process (see Sections 4.11.2 and 4.11.3, National Ranking and National Evaluation).

#### **4.8.3. CONDITIONS FOR THE AWARD OF FUNDS**

For mitigation projects selected for award, FEMA will complete the environmental/historic preservation review with the assistance of both the Applicant and the Sub-applicant as part of its Pre-Award Activities (see Section 4.12, FEMA Pre-Award Activities). Environmental remediation actions or historic preservation treatment measures may be required as conditions of the grant award to avoid, minimize or compensate for adverse effects caused by the project. These conditions may include a broad range of potential remediation actions or treatment measures that result from FEMA's consultation with the appropriate Federal or state resource agency. Depending on the type of property or resource affected and the scope of the project, the remediation or treatment measures may be minimal or extensive.

It may be possible for the Sub-applicant to avoid or minimize adverse effects by revising the SOW. This revision must be done prior to the final submission of the Sub-application since FEMA will not consider changes to the SOW between the application deadline and the completion of the selection and award process (see Section 4.4, Scope of Work). The Sub-applicant should explain in the revised SOW how any identified impacts to environmental resources and/or historic properties will be addressed.

The Sub-applicant must ensure to the best of their ability that costs of any conditions of the award to address potential adverse impacts are realistically reflected in the Cost Estimate (see Section 4.5, Cost Estimate). The Sub-Applicant is encouraged to provide an explanation of how the Cost Estimate was developed to include costs associated with anticipated environmental/historic preservation remediation or treatment measures. All such costs identified through the review and consultation process may be cost shared if included as part of the project sub-application Cost Estimate.

The amount of the Federal share will not be increased to cover any additional costs identified after the application deadline. If the estimated additional cost of the remediation actions or treatment measures exceed the Cost Estimate submitted, the Applicant or Sub-applicant may accept the grant award and pay the additional costs or decide not to accept the grant award.

FEMA may rescind the grant if any conditions of the grant award are not implemented as agreed upon or if the Sub-applicant initiates the project prior to FEMA's completion of the environmental/historic preservation review. FEMA and the Applicant should complete the environmental/historic preservation review within nine months of selection or the project may not be funded.

#### **4.9. EVALUATION INFORMATION**

The questions in the Evaluation Information section of the PDM project sub-application will be used to support competitiveness in both the National Ranking and Evaluation processes. Therefore, please provide complete responses for each question, although information may be duplicated in another section of the project sub-application.

The Applicant may be better able to address the following questions than the Sub-applicant:

- How does this mitigation activity comply with Federal laws and Executive Orders, and how is it complementary to other Federal programs? What is the Benefit-Cost Ratio for the entire project (*i.e.*, What is the Net Present Value of Project Benefits divided by the Total Project Cost Estimate)? The Benefit-Cost Analysis must be provided with the project sub-application (see Section 4.7, Benefit-Cost Analysis).
- Analysis Type; and,
- What is the primary hazard data used for the BCA?

However, if the Sub-applicant responds to these questions, the Applicant should review the information before submitting the project sub-application.

#### 4.10. PROJECT SUB-APPLICATION CHECKLIST

Mitigation project sub-applications **must** include the following to be eligible for consideration under the PDM grant program:

1. **Applicant Information:** Provide name, type, and location of the Sub-applicant, State and Federal tax numbers, and Federal Employer Identification Number;
2. **Contact Information:** Provide the name, agency, and address for the point of contact for the sub-application;
3. **Sub-application Name:** Applicants should verify that the sub-application name includes the location of the proposed activity and the activity type.
4. **Community Information:** Provide the name of the community that will benefit from the sub-application, including a Community Profile with a brief description of the community to include population, location, any geographic areas of interest, description of critical facilities of a national, statewide, or regional significance (*e.g.*, military bases, hydroelectric dams), a synopsis and history of hazards affecting the community, and other applicable information that will clarify the need for the mitigation project;
5. **Mitigation Plan Information:** Indicate whether the entity that will benefit from the sub-application and the state/Indian tribe are covered by a FEMA-approved multi-hazard mitigation plan and describe the project's consistency with the State/Tribal Mitigation Plan;
6. **Mitigation Activity Information:** Indicate the type and title of the proposed project, and whether construction is involved;
7. **Hazard Information:** Describe the hazard to be mitigated by the project, identify the geographic area covered, the hazards to be addressed, and Flood Insurance Rate Map information, if applicable;
8. **Scope of work:** Describe the objectives, methodology, feasibility, outcomes, timeline, milestones, resources, deliverables, and benefits of as well as reasons for the proposed project, including work schedule/tasks for each activity and who will complete each task (See Section 4.4, Scope of Work);
9. **Properties:** Provide a list of properties (and alternative properties) to be mitigated. The property information history must include owner name, address, latitude and longitude (see Section 4.3, Mitigation Project Requirements), type of structure, hazard to be mitigated, damage category, year built, flood zone designation, NFIP repetitive loss number (if applicable), property action, and property Benefit-Cost Analysis information;
10. **Decision Making Process:** Describe the process used to determine that the proposed project is the best alternative to solve the identified problem and any alternatives to the proposed mitigation project considered to address the hazard identified along with the reasons these alternatives were not selected;
11. **Cost Estimate:** Provide all anticipated and potential costs for each proposed project activity, including Federal and non-Federal shares (see Section 4.5, Cost Estimate). Provide an Approved Indirect Cost Agreement, if applicable;
12. **Match Sources:** Provide the non-Federal cost share for the proposed activity, including documentation to support the non-Federal cost share and Sub-applicant status as a small, impoverished community, if appropriate, for Federal cost share of up to 90 percent (see Section 2.8, Cost Share Requirements);
13. **Cost-Effectiveness Information:** Provide complete Benefit-Cost Analysis documentation (see Section 4.7, Benefit-Cost Analysis), including damage history,

methodology used for the event frequency determination, and all BCAs to support the project Benefit-Cost Ratio;

14. **Environmental/Historic Preservation:** Provide complete responses to established Environmental/Historic Preservation questions, and complete environmental/historic documentation (see Section 4.8, Environmental/Historic Preservation Compliance);
15. **Maintenance Schedule:** Provide a maintenance schedule, including cost information, and identify the entity that will perform long-term maintenance (see Section 4.3.8, Project Maintenance);
16. **Evaluation Information:** Provide responses to the questions for each sub-application for competitive National Ranking and Evaluation, including documentation for the Benefit-Cost Analysis (see Section 4.9, Evaluation Information); and,
17. **Assurances and Certifications:** Complete the Summary Sheet for Assurances and Certification, FEMA Form 20-16, if applicable; Assurances - Non-Construction Programs, FEMA Form 20-16A, if applicable; Assurances - Construction Programs, FEMA Form 20-16B, if applicable; Certification Regarding Lobbying; Debarment, Suspension and Other Responsible Matters; and Drug-Free Workplace Requirements, FEMA Form 20-16C; and, Disclosure of Lobbying Activities, Standard Form LLL.

## **4.11. FEMA REVIEW, NATIONAL RANKING AND NATIONAL EVALUATION**

### **4.11.1. FEMA REVIEW**

FEMA will review all project sub-applications to ensure the following:

- Eligibility of the Applicants and Sub-applicants (see Section 2.3, Grant Program Eligibility);
- Eligibility of proposed activities and costs (see Section 4.1, Eligible Mitigation Project Activities);
- Completeness of the sub-application (See Section 4.10, Project Sub-application Checklist);
- Completeness of Scope of Work (see Section 4.4, Scope of Work);
- Completeness of the Cost Estimate and consistency with the Scope of Work (see Section 4.4, Cost Estimate);
- Eligibility and availability of non-Federal cost share (see Section 2.8, Cost Share Requirements);
- State/Indian tribal, local, and/or university planning requirements are met (see Section 4.3, Mitigation Project Requirements);
- Consistency of mitigation projects with the Applicant's FEMA-approved Mitigation Plan;
- Engineering feasibility of mitigation projects, including complete supporting documentation (see Section 4.6, Engineering Feasibility);
- Benefit-cost ratio of 1.0 or greater for the proposed mitigation project;
- Technical accuracy, complete supporting documentation, and source credibility of the Benefit-Cost Analysis (see Section 4.7, Benefit-Cost Analysis);
- Complete responses to the Environmental/Historic Preservation Questions and supporting documentation and inclusion of appropriate environmental resource remediation and historic property treatment measures in project Cost Estimate (see Section 4.8, Environmental/Historic Preservation Compliance); and,

- Complete responses to Evaluation Information questions for National Ranking and Evaluation, including the Benefit-Cost Analysis (see Section 4.9, Evaluation Information).

**Sub-applications that do not satisfy the eligibility and completeness requirements will be removed from further consideration and will not be selected for award.**

#### **4.11.1.1. ENGINEERING FEASIBILITY TECHNICAL REVIEW**

Given the technical nature of mitigation projects and the relative importance of engineering feasibility in the National Ranking and Evaluation process (see Sections 4.11.2 and 4.11.3, National Ranking and National Evaluation), FEMA will convene an Engineering Feasibility Technical Review panel of subject matter experts to conduct a detailed and comprehensive review of all eligible mitigation projects. The Engineering Feasibility Technical Review will be based solely on the information provided in the project sub-application. FEMA will not contact the Applicants or Sub-applicants to request additional information or clarification on the engineering feasibility documentation in the project sub-application.

FEMA has developed a methodology for the Engineering Feasibility Technical Review panel to determine an Engineering Feasibility Factor based on the following elements:

1. Documentation;
2. Effectiveness at mitigating the hazard(s) for which the project was designed;
3. Conformance to accepted engineering practices (codes, standards, modeling techniques, or best practices);
4. Compliance with applicable state and local building code, or national model building code;
5. Accuracy of the Cost Estimate (see Section 4.5, Cost Estimate); and
6. Feasibility of the Scope of Work (see Section 4.4, Scope of Work).

##### 1. Documentation

FEMA will review the documentation in the project sub-applications to rate its adequacy to support a determination of the project's feasibility. Project sub-applications that do not include adequate documentation will be less competitive, or in some cases, may be deemed completely inadequate and removed from PDM funding consideration.

##### 2. Effectiveness at mitigating the hazard(s) for which the project was designed

The Scope of Work must be detailed enough to provide a clear understanding of the objectives of the project as well as the methodology that will be used. FEMA will determine if the proposed project is effective at reducing future damages and losses. This determination will rely on documentation provided in the sub-application regarding the frequency and magnitude of the potential future hazard events.

##### 3. Conformance to accepted engineering practices (codes, standards, modeling techniques, or best practices)

FEMA will determine if the parameters, assumptions, and methodologies used in the project design are documented and reasonable. Further, FEMA will determine if the

proposed mitigation action has been demonstrated to be appropriate for the hazard(s) described.

#### 4. Compliance with applicable state, local, and model building codes

Project sub-applications must contain copies of or adequate references to all applicable codes and standards for the proposed mitigation action. FEMA will determine if the project design documentation demonstrates compliance with applicable state, local and model building codes.

#### 5. Accuracy of the Cost Estimate

Project costs should be fully documented and reference credible, appropriate, and reliable sources. FEMA will determine if the Cost Estimate is reasonable for the project type, includes all anticipated and potential costs associated with the implementation of the proposed project (*e.g.*, annual maintenance costs or environmental costs, such as asbestos removal), and includes specific line items that are consistent with the Scope of Work.

#### 6. Feasibility of the Scope of Work

FEMA will determine if the Work Schedule includes all anticipated phases of implementation and if all timeframes included are consistent with the project design in the Scope of Work. Further, FEMA will determine if the project can be completed or constructed as described.

The Engineering Feasibility Technical Review may identify issues that could affect the confidence in the BCA in the National Ranking and Evaluation process (see Sections 4.11.2 and 4.11.3, National Ranking and National Evaluation).

#### **4.11.1.2. BENEFIT-COST TECHNICAL REVIEW**

Given the technical nature of the BCA and its importance in the National Ranking and Evaluation process (see Sections 4.11.2 and 4.11.3, National Ranking and National Evaluation), FEMA will convene a Benefit-Cost Technical Review panel of subject matter experts to conduct a detailed and comprehensive review of the BCAs for all eligible mitigation projects.

The Benefit-Cost Technical Review will be based solely on the documentation provided in the project sub-application. FEMA will not contact Applicants or Sub-applicants to request additional information or clarification on BCA documentation in the sub-application during the FEMA Review.

FEMA has developed a review methodology based on a series of key data points related to FEMA's BCA software that have a significant influence on the outcome of the analysis. The technical review process will focus on the data that have the greatest impact on the BCR. FEMA will determine the reasonableness, credibility, and accuracy of all BCAs by reviewing each data point of the BCA in three key areas:

1. Technical accuracy;
2. Supporting documentation; and
3. Source credibility.



### 1. Technical Accuracy

FEMA has established a series of review criteria for each combination of hazard and analysis type (engineering data or frequency-damage). The points of greatest influence differ depending upon the hazard being addressed and the chosen methodology. The BCA review methodology associates higher weight to data points of greater importance.

### 2. Supporting documentation

Every data point in the BCA should be clearly documented. Deviations from standard procedures, guidance, techniques, or FEMA default values must be thoroughly explained and documented. The BCA review methodology associates higher weights to better documentation of data derivation methods and assumptions in the project application. Projects not adequately documented will be less competitive, or in some cases, may be deemed completely inadequate and removed from funding consideration.

### 3. Source Credibility

The more technical the data and the more it influences the outcome of the BCA, the more emphasis the Benefit-Cost Technical Review panel will place on the credibility of its source. Data used in the BCA must be from a reliable source (*i.e.*, licensed engineer, architect, or appropriate local official).

BCAs that are technically correct and thoroughly documented will be validated and the BCR incorporated directly into the National Ranking and Evaluation. However, the Benefit-Cost Technical Review panel may revise the BCA/BCR submitted by an Applicant/Sub-applicant when insufficient or conflicting information is provided in the project sub-application in order to ensure a more level nationally-competitive playing field. In these instances, the panel will prepare new, technically correct and defensible BCAs as follows:

- Resolve conflicting information between the application, support data, and BCAs;
- Correct user input errors in the BCAs;
- Use FEMA default values in the BCAs instead of “User-defined” values not substantiated in the application;
- Include all documented project and maintenance costs in the BCAs;
- Use data in the application that was not included in the Applicant’s BCAs to improve the accuracy of the BCAs; and,
- Remove unsubstantiated benefits from the BCAs.

The panel will not increase BCRs. If the Benefit-Cost Technical Review panel deems the BCA completely inadequate, the project will be removed from funding consideration. Projects with BCRs determined by the Benefit-Cost Technical Review panel as less than 1.0 will not be eligible for PDM funding. The Benefit-Cost Technical Review panel also will determine the confidence (expressed as a percentage) in the BCA based on its technical accuracy, supporting documentation, and source credibility. The BCA’s confidence will be a factor in the National Ranking and Evaluation process as well. Therefore, projects where BCAs are inadequately documented or where critical data or sources appear unreasonable will be less competitive, or in some cases, may be deemed completely inadequate and removed from funding consideration.

#### **4.11.1.3. ENVIRONMENTAL AND HISTORIC PRESERVATION TECHNICAL REVIEW**

FEMA will use the information provided in the Scope of Work (see Section 4.4, Scope of Work), Cost Estimate (see Section 4.5, Cost Estimate) and the Environmental/Historic Preservation questions (see Section 4.8, Environmental/Historic Preservation Compliance) to perform an Environmental/Historic Preservation Technical Review of projects.

The Environmental and Historic Preservation Technical Review will be based solely on the documentation provided in the project sub-application. FEMA will not contact Applicants or Sub-applicants to request additional information or clarification on documentation in the sub-application.

The Environmental/Historic Preservation Technical Review may identify issues that could affect the engineering feasibility and the confidence in the BCA in the National Ranking and Evaluation process (see Sections 4.11.2 and 4.11.3, National Ranking and National Evaluation).

#### **4.11.2. NATIONAL RANKING**

FEMA will score all eligible mitigation project sub-applications on the basis of predetermined, objective, quantitative factors to calculate a National Ranking Score (see Section 2.9.2, National Ranking). Ranking factors for mitigation projects and the respective weighting of each in the National Ranking are:

1. BCR by hazard based on FEMA's Benefit-Cost Technical Review (see Section 4.11.1, FEMA Review) (21 percent);
2. Confidence in the BCR based on FEMA's Benefit-Cost Technical Review (21 percent);
3. The priority rank given to the sub-application by the Applicant (see Section 2.7.2, Grant Application Checklist) (16 percent);
4. Engineering feasibility based on FEMA's Engineering Feasibility Technical Review (see Section 4.11.1.1, Engineering Feasibility Technical Review) (14 percent);
5. Community mitigation factors, including Community Rating System class, Cooperating Technical Partner, participation as a Firewise Community, adoption and enforcement of codes including the International Code Series and National Fire Protection Association 5000 Code, as measured by the Building Code Effectiveness Grading Schedule (10 percent);
6. Whether the Applicant has a FEMA-approved Enhanced State/Tribal Mitigation Plans (5 percent);
7. Whether the project protects critical facilities [*i.e.*, Hazardous Materials Facilities, Emergency Operation Centers, Power Facilities, Water Facilities, Sewer and wastewater treatment Facilities, Communications Facilities, Emergency Medical Care Facilities, Fire Protection, and Emergency Facilities] (5 percent);
8. The percent of the population benefiting, which equals the number of individuals directly benefiting divided by the community population (4 percent); and,
9. The status of Sub-applicant as a small, impoverished community (4 percent).

### **4.11.3. NATIONAL EVALUATION**

National panels will convene to evaluate project sub-applications forwarded from the National Ranking on the basis of predetermined qualitative factors to determine a National Evaluation Score for each project sub-application (see Section 2.9.3, National Evaluation). Evaluation factors for mitigation projects and the respective weighting of each in the National Evaluation are:

1. Implementation involves reasonable timeline and expectations (15 percent);
2. Sufficient staff and resources for implementation (14 percent);
3. BCR by hazard (11 percent);
4. Confidence in the BCR (11 percent);
5. Engineering feasibility (10 percent);
6. Protection of critical facilities (8 percent);
7. Performance measures (7 percent);
8. Long-term financial and social benefits proposed (7 percent);
9. Compliance with Federal laws and Executive Orders, to include Floodplain Management and Seismic Safety of Federal Buildings, and consistency with other Federal programs, such as American Heritage Rivers Initiative, SBA Mitigation Loan Program and EPA Watershed Initiative (6 percent);
10. Incorporates outreach activities that advance mitigation and/or serves as a model for other communities (4 percent);
11. Leverages partners to enhance outcome (4 percent); and,
12. Community mitigation factors (3 percent).

### **4.12. FEMA PRE-AWARD ACTIVITIES**

FEMA Regional Offices will work with Applicants who have project sub-applications selected for award to implement required pre-award activities prior to grant award (see Section 2.10.2, FEMA Pre-Award Activities). FEMA may, at its discretion, request information or documentation from Applicants to resolve outstanding administrative or procedural requirements as part of its pre-award activities as part of its pre-award activities.

#### **4.12.1. PROPERTY ACQUISITION AND RELOCATION REQUIREMENTS**

For property acquisition and relocation projects, the Applicant's agreement with the Sub-applicant regarding open space must be provided to FEMA for concurrence as well as the deed restrictions and signed statements of voluntary participation. Open space acquisition projects without these formal assurances will not be funded by the PDM program (see Section 4.3, Mitigation Project Requirements).

#### **4.12.2. SPECIAL FLOOD HAZARD AREA REQUIREMENTS**

For projects related to improved structures sited in SFHAs, FEMA will verify that participating property owners obtain flood insurance on the property before award and request assurance that flood insurance is maintained for the life of the property. Signed notices of the conditions for receiving FEMA grant funds for projects in a SFHA must be provided to FEMA prior to award. Properties that do not meet these requirements will not be eligible to receive assistance under the PDM program (see Section 4.3, Mitigation Project Requirements).

#### **4.12.3. GEO-CODING REQUIREMENTS**

FEMA will work with Applicants to ensure that geo-coding information is provided prior to award, including individual property information on properties mitigated, and project sites for mitigation activities such as stormwater management, road and bridge improvement, and critical facility protection, and flood control projects (see Section 4.3, Mitigation Project Requirements).

#### **4.12.4. TECHNICAL REVIEW REQUIREMENTS**

FEMA may determine that certain information is required from the Applicant or Sub-applicant before the grant award can be approved and issued based on issues identified by the Technical Review panels during the FEMA Review (see Section 4.11.1, FEMA Review). The Applicant or Sub-applicant will have to determine whether to accept the grant award and pay any additional costs required to obtain the required information or to withdraw the project sub-application.

#### **4.12.5. ENVIRONMENTAL AND HISTORIC PRESERVATION COMPLIANCE REQUIREMENTS**

FEMA will complete the environmental/historic preservation compliance review for projects selected for award as part of pre-award activities. Funds will not be awarded and the project cannot be initiated until FEMA has completed the environmental/historic preservation review. Certain projects are of a nature that environmental/historic review can be accomplished with the information provided in the sub-application. For those projects, the Applicant will not be contacted for further environmental/historic preservation information. Other projects will require some additional review, and a few will need extensive review. FEMA will often request that the Applicant and Sub-applicant work with FEMA in the review process.

FEMA will notify the Applicant if FEMA determines that certain environmental resource remediation or historic property treatment measures are required to address the environmental/historic impacts of a proposed project. The Applicant or Sub-applicant will then have to determine whether to accept the grant award and pay any additional costs of the remediation or treatment measures or withdraw the project sub-application. The amount of the Federal share for a project sub-application will not be increased to cover any additional costs. It is, therefore, essential that Applicants and Sub-applicants include costs associated with any anticipated environmental/historic preservation remediation or treatment measures in the Cost Estimate for the project (see Section 4.5, Cost Estimate). Expenses incurred by the Sub-applicant that are associated with eligible activities included in the Cost Estimate, occurring prior to award but after the issuance of the FY 2005 PDM Guidance, may be deemed as allowable pre-award costs and may be reimbursable once the project has been awarded (see Section 4.1.4, Pre-Award Project Costs).

#### **4.13. PERFORMANCE PERIOD**

Mitigation project sub-grant performance periods are limited to three years (see Section 2.3.4, Program Restrictions). Project sub-applications that exceed three years will not be considered for PDM funding. Mitigation projects must be completed within three years of award. Requests for extensions to the performance period will be considered but will not be approved automatically (see Section 2.13, Extensions).

## SECTION 5. TECHNICAL ASSISTANCE

Prior to the application deadline, FEMA will provide technical assistance to both Applicants and Sub-applicants by answering general questions about the Pre-Disaster Mitigation (PDM) program as well as providing general technical assistance related to planning and project sub-applications. After the application period has officially opened, FEMA will begin to provide technical assistance regarding the application process and the e-Grants system. FEMA encourages Applicants and Sub-applicants to seek technical assistance early in the application period by contacting their FEMA Regional Office (see Section 2.15, Regional Contact Information). However, receipt of technical assistance is not a guarantee of selection for award.

### 5.1. E-GRANTS HELPDESK

After the application period has officially opened, FEMA will provide technical assistance to Applicants and Sub-applicants specific to the electronic grants (e-Grants) system through the e-Grants Helpdesk, which can be reached via phone: 1-866-476-0544 or e-mail: [mtegrants@dhs.gov](mailto:mtegrants@dhs.gov). Standard and extended hours of operation may be obtained directly through FEMA's e-Grants website at <https://www.portal.fema.gov>.

### 5.2. PLANNING TECHNICAL ASSISTANCE

Prior to the application deadline, FEMA will provide general technical assistance to both Applicants and Sub-applicants related to the development of planning sub-applications. A Model Planning Scope of Work is available on the PDM web page: <http://www.fema.gov> or from the FEMA Regional Offices (see Section 2.15, Regional Contact Information). In addition, FEMA's planning web site: <http://www.fema.gov/fima/planning.shtm> provides additional planning resources.

### 5.3 PROJECT TECHNICAL ASSISTANCE

Prior to the application deadline, FEMA will provide general technical assistance to both Applicants and Sub-applicants related to project engineering feasibility, Benefit-Cost Analysis (BCA), and Environmental/Historic Preservation compliance. *However, in no case will technical assistance involve conducting a BCA, or reviewing project-specific information for completeness or technical feasibility.*

#### 5.3.1. ENGINEERING FEASIBILITY TECHNICAL ASSISTANCE

FEMA may provide technical assistance to Applicants and Sub-applicants regarding the level of documentation and the types of information that FEMA will need to adequately review the feasibility of proposed mitigation projects. In addition, FEMA may provide technical assistance to Applicants and Sub-applicants regarding the completeness and accuracy of project cost estimating for engineering costs.

To assist Applicants and Sub-applicants with the documentation of their proposed projects, FEMA has prepared Sample Engineering Case Studies. These case studies provide examples of the information needed for proposed mitigation projects. The case studies include general information that should be included in the application and highlight the importance of the Scope of Work and Cost Estimate sections of the project sub-application as they relate to

documentation for the engineering review. The case studies are not sample applications and should only be used as guidance. The case studies are available on FEMA's PDM web page: <http://www.fema.gov/fima/pdm> or from the Regional Offices (see Section 2.15, Regional Contact Information).

In addition a Help Module will be available to assist Applicants and Sub-applicants with developing the Scope of Work, Work Schedule, and Cost Estimate for project sub-applications. The Help Module will provide interactive and dynamic, context-sensitive help and resources throughout the development of a project application. The Help Module is linked to various sections of the project sub-application in the e-Grants system as well as to the PDM web page: <http://www.fema.gov/fima/pdm>.

### **5.3.2. BENEFIT-COST ANALYSIS TECHNICAL ASSISTANCE**

FEMA has prepared a Mitigation Benefit-Cost Analysis (BCA) Toolkit CD. This CD includes all of the FEMA BCA software, technical manuals, BCA training courses, and other supporting documentation. Applicants and Sub-applicants may obtain the FEMA Mitigation BCA Toolkit CD free from FEMA by contacting the Technical Assistance Helpline (see Section 5.3.4, Project Technical Assistance Helplines) or the applicable FEMA Regional Office (see Section 2.15, Regional Contact Information.)

While FEMA will provide technical assistance on the BCA data needs and documentation requirements, FEMA will not input data and/or run the BCA modules for Applicants or Sub-applicants. The BCA technical assistance provided to potential Applicants and Sub-applicants may cover:

- Use of the FEMA Mitigation BCA Toolkit CD;
- Use of the BCA Data Documentation Templates found on the Toolkit CD;
- Proper use and documentation of the BCA modules, procedures, assumptions, and methodologies;
- How to handle aggregate project BCA for multiple properties and methodologies; and,
- How to estimate project costs and prepare detailed Cost Estimates.

### **5.3.3. ENVIRONMENTAL/HISTORIC PRESERVATION TECHNICAL ASSISTANCE**

The Applicant and Sub-applicant may find specific guidance on completing the Environmental/Historic Preservation questions in the Environmental/Historic Preservation Information section of the project sub-application linked to this section in the e-Grants system as well as on FEMA's website at <http://www.fema.gov/ehp/slt.shtm>. In addition, a Help Module is available to assist Applicants and Sub-applicants with answering the Environmental/Historic Preservation questions and provides interactive and dynamic, context-sensitive help, instructions, and resources for each of the parts of the Environmental/Historic Preservation Information section of the project sub-application. The Help Module also highlights Environmental/Historic Preservation considerations that may need to be addressed in other parts of the project sub-application, such as the Scope of Work and Cost Estimate. The Help Module is linked directly to the Environmental/Historic Preservation Information section of the project sub-application in the e-Grants system as well as to the PDM web page: <http://www.fema.gov/fima/pdm>.

FEMA also offers training related to Environmental and Historic Preservation online through the National Emergency Training Center Virtual Campus. This interactive, computer-based, independent study course is designed to provide the user with the basic background and practical knowledge needed to participate in FEMA's Environmental and Historic Preservation Review process; help the user understand how the Environmental/Historic Preservation Review process applies to various projects proposed under FEMA's programs; and, provide the resources necessary for the user to accomplish Environmental/Historic Preservation responsibilities. The course includes interactive knowledge checks, case studies, and resource materials. Please visit the FEMA website at <http://www.fema.gov/ehp/is253/index.shtm> for more information about the online course or contact your FEMA Regional Office (see Section 2.15, Regional Contact Information).

#### **5.3.4. PROJECT TECHNICAL ASSISTANCE HELPLINES**

FEMA established Technical Assistance Helplines to provide assistance to Applicants and Sub-applicants with engineering feasibility; BCA, including BCA software, technical manuals, and other BCA references; and Environmental/Historic Preservation compliance for project sub-applications. The Helplines can be reached via phone: 1-866-222-3580 or e-mail: [enghelpline@dhs.gov](mailto:enghelpline@dhs.gov); [bchelpline@dhs.gov](mailto:bchelpline@dhs.gov); and [ehhelpline@dhs.gov](mailto:ehhelpline@dhs.gov), respectively, and guarantee a 48-hour response time.