

Hazard Mitigation Assistance Program Digest

2015



FEMA

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Introduction

FEMA offers three Hazard Mitigation Assistance (HMA) grant programs – the **Hazard Mitigation Grant Program** (HGMP), the **Pre-Disaster Mitigation** (PDM) program and the **Flood Mitigation Assistance** (FMA) program – to help States, Territories, Indian Tribal governments, local communities, private non-profits and businesses implement cost-effective, long-term mitigation measures for all natural hazards. Supporting this endeavor is most effective when all stakeholders share in a mutual understanding of program purpose, concepts, terminology and procedures. As part of this effort, FEMA has produced this digest of HMA program operational terms and references. The HMA Program Digest is intended to be an easy-to-read, easy-to-use, brief summary of the basic HMA program elements.

While the HMA Program Digest is primarily intended for those unfamiliar with the HMA programs, it also may serve as a reference for employees, applicants, and other stakeholders with many years of experience with the programs. Because the digest is not exhaustive, either in topics or in detail, information should be verified with the FEMA **HMA Unified Program Guidance** and FEMA HMA program officials before becoming the basis for decision making.

The HMA Program Digest is available at <http://www.fema.gov/hazard-mitigation-assistance>. Other key sources of HMA program information are the following:

- ◆ [HMA Unified Program Guidance and Addendum to HMA Unified Program Guidance;](#)
- ◆ [44 Code of Federal Regulations;](#)
- ◆ [The Robert T. Stafford Disaster Relief and Emergency Assistance Act, As Amended, 42 U.S.C. 5121 et seq.;](#)
- ◆ [The National Flood Insurance Act of 1968, As Amended, 42 U.S.C. 4001 et seq.](#)

Acronyms

AA	Advance Assistance
ASCE	American Society of Civil Engineers
BCA	Benefit-Cost Analysis
BCR	Benefit-Cost Ratio
BFE	Base Flood Elevation
BW-12	Biggert Waters Flood Insurance Reform Act of 2012
CBRA	Coastal Barrier Resource Act
CBRS	Coastal Barrier Resource System
C.F.R.	Code of Federal Regulations
DOB	Duplication of Benefits
DOP	Duplication of Programs
eGrants	Electronic Grants System
EFS	Elevated Foundation System Pilot
EHP	Environmental Planning and Historic Preservation
E.O.	Executive Order
ESA	Endangered Species Act
FCO	Federal Coordinating Officer
FEMA	Federal Emergency Management Agency
FFR	Federal Financial Report
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FMA	Flood Mitigation Assistance
FY	Fiscal Year
GIS	Geographic Information System
GSTF	Greatest Savings to the Fund
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
IBC	International Building Code
ICC	Increased Cost of Compliance
ICC ²	International Code Council
LPN	Large Project Notification
NEMIS	National Emergency Management Information System
NEPA	National Environmental Policy Act
NFIA	National Flood Insurance Act
NFIF	National Flood Insurance Fund

NFIP National Flood Insurance Program
NFPA National Fire Protection Association
NHPA National Historic Preservation Act
NRCS Natural Resources Conservation Service
OMB Office of Management and Budget
OPA Otherwise Protected Area
PA Public Assistance
PAS Program Administration by States Pilot
PDM Pre-Disaster Mitigation
PNP Private Non-profit
POC Point of Contact
POP Period of Performance
RFC Repetitive Flood Claims
RFI Request for Information
SBA Small Business Administration
SEI Structural Engineering Institute
SF Standard Form
SFHA Special Flood Hazard Area
SFM Strategic Funds Management
SHMO State Hazard Mitigation Officer
SOW Scope of Work
SRIA Sandy Recovery Improvement Act of 2013
SRL Severe Repetitive Loss
USACE U.S. Army Corps of Engineers
U.S.C. United States Code
USFA U.S. Fire Administration
USFWS U.S. Fish and Wildlife Service

Contents

Introduction	iii
Acronyms	iv
5 Percent Initiative	1
7 Percent Planning Allowance	2
8-Step Decision-Making Process	3
Accessibility	4
Advance Assistance Pilot	5
Aggregation	6
Alternate Activities	7
Appeals	8
Applicant	9
Application for HMA Funding	10
ASCE/SEI 24 Flood Resistant Design & Construction (ASCE/SEI 24)	11
Base Flood Elevation (BFE)	12
Benefit Cost Analysis (BCA)	13
Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12)	14
Closeout	15
Coastal Barriers Resources Act (CBRA)	16
Coastal Barriers Resources System (CBRS)	17
Coastal High Hazard Area	18
Climate Change and Resiliency Considerations	19
Code of Federal Regulations	20
Cost-Effectiveness	21
Cost Estimate	22
Cost Overruns and Underruns	23
Cost Share	24
Critical Facility	25

Dry Floodproofing	26
Duplication of Benefits (DOB)	27
Duplication of Programs (DOP)	28
Elevated Foundation System Pilot	29
Eligible Activity	30
Eligible Activity (Continued)	31
Eligible Costs	32
Endangered Species Act (ESA)	33
Enhanced State Mitigation Plan	34
Environmental Benefits	35
Environmental Planning and Historic Preservation (EHP)	36
Executive Order 11988 on Floodplain Management (E.O. 11988)	37
Executive Order 11990 on Protection of Wetlands (E.O. 11990)	38
Federal Financial Reports (FFR)	39
Federal Share	40
Federally-Recognized Tribe	41
FEMA-State Agreement or FEMA-Tribal Agreement	42
Flood Insurance Rate Map (FIRM)	43
Flood Mitigation Assistance (FMA) Program	44
Generators	45
Greatest Savings to the Fund	46
Hazard Mitigation Assistance (HMA) Guidance	47
Hazard Mitigation Grant Program (HMGP)	48
Hazard Mitigation Under Section 406 (Public Assistance)	49
HMGP Ceiling	50
Increased Cost of Compliance (ICC)	51
Large Project Notification (LPN)	52
Local Governments	53
Localized Flood Risk Reduction Projects	54

Major Disaster	55
Management Costs	56
Minimum Eligibility and Completeness	57
Mitigation Planning (Mitigation Plans)	58
Mitigation Project Alternatives	59
Mitigation Reconstruction	60
National Environmental Policy Act (NEPA)	61
National Flood Insurance Act of 1968, As Amended (NFIA)	62
National Flood Insurance Fund (NFIF)	63
National Flood Insurance Program (NFIP)	64
National Historic Preservation Act (NHPA)	65
NFIP-Participating Community	66
Noncompliance	67
Non-Localized Flood Risk Reduction Projects	68
Non-Structural Retrofitting of Existing Buildings	69
Performance Reports	70
Period of Performance	71
Phased Projects	72
Policy	73
Post-Disaster Mitigation Code Enforcement	74
Pre-Award Costs	75
Pre-Calculated Benefits for Property Acquisition and Elevation	76
Pre-Calculated Benefits (Residential Safe Rooms)	77
Pre-Calculated Benefits (Wind Retrofit)	78
Pre-Disaster Mitigation Program (PDM)	79
Private Non-Profit (PNP)	80
Program Administration by States (PAS) Pilot	81
Program Income	82
Project Approval (Notice of Award)	83

Project Monitoring	84
Property Acquisition and Demolition or Relocation for Open Space (Property Acquisition)	85
Reasonable Cost	86
Recipient	87
Reconsideration Process	88
Repetitive Loss Property	89
Request for Information (RFI)	90
Safe Room	91
Sandy Recovery Improvement Act of 2013 (SRIA)	92
Scope of Work (SOW)	93
Sea-Level Rise	94
Severe Repetitive Loss Property	95
Small Business Administration (SBA) Disaster Loan	96
Small Impoverished Community	97
Soil Stabilization	98
Special Flood Hazard Area (SFHA)	99
Stafford Act	100
State	101
State Administrative Plan	102
Strategic Funds Management (SFM)	103
Streamlining (HMGP)	104
Structural Retrofitting of Existing Buildings	105
Structure Elevation	106
Subapplicant	107
Subapplication for HMA Funding	108
Subrecipient	109
Substantial Damage	110
Substantial Damage Waiver	111
Substantial Improvement	112

Technical Feasibility and Effectiveness	113
Territory	114
Unified Federal Review	115
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)	116
Whole Community	117
Wildfire Mitigation	118
Wind Retrofit for One- and Two-Family Residences (Wind Retrofit)	119

5 Percent Initiative

The **5 Percent Initiative** allows **Recipients** under the **Hazard Mitigation Grant Program** (HMGP) to use up to five percent of total HMGP grant funds for projects that are difficult to evaluate using FEMA-approved cost-effectiveness methodologies, but which otherwise meet HMGP eligibility requirements. To demonstrate **cost-effectiveness** under the 5 Percent Initiative, applicants and subapplicants must provide a narrative description of the project's cost-effectiveness in lieu of a standard FEMA **benefit-cost analysis** (BCA).

Applicants cannot use the 5 Percent Initiative to fund mitigation activities that do not meet the required BCA threshold using a FEMA approved methodology. Activities funded under the 5 Percent Initiative must:

- ◆ Be difficult to evaluate against traditional program cost-effectiveness criteria;
- ◆ Comply with all applicable HMGP eligibility criteria and Federal, State, and local laws and ordinances;
- ◆ Be consistent with the goals and objectives of the State or federally-recognized tribe (Standard or Enhanced) and local or Tribal mitigation plans; and
- ◆ Be submitted for review with a narrative indicating there is a reasonable expectation that future damage or loss of life or injury will be reduced or prevented by the activity.

Activities that might be funded under the 5 Percent Initiative include (See HMA Guidance for additional activities):

- ◆ The use, evaluation, and application of new, unproven mitigation techniques, technologies, methods, procedures, or products;
- ◆ Equipment and systems for the purpose of warning citizens of impending hazards;
- ◆ Public awareness or education campaigns about mitigation; and

For all major disasters declarations, **Recipients** may request an additional 5 percent of available HMGP funds for activities that address promoting disaster-resistant codes for all hazards. The additional funds can be used for adopting and enforcing the latest International Building Code/International Residential Code; improving a BCEGS score; upgrading existing code to incorporate disaster-resistant code provisions and integrating flood-resistant elements of the building code into local floodplain management ordinances

Applicable HMA program(s): HMGP.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part VIII, A.14 (The 5 Percent Initiative), pages 111-113.

7 Percent Planning Allowance

Under FEMA's **7 Percent Planning Allowance** for the HMGP, the Recipient may use up to seven percent of the total **HMGP ceiling** to develop State, Tribal or local hazard **mitigation plans** to meet the planning criteria in 44 C.F.R. Part 201, Mitigation Planning. Recipients and subrecipients may develop new hazard mitigation plans, update existing hazard mitigation plans or engage in a planning related activity approved by FEMA. Funding under the 7 percent allowance must be used in accordance with HMGP **eligibility** requirements outlined in 44 C.F.R. § 206.434, Eligibility.

Applicable HMA programs: HMGP.

References: Sec. 322(d)(2) of the Stafford Act, as amended, 42 U.S.C. 5165(d)(2); 44 C.F.R. §§ 201.3(c)(4) and 206.434; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, E.1 (HMGP Funding Restrictions), page 53.

8-Step Decision-Making Process

The **8-Step Decision-Making Process** for floodplain management and the protection of wetlands applies to proposed actions located in the 100-year floodplain (or the 500-year floodplain for actions affecting **critical facilities**) which may adversely increase the **base flood** or adversely affect a wetland.

The 8-Step Decision-Making process is outlined in **44 C.F.R. Part 9, Floodplain Management and the Protection of Wetlands**, which incorporates the requirements of **Executive Order 11988 on Floodplain Management** and **Executive Order 11990 on the Protection of Wetlands**. 44 C.F.R. § 9.6, Decision-Making Process, requires FEMA to review all proposed actions in floodplains and wetlands and consider alternative locations to determine whether the floodplain or wetland is the only practicable location for that action. If the floodplain or wetland is the only practicable location, FEMA must take steps to avoid or minimize adverse impacts to the floodplain or wetland. Activities involving development will only be eligible for a grant if the Applicant demonstrates that there is no practicable alternative to such development in accordance with 44 C.F.R. § 9.9, Analysis and Reevaluation of Practicable Alternatives. Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 9.6-9.11 and 59.1; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, E (Floodplain Management and the Protection of Wetlands), page 17, and Part III, E.6.1 (Floodplain Management and Protection of Wetlands), page 48.

Accessibility

In conjunction with other program eligibility requirements, such as technical feasibility and cost effectiveness, the applicant should consider universal accessibility of the project, and plan the project for the whole community (when applicable), to include individuals with disabilities and others with access and functional needs.

Mitigation activities must adhere to all relevant statutes, regulations, and requirements, including Federal laws that prohibit discrimination in emergency programs on the basis of disability. These laws include:

- ◆ Rehabilitation Act of 1973
- ◆ Americans with Disabilities Act of 1990
- ◆ Stafford Act of 1988
- ◆ Post-Katrina Emergency Management Reform Act of 2006
- ◆ Fair Housing Act Amendments of 1988
- ◆ Architectural Barriers Act of 1968
- ◆ Individuals with Disabilities Education Act (IDEA) of 1975
- ◆ Telecommunications Act of 1996
- ◆ Twenty-First Century Communications and Video Accessibility Act of 2010

Applicable HMA Program(s): FMA, HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part II, C (Universal Accessibility and Mitigation), pg. 16; Part III, E.8 (Statutory, Regulatory and Other Requirements), pg. 50; and Hazard Mitigation Assistance Guidance Addendum (February 27, 2015), C.4.2 (Additional Project Guidance – Safe Rooms), pg. 53.

Advance Assistance Pilot

Advance Assistance (AA), a pilot program authorized by the **Sandy Recovery and Improvement Act** of 2013, allows FEMA to advance up to 25 percent of the **HMGP ceiling** or \$10 million, whichever is less, to Applicants to accelerate the implementation of the **HMGP**. The purpose of Advance Assistance is to provide resources to develop mitigation strategies and obtain data to prioritize, select and develop complete HMGP applications in a timely manner. HMGP Applicants include eligible **States, federally-recognized tribes** and **Territories**.

FEMA began implementing Advance Assistance on a pilot basis for any State, Indian Tribal government/federally-recognized tribe or Territory having a declaration with an open application period as of May 24, 2013. Advance Assistance is not automatic. Applicants may request Advance Assistance by submitting through the National Emergency Management Information System (NEMIS) either the standard HMGP application form, or the Advance Assistance Pilot Optional Application included in Appendix L of the HMA Guidance, to the Regional Mitigation Division. Applicants must identify the proposed use of the funds, including costs in sufficient detail for each proposed activity and milestones for submitting completed HMGP applications to FEMA. Advance Assistance is subject to the HMGP cost share requirements and **Strategic Funds Management** (i.e., FEMA will not obligate funds until the State has an immediate need for the funds).

Applicable HMA programs: HMGP.

References: Sec. 404 of the Stafford Act, as amended, 42 U.S.C. 5170(c); FEMA Memorandum May 24, 2013: Advance Assistance for HMGP under the Sandy Recovery and Improvement Act (SRI-) - Amended; Hazard Mitigation Assistance Program (HMGP) Advance Assistance Pilot - Frequently Asked Questions; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, K (Advance Assistance), pages 22-23 and Part VIII, A.12 (Advance Assistance), pages 108-110,.

Aggregation

Aggregation is a method of evaluating **cost-effectiveness** that involves combining benefits from multiple activities, multiple jurisdictions and sometimes multiple hazards, such as wind and flood, as part of the same project. An evaluation of the cost-effectiveness of a project should include all activities included within the **scope of work**.

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelp@fema.dhs.gov.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, I.2 (Aggregation), page 65.

Alternate Activities

Alternate Activities under the HMA programs refer to alternative actions that FEMA must consider when funding mitigation measures located in floodplains, wetlands or other areas of environmental impact.

FEMA is required to review all proposed actions located in the 100-year floodplain (500-year for critical actions) or that increase the base flood or adversely affect a wetland. When these conditions exist, FEMA is required to complete the **8-Step Decision-Making Process** outlined in 44 C.F.R. § 9.6. FEMA must consider alternative locations to determine whether the floodplain or wetland is the only practicable location for that action. If the floodplain or wetland is the only practicable location, FEMA must avoid or must minimize adverse impacts to the floodplain or wetland. FEMA must also comply with all **environmental planning and historic preservation** (EHP) laws and regulations (44 C.F.R. Part 10 or superseding FEMA Directive 108-1 and Manual 108-1-1), which may include identifying alternate locations or alternatives to the proposed project and, as necessary, modifying the project.

Alternate Activities refers only to FEMA's requirements to protect floodplains, wetlands and environmental and cultural resources. Alternate Activities are distinguished from FEMA's requirement for **Mitigation Project Alternatives**.

Applicable HMA programs: FMA, HMGP, PDM.

References: 44 C.F.R. §§ 9.9 and 10.4(b)(4); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, Figures 3 (General Steps in Project Scoping Process) and 4 (Frontloading EHP and the Formal Review Process), pages 14 and 20; Part II, E (Floodplain Management and Protection of Wetlands – Critical Action definition), page 17; Part IV, K (Environmental Planning and Historic Preservation Documentation), pages 70-73 and Appendix IX (EHP Checklist), pages 146-147; NEPA Job Aid, 8 Step Job Aid, 2015 HMA Guidance, and FEMA Directive 108-1, Environmental Planning and Historic Preservation Responsibilities and Program Requirements, and FEMA Manual 108-1-1, Manual on Implementation of Environmental Planning and Historic Preservation Requirements.

Appeals

An **Appeal** is an action by an eligible **subapplicant**, **subrecipient**, or **Recipient** to contest a FEMA determination that denies Federal assistance under **HMGP**. Appeals must be in writing and contain documentation that justifies the request for reconsideration. The appeal should specify the monetary figure in dispute and the provisions in Federal law, regulation, or policy with which the appellant believes the initial action was inconsistent.

There are two levels of appeals. The FEMA Regional Administrator adjudicates first appeals and the Deputy Associate Administrator for Mitigation adjudicates second appeals.

If FEMA approves an appeal, the FEMA Regional Administrator will take the appropriate action to implement the decision. If the FEMA Regional Administrator denies the appeal, the appellant may submit a second appeal to the Deputy Associate Administrator for Mitigation through the Regional Administrator. Additional information regarding appeals can be found at 44 C.F.R. § 206.440, Appeals.

FMA and PDM use a **reconsideration process** versus an appeal process.

Applicable HMA programs: HMGP.

References: 44 C.F.R. § 206.440; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VIII, A.15 (Appeal Process) page 113.

Applicant

The **Applicant** is the entity, such as a **State, Territory, or federally-recognized tribe**, applying to FEMA for an HMA grant that will be accountable for the use of funds in accordance with HMA eligibility criteria and all other applicable Federal, State, and local laws, regulations and ordinances. FEMA awards grant funds to the Applicant, which is also referred to as **Recipient**.

Eligible Applicants for HMA grants include the 50 States, the District of Columbia, American Samoa, Guam, the U.S. Virgin Islands, Puerto Rico, the Northern Mariana Islands, and federally-recognized tribes. Each State, Territory, Commonwealth, or federally-recognized tribe designates one agency, such as the State emergency management agency or a similar office, to serve as the Applicant for each HMA program. A federally-recognized tribe may have the option to apply for HMA grants through the State as a subapplicant or directly to FEMA as an Applicant.

The Applicant is responsible for soliciting **subapplications** from eligible **subapplicants**, assisting in subapplication preparation, and submitting eligible, complete subapplications to FEMA in priority order. After FEMA awards funds, the Applicant as Recipient is responsible for administering the grant, including compliance with HMA program requirements and other applicable Federal, State, Territorial, and Federally-recognized tribal laws and regulations. As the Recipient, the Applicant is also responsible for financial management of the program and overseeing all approved projects for subrecipient(s).

Applicable HMA programs: FMA, HMGP, PDM.

References: 2 C.F.R. § 200.331; 44 C.F.R. §§ 79.2 and 206.431; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, C (Roles and Responsibilities), pages 5-6 and Part III.A (Eligibility Information), page 25.

Application for HMA Funding

The **Application for Hazard Mitigation Assistance (HMA) Funding** is a formal request for FEMA mitigation assistance submitted by an eligible **Applicant**, such as a State, Territory, or federally-recognized tribe, that will be accountable for the use of the funds. Applications include completed and prioritized **subapplications** from eligible communities. Applicants must specify the HMA program under which they are requesting funds. FEMA will only consider applications submitted for funding under a specific HMA program (the FMA, HMGP, or PDM). Applications must meet minimum **eligibility and completeness** requirements. **Eligible activities** include mitigation projects, mitigation planning and management costs. Advance Assistance is eligible only under the HMGP. All applicants must have a FEMA approved State or Tribal Mitigation Plan.

For the HMGP, the application period begins on the date when HMGP is authorized, which is generally the date of disaster declaration. HMGP **period of performance** begins with the opening of the application period and ends no later than 36 months from the close of the application period. FEMA will establish the final amount of HMGP funding available (**HMGP ceiling**) for each disaster 12 months after the disaster declaration. The Applicant must submit all HMGP subapplications to FEMA within 12 months of the date of the disaster declaration. Applicants submit HMGP subapplications through the National Emergency Management Information System (see **NEMIS**). HMGP applicants may use the application development module of NEMIS to create project applications and submit them to the appropriate FEMA Region in digital format for the relevant disaster.

Congress appropriates funds for the FMA and PDM annually. Upon receipt of appropriated funds, FEMA will publish a Notice of Funding Opportunity on Grants.gov, which starts the application period. The PDM and FMA **period of performance** begins with the opening of the application period and ends no later than 36 months from the date of subapplication selection. Applicants submit applications for the PDM Program and FMA through the **eGrants** system. The eGrants system allows applicants to electronically create, review, and submit a grant application to FEMA via the Internet. Applicants and subapplicants can access eGrants at <https://portal.fema.gov/famsVuWeb/home>.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. Part 200; 44 C.F.R. §§ 79.5 and 206.436; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV (Application and Submission Information) pages 52-74.

ASCE/SEI 24 Flood Resistant Design & Construction (ASCE/SEI 24)

The **American Society of Civil Engineers/Structural Engineering Institute 24, Flood Resistant Design and Construction (ASCE/SEI 24)** is a consensus-developed standard for minimum requirements for the flood-resistant design and construction of structures located in flood hazard areas. ASCE/SEI 24- is a referenced standard in the *International Building Code (IBC)*.

FEMA requires that HMA applicants and subapplicants design and construct all projects located in flood hazard areas in conformance with ASCE/SEI 24-14, or latest edition, as a minimum standard, or the Applicant's equivalent minimum design standard. In the application development, review, and approval phase (pre-award stage), HMA applicants and subapplicants will need to provide an affirmative certification statement (in narrative form) demonstrating the planned use of ASCE/SEI 24-14, or latest edition, in implementing the HMA project post-award. Implementation guidance is provided in: [Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects \(FEMA 2013\)](#). A statement by the Applicant certifying that the project will be designed in conformance with ASCE/SEI 24-14, or latest edition, will satisfy the **feasibility and effectiveness** requirement for an HMA grant. The ASCE/SEI 24-14 standard is applicable to **structure elevation, mitigation reconstruction, elevated foundation system and dry floodproofing**.

Applicable HMA programs: FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, F (Programmatic Changes), page 12; Part III, E.1.1 (Mitigation Projects), page 34, Part IV, J (Feasibility and Effectiveness), page 70 and Part V, A.3.3 (Certain Flood Mitigation Projects), page 76; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part D, D.3.4 (Codes and Standards), pages 65-66, Part E, E.2 (Additional Project Eligibility Requirements), page 74, Part E, E.4.1 (Elevations Methods), pages 76-77 and Part F, F.3 (Use of ASCE 24-14 as Minimum Design Requirements for Certain Flood Risk Reduction Activities), pages 83-84; FEMA Policy 205-080-01– Elevated Foundation Systems; *Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects (FEMA 2013)*; *American Society of Civil Engineers/Structural Engineering Institute 24-14, Flood Resistant Design and Construction (ASCE/SEI 24-1414)*.

Base Flood Elevation (BFE)

The **Base Flood Elevation (BFE)** is the elevation shown on the **Flood Insurance Rate Map (FIRM)** for Zones AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, V1–V30, and VE that indicates the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year.

FEMA requires HMA **applicants** and **subapplicants** to identify the BFE or Advisor Base Flood Elevation (ABFE) for flood hazard mitigation projects, including **structure elevation, elevated foundation system pilot, mitigation reconstruction** projects, and floodproofing of non-residential structures. FEMA generally requires structures to be elevated to the BFE or ABFE or higher in compliance with appropriate floodplain management regulations.

Following large events, FEMA performs an assessment to determine whether the 1% annual chance flood event shown on the effective FIRMS adequately reflect the current flood hazard. In some cases, due to the age of the analysis and the science used to develop the effective FIRMS, FEMA determines there is a need to produce ABFEs. ABFEs are provided to communities as a tool to support their recovery and strengthen their resilience to future storms.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 59.1, 79.6(c)(2)(ii) and 206.434; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), pages 34-35; FEMA Policy 205-080-01– Elevated Foundation Systems, March 18, 2013.

Benefit Cost Analysis (BCA)

Benefit-Cost Analysis (BCA) is a quantitative procedure that assesses the **cost-effectiveness** of a hazard mitigation measure by taking a long-term view of avoided future damages as compared to the cost of a project.

Applicants and subapplicants must use a FEMA-approved BCA methodology to demonstrate cost-effectiveness. Cost-effectiveness is typically demonstrated by the calculation of a Benefit Cost Ratio (BCR). Projects for which the discounted value of future benefits exceeds the current costs are generally considered cost-effective. Benefits may include avoided damages, loss of function, and displacement. FEMA BCA methods available to HMA applicants and subapplicants include:

5 Percent Initiative	Environmental Benefits	Substantial Damage Waiver
Aggregation	Greatest Savings to the Fund	Landslide Property Acquisition
Global Benefit-Cost Analysis for Property Acquisition and Elevation	Pre-Calculated Benefits for Safe Rooms, Acquisitions and Elevations in SFHA, and Wind Retrofit Projects	Sea Level Rise (Climate Change)

FEMA provides BCA software that allows applicants and subapplicants to calculate a project BCR. Written materials and training are also available. The FEMA BCA software uses Office of Management and Budget (OMB) Circular A-94, *Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs*. FEMA requires using approved BCA software (version 5.0 or greater) to help ensure that calculations are consistent with OMB Circular A-94. FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelpine@fema.dhs.gov.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Secs. 203(b) and 404(a) of the Stafford Act, as amended, 42 U.S.C. 5133(b) and 5170c(a); Sec. 1366(c)(2)(A)(i) of the National Flood Insurance Act (NFIA), as amended, 42 U.S.C. 4104c(c)(2)(A)(i); 44 C.F.R. §§ 79.6(d)(5) and 206.434(c)(5); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV.I (Cost-Effectiveness), pages 64-65.

Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12)

The **Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12)** amended the **National Flood Insurance Act** of 1968. Key provisions of the legislation required the **National Flood Insurance Program** (NFIP) to raise rates to reflect true flood risk, make the program more financially stable, and change how **Flood Insurance Rate Map** (FIRM) updates impact policyholders.

BW-12 also eliminated the **Repetitive Flood Claims** (RFC) and **Severe Repetitive Loss** (SRL) programs and authorized a new **Flood Mitigation Assistance** (FMA) program. Key components of the new FMA program include:

- ◆ Modified definitions of **repetitive loss** and **severe repetitive loss** properties;
- ◆ Eliminated the State cap of \$10 million or community cap of \$3.3 million for FMA funding within any 5-year period;
- ◆ Eliminated the limit on in-kind contributions for the **non-Federal cost share** (previously limited to one-half of the non-Federal share);
- ◆ Made Mitigation reconstruction is an eligible activity;
- ◆ Changed cost share requirements to allow more Federal funds for properties with repetitive flood claims (90% **Federal share**) and severe repetitive loss properties (100% Federal share);
- ◆ Limited funds for the development or update of mitigation plans to \$50,000 Federal share to any Applicant or \$25,000 Federal share to any subapplicant; and
- ◆ Removed the restriction that State or community planning grants can only be awarded once every 5 years.

Applicable HMA program(s): FMA.

Reference: Biggert-Waters Flood Insurance Reform Act of 2012, Public Law 112–141, 42 U.S.C. 4001, et seq.

Closeout

Closeout is the process by which a Federal awarding agency determines that all applicable administrative actions and all required work of the award have been completed by the recipient and Federal awarding agency.

Upon completion of an HMA federal award or subaward activity, the **Recipient** and **subrecipient(s)** are required to **close** out the subaward or federal award in accordance with 2 C.F.R. § , Closeout. The project file should document that the:

- ◆ Approved **scope of work** (SOW) was fully implemented;
- ◆ All obligated funds were liquidated in a manner consistent with the approved SOW;
- ◆ All **environmental and historic preservation** and **floodplain management** compliance-related measures or mitigation were implemented and documented;
- ◆ The project was implemented in a manner consistent with the federal award or subaward agreement;
- ◆ Recipients/Pass-through entities submitted the required quarterly **Federal financial report** and **performance reports**; and
- ◆ The federal award and subaward were closed out in accordance with the provisions outlined in HMA Guidance.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.343; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, N (Closeout), page 24 and Part VI, F (Closeout), pages 90-94; and HMA Job Aid – Closeout Toolkit.

Coastal Barriers Resources Act (CBRA)

The Coastal Barrier Resources Act (CBRA) of 1982, as amended, 16 U.S.C. 3501 et seq., created the John H. Chafee **Coastal Barrier Resources System (CBRS)** in areas along the Atlantic Ocean and Gulf of Mexico. Amending legislation, the Coastal Barrier Improvement Act of 1990 (Public Law 101-591), then added Puerto Rico, Florida Keys, Great Lakes Region and the Virgin Islands to the CBRS and established otherwise protected areas (OPAs) in these regions. The CBRS contains two types of units, System Units and OPAs. The CBRA, as amended, prohibits or limits Federal funding for building and development in these designated areas.

Applicable HMA programs: FMA, HMGP, PDM.

References: Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq.; 44 C.F.R. Part 206, Subpart J; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part A, A.2 (Additional Project Eligibility Requirements), pages 1 and 2.

Coastal Barriers Resources System (CBRS)

The U.S. Coastal Barrier Resource System (CBRS) is a system of protected coastal areas (including the Great Lakes); are unique landforms that serve as a protective barrier against the forces of wind and tidal actions caused by coastal storms. In addition, coastal barriers provide a protective habitat for a variety of aquatic species. The CBRS contains two types of units, 1) System Units and 2) Otherwise Protected Areas (OPAs).

System Units are generally comprised of private lands that were relatively undeveloped at the time of their designation within the CBRS. The Coastal Barrier Resource Act (CBRA) restricts Federal spending and assistance for development-related activities within System Units to protect them from further development; and prohibits the sale of flood insurance in System Units for structures built or substantially improved on or after October 1, 1983, or the subsequent date that a CBRA zone was identified. System Units are identified on the FEMA **Flood Insurance Rate Map (FIRM)**.

Property acquisition and demolition or relocation for open space is the only HMA activity allowed in the System Unit provided it qualifies for one of the exceptions in Section 6 of CBRA. That is, acquisitions are eligible if they are consistent with the purposes of the CBRA and qualify as projects for the study, management, protection, and enhancement of fish and wildlife resources and habitats, as provided in 16 U.S.C. 3505(a)(6)(A), Exceptions to Limitations on Expenditures, and otherwise eligible under HMA.

Otherwise Protected Areas (OPAs) are undeveloped coastal barriers within the boundaries of an area established under Federal, State, or local law, or held by a qualified organization, primarily for wildlife refuge, sanctuary, recreational, for natural resource conservation purposes. Flood insurance is restricted in OPAs, though OPAs may receive other forms of Federal assistance. OPAs are identified on FEMA FIRMs.

Property acquisitions in OPAs are eligible under all HMA programs if the project does not require flood insurance after project completion and is otherwise eligible under HMA.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Coastal Barrier Resources Act, 16 U.S.C. 3503 et seq.; 44 C.F.R. Parts 9, 10, 60, 71, 79, 80 and 206, Subparts J and N; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.2 (Ineligible Activities), page 43; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part A, A.2 (Additional Project Eligibility Requirements), pages 1 and 2 and FEMA Directive 108-1, Environmental Planning and Historic Preservation Responsibilities and Program Requirements, and Manual 108-1-1, Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program Requirements.

Coastal High Hazard Area

A **Coastal High Hazard Area**, also known as a V or VE zone, is an **area of special flood hazard** extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Coastal high hazard areas have HMA funding restrictions, as follows:

- ◆ **HMGP** funds cannot be used to fund new construction in a coastal high hazard zone.
- ◆ Mitigation reconstruction is only permitted for structures outside of the regulatory floodway or coastal high hazard area.
- ◆ FEMA will only consider community safe rooms that are located outside the coastal high hazard area or other areas known to be subject to high-velocity wave action.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 9.11(d) and 59.1; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), page 34 and Part III, E.6.1 (Floodplain Management and the Protection of Wetlands), page 48 ; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part D, D.1 (Overview), page 59.

Climate Change and Resiliency Considerations

FEMA is committed to promoting resilience as expressed in PPD-8: *National Preparedness*; the President’s State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience; the Administrator’s 2011 *FEMA Climate Change Adaptation Policy Statement* (Administrator Policy 2011-OPPA-01); and the 2014–2018 *FEMA Strategic Plan*. FEMA recognizes challenges posed by climate change, including more intense storms, frequent heavy precipitation, heat waves, drought, extreme flooding, and higher sea levels. These phenomena may have impacts on mitigation, preparedness, response, and recovery operations as well as the resiliency of critical infrastructure and various emergency assets. FEMA encourages **Recipients** and **subrecipients** to consider climate change adaptation and resiliency in their planning and scoping efforts.

To aid in these efforts, FEMA added a “miscellaneous/other” **eligible activity** to allow for project applications that would reduce risk while addressing climate change adaptation and resiliency and has incorporated sea level rise into the HMA BCA tool. Additionally, the EHP review process promotes informed decision-making and uses all practical means and measures to protect, restore, and enhance the quality of the environment, to avoid or minimize adverse impacts to the environment, and to attain the objectives of:

- ◆ Achieving mitigation goals without degradation or undesirable and unintended consequences
- ◆ Preserving historic, cultural, and natural aspects of national heritage and maintaining, wherever possible, an environment that supports diversity and variety of individual choice
- ◆ Achieving a balance between resource use and development within the sustained carrying capacity of the ecosystem involved
- ◆ Enhancing the quality of renewable resources and working toward the maximum attainable recycling of non-renewable resources

Applicable HMA program(s): FMA, HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part II.B (Climate Change and Resiliency Considerations), page 16; 2011 FEMA Climate Change Adaptation Policy Statement (Administrator Policy 2011-OPPA-01); and the 2014–2018 FEMA Strategic Plan.

Code of Federal Regulations

Title 44 of the Code of Federal Regulations (44 C.F.R.) –Emergency Management and Assistance – contains rules and procedures that the Federal Emergency Management Agency (FEMA) promulgated to implement and administer its statutory responsibilities. The regulations specific to the implementation of Hazard Mitigation Assistance (HMA) programs include:

- Part 79 – Flood Mitigation Grants,
- Part 80 – Property Acquisition and Relocation for Open Space,
- Part 206 – Federal Disaster Assistance, Subpart N – Hazard Mitigation Grant Program,
- Part 207 – Management Costs (Applicable to the Hazard Mitigation Grant Program).

HMA programs must also conform to the following regulations:

- Part 9 – Floodplain Management and Protection of Wetlands,
- Part 10 – Environmental Considerations,
- Part 13 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (See below (2 C.F.R. 200) for additional information),
- Subchapter B – Insurance and Hazard Mitigation,
 - Part 59 – General Provisions,
 - Part 60 – Criteria for Land Management and Use,
- Part 201 – Mitigation Planning.

Title 2 of the Code of Federal Regulations – Part 200 (2 C.F.R. 200) – “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards” found at 2 C.F.R. Part 200 and adopted by the Department of Homeland Security (DHS) at 2 C.F.R. Part 3002, for all Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation (PDM), and Flood Mitigation Assistance (FMA) awards.

States, local governments, Indian Tribal governments, and nonprofit organizations receiving a **Flood Mitigation Assistance** or **Pre-Disaster Mitigation** award made on or after December 26, 2014, and/or receiving a **Hazard Mitigation Grant Program** award authorized by the Stafford Act and made under emergency or major disaster declarations issued on or after December 26, 2014, must comply with the requirements of 2 C.F.R. Part 200.

Applicable HMA programs: FMA, HMGP, PDM.

References: 2 C.F.R. Part 200; 44 C.F.R. Parts 9, 10, 59, 60, 79, 80, 201, 206, Subpart N and 207.

Cost-Effectiveness

Cost-effectiveness is a quantitative method for comparing the costs of alternative means of achieving the same stream of benefits for a given objective. The benefits in the context of hazard mitigation are avoided future damages and losses.

The **Stafford Act** and the **National Flood Insurance Act** (NFIA) authorize FEMA to fund mitigation measures that are cost-effective or in the interest of the **National Flood Insurance Fund** (NFIF). FEMA has several methodologies for determining cost-effectiveness. Cost-effectiveness is typically demonstrated by the calculation of a Benefit Cost Ratio (BCR), which divides total discounted annualized project benefits by total annualized project cost. Projects where benefits exceed costs are generally considered cost-effective. Benefits may include avoided damages, loss of function, and displacement.

Applicants must use a FEMA-approved methodology to demonstrate cost-effectiveness. For more information about FEMA-approved cost-effectiveness methods, see the **Benefit-Cost Analysis** entry in this digest.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Secs. 203(b) and 404(a) of the Stafford Act, as amended, 42 U.S.C. 5133(b) and 5170c(a); Sec. 1366(c)(2)(A) of the NFIA, as amended, 42 U.S.C. 4104c(c)(2)(A); 44 C.F.R. §§ 79.6(d)(5) and 206.434(c)(5); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, G (Cost-Effectiveness), page 21, Part III, E.3 (Cost-Effectiveness), page 44. Part IV, I (Cost-Effectiveness), pages 64-69 and Part V, A.2.1 (Cost Effectiveness Review), page 74.

Cost Estimate

HMA project applications (including applications for mitigation planning) must include an estimated budget, or **Cost Estimate**, to accomplish the **scope of work** (SOW) for the proposed mitigation activity. Consistent with Federal cost principles, cost estimates must include an itemized list of various cost categories, such as labor, materials, equipment, subcontractor costs and any anticipated costs for environmental review and compliance.. No lump-sum estimates will be accepted.

FEMA will accept cost estimates that the Applicant or subapplicant certifies were established using nationally published or local cost estimating guides. The Applicant or subapplicant must include appropriate documentation in the application or subapplication that demonstrates a national published standard or local cost estimating guide was used. If a cost estimate is based on a contractor's bid or historic costs from another activity, detailed documentation must be provided. The applicant must document actual costs for eligible activities at closeout. Separate cost line items in a subapplication are required to ensure that cost thresholds are not exceeded. As applicable, the following line items must be listed separately in the budget:

- ◆ Pre-award costs;
- ◆ Subapplicant management costs for the PDM Program and FMA, and HMGP if the Recipient has agreed to pass through funds to the subrecipient; and
- ◆ Information dissemination costs (for the PDM Program).

Additionally, the cost estimate should indicate items for which the cost may change, such as a price quoted by a contractor that is only valid for 1 year. Both contingency and escalation costs are permitted as individual line items in the cost estimate, as needed. A contingency cost is an allowance in the total cost to cover situations that cannot be fully defined at the time the cost estimate is prepared but will likely result in additional eligible costs.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R §§ 200.401 and 200.408; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV.H (Scoping Narrative: Scope of Work, Schedule, and Cost Estimate), pages 58-64.

Cost Overruns and Underruns

Cost Overruns and Underruns may occur when actual project costs exceed or fall short of the approved subaward estimates, respectively. A cost overrun or underrun can result from a scope, schedule, or budget change. Recipients must notify FEMA prior to redirecting funds from an underrun to other approved subawards within the same grant award for which an overrun has been requested. The subaward must continue to meet programmatic eligibility requirements including **cost share**.

Under the HMGP, the **State Administrative Plan** must establish procedures to review and approve cost overruns and underruns.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 79.9(b), 79.9(d), 206.437(b)(4)(viii) and 206.438(b); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, D.3.3 (Cost Overruns and Underruns), page 85 and Part VIII, A.2.3 (Procedures to Guide Implementation Activities), page 98.

Cost Share

Cost Share, also known as “non-Federal share,” or “match,” is the portion of the costs of a federally assisted project or program not borne by the Federal Government. The authorizing statute for each HMA program establishes the minimum cost share.

The total cost to implement approved mitigation activities is generally funded by a combination of Federal and non-Federal sources. Both the **Federal share** and the non-Federal cost share must be for eligible costs used in direct support of activities that FEMA has approved in the federal award. Contributions of cash, third-party in-kind services, materials, or any combination thereof, may be accepted as part of the non-Federal cost share.

FEMA administers cost-sharing requirements consistent with 2 C.F.R. §§ 200.29, 200.306, and 200.434. To meet cost sharing requirements, the non-Federal contributions must be reasonable, allowable, allocable, and necessary under the grant program and must comply with all Federal requirements and regulations. HMA funds may be used to pay up to 75 percent of the eligible activity costs. The remaining 25 percent of **eligible costs** are derived from non-Federal sources. Exceptions to the 75 percent Federal and 25 percent non-Federal share are listed below:

Programs	Mitigation Activity (Percent of Federal / Non-Federal Share)	Recipient Management Costs (Percent of Federal / Non-Federal Share)	Subrecipient Management Costs (Percent of Federal / Non-Federal Share)
HMGP	75/25	100/0	—/(1)
PDM	75/25	75/25	75/25
PDM – subrecipient is small impoverished community	90/10	75/25	90/10
PDM – Tribal recipient/subrecipient is small impoverished community	90/10	90/10	90/10
FMA – insured properties and planning grants	75/25	75/25	75/25
FMA – repetitive loss property	90/10	90/10	90/10
FMA – severe repetitive loss property	100/0	100/0	100/0

Cost sharing is based on the total amount of the award. Individual subawards may have higher or lower cost shares as long as the federal cost share does not exceed the maximum allowed amount.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Secs. 203(h) and 404(a) of the Stafford Act, as amended, 42 U.S.C. 5133(h) and 5170c(a); Sec. 1366(d) of the NFIA, as amended, 42 U.S.C. 4104c(d); 2 C.F.R. 200 §§ 200.29, 200.306, and 200.434; 44 C.F.R. §§ 79.4(c) and 206.432(c); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, C (Cost Sharing), pages 26-29, Part VI, D.1 (Cost-Share Documentation), page 84 and Part VIII, A.8 (Award Cost-Share Requirements), pages 104-105

Critical Facility

Critical facilities may include structures and institutions necessary, in the community's opinion, for response to and recovery from emergencies. Critical facilities must continue to operate during and following a disaster to reduce the severity of impacts and accelerate recovery. These would include, but not be limited to:

- ◆ Structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, and/or chemically-reactive materials
- ◆ Hospitals, nursing homes, and housing likely to have occupants who may not be sufficiently mobile to avoid injury or death during an emergency
- ◆ Police stations, fire stations, vehicle and equipment storage facilities, and EOCs that are needed for emergency response activities before, during, and after the event
- ◆ Public and private utility facilities that are vital to maintaining or restoring normal services to affected areas before, during, and after the event
- ◆ Other structures or facilities the community identifies as meeting the general criteria above

When applying HMA program funds to critical facilities located in floodplains, the project must be designed to protect against the 500-year flood event.

This definition is for HMA program use and clarification and is not meant to provide a definition for use under other programs or supersede any FEMA regulation.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. § 9.4; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects – Generators), page 35 and Textbox (Decision-Making for Critical Actionvs. Critical Facility) page 48; and *HMA Guidance*, Appendix IX, B, Glossary, page 124.

Dry Floodproofing

Dry Floodproofing refers to techniques applied to keep structures dry by sealing the structure to keep floodwaters out. FEMA requires applicants and subapplicants to design all dry floodproofing projects in accordance with *ASCE/SEI 24-14*. In the application development, review, and approval phases (pre-award stage), HMA applicants and subapplicants will provide an affirmative certification statement (in narrative form) demonstrating their planned use of *ASCE/SEI 24-14* in implementing the HMA project post-award. Eligible dry floodproofing activities under the HMA programs include dry floodproofing of historic residential structures and dry floodproofing of non-residential structures.

Dry floodproofing of historic residential structures is permissible only when other techniques that would mitigate to the base flood elevation would cause the structure to lose its status as a Historic Structure, as defined in 44 C.F.R. § 59.1, Definitions of **National Flood Insurance Program (NFIP) Terms**.

Dry floodproofing of non-residential structures must be performed in accordance with *NFIP Technical Bulletin (TB) 3-93, Non-Residential Floodproofing—Requirements and Certification*, and the requirements pertaining to dry floodproofing of non-residential structures found in 44 C.F.R. §§ 60.3(b)(5) and (c)(4).

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 59.1, 60.3(b)(5) and 60.3 (c)(4); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, F (Programmatic Changes), page 12, Part III, E.1.1 (Mitigation Projects), pages 34-35; *ASCE/SEI 24-14, Flood Resistant Design and Construction; Above the Flood: Elevating Your Flood Prone House (FEMA P-347)*. Hazard Mitigation Assistance Guidance Addendum (February 27, 2015), Part F.3, page 83; *Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects (FEMA 2013)*.

Duplication of Benefits (DOB)

Duplication of Benefits (DOB) refers to assistance from more than one source that is used for the same mitigation purpose or activity. The purpose may apply to the whole project or only part of it. HMA funds cannot duplicate funds received by or available to applicants or subapplicants from other sources for the same purpose. Examples of other sources include insurance claims, other assistance programs (including previous project or planning grants and subawards from HMA programs), legal awards, or other benefits associated with properties or damage that are subject of litigation.

HMA does not require that property owners seek assistance from other sources (with the exception of insurance claims). However, it is the responsibility of the property owner to report other benefits received, any applications for other assistance, the availability of insurance proceeds, or the potential for other compensation, such as from pending legal claims for damages, relating to the property.

Information regarding other assistance received by properties in HMA projects may be shared under 5 U.S.C. 552a (b) of the Privacy Act of 1974.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 312 of the Stafford Act; 44 C.F.R. §§ 79.6(d)(7); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, D.5 (Duplication of Benefits), pages 31-32; *HMA Tool for Identifying Duplication of Benefits* <http://www.fema.gov/library/viewRecord.do?id=6815>.

Duplication of Programs (DOP)

Duplication of Programs (DOP) refers to the use of HMA funds for projects or programs that are authorized under other Federal programs. FEMA will not provide assistance for activities that another Federal agency has specific authority to perform, except in limited circumstances in which there are extraordinary threats to lives, public health or safety or improved property. In practice, FEMA evaluates DOP at the project-specific level. Other Federal program authorities include other FEMA programs (e.g., Individual Assistance and Public Assistance) and programs under other Federal agencies, such as the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers (USACE), and the Natural Resources Conservation Service (NRCS). FEMA may disallow or recoup amounts that duplicate other authorities.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 79.6(d)(7) and 206.434(f); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, D.4 (Duplication of Programs), page 31; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part A, A.2 (Additional Project Eligibility Requirements), pages 1-2.

Elevated Foundation System Pilot

An **Elevated Foundation System (EFS)** is a newly constructed, elevated foundation for a single family residential structure that has been substantially damaged or destroyed by flooding. This activity is intended to provide an additional mitigation opportunity for situations where property owners choose to demolish their existing substantially damaged or destroyed, or **Severe Repetitive Loss (SRL)** property and build a new home rather than elevating their existing, damaged home. An EFS project will result in a new, mitigated foundation elevated to the base flood elevation or higher. Elevated foundation systems are eligible for funding under the HMGP for Hurricane Sandy major disaster declarations when the following conditions are met:

- ◆ The elevated structure must be a single family, detached, residential structure that was substantially damaged or destroyed by Hurricane Sandy. Properties located in a Sandy declared State and that are included on the **NFIP** validated SRL list are also eligible.
- ◆ The project must result in a structure suitable for occupancy that meets the minimum required elevation level and foundation type utilizing the best available flood hazard data. The construction of an elevated foundation system alone does not constitute a complete hazard mitigation solution as required by 44 C.F.R. § 206.434, Eligibility. Prior to closeout, an elevation certificate and a certificate of occupancy from the authority having jurisdiction demonstrating the completed structure is suitable for occupancy and conforms to NFIP requirements must be submitted to FEMA.
- ◆ This activity is only available to property owners who owned the property at the time of the event for which funding is authorized. This extends to successors and assigns who gained title to the property as a result of death or incapacity of that property owner.

The Federal share of the elevated foundation system funding may be up to 20 percent of the total structure construction cost or \$45,000, whichever is less. The Federal share cost limit is based on national average construction costs. The Federal share construction cost limit may be adjusted using an industry accepted locality adjustment factor such as RS Means, Standard & Poor, or other acceptable industry standard.

Applicable HMA program(s): HMGP.

Requirements: Hazard Mitigation Assistance Guidance Addendum (February 27, 2015), Part F.3; page 83; FEMA Policy 205-080-01– Elevated Foundation Systems; *Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects (FEMA 2013)*.

Eligible Activity

An **Eligible Activity** under the HMA programs is an activity that meets all applicable HMA requirements, as indentified in **HMA Guidance**. Eligible activities include:

- ◆ *Mitigation projects*: Mitigation projects are physical activities to reduce future natural hazard risk to people, structures, or infrastructure. Eligible mitigation projects under the HMA programs are described in the *Eligibility Information* section of the HMA Guidance and the Guidance Addendum Parts A-F. Eligible activities are listed in the table below:

Eligible Activities	HMGP	PDM	FMA
Mitigation Projects	Yes	Yes	Yes
Property Acquisition and Structure Demolition	Yes	Yes	Yes
Property Acquisition and Structure Relocation	Yes	Yes	Yes
Structure Elevation	Yes	Yes	Yes
Mitigation Reconstruction	Yes	Yes	Yes
Dry Floodproofing of Historic Residential Structures	Yes	Yes	Yes
Dry Floodproofing of Non-residential Structures	Yes	Yes	Yes
Localized Flood Risk Reduction Projects	Yes	Yes	Yes
Non-localized Flood Risk Reduction Projects	Yes	Yes	No
Structural Retrofitting of Existing Buildings	Yes	Yes	Yes
Non-structural Retrofitting of Existing Buildings and Facilities	Yes	Yes	Yes
Safe Room Construction	Yes	Yes	No
Wind Retrofit for One- and Two-Family Residences	Yes	Yes	No
Infrastructure Retrofit	Yes	Yes	Yes
Soil Stabilization	Yes	Yes	Yes
Wildfire Mitigation	Yes	Yes	No
Post-Disaster Code Enforcement	Yes	No	No
Generators	Yes	Yes	No
5 Percent Initiative Projects	Yes	No	No
Advance Assistance	Yes	No	No
Miscellaneous/Other	Yes	Yes	Yes
Hazard Mitigation Planning	Yes	Yes	Yes
Planning Related Activities	Yes	No	No
Technical Assistance	No	No	Yes
Management Costs	Yes	Yes	Yes

- ◆ *Hazard mitigation planning*: Planning activities funded under HMA are designed to develop State, Indian Tribal, Territorial and local mitigation plans that meet the planning requirements outlined in 44 C.F.R. Part 201, Mitigation Planning. FMA funds shall only be used to support the flood hazard portion of plans. A mitigation planning subaward must result in a Mitigation Plan adopted by the jurisdiction(s) and approved by FEMA or it must result in an eligible planning related activity (HMGP only), such as updating or enhancing sections of the current FEMA-approved mitigation plan or building capability through delivery of technical assistance and training.
- ◆ *Technical assistance*: FEMA may provide a technical assistance grant to any Applicant

Eligible Activity (Continued)

awarded at least \$1,000,000 (Federal share) in FMA grants in the prior fiscal year for activities such as promoting FMA, site visits, performing benefit costs analyses; and is meant to allow Recipients to maintain a viable FMA program over time.

- ◆ *Management costs*: Management costs are any indirect costs and administrative expenses reasonably incurred by a Recipient or subrecipient in administering a federal award or subaward.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Secs. 203 and 404 of the Stafford Act, as amended, 42 U.S.C. 5133 and 5170c; Sec. 1366(c) of the NFIA, as amended, 42 U.S.C. 4104c(c); 44 C.F.R. §§ 79.6 and 206.434; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1 (Eligible Activities), pages 32-42; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Parts A-F, pages 1-85.

Eligible Costs

Eligible Costs are allowable costs associated with eligible HMA activities that meet the funding limits and other requirements established for each HMA program. Eligible costs must be reasonable, allowable, allocable, and necessary to achieve the hazard mitigation purpose of the proposed activity, or to administer the award, as required by 2 C.F.R. 200, Subpart E – Cost Principles. . Eligible costs are also guided by 2 C.F.R. §§ 200.401 and 408, Allowable Costs, applicable program regulations, and **HMA Guidance**.

Both the **Federal share** and the non-Federal **cost share** of HMA grants and subawards must be eligible costs used in direct support of the approved activities as specified in the HMA Guidance and the grant award. Specific funding allowances and restrictions for activities under each program are contained in HMA Guidance.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Secs. 203 and 404 of the Stafford Act, as amended, 42 U.S.C. 5133 and 5170c; Sec. 1366(c) of the NFIA, as amended, 42 U.S.C. 4104c(c); 2 C.F.R. §§ 200.401 and 200.408; 44 C.F.R. §§ 79.6 and 206.434; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, E (Funding Restrictions), pages 53-55; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part C.4.4 (Eligible and Ineligible Costs), pages 54-55 and Part F.3.2 (Eligible Costs), page 84.

Endangered Species Act (ESA)

The **Endangered Species Act (ESA)** prohibits Federal agencies from funding actions that would jeopardize the continued existence of endangered or threatened species or adversely modify critical habitat. Section 7 of the ESA, Federal Agency Actions and Consultations, requires federal agencies to prevent or modify any projects authorized, funded, or carried out by the agencies that are "likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species."

FEMA must review actions it supports or funds to determine whether they may impact endangered or threatened species or their habitats. If the review reveals the potential for impacts, FEMA must consult with the United States Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS), as appropriate, to identify whether a federal action is likely to jeopardize the continued existence of the endangered or threatened species or adversely affect its critical habitat. If USFWS or NMFS determines that a proposed action would likely have this negative impact, then the project must be stopped unless the consulting parties can agree on alternatives to eliminate jeopardy. If there are no feasible alternatives that can be carried out, the action agency may apply for an exemption with the USFWS Endangered Species Committee.

The **Environmental Planning and Historic Preservation** review process for HMA programs and grants includes review for ESA compliance.

Applicable HMA programs: FMA, HMGP, PDM.

References: Endangered Species Act (ESA), Public Law 93-205, 16 U.S.C. 1531–1544; 44 C.F.R. Part 10; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.6 (Environmental Planning and Historic Preservation Requirements), page 47, Part III, E.8 (Statutory, Regulatory, and Other Requirements), pages 50-51, Part V, A.2.3 (Environmental Planning and Historic Preservation Review), page 75, Part IX, Appendix D (Referenced Regulations, Statutes, Directives, and Guidance) page 140 and Part IX, Appendix E (EHP Checklist) page 146.

Enhanced State Mitigation Plan

An **Enhanced State Mitigation Plan** is a FEMA-approved State, Territorial or Tribal multi-hazard mitigation plan that demonstrates capability to effectively manage the HMGP and other mitigation grant programs by meeting criteria outlined at 44 C.F.R. § 201.5, Enhanced State Mitigation Plans. Criteria include meeting HMGP and other mitigation application timeframes and submitting complete, **technically feasible** and eligible project applications; preparing and submitting accurate **environmental review** and **benefit-cost analyses**; submitting complete and accurate quarterly **progress reports** and **Federal financial reports** on time; and completing HMGP and other mitigation grant projects within established **periods of performance**.

Applicants with a FEMA-approved State, Territorial or Tribal Enhanced Mitigation Plan in place prior to a major disaster declaration are eligible for HMGP funding not to exceed 20 percent of the estimated total Federal assistance under the Stafford Act, up to \$5.333 billion of such assistance, excluding administrative costs authorized for the disaster. In order to be considered for the 20 percent HMGP funding, the Applicant must prepare and submit the Enhanced State Mitigation Plan in accordance with 44 C.F.R. § 201.5, which must be reviewed and updated, if necessary, every five years from the date of the approval of the previous plan. The plan must have FEMA-approved status at the time of the disaster declaration and at the time HMGP funding is obligated.

In accordance with 44 CFR Part 201, all Applicants for **PDM** and **FMA** must have a FEMA-approved State or Tribal (Standard or Enhanced) Mitigation Plan by the application deadline and at the time of obligation of the award.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 322(e) of the Stafford Act, as amended, 42 U.S.C. 5165(e); 44 C.F.R. §§ 201.5 and 206.431; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.5 (Hazard Mitigation Plan Requirement), page 44-47.

Environmental Benefits

Environmental Benefits are direct or indirect contributions that ecosystems make to the environment and human populations. For FEMA **benefit-cost analysis** (BCA), certain types of environmental benefits may be realized when properties are **acquired** and land is returned to open space uses. Benefits may include flood hazard reduction; an increase in recreation and tourism; enhanced aesthetic value; and improved erosion control, air quality, and water filtration.

FEMA has developed economic values for green open space and riparian areas that Applicants and subapplicants may use in their project BCA calculations. When incorporating these values into FEMA's BCA, the yearly benefits accrue over the 100-year project useful life and are discounted at 7 percent per year to meet OMB requirements.

For an acquisition project, the benefit cost ratio (BCR) for a project must be 0.75 before incorporating the environmental benefit. This ensures projects funded by HMA are primarily associated with risk reduction activities. Once a project's BCR reaches 0.75, the appropriate environmental benefit can be included for the individual properties.

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelp@fema.dhs.gov. FEMA requires using version 5.1 or greater of the BCA software. .

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, I.6 (Environmental Benefits), page 66.

Environmental Planning and Historic Preservation (EHP)

Environmental Planning and Historic Preservation (EHP) refers to FEMA's review process for ensuring the protection and enhancement of environmental, historic, and cultural resources, as required by Federal environmental and historic preservation laws and Executive Orders. The EHP review process ensures HMA program and grant compliance with **44 C.F.R.** Part 9, Floodplain Management and the Protection of Wetlands and Part 10, Environmental Considerations (or superseding FEMA Directive FD 108-1, Environmental and Historic Preservation Planning, Responsibilities and Program Requirements, and FEMA EHP Manual 108-1-1, Manual on Implementation of Environmental and Historic Preservation Requirements), and with all applicable EHP laws, such as the **National Environmental Policy Act (NEPA)**, the **National Historic Preservation Act (NHPA)**, the **Endangered Species Act (ESA)**, and their implementing regulations; and with **E.O. 11988 (Floodplain Management)**, **E.O. 11990 (Protection of Wetlands)** and E.O. 12898 (Environmental Justice).

EHP considerations may require identifying **alternate project** types and/or locations and, as necessary, modifying the project. Two key considerations are whether the proposed project is located in an area that has endangered or threatened species or critical habitat and whether the proposed project might impact historic or cultural resources. If the project could result in adverse impacts to those resources, it might be necessary to change the scope of the project to avoid those impacts or to incorporate mitigation measures to minimize the impacts to those resources.

Applicable HMA program(s): FMA, HMGP, PDM.

References: National Environmental Protection Act (NEPA), 42 U.S.C. 4321 and 4331–4335; National Historic Preservation Act (NHPA), 16 U.S.C. 470 et seq.; Endangered Species Act (ESA), 16 U.S.C. 1531–1544; E.O. 11988; E.O. 11990; E.O. 12898; 44 C.F.R. Parts 9 and 10; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, F (Environmental Planning and Historic Preservation Review and Compliance), pages 18-20, Part II, Figures 3 (General Steps in Project Scoping Process) and 4 (Frontloading EHP and the Formal Review Process), pages 14 and 20; Part III, E.6 (Environmental Planning and Historic Preservation Requirement), pages 47-48, Part IV, K (Environmental Planning and Historic Preservation Documentation), page 70-73 and Part IX, Appendix E (EHP Checklist), pages 146-147; HMA Job Aids (8-Step Job Aid, NEPA Flowchart Job Aid, Section 106 Job Aid), FEMA Directive FD 108-1, Environmental and Historic Preservation Planning, Responsibilities and Program Requirements and FEMA EHP Manual 108-1-1, Manual on Implementation of Environmental and Historic Preservation Requirements.

Executive Order 11988 on Floodplain Management (E.O. 11988)

Executive Order 11988 on Floodplain Management (E.O. 11988), as amended by Executive Order 13690 on Federal Flood Risk Management Standards - requires Federal agencies to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

HMA programs and grants must conform to 44 C.F.R. Part 9, Floodplain Management and the Protection of Wetlands, which incorporates the requirements of E.O. 11988 (*Floodplain Management*) and E.O. 11990 (*Protection of Wetlands*).

Refer to the **8-Step Decision-Making Process** for guidance on the decision making process for floodplain management considerations.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Executive Order 11988 on Floodplain Management; 44 C.F.R. Part 9; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, E (Floodplain Management and Protection of Wetlands), page 17.

Executive Order 11990 on Protection of Wetlands (E.O. 11990)

Executive Order 11990 on Protection of Wetlands (E.O. 11990) requires Federal agencies, in planning their actions, to consider alternatives to wetland sites and to limit potential damage if an activity affecting a wetland cannot be avoided.

Title 44 C.F.R., Part 9, Floodplain Management and the Protection of Wetlands contains the rules for an overall Federal program of corrective and preventive measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood control works, and floodplain management regulations.

HMA programs and grants must conform to 44 C.F.R. Part 9, Floodplain Management and the Protection of Wetlands, which incorporates the requirements of **E.O. 11988 on Floodplain Management** and **E.O. 11990 on the Protection of Wetlands**. All proposed HMA actions should be reviewed to determine if they are in the floodplain or a wetland. Any actions located in the 100-year floodplain (or 500-year for actions involving critical facilities), or increasing the base flood or adversely affecting a wetland, trigger the requirement to complete the **8-Step Decision-Making process** outlined in 44 C.F.R. § 9.6, Decision-Making Process. As part of that process, FEMA must consider alternative locations to determine whether the floodplain or wetland is the only practicable location for that action. If the floodplain or wetland is the only practicable location, FEMA must avoid or must minimize adverse impacts to the floodplain or wetland.

Activities involving floodplain or wetland development will only be eligible for a grant if the Applicant demonstrates that there is no **practicable alternative** to such development. In addition, HMA funds cannot be used to fund new construction or **substantial improvement** in a floodway or new construction in a **coastal high hazard area**.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Executive Order 11990 on the Protection of Wetlands; 44 C.F.R. Part 9; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, E (Floodplain Management and Protection of Wetlands), page 17; and Part III, E.6.1 (Floodplain Management and Protection of Wetlands), page 48.

Federal Financial Reports (FFR)

FEMA requires Recipients under all HMA programs to submit a quarterly **Federal Financial Report (FFR)**, also referred to as Standard Form 425 (SF-425). Recipients must report obligations and expenditures on a quarterly basis using the FFR, which is due to FEMA within 30 days of the end of each calendar quarter. Recipients must file the FFR for every quarter of the **period of performance (POP)**, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund drawdowns may be withheld if these reports are delinquent. The final FFR is due 90 days after the end date of the POP.

The FFR is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements.

Reporting periods and due dates:

- ◆ October 1 – December 31: Due January 30,
- ◆ January 1 – March 31: Due April 30,
- ◆ April 1 – June 30: Due July 30,
- ◆ July 1 – September 30: Due October 30.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.327; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, E.1 (Federal Financial Reports), page 89.

Federal Share

Federal Share refers to the portion of the costs of a federally assisted project or program that is borne by the Federal Government. The authorizing statute for each HMA program establishes the maximum Federal share.

The total cost to implement approved mitigation activities is generally funded by a combination of Federal and non-Federal sources. Both the Federal share and the non-Federal **cost share** must be for eligible costs used in direct support of activities that FEMA has approved in the grant award. For most HMA activities the Federal share is 75 percent. Recipients and subrecipients must identify non-Federal sources for the remaining 25 percent of costs. Exceptions to the 75 percent Federal and 25 percent non-Federal share are noted in the **Cost Share** section of this digest.

Cost sharing is based on the total amount of the award. Individual subawards may have higher or lower cost shares as long as the federal cost share does not exceed the maximum allowed amount.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Secs. 203(h) and 404(a) of the Stafford Act, as amended, 42 U.S.C. 5133(h) and 5170c(a); Sec. 1366(d) of the NFIA, as amended, 42 U.S.C. 4014c(d); 2 C.F.R. § 200.306; 44 C.F.R. §§ 79.4(c) and 206.432(c); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, C (Cost Sharing) pages 26-29.

Federally-Recognized Tribe

With the publication of the 2015 **HMA Guidance**, the terminology reference to Indian Tribal Government was replaced with the terminology “federally-recognized tribe” to incorporate changes made in the declaration process provided in the **Sandy Recovery Improvement Act (SRIA)** of 2013. **Federally-recognized tribe** means the governing body of an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a. This does not include Alaska Native corporations, the ownership of which is vested in private individuals.

Previously, federally-recognized tribes were treated as local governments and were not permitted to directly request disaster declarations from the Federal government. The SRIA amendments allow federally-recognized tribes to directly request disaster declarations from the Federal government. This change provides federally-recognized tribes with the option of applying for FEMA **Hazard Mitigation Grant Program (HMGP)** funds as either an **applicant** or a **subapplicant**. The option for a federally-recognized tribe to apply directly to FEMA reflects FEMA recognition that federally-recognized tribes are sovereign nations and share a government-to-government relationship with the United States. This choice is independent of a designation under other FEMA grants and programs, but is not available on a project-by-project basis within a single grant program. If a federally-recognized tribe chooses to apply directly to FEMA and is awarded the grant, it bears the full responsibility of a **recipient**.

Applicable HMA Program: FMA, HMGP, PDM.

References: Sec. 102(6) of the Stafford Act, as amended, 42 U.S.C. 5122(6); 25 U.S.C. 479a; 44 C.F.R. § 201.2; *FY Hazard Mitigation Assistance Guidance* (February 27, 2015), Part III, A (Eligible Applicants), page 25.

FEMA-State Agreement or FEMA-Tribal Agreement

The **FEMA-State Agreement** or **FEMA-Tribal Agreement** is a legally binding document detailing the terms and conditions under which FEMA and a State, Territory or Indian Tribal government will execute disaster assistance, including HMGP assistance, following a **major disaster**. The Agreement is signed by the FEMA Regional Administrator and the Governor of each State or Territory or Chief Executive of each Indian Tribal government. Full requirements under the FEMA-State Agreement or FEMA-Tribal Agreement are detailed in 44 C.F.R. § 206.44, FEMA-State Agreements.

HMGP **recipients** and **subrecipients** must follow the requirements set forth in the Agreement as a condition of the Federal award or subaward.

Applicable HMA program(s): HMGP.

References: 44 C.F.R. § 206.44, *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, A (Notice of Award), page 81.

Flood Insurance Rate Map (FIRM)

The **Flood Insurance Rate Map (FIRM)** is the official map of a community on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the community as part of the **National Flood Insurance Program (NFIP)**. The FIRM is based on a Flood Insurance Study (FIS) which contains FEMA's examination, evaluation and determination of flood hazards and corresponding one-percent annual chance water surface elevations, or **Base Flood Elevations (BFE)**. Depending on the nature of the proposed project, FEMA may require that the HMA **subapplication** include a current, effective FIRM or other documentation of existing flood hazard conditions. BFE information is used in calculating the **Benefit Cost Analysis (BCA)**, and in determining technical feasibility of HMA projects.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. § 59.1; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.7.1 (Special Flood Hazard Area Requirements), page 49.

Flood Mitigation Assistance (FMA) Program

The **Flood Mitigation Assistance (FMA)** program is authorized by Section 1366 of the **National Flood Insurance Act** of 1968, as amended (42 U.S.C. 4104c), with the goal of reducing or eliminating claims under the **NFIP**. The **National Flood Insurance Fund (NFIF)** provides the funding for the FMA program. The FMA program is subject to the availability of Federal appropriations, as well as any program-specific directives or restrictions made with respect to such funds. The **Biggert-Waters Flood Insurance Reform Act of 2012** (Public Law 112-141) consolidated the Repetitive Flood Claims and Severe Repetitive Loss grant programs into the **Flood Mitigation Assistance (FMA)** program.

FMA provides funds to assist States, Territories, tribes and communities in implementing measures that reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insured under NFIP.

The FMA is one of FEMA's three Hazard Mitigation Assistance (HMA) programs. Eligible activities under the FMA program are referenced in the **Eligible Activity** section of this digest and in **HMA Guidance**.

Applicable HMA programs: FMA.

References: Section 1366 of the NFIA, as amended, 42 U.S.C. 4104c; 44 C.F.R. Part 79; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I (Introduction), page 1, Part I, B.3 (Flood Mitigation Assistance) page 5, Part I, F (Programmatic Changes), pages 8-10 and Part III (Eligibility Information) pages 25-51 and Part VIII, C (Flood Mitigation Assistance Program), pages 116-118; Biggert-Waters Flood Insurance Reform Act of 2012, Public Law 112-141, 42 U.S.C. 4001 et seq.

Generators

Generators are emergency equipment that provide a secondary source of power. Generators and related equipment (e.g., hook-ups) are eligible under the HMGP and PDM provided that they are cost-effective, contribute to a long-term solution to the problem they are intended to address, and meet other program eligibility criteria, which include the following:

- ◆ *PDM Program:* Generators and/or related equipment purchases (e.g., generator hook-ups) are eligible when the purchase and use of the generator directly relates to the hazards being mitigated and is part of a larger project.
- ◆ *HMGP:* A permanently installed generator that is a stand-alone project can be considered under regular HMGP funding if the generator protects a **critical facility**. Portable generators are eligible provided that they meet all HMGP requirements as described in 44 C.F.R. § 206.434. If there is insufficient data to evaluate a generator project using a standard, HMA-approved Benefit-Cost Analysis (BCA) method the project may be eligible under the 5 Percent Initiative. A generator that is a component of a larger project (e.g., elevation of a lift station) can also be funded under regular HMGP funding and the use of aggregation is permitted. See Part VIII, A.14 for additional information about the 5 Percent Initiative.

Applicable HMA programs: HMGP, PDM

References: 44 C.F.R. § 206.434; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), page 35; Generator Job Aid.

Greatest Savings to the Fund

Greatest Savings to the Fund (GSTF) is a cost-effectiveness methodology FEMA uses to determine the expected savings to the National Flood Insurance Fund (see National Flood Insurance Fund) from expected damages avoided due to mitigation.

FEMA allows for the use of the GSTF data and methodology to demonstrate cost-effectiveness for properties included in mitigation projects under all HMA programs. However, subapplicants are not required to use this methodology when submitting projects for funding and may utilize the current applicable BCA version (5.1 or greater) methodology.

Under **Flood Mitigation Assistance (FMA)**, acquisition or relocation projects may use the GSTF as an alternative when projects are not cost effective using other techniques (i.e., BCA, pre-calculated benefits).

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelp@fema.dhs.gov.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, 1.5 (Greatest Savings to the Fund), pages 65-66.

Hazard Mitigation Assistance (HMA) Guidance

Hazard Mitigation Assistance (HMA) Guidance consolidates the common requirements for the three HMA programs – the **Flood Mitigation Assistance (FMA)** Program, the **Hazard Mitigation Grant Program (HMGP)** and the **Pre-Disaster Mitigation (PDM)** Program –and explains the unique elements of the programs in individual sections. Additionally, the HMA Guidance provides information for Federal, State, Tribal, Territorial and local officials on how to apply for HMA funding for a proposed mitigation activity.

The HMA Guidance is FEMA’s principle source of detailed information concerning HMA grant requirements. Applicants/Recipients and subapplicants/subrecipients should refer to the guidance before taking any actions concerning HMA application development or use of HMA funds. HMA Guidance is subject to change based on new laws, regulations, or policies enacted or issued after the date of publication. Implementation requirements for the HMGP are based upon the HMA Guidance in effect at the time of the relevant disaster declaration. Similarly, requirements for FMA and PDM are based upon the date of the HMA Guidance in effect at the opening of the application periods for the respective programs. Therefore, before taking any actions concerning HMA application development or use of specific HMA funds, Applicants/Recipients and subapplicants/subrecipients should refer to the guidance in effect at the time funds were made available, at <https://www.fema.gov/media-library/assets/documents/33634?id=7851>.

Applicable HMA program(s): FMA, HMGP, PDM (FY 2013); HMGP, PDM, FMA, RFC, SRL (FY 2009 to 2011).

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)* and *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*; *FY 2013 HMA Unified Guidance and Addendum to FY 2013 HMA Unified Guidance*; *FY 2011 HMA Unified Guidance*; *FY 2010 HMA Unified Guidance*; *FY 2009 HMA Unified Guidance*.

Hazard Mitigation Grant Program (HMGP)

The **Hazard Mitigation Grant Program (HMGP)** is authorized by Section 404 of the Stafford Act is to ensure that opportunities to reduce the risk of loss of life and property from future disasters is not lost during the reconstruction process following a Presidential **major disaster declaration**. The HMGP provides funds to States, Territories, Indian Tribal governments, local governments, and eligible private non-profits (PNPs) in areas of the State requested by the Governor. Indian Tribal governments may also submit a request for a major disaster declaration within their impacted area.

The amount of HMGP funding available is based on the estimated total of Federal assistance, subject to the sliding scale formula outlined in 44 C.F.R. § 206.432(b), Amounts of Assistance. The formula provides for up to 15 percent of the first \$2 billion of estimated aggregate amounts of disaster assistance, up to 10 percent for amounts between \$2 billion and \$10 billion, and up to 7.5 percent for amounts between \$10 billion and \$35.333 billion. For States with **Enhanced State Mitigation Plans**, the eligible assistance is up to 20 percent for estimated aggregate amounts of disaster assistance not to exceed \$35.333 billion.

The HMGP is one of FEMA's three Hazard Mitigation Assistance (HMA) programs. Eligible activities under the HMGP program are referenced in the **Eligible Activity** section of this digest and in **HMA Guidance**.

Applicable HMA program(s): HMGP.

References: Sec. 404 of the Stafford Act, as amended, 42 U.S.C. 5170c; 44 C.F.R. Part 206, Subpart N; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I (Introduction), page 1, Part I, B.1 (Hazard Mitigation Grant Program) page 4, Part I, F (Programmatic Changes), pages 8-11 and Part III (Eligibility Information) pages 25-51 and Part VIII, A (Hazard Mitigation Grant Program), pages 96-113.

Hazard Mitigation Under Section 406 (Public Assistance)

Section 406 of the Stafford Act and 44 C.F.R. § 206.226(e), Hazard Mitigation, authorize funding of mitigation measures for damaged facilities that are eligible for funding under the Public Assistance (PA) Program. The mitigation measures must apply only to the damaged elements of a facility. For example, if flooding inundates a sanitary sewer and blocks the manholes with sediment, mitigation measures to prevent the blockage of the damaged manholes in a future event may be considered eligible. However, work to improve undamaged manholes using the same method would not be eligible, even though the manholes are part of the same system.

Hazard mitigation measures restore a facility beyond its pre-disaster design. Section 406 mitigation measures are considered part of the total eligible cost of repair, restoration, or reconstruction of a facility. The applicant may not apply mitigation funding to PA alternate projects or improved projects if a new replacement facility is involved. Likewise, in combining damaged facilities as an improved project, mitigation funding approved for an initial location does not move to the new location of the combined facility. Upgrades required to meet applicable codes and standards are not “mitigation measures” because these measures are part of eligible restoration work.

Section 404 of the Stafford Act and 44 C.F.R. Part 206, Subpart N authorize the funding of mitigation measures under the HMGP for both damaged and undamaged structures and facilities. While Section 404 and Section 406 funding are distinct, sometimes a combination of Section 404 and 406 funding may be appropriate, where Section 406 hazard mitigation funding is used to provide protection to the parts of the facility that were damaged and Section 404 hazard mitigation funding is used to provide protection to the undamaged parts of the facility. In these instances, the application for Section 404 hazard mitigation funding must be submitted at approximately the same time as the PA application, consistent with State and local hazard mitigation plans, and approved by the State Hazard Mitigation Officer.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 406 of the Stafford Act, as amended, 42 U.S.C. 5171 and 5170a; 44 C.F.R. §§ 206.201(f) and 206.226(e); FEMA Policy 9526.1: Hazard Mitigation Funding Under Section 406 (Stafford Act) dated March 30, 2010; Public Assistance Guide, FEMA 322, pages 110-112 and 124-127.

HMGP Ceiling

The **Hazard Mitigation Grant Program Ceiling (HMGP Ceiling)**, also known as the final “lock-in” value for HMGP, is the maximum that FEMA can obligate to the **Recipient** for eligible HMGP activities. The level of HMGP funding available for a given disaster is based on a percentage of the estimated total Federal assistance under the **Stafford Act**, excluding administrative costs for each Presidential **major disaster declaration**. Programs which provide the basis for the HMGP maximum amount include Public Assistance, Individuals and Households Assistance, Unemployment Assistance, and Crisis Counseling Assistance and Training.

FEMA will establish the final HMGP funding ceiling for each disaster 12 months after the declaration. FEMA provides an initial estimate within 35 days of the disaster declaration or soon thereafter, in conjunction with calculation of the preliminary lock-in amount(s) for **management costs**. Subsequently FEMA will provide a 6 month estimate which may increase or decrease at the 12 month lock-in. The 12 month lock-in is the maximum amount available. In rare instances, such as a catastrophic disaster, the final lock-in may be adjusted after the 12 months upon request of a **recipient**.

Obligations based on the 6 month estimate are limited to not more than 75 percent of that estimate. To obligate more than 75 percent prior to the 12 month lock-in, the Grantee must receive concurrence from the Regional Administrator (RA) or Federal Coordinating Officer (FCO) with Disaster Recovery Manager authority and the Office of the Chief Financial Officer (OCFO). Additional restrictions apply prior to the 6-month lock-in. All proposed obligations must be approved by the OCFO and RA/FCO.

Applicable HMA program(s): HMGP.

References: 44 C.F.R. § 206.432(b); Hazard Mitigation Assistance Guidance (February 27, 2015), Part VIII, A.4 (HMGP Funding), pages 100-102.

Increased Cost of Compliance (ICC)

Increased Cost of Compliance (ICC) is a type of coverage under the **NFIP** for expenses a property owner must incur, above and beyond the cost to repair the physical damage the structure actually sustained from a flooding event, to comply with mitigation requirements of State or local floodplain management ordinances or laws. Eligible mitigation measures are **structure elevation, dry floodproofing**, structure relocation, structure demolition, or any combination thereof.

ICC claim payments from a flood event may be used to contribute to the non-Federal **cost share** requirements so long as the claim is made within the timelines allowed by the NFIP. ICC payments can only be used for the portion of mitigation activities that are eligible for ICC benefits. For example, ICC cannot pay for **property acquisition**, but can pay for structure demolition or relocation. In addition, Federal funds cannot be provided where ICC funds are available. If the ICC payment exceeds the required non-Federal share, the Federal funding award will be reduced to the difference between the cost of the activity and the ICC payment.

If an ICC payment is being used by the **subapplicant** as non-Federal cost share, the NFIP policyholder must assign the claim to the subapplicant. However, only that part of the ICC benefit that pertains to the property can be assigned to the subapplicant. Steps for the assignment of ICC coverage are available at <http://www.fema.gov/national-flood-insurance-program/steps-assignment-coverage-d-increased-cost-compliance-coverage>.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. Appendix A(2) to Part 61, Coverage D; Hazard Mitigation Assistance Guidance (February 27, 2015), Part III, C.2 (Increased Cost of Compliance as non-Federal Cost Share), pages 28-29..

Large Project Notification (LPN)

Large Project Notification (LPN) is the process by which FEMA notifies Congress of any **Federal share** obligations of \$1,000,000 or more prior to awarding funds. The LPN requirement is legislated through annual appropriations. All award obligations, including **State management costs** and **strategic funds management** award increments, are subject to notification.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Section 507 of the Department of Homeland Security Appropriations Act, 2014, Public Law 113-76, Division F, Title V.

Local Governments

The term **Local Government** refers to **subapplicants** or **subrecipients** under the HMA programs, and may mean any of the following:

- ◆ A county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government;
- ◆ An Indian tribe or authorized tribal organization, or Alaska Native village or organization – that is not a federally-recognized tribe;
- ◆ A rural community, unincorporated town or village, or other public entity.

Applicable HMA program(s): HMGP, PDM, FMA.

References: Sec. 102(8) of the Stafford Act, as amended, 42 U.S.C. 5122(8); Section 1366(h)(1) of the NFIA, as amended, 42 U.S.C. 4104c(h)(1); 44 C.F.R. §§ 201.2 and 206.2(a)(16); Hazard Mitigation Assistance Guidance (February 27, 2015), Part III (Eligible Subapplicants), pages 25-26.

Localized Flood Risk Reduction Projects

Localized Flood Risk Reduction Projects are **eligible activities** under all HMA programs and are characterized as localized measures intended to lessen the frequency or severity of flooding and decrease predicted flood damages within an isolated and confined area that is not hydraulically linked or connected to a larger basin. Examples of such minor physical mitigation efforts include but are not limited to:

- ◆ Installation or modification of culverts and other stormwater management facilities;
- ◆ Construction or modification of retention and detention basins;
- ◆ Construction or modification of floodwalls, dams and weirs (modification must be for the purpose of increasing risk reduction capabilities of existing structures and cannot constitute repairs only).

Localized flood risk reduction measures do not include the construction or improvement of dikes, levees, seawalls, groins, jetties, and large-scale waterway channelization. Questions concerning project eligibility under HMA should be directed to FEMA Regional offices. Under the **FMA** program, localized flood risk reduction projects must benefit NFIP-insured properties.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 1366(c)(3)(E) of the NFIA, as amended, 42 U.S.C. 4104c(c)(3)(E); 44 C.F.R. § 79.6(c)(2)(vi); *FY Hazard Mitigation Assistance Guidance* (February 27, 2015), Part III, E.1.1 (Mitigation Projects), page 36.

Major Disaster

A **Major Disaster** is any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought) or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

A Presidential major disaster declaration is the event that triggers the availability of **HMGP** funds.

Applicable HMA program(s): HMGP.

References: Sec. 102(2) of the Stafford Act, as amended, 42 U.S.C. 5122(2); 44 C.F.R., Part 206, Subpart B; Hazard Mitigation Assistance Guidance (February 27, 2015), Part VIII, A.1 (Recipient Request for HMGP Funds) page 96.

Management Costs

Management Costs are any indirect costs and administrative expenses that are reasonably incurred by a Recipient or subrecipient in administering a Federal award or subaward. Eligible Applicant or subapplicant management cost activities may include:

- ◆ Solicitation, review, and processing of subapplications and subaward;
- ◆ Subapplication development and technical assistance to subapplicants regarding feasibility and effectiveness, BCA, and EHP documentation;
- ◆ Geocoding mitigation projects identified for further review by FEMA;
- ◆ Delivery of technical assistance (e.g., plan reviews, planning workshops, training) to support the implementation of mitigation activities;
- ◆ Managing grants (e.g., quarterly reporting, closeout);
- ◆ Technical monitoring (e.g., site visits, technical meetings);
- ◆ Purchase of equipment, per diem and travel expenses, and professional development that is directly related to the implementation of HMA programs; and
- ◆ Staff salary costs directly related to performing the activities listed above.

Management costs are only awarded in conjunction with project or planning Federal awards and subawards. For more information regarding management costs for the HMGP, see 44 C.F.R. Part 207, Management Costs, and HMA Guidance (February 27, 2015) Part VIII.A.5 (HMGP Management Costs).

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 324 of the Stafford Act, as amended, 42 U.S.C. 5165b; 44 .C.F.R. Part 207; Hazard Mitigation Assistance Guidance (February 27, 2015), Part III, E.1.5 (Management Costs), pages 41-42 and Part VIII, A.5. (HMGP Management Costs), pages 102-103.

Minimum Eligibility and Completeness

Minimum Eligibility and Completeness refers to FEMA's criteria for HMA grant **applications** and **sub applications** that are required as a condition for further review during the initial evaluation process. FEMA's minimum eligibility and completeness criteria are addressed in the following sections of HMA Guidance:

- ◆ Appendix F., Minimum Criteria Checklist for Project Subapplications,
- ◆ Appendix G., Minimum Criteria Checklist for Planning Subapplications.

FEMA will not accept incomplete and placeholder project applications. Incomplete applications or subapplications delay project approval because they do not contain sufficient information for FEMA to make program eligibility determinations. Applications and subapplications submitted to FEMA must meet the minimal eligibility and completeness criteria as there is no method to determine eligibility without these data. These minimal eligibility criteria are required for all submittals.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part V, A.2 (Application Eligibility Review), page 74, Part IX, Appendix F (Minimum Criteria Checklist for Project Subapplications), pages 148-150 and Part IX, Appendix G (Minimum Criteria Checklist for Planning Subapplications), page 151.

Mitigation Planning (Mitigation Plans)

The **Mitigation Planning** process, and resulting hazard mitigation plan, includes hazard identification and risk assessment leading to the development of a comprehensive mitigation strategy for reducing risks to life and property. The mitigation strategy section of the plan identifies a range of specific mitigation actions and projects being considered to reduce risks to new and existing buildings and infrastructure. This section includes an action plan describing how identified mitigation activities will be prioritized, implemented, and administered.

Planning activities funded by the HMA programs are designed to develop **State, Tribal,** and local mitigation plans that meet the planning requirements outlined in 44 C.F.R. Part 201, Mitigation Planning. A mitigation planning subaward award must result in a mitigation plan adopted by the jurisdiction(s) and approved by FEMA or it must result in an eligible planning-related activity (eligible under HMGP only). Examples of eligible planning-related activities include incorporating new data into the risk assessment or updating the mitigation strategy to reflect current disaster recovery goals.

For FMA, funds shall only be used to support the flood hazard portion of State, Tribal, or local mitigation plans to meet the criteria specified in 44 C.F.R. Part 201, Mitigation Planning. Funds are only available to support these activities in communities participating in the **NFIP**.

For information about **Enhanced Mitigation Plans** and the **Program Administration by States (PAS) Pilot**, refer to those sections of this digest.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 322 of the Stafford Act, as amended, 42 U.S.C. 5165; Sec. 1366 (c)(3)(F) of the NFIA, 42 U.S.C. 4104c(c)(3)(F); 44 C.F.R. Part 201 and §§ 79.6(b), 79.6(c)(1), 206.434(b) and 206.434(c); Hazard Mitigation Assistance Guidance (February 27, 2015), Part II, A (Mitigation Planning), page 15, Part III, E.1.3 (Hazard Mitigation Planning), pages 39-40 and Part III, E.5 (Hazard Mitigation Plan Requirement), pages 44-47.

Mitigation Project Alternatives

Mitigation Project Alternatives refers to FEMA's minimum eligibility requirement that the **Applicant** or **subapplicant** consider mitigation alternatives as part of application development. Each HMA project submitted for funding must consider other possible mitigation measures that could meet the same mitigation need based on a defined set of requirements. The Applicant or subapplicant must then determine that the action proposed for funding is the most practical, effective and environmentally sound alternative. Mitigation plans should facilitate the development of mitigation project alternatives.

Applicable HMA programs: FMA, HMGP, PDM.

References: 44 C.F.R. § 206.434(c)(5)(iii); Hazard Mitigation Assistance Guidance (February 27, 2015), Part II (Frontloading HMA Program Eligibility Requirements), page 15.

Mitigation Reconstruction

Mitigation Reconstruction is the construction of an improved, elevated building on the same site where an existing building and/or foundation has been partially or completely demolished or destroyed. Mitigation reconstruction is only permitted for structures outside of the regulatory floodway or **coastal high hazard area** (Zone V) as identified by available flood hazard data. Activities that result in the construction of new living space at or above the BFE will only be considered when consistent with the mitigation reconstruction requirements.

Mitigation reconstruction is an eligible activity under all HMA programs. For FMA only, all properties included in a subapplication for mitigation reconstruction funding must be NFIP-insured at the time of the application submittal. For further information, see the *Addendum to HMA Guidance*, Part D Mitigation Reconstruction Projects.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part III, E.1.1 (Mitigation Projects), page 34; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part D (Mitigation Reconstruction Projects), pages 59-73; and Part F.3 (Supplemental Guidance – Use of ASCE 24-14 as Minimum Design Requirements for Certain Flood Risk Reduction Activities); page 83 ; *Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects (FEMA 2013)*.

National Environmental Policy Act (NEPA)

The **National Environmental Policy Act (NEPA)**, 42 U.S.C. 4321 and 4331–4335, articulates a national policy that encourages productive and enjoyable harmony between man and his environment; promotes efforts that will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; enriches the understanding of the ecological systems and natural resources important to the Nation; and establishes a Council on Environmental Quality.

When a federal agency authorizes or approves a major federal action that may significantly affect the environment, the federal agency is required to prepare a written document evaluating the impacts of the proposed action on the environment, and alternatives to the proposed action. HMA programs and grants must comply with NEPA and all other environmental and historic preservation laws and executive orders and with 44 C.F.R. Part 9, Floodplain Management and the Protection of Wetlands, and Part 10, Environmental Considerations (or superseding FEMA Directive 108-1, and FEMA Manual 108-1-1), which may include identifying alternate locations for proposed project. FEMA reviews projects for NEPA compliance as part of the **Environmental Planning and Historic Preservation (EHP)** review. Applicants and subapplicants are required to provide information to support the FEMA EHP compliance review.

Applicable HMA program(s): FMA, HMGP, PDM.

References: National Environmental Policy Act (NEPA), 42 U.S.C. 4321 and 4331–4335; E.O. 11988; E.O. 11990; E.O. 12898; 44 C.F.R. Parts 9 and 10; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, Figures 3 (General Steps in Project Scoping Process) and 4 (Frontloading EHP and the Formal Review Process), pages 14 and 20; Part II, F (Environmental Planning and Historic Preservation and Review Compliance) pages 18-19, Part III, E.6 (Environmental Planning and Historic Preservation Requirements), page 47, Part III, E.8 (Statutory, Regulatory, and Other Requirements), pages 50-51, Part V, A.2.3 (Environmental Planning and Historic Preservation Review), page 75, Part IX, Appendix D (Referenced Regulations, Statutes, Directives, and Guidance) page 140 and Part IX, Appendix E (EHP Checklist) pages 146-147; HMA Job Aids (8-Step Job Aid, NEPA Flowchart Job Aid, Section 106 Job Aid), and FEMA Directive 108-1, Environmental Planning and Historic Preservation Responsibilities and Program Requirements, and Manual 108-1-1, Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program Requirements..

National Flood Insurance Act of 1968, As Amended (NFIA)

The **National Flood Insurance Act (NFIA)** of 1968, as amended, 42 U.S.C. 4001 et seq., created the Federal Insurance Administration and made flood insurance available for the first time. Section 1366 of the NFIA authorizes the Flood Mitigation Assistance (FMA) program with the goal of reducing or eliminating claims under the NFIP). NFIP requirements apply to all three HMA programs and are described in HMA Guidance. Amendments to the NFIA, including the Flood Disaster Protection Act of 1973, made the purchase of flood insurance under the **NFIP** mandatory for the protection of property located in the **Special Flood Hazard Area**.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 1366 of the NFIA, as amended, 42 U.S.C. 4104c; 44 C.F.R. Part 79; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, B.3 (Flood Mitigation Assistance), page 4, Part III, E.7 (National Flood Insurance Program Eligibility Requirements), pages 49-50 and Part X, Appendix D (Referenced Regulations, Statutes, Directives, and Guidance), page 140; Biggert-Waters Flood Insurance Reform Act of 2012, Public Law 112-141, 42 U.S.C. 4001, et seq.

National Flood Insurance Fund (NFIF)

The **National Flood Insurance Fund (NFIF)**, established by the **National Flood Insurance Act** of 1968 (42 U.S.C. 4001 et seq.) (NFIA), is a premium revenue and fee-generated fund that supports the **NFIP** and provides funding for the **FMA** program.

Savings to the NFIF is a factor in FMA program federal award and subaward eligibility determinations. Mitigation activities under the FMA must be either cost-effective or in the interest of the NFIF. Savings to the NFIF is a ranking factor for FMA subapplications. Additionally, for severe repetitive loss properties, FEMA may contribute up to 100 percent Federal cost share for mitigation activities under the FMA depending on expected savings to the NFIF.

Applicable HMA program(s): FMA.

References: Sec. 1367 of the NFIA, as amended, 42 U.S.C. 4104d; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, B.3 (Flood Mitigation Assistance), page 4, Part III, C (Cost Sharing), page 26 and Part VIII, C.3 (Cost Sharing), page 117.

National Flood Insurance Program (NFIP)

The **National Flood Insurance Program (NFIP)**, authorized by the National Flood Insurance Act of 1968, as amended, provides for the availability of flood insurance in communities in exchange for the adoption of a minimum local floodplain management ordinance that regulates new and substantially improved development in identified flood hazard areas. Over 22,000 communities participate in the NFIP.

HMA eligibility is related to the NFIP as follows:

- ◆ *Subapplicant eligibility:* All subapplicants for the FMA program must currently be participating in the NFIP, and not withdrawn or suspended. Certain non-participating political subdivisions (i.e., regional flood control districts or county governments) may apply and act as subrecipient on behalf of the NFIP-participating community in areas where the political subdivision provides zoning and building code enforcement or planning and community development professional services for that community.
- ◆ *Project eligibility:* HMGP and PDM mitigation project subapplications for projects sited within a Specific Flood Hazard Area (see **Special Flood Hazard Area**) are eligible only if the jurisdiction in which the project is located is participating in the NFIP. There is no NFIP participation requirement for HMGP and PDM project subapplications for projects located outside of the SFHA.
- ◆ *Hazard mitigation planning eligibility:* There are no NFIP participation requirements for HMGP and PDM hazard mitigation planning subapplications; however, FMA funds are only available to support planning activities related to the local flood hazard in NFIP participating communities; and
- ◆ *Property eligibility:* Properties included in a project subapplication for FMA funding must be NFIP insured at the time of the application submittal. In all programs, after non-acquisition mitigation projects are completed within the SFHA, flood insurance must be maintained for the life of the structure.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 1366 of the NFIA, as amended, 42 U.S.C. 4104c; 42 U.S.C. 4001 et seq.; 44 C.F.R. Part 79; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.7 (National Flood Insurance Program Eligibility Requirements), pages 49-50.

National Historic Preservation Act (NHPA)

The **National Historic Preservation Act (NHPA)** of 1966, as amended, 16 U.S.C. 470 et seq., establishes a program for the preservation of historic and prehistoric resources deemed important to our understanding of prehistory and U.S. history and created the National Register of Historic Places. Section 106 of NHPA requires Federal agencies to adequately consider the effects of their undertakings on properties listed or eligible for listing on the National Register (historic properties). When FEMA determines that an undertaking will adversely affect a historic property, FEMA is required to resolve these effects in consultation with the applicant, subapplicant, State Historic Preservation Officer, Tribes, if participating, and other consulting parties. HMA funded projects which may adversely affect historic properties include elevation, relocation, and demolition of flood prone structures. FEMA relies on state specific programmatic agreements to accelerate its Section 106 review responsibilities for the HMA program and other agency assistance programs. Section 106 review for HMA projects also is aided immeasurably by the willingness of applicants and subapplicants to provide information as part of their application for HMA assistance that identifies potential historic preservation issues for FEMA to consider. Even absent this information, the subapplicant's submittal of a well-defined proposed scope of work assists FEMA in anticipating potential compliance issues.

HMA programs and grants must comply with all NHPA and other environmental and historic preservation laws, executive orders and with 44 C.F.R. Part 10, Environmental Considerations (or superseding FEMA Directive 108-1 and Manual 108-1-1), which may include identifying alternate locations for proposed HMA projects that have the potential to adversely impact historic resources. FEMA reviews projects for NHPA compliance as part of the **Environmental Planning and Historic Preservation (EHP)** review. Applicants and subapplicants are required to provide information to support the EHP compliance review.

Applicable HMA program(s): FMA, HMGP, PDM.

References: National Historic Preservation Act (NHPA), 16 U.S.C. 470 et seq.; E.O. 11988; E.O. 11990; E.O. 12898; 44 C.F.R. Parts 9 and 10; Hazard Mitigation Assistance Guidance (February 27, 2015), Part II, Figures 3 (General Steps in Project Scoping Process) and 4 (Frontloading EHP and the Formal Review Process), pages 14 and 20; Part III, E.6 (Environmental Planning and Historic Preservation Requirements), page 47, Part III, E.8 (Statutory, Regulatory, and Other Requirements), pages 50-51, Part V, A.2.3 (Environmental Planning and Historic Preservation Review), page 75, Part IX, Appendix D (Referenced Regulations, Statutes, Directives, and Guidance) page 140 and Part IX, Appendix E (EHP Checklist) page 146 HMA Job Aids (8-Step Job Aid, NEPA Flowchart Job Aid, Section 106 Job Aid), and FEMA Directive 108-1, Environmental Planning and Historic Preservation Responsibilities and Program Requirements, and Manual 108-1-1, Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program Requirements.

NFIP-Participating Community

An **NFIP-Participating Community** is defined by the **National Flood Insurance Act** of 1968, as amended (NFIA) and FEMA's insurance regulations as any State or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or Alaska Native village or authorized native organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction. A participating community is one where the Federal Insurance Administrator has authorized the sale of flood insurance under the NFIP.

FEMA requires community participation in the NFIP as a minimum eligibility requirement for some forms of assistance. Community participation in the NFIP is an eligibility requirement for all HMA programs for the mitigation of properties in the **special flood hazard area** (SFHA). FEMA's **FMA** program regulations at 44 C.F.R. Part 79, Flood Mitigation Assistance, define a community as a political subdivision, including any Indian Tribe, authorized Tribal organization, Alaska Native village or authorized native organization, that has zoning and building code jurisdiction over a particular area having special flood hazards and is participating in the **NFIP** or a political subdivision of a State, or other authority, designated to develop and administer a mitigation plan.

Communities requesting FMA assistance must currently be participating in the NFIP. Certain non-participating political subdivisions (i.e., regional flood control districts or county governments), may apply for HMA funds and act as subrecipient on behalf of the NFIP-participating community in areas where the political subdivision provides zoning and building code enforcement or planning and community development professional services for that community.

Applicable HMA programs: FMA, HMGP, PDM.

References: Sec. 1366(h)(1) of the NFIA, as amended, 42 U.S.C. 4104c(h)(1); 44 C.F.R. § 79.2(c), *Hazard Mitigation Assistance Guidance* (February 27, 2015), Part III, E.7 (National Flood Insurance Program Eligibility Requirements), pages 49-50.

Noncompliance

A pass-through entity is non-compliant if it fails to comply with any term of an award, whether stated in a Federal statute or regulation, an assurance, a **State Administrative Plan** or application, a notice of award, or elsewhere, including in **HMA Guidance**. FEMA may take one or more of the following actions to address non-compliance:

- ◆ Temporarily withhold cash payments pending correction of the deficiency;
- ◆ Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance;
- ◆ Wholly or partly suspend or terminate the current Federal award;
- ◆ Withhold further awards for HMA grant program(s);
- ◆ Take other remedies that may be legally available; or
- ◆ The pass-through entity may similarly impose specific conditions or remedies for non-compliance as described above.

Additional details can be found in 2 C.F.R. § 200.338.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.338; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, D.8 (Remedies for Noncompliance), page 88.

Non-Localized Flood Risk Reduction Projects

Non-localized Flood Risk Reduction Projects are eligible activities under **HMGP** and **PDM**. These projects lessen the frequency or severity of flooding, and decrease predicted flood damage, within an area that is hydraulically linked or connected to a drainage basin that is regional in scale. These projects reduce flood hazards in areas larger than that of localized flood reduction projects and may include:

- ◆ Construction, demolition, or rehabilitation of dams;
- ◆ Construction or modification of dikes, levees, floodwalls, seawalls, groins, jetties, breakwaters, and stabilized sand dunes; and
- ◆ Large-scale channelization of a waterway.

Modifications must be for the purpose of increasing risk reduction capabilities of the existing structures and cannot constitute only repairs. These projects cannot constitute a section of a larger flood control system or a **duplication of program** specific to the flood prevention activities of other Federal agencies on the same site.

Applicable HMA Program(s): HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part III, E.1 (Eligible Activities), pg. 33; and Part III, E.1.1 (Mitigation Projects), pg. 36.

Non-Structural Retrofitting of Existing Buildings

Non-Structural Retrofitting of Existing Buildings and Facilities means modifications to the non-structural elements of a building or facility to reduce or eliminate the risk of future damage and to protect inhabitants. Non-structural retrofits may include, for example, the bracing of building contents to prevent earthquake damage or the elevation of utilities.

Non-structural retrofitting of existing buildings and facilities is an **eligible activity** under all three HMA programs.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), page 36; *Homeowner's Guide to Retrofitting* (FEMA P-312); *Protecting Building Utilities from Flood Damages* (FEMA P-348); *Prestandard and Commentary for the Seismic Rehabilitation of Buildings* (FEMA-356); *Design Guide for Improving Critical Facility Safety from Flooding and High Winds: Providing Protection to People and Buildings* (FEMA P-543).

Performance Reports

Performance Reports are quarterly records of the HMA **Recipient's** and **Subrecipient's** work toward HMA grant performance goals as required by 2 C.F.R. 200.328, . The Recipient shall submit a quarterly performance report for each grant award. Performance reports should include:

- ◆ Reporting period, date of report, and Recipient Point of Contact (POC) information;
- ◆ Project identification information, including FEMA project number (with disaster number and declaration date for the HMGP), subrecipient, and project type using standard eGrants and NEMIS project-type codes;
- ◆ Significant activities and developments that have occurred or progressed during the quarter, including a comparison of actual accomplishments to the work schedule objectives established in the subaward;
- ◆ Percent of work completed, noting whether completion of work is on schedule;
- ◆ Status of costs, including any cost **overruns or underruns**;
- ◆ A statement of whether a request to extend the grant **period of performance** is anticipated;
- ◆ **Strategic funds management** incremental funding amounts and progress completed; and
- ◆ For acquisition projects, the current status of each property for which settlement was completed in that quarter.

FEMA may require additional information as needed to assess the progress of a grant.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. §§ 200.77, 200.309 and 200.328; 44 C.F.R. §§ 79.9 and 206.438(c); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, E (Reporting Requirements), page 88-90.

Period of Performance

The **Period of Performance (POP)** is the period of time during which the non-federal entity may incur new obligations to carry out all administrative actions, and award activities, and incur costs. The POP for **HMGP** begins with the opening of the application period and ends no later than 36 months from the close of the application period. The POP for PDM and FMA begins with the open of the application period, and ends no later than 36 months from the date of the subapplication selection. FEMA will not establish activity completion timelines for individual subawards. Recipients are responsible for ensuring that all approved activities are completed by the end of the grant POP.

FEMA will evaluate requests for extensions to a grant POP but will not be approved automatically. The Regional Administrator can extend the POP for up to 12 months with justification. FEMA Headquarters must approve all requests to extend the grant POP beyond 12 months. Recipients must submit all extension requests to FEMA at least 60 days prior to the expiration of the grant POP. Justifications must be submitted in writing. The justification must include:

- ◆ Verification that progress has been made as described in quarterly reports;
- ◆ Reason(s) for delay;
- ◆ Current status of the activity/activities;
- ◆ Current POP termination date and new projected completion date;
- ◆ Remaining available funds, both Federal and non-Federal;
- ◆ Budget outlining how remaining Federal and non-Federal funds will be expended; and
- ◆ Plan for completion, including updated schedule.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.209; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, D.4 (Program Period of Performance), pages 86-87.

Phased Projects

Phased Projects are complex projects that FEMA reviews and awards in multiple parts, or phases, because they require the Applicant to develop engineering or environmental information to support the full project **scope of work** for the **subaward** application. The development of technical information generally serves the purpose of allowing FEMA to perform reviews for **technical feasibility and effectiveness, cost effectiveness, and/or Environmental Planning and Historic Preservation (EHP) review**.

In most cases, the Applicant is able to provide sufficient technical information to support the project using pre-existing data or **pre-award costs**. However, in rare circumstances it is beyond the subapplicant's technical and financial resources to provide the complete technical information required for a full eligibility or environmental review of a complex project. The Applicant and FEMA may provide technical assistance to the subapplicant to develop this complete body of technical data by approving a subapplication to complete a Phase I study. Typical Phase I actions are: design, engineering, hydrology and hydraulics or conveyance data development, data collection, **Environmental Planning and Historic Preservation** review and analysis to develop project parameters. The Phase I study provides FEMA with a technical body of information mutually concurred on by the subapplicant, the Applicant, and FEMA to determine project eligibility. If the results of the Phase I review indicate that the project meets HMGP requirements, the project would then be eligible for funding for construction under a Phase II approval. Phase I study funding is part of the project's total estimated cost, and is subject to HMGP cost share requirements and work schedule.

The phased approach is most suitable for complex projects that require technical or EHP data beyond the scope of that generally required for a typical HMGP project. If the project is determined to be eligible, technically feasible, cost-effective, and compliant with EHP requirements under the Phase I technical review, the project may then be approved for construction under Phase II. Phased projects may be incrementally funded, even after full eligibility is determined. See **Strategic Funds Management**.

Applicable HMA program(s): HMGP.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VIII, A.13 (Phased Projects), pages 110-111.

Policy

A FEMA **Policy** is a statement that articulates FEMA's intent and direction to guide decision-making and achieve rational outcomes for its activities. Most often, policies will be disseminated through official written documents, signed by designated senior staff officials, and placed on the FEMA public website in a timely manner as a means of distributing guidance to the public.

Unlike statutes and regulations, policies are not legally binding. Policies interpret statutes and regulations to guide actions to achieve a desired outcome.

HMA Guidance incorporates FEMA policies governing the use of assistance under the HMA programs. FEMA also issues freestanding policies relating to the HMA programs that are generally incorporated into HMA Guidance at the next guidance update. For the HMA Guidance and Policies, see <http://www.fema.gov/hazard-mitigation-assistance-grants-policy>.

Applicable program(s): FMA, HMGP, PDM.

References: FEMA Directive 112-12: Policy, Directive and Doctrine Process Guidance.

Post-Disaster Mitigation Code Enforcement

Post-Disaster Code Enforcement is an eligible activity under the **HMGP** designed to provide resources to State and local building departments to support the use and enforcement of appropriate codes and standards, including **NFIP** local ordinance requirements.

The HMGP will fund post-disaster code enforcement costs if an extraordinary need exists. Extraordinary needs associated with enforcing local building codes during post-disaster reconstruction may include the performance of building department functions, such as building inspections, and the performance of substantial damage determinations under the NFIP. For more information on eligible post-disaster code enforcement activities, see **HMA Guidance**.

Applicable HMA program(s): HMGP.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VIII, A.11 (Post-Disaster Code Enforcement Projects), pages 106-108.

Pre-Award Costs

Pre-Award Costs are costs incurred after the HMA application period has opened, but prior to the date of the grant award or final approval. For the **HMGP**, the opening of the application period is the date when the HMGP is authorized, which is generally the date of declaration. The opening of the application period for the **PDM** and **FMA** programs is established annually by FEMA.

Pre-award costs directly related to developing the **application** or **subapplication** may be funded through HMA as funds are available. Such costs may have been incurred, for example, to develop a **benefit-cost analysis**, to gather **Environmental Planning and Historic Preservation** data, for preparing design specifications, or for workshops or meetings related to development and submission of HMA applications and subapplications. Costs associated with implementation of the activity but incurred prior to grant award or final approval are not eligible (projects initiated or completed prior to grant award or full approval of the project are not eligible). To be eligible for HMA funding, pre-award costs must be identified as separate line items in the cost estimate of the subapplication. Applicants and subapplicants may identify such pre-award costs as their non-Federal **cost share**. Applicants and subapplicants who are not awarded grants or subawards will not receive reimbursement for the corresponding pre-award costs.

Relevant HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. §§ 200.209 and 200.458; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, F.2 (Pre-Award Costs), page 55.

Pre-Calculated Benefits for Property Acquisition and Elevation

Pre-Calculated Benefits for Property Acquisition and Elevation is a FEMA-approved **cost-effectiveness** methodology that applies pre-calculated benefits to **structure elevation** or **property acquisition** projects located in the 100-year floodplain for both riverine and coastal areas.

FEMA requires HMA projects to be cost-effective. Based on a national analysis that derived the average benefits for acquisition and elevation projects, FEMA has determined that acquisition projects that cost \$276,000 or less, or elevation projects that costs \$175,000 or less, and which are located in the 100-year floodplain are considered cost-effective and do not require a separate benefit-cost analysis. For projects that contain multiple structures, the average cost of all structures in the project must meet the stated criteria. If the cost to acquire or elevate a structure exceeds the amount of benefits listed above, subapplicants must conduct a traditional FEMA-approved **benefits-cost analysis**.

The global benefit amounts for acquisition and elevation in the 100-year floodplain may be adjusted using locality multipliers that are included in industry accepted cost and pricing guides for construction. Subapplicants must provide maps with the structure footprint clearly identified and the 100-year floodplain delineated as part of the grant application. If the structure, or any part of the structure, lies in the 100-year floodplain, these benefits are available. Alternatively, first floor elevations (FFE) can be included for each structure as well as the base flood elevation (BFE) for that location. If the FFE is less than BFE, structures can use the pre-calculated benefits. This methodology satisfies the cost-effective requirements for all HMA programs for any open grant application periods and for any disasters with an open grant application period.

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelpine@fema.dhs.gov.

Applicable HMA program(s): FMA, HMGP, PDM.

References: FEMA Memorandum August 15, 2013: Cost-Effectiveness Determinations for Acquisitions and Elevations in Special Flood Hazard Areas at <http://www.fema.gov/media-library/assets/documents/85014>; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, 1.7 (Pre-Calculated Benefits for Acquisitions and Elevations in Special Flood Hazard Areas), pages 66-67.

Pre-Calculated Benefits (Residential Safe Rooms)

Pre-Calculated Benefits for Residential Safe Rooms is an expedited **cost-effectiveness** methodology that identifies the benefits associated with certain types of **safe room** construction projects under the **HMGP** and **PDM** program. This pre-calculated benefit provides standardized benefits so that individual **benefit-cost analyses** are not required, as long as the project costs do not exceed the project benefits.

When using this methodology, the **subapplicant** must include maps or other documentation that identify the project location relative to the floodplain. FEMA does not support the placement of safe rooms where floodwaters have the potential to endanger occupants. The Applicant or subapplicant must use the Expedited HMGP Application for Residential Safe Rooms to apply pre-calculated benefits under HMGP included in **HMA Guidance** Part X, Appendix F.

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis> . FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelp@fema.dhs.gov.

Applicable HMA program(s): HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, I.4 (Pre-Calculated Benefits (Safe Rooms)), page 65 and Part V, A.3.1 (Safe Room Projects, page 76.

Pre-Calculated Benefits (Wind Retrofit)

Hurricane wind retrofit projects are eligible for funding under the **HMGP** and **PDM** grant programs. The HMA Job Aid, *Cost Effectiveness Determination for Residential Hurricane Wind Retrofit Measures Funded by FEMA*, establishes the use of pre-calculated benefits, in lieu of conducting a complete **benefit cost analysis** (BCA), for certain residential wind retrofit projects submitted to HMA for funding. A wind retrofit project is considered **cost effective** as long as the total project costs are less than the costs, as defined by FEMA.

Applicants are not required to use the pre-determined benefit amounts to show **cost-effectiveness**, but using them will streamline the grant application process as an individual BCA will not need to be completed for every structure. The pre-determined benefits for wind retrofit projects cannot be combined with other benefits, such as those from the cost-effectiveness determination for acquisition and elevations or from the BCA toolkit.

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelp@fema.dhs.gov.

Applicable HMA Program(s): HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part IV, I.10 (Pre-calculated Benefits for Residential Hurricane Wind Retrofit Measures), page 68; HMA Job Aid, *Cost Effectiveness Determination for Residential Hurricane Wind Retrofit Measures Funded by FEMA*,

Pre-Disaster Mitigation Program (PDM)

The Pre-Disaster Mitigation Program (PDM), authorized by Section 203 of the Stafford Act, 42 U.S.C. 5133, is designed to assist **States, Territories, Federally-recognized tribes**, and local communities to implement a sustained pre-disaster natural hazard mitigation program to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters.

The PDM program is subject to the availability of Federal appropriations, as well as any program-specific directives or restrictions made with respect to such funds.

The PDM program is one of FEMA's three HMA programs. Eligible activities under the PDM program are referenced in the **Eligible Activity** section of this Digest and in the HMA Guidance.

Applicable HMA program(s): PDM.

References: Sec. 203 of the Stafford Act, as amended, 42 U.S.C. 5133; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I (Introduction), page 1, Part I, B.2 (Pre-Disaster Mitigation) pages 4-5, Part I, F (Programmatic Changes), pages 8-10 and Part III (Eligibility Information) pages 25-51 and Part VIII, B (Pre-Disaster Mitigation Program), pages 114-115.

Private Non-Profit (PNP)

A **Private Non-Profit (PNP)** is any non-governmental agency or entity that currently has an effective ruling letter from the Internal Revenue Service granting tax exemption under section 501(c), (d), or (e) of the Internal Revenue Code of 1954; or satisfactory evidence from the State that the organization or entity is a non-profit organized or doing business under State law.

A PNP is an eligible **subapplicant** under the **HMGP**, but does not have mitigation plan requirements as a condition of subapplicant eligibility.

Applicable HMA program(s): HMGP.

References: 44 C.F.R. § 206.434 (a)(2); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III (Eligible Subapplicants), pages 25-26.

Program Administration by States (PAS) Pilot

The **Program Administration by States (PAS) Pilot** is a program delivery framework that allows FEMA to delegate certain **HMGP** program responsibilities to States. “States” include federally-recognized tribes and Territories who choose to be a **Recipient**. Administered on a voluntary basis, the PAS Pilot allows HMGP Recipients to have greater control over program implementation.

The **Sandy Recovery Improvement Act of 2013** directs FEMA to implement the PAS Pilot for the HMGP. The pilot program applies to all major disasters or emergencies declared on or after January 29, 2013 and for any declaration before this date where the application period is still open (from DR-4010-KS forward). To apply for participation in PAS, States, Territories, and federally-recognized tribes must have an approved State Hazard Mitigation Plan, demonstrated ability to manage the HMGP, and demonstrated commitment to mitigation activities. If FEMA approves the Recipient’s application for PAS, FEMA and the State enter into an operational agreement, documented in the **HMGP Administrative Plan**, as to how the State will implement the HMGP with minimal oversight from FEMA.

Applicable HMA program(s): HMGP.

References: Sec. and 404(c) of the Stafford Act, as amended, 42 U.S.C. 5170c(c); 2 C.F.R. §§ 200.80 and 200.307; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VIII (Program Administration by States), pages 99-100.

Program Income

Program Income means gross income received by the non-federal entity directly generated by an award supported activity, or earned only as a result of the award during the grant **period of performance**. The award period is the time between the effective date of the award and the ending date of the award reflected in the final **Federal financial report**.

FEMA encourages Recipients and subrecipients to generate program income to help defray program costs. Program income may be derived from use or rental of real or personal property acquired with award funds, and sale of commodities or items fabricated under the award. Subrecipients must deduct this income from total project costs as specified in 2 C.F.R. §§ 200.80 and 200.307. This income may not count towards the non-Federal **cost share**.

Upon subaward closeout, subapplicants must assure that all program income has been deducted from total project costs.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. Part 200; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI, D.6 (Program Income), page 87.

Project Approval (Notice of Award)

Project Approval (Notice of Award) is the process FEMA uses in awarding a grant. After FEMA evaluates applications and subapplications for **eligibility and completeness**, which includes reviews for **cost-effectiveness, feasibility and effectiveness, Environmental Planning and Historic Preservation (EHP)** compliance, and other grant requirements, FEMA will provide an award package to the **Applicant** for successful subapplications. **Subapplicants** will receive notice of award from the Applicant.

Award packages for the **PDM** program and **FMA** include an award letter, FEMA Form 112-0-7, Obligating Document for Awards/Amendments, and Articles of Agreement, EHP, and/or other conditions that must be signed by the Applicant in eGrants and returned to FEMA for approval before funds can be obligated.

For HMGP, award packages for subawards include an approval letter, an obligation document, and EHP and/or other conditions required.

When the Applicant or subapplicant accepts an award, they are denoted as Recipient and subrecipient, respectively. The Recipient and subrecipient agree to abide by the Federal award terms and conditions as set forth in the Articles of Agreement or the FEMA-State Agreement.

Additional requirements related to grant and subaward awards are addressed in 2 C.F.R. Part 200 and 44 C.F.R. Parts 79, 80 and 206.434, Part 200 and HMA Guidance.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.328; 44 C.F.R. Parts 79, 80, and 206; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VI (Award Administration Information), pages 81-94.

Project Monitoring

Project Monitoring refers to the **pass-through entity** and **subrecipient** requirements to monitor and evaluate the progress of mitigation activities funded through a federal award or subaward. FEMA requires pass-through entities and subrecipients to monitor and evaluate the progress of the mitigation activity in accordance with the:

- ◆ Approved original **scope of work** and budget;
- ◆ Administrative requirements of Part 200;
- ◆ Open space monitoring, reporting and inspection requirements of 44 C.F.R. Part 80.19 Land Use and Oversight, for **property acquisition** projects; and
- ◆ Any applicable State requirements.

Sound project monitoring improves the efficiency of the project implementation process and the obligation of funds process. The satisfactory use of quarterly reporting facilitates project management and allows the pass-through entity, and FEMA to monitor obligations and any unliquidated funds. For additional information on project monitoring, see *HMA Guidance*, Part VI, E. (Reporting Requirements) and *Addendum to HMA Guidance*, Part A.5.2 (Open Space Monitoring, Reporting and Inspection).

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.404; 44 C.F.R. §§ 80.19(d) and 206.437(b)(4)(vii); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, M (Project Monitoring), page 23; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part A, A.5.2 (Open Space Monitoring, Reporting, and Inspection), pages 11-12.

Property Acquisition and Demolition or Relocation for Open Space (Property Acquisition)

Property Acquisition and Demolition or Relocation for Open Space is an eligible activity under all HMA programs involving the voluntary acquisition of existing at-risk structures and, typically, the underlying land, and conversion of the land to open space. The property must be deed-restricted in perpetuity to open space uses to restore and/or conserve the natural floodplain functions. The two types of eligible property acquisition activities include:

- ◆ *Property Acquisition and Structure Demolition* – Property acquisition and structure demolition involves voluntary acquisition of the structure and underlying land and conversion of the land to open space through the demolition of the structure.
- ◆ *Property Acquisition and Structure Relocation* – Property acquisition and structure relocation involves the physical relocation of an existing structure to an area outside of a hazard-prone area, such as the Special Flood Hazard Area (SFHA) or a regulatory erosion zone and, typically, the acquisition of the underlying land. Relocation must conform to all applicable State and local regulations.

When properties are acquired for the purpose of creating open space, Applicants and subapplicants must comply with 44 C.F.R. Part 80, Property Acquisition and Relocation for Open Space, and **HMA Guidance**. For a property to be eligible for FEMA-funded acquisition the subapplicant must acquire the full fee title of the property, except for any easements and encumbrances that FEMA determines are compatible with open space, from a willing seller. The subapplicant must commit not to use eminent domain if the property owner chooses not to participate and must verify that the property is not needed as a part of an intended or planned construction project.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 404(b) of the Stafford Act, as amended, 42 U.S.C. 5170c(b); Sec. 1366(c)(3)(c) of the NFIA, as amended, 42 U.S.C. 4104c(c)(3)(c); 44 C.F.R. Part 80; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), page 34; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part A (Property Acquisition and Structure Demolition or Relocation for Open Space), pages 1-30.

Reasonable Cost

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when the non-federal entity is predominately federally- funded. Reasonable cost is defined, and required considerations for determination are given in 2 CFR § 200.404, Reasonable Costs. In determining reasonableness of a given cost, consideration shall be given to:

- ◆ Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-federal entity or the proper and efficient performance of the federal award.
- ◆ The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; Federal, State, tribal, local and other laws and regulations; and, terms and conditions of the Federal award.
- ◆ Market prices for comparable goods or services for the geographic area.
- ◆ Whether the individuals concerned acted with prudence in the circumstance considering their responsibilities to the non-federal entity, its employees, where applicable its students or membership, the public at large, and the Federal Government.
- ◆ Whether the non-federal entity significantly deviates from the established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award's cost."
- ◆ FEMA will also reconsider determinations of noncompliance, additional award conditions placed on the recipient or subrecipient, or its decision to terminate a federal award.

Costs for eligible activities must be reasonable, allowable, allocable, and necessary, as required by 2 CFR Part 200, Subpart E, Cost Principles, applicable program regulations, and HMA Guidance.

Applicable HMA programs: FMA, HMGP, PDM.

References: 2 CFR § 200 Subpart E; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, H (Cost Review), page 21.

Recipient

The **Recipient** is the **State, Territory, or federally-recognized tribe** that receives a FEMA mitigation grant directly from FEMA to carry out an activity under a FEMA program.

A Recipient may be a non-Federal entity and or a pass-through entity depending on their role in administering the award to the subrecipient. The term recipient does not include subrecipient.

A pass-through entity receives a Federal award and provides a subaward to a subrecipient to carry out part of an HMA award. Pass-through entities are accountable for the use of the funds, responsible for administering the grants and responsible for complying with program requirements and other applicable Federal, State, territorial, and tribal laws and regulations. The pass-through entity is also responsible for financial management of the program and overseeing all approved projects.

A non-federal entity is a State, local, tribe or private nonprofit organization that carries out a Federal award as a recipient or subrecipient.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.327; 44 C.F.R. §§ 79.2 and 206.431; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, C (Roles and Responsibilities), page 5.

Reconsideration Process

The **Reconsideration Process** for **subapplications** under the **FMA** and **PDM** programs allows **Applicants** to contest a FEMA determination that denies Federal assistance under these programs. FEMA will reconsider its determination on an FMA or PDM subapplication only when there is an indication of a substantive technical or procedural error by FEMA. Only information provided in the submitted subapplication is considered supporting documentation for the request for reconsideration. New information may not be submitted. The amount of funding available for Applicant management costs will not be reconsidered.

Applicants must send requests for reconsideration based upon technical or procedural error to FEMA within the time specified in the notification letter to the Applicant. A FEMA decision to uphold or overturn a decision regarding a subapplication evaluated on a competitive basis is final.

Applicable HMA program(s): FMA, PDM.

References: 2 C.F.R. § 200.93; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part V, B.3 (Reconsideration Process), pages 77-78.

Repetitive Loss Property

Under HMA, a **Repetitive Loss Property** is a structure covered by a contract for flood insurance made available under the NFIP that:

- ◆ Has incurred flood-related damage on 2 occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and
- ◆ At the time of the second incidence of flood-related damage, the contract for flood insurance contains **increased cost of compliance** coverage.

Under the FMA program, FEMA may contribute up to 90 percent Federal **cost share** for the mitigation of repetitive loss properties. To be eligible for an increased Federal cost share, a FEMA-approved State or Tribal (Standard or Enhanced) Mitigation Plan that addresses repetitive loss properties must be in effect at the time of federal award and the property that is being submitted for consideration must be a repetitive loss property. Guidance on addressing repetitive loss properties can be found in the *State Multi-Hazard Mitigation Planning Guidance* and in 44 C.F.R. § 201.4 (c)(3)(v), Mitigation Strategy.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 1366 of the NFIA, as amended, 42 U.S.C. 4104c; 42 U.S.C. 4121(a)(7); 44 C.F.R. §§ 79.4 (c)(2), 201.4(c)(3)(v) and 201.7(c)(3)(vi); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, C (Cost Sharing), pages 26-27, Part VI, F.2.2 (Update of Repetitive Loss Database), page 93-94 and Part VIII, C.2 (Repetitive Loss Strategy), page 117.

Request for Information (RFI)

A **Request for Information (RFI)** is additional information or documentation that FEMA may request from **Applicants** through the **Recipient** to determine eligibility. RFIs can take various forms, including email requests, documented telephone calls, or formal letters. Failure to provide requested information by the deadlines identified in the request may result in denial, because eligibility cannot be determined. Technical assistance is available, if requested.

For full information about RFIs, see **HMA Guidance**.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part V, C (Requests for Information), pages 78-80.

Safe Room

A **Safe Room** is a hardened structure specifically designed to meet FEMA criteria and provide "near-absolute protection" in extreme weather events, including tornadoes and hurricanes. The level of protection provided by a safe room is a function of its design parameters, specifically the design wind speed and resulting wind pressure and the wind-borne debris load resistance. To be considered a FEMA safe room, the structure must be designed and constructed to the guidelines specified in the most recent edition of FEMA publications *Taking Shelter from the Storm: Building a Safe Room for Your Home or Small Business* (FEMA P-320) and *Safe Rooms for Tornadoes and Hurricanes: Guidance for Community and Residential Safe Rooms* (FEMA P-361). Additionally, all applicable Federal, State, and local codes must be followed. When questions arise pertaining to the differences between FEMA P-361 criteria and another code or standard, the most conservative criteria should apply.

HMA safe room construction projects are designed to provide immediate life-safety protection for a limited at-risk population that cannot evacuate out of harm's way before an event. These mitigation activities are available for public and private structures for severe wind events including tornadoes and hurricanes. For the purposes of **PDM** program and **HMGP**, "safe room" applies only to the following:

- ◆ Extreme wind (combined tornado and hurricane) residential safe room;
- ◆ Extreme wind (combined tornado and hurricane) community safe rooms;
- ◆ Tornado community safe rooms; and
- ◆ Hurricane community safe rooms.

Eligible safe room construction projects include retrofits of existing facilities and new safe room construction and apply to both single- and dual-use facilities.

Applicable HMA program(s): HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance* (February 27, 2015), Part III, E.1.1 (Mitigation Projects), page 36; *Hazard Mitigation Assistance Guidance Addendum* (February 27, 2015), Part C (Safe Rooms), pages 39-58; *Taking Shelter from the Storm: Building a Safe Room for Your Home or Small Business* (FEMA P-320) and *Design and Construction Guidance for Community Safe Room* (FEMA P-361.)

Sandy Recovery Improvement Act of 2013 (SRIA)

The **Sandy Recovery Improvement Act of 2013**, Public Law 113-2, (SRIA), amended the Stafford Act to authorize several significant changes to the way the FEMA delivers disaster assistance under **HMGP**. SRIA directs FEMA to streamline HMGP activities and implement the program in a timelier manner. SRIA outlines new HMGP program provisions being implemented on a pilot basis, including **Program Administration by States** and **Advance Assistance**.

To further implement improved HMGP delivery, FEMA also:

- ◆ Established **minimum eligibility and completeness** criteria for HMA project applications for some common project types (**property acquisition, structure elevation, wind retrofit and safe rooms**);
- ◆ Developed an accelerated timeframe for application review and decision-making;
- ◆ Accepts minimum design and construction standards for engineered projects, including **ASCE/SEI 24-14, Flood Resistant Design and Construction**;
- ◆ Encourages **phasing** complex projects;
- ◆ Produced **pre-calculated benefits** for certain project types including safe rooms, property acquisitions and structure elevations;
- ◆ Accepts industry cost guides for project cost estimating;
- ◆ As part of a Steering Group, developed an expedited and unified interagency **Environmental Planning and Historic Preservation (EHP)** review process known as **Unified Federal Review (UFR)**.

Applicable HMA program(s): HMGP.

References: The Sandy Recovery Improvement Act of 2013 (SRIA), Public Law 113-2, 42 U.S.C. 5121 et seq.; Secs. 404(c), 404(d) and 404(e) of the Stafford Act, as amended, 42 U.S.C. 5170c(c), 5170c(d), and 5170c(e); FEMA Memorandum May 24, 2013: Advance Assistance for HMGP under SRIA – Amended; FEMA Memorandum May 1, 2013: HMGP Streamlining; Hazard Mitigation Assistance Guidance Addendum (February 27, 2015), Program Administration by States Pilot, Hazard Mitigation Grant Program, April 1, 2013.

Scope of Work (SOW)

The project **Scope of Work (SOW)** identifies the **eligible activity**, describes what will be accomplished and explains how the mitigation activity will be implemented. The mitigation activity must be described in sufficient detail to verify the **cost estimate**. All activities for which funding is requested must be identified in the SOW prior to the close of the application period.

FEMA has different requirements for project, planning and management cost SOWs. See **HMA Guidance** for additional information.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, H (Scoping Narrative: Scope of Work, Schedule, and Cost Estimate), pages 58-64.

Sea-Level Rise

FEMA will fund hazard mitigation projects that include sea level rise (SLR) estimates. To incorporate considerations for SLR in the development of a **benefit cost analysis** (BCA), recipients and **subrecipients** should add the estimated SLR to the current 10-, 25-, 50-, and 100-year flood elevations for their area. Generally, SLR can be included in flood elevations when conducting BCAs in coastal areas using the full data flood module. SLR can be applied to projects in any U.S. coastal area where relative SLR data are available. This includes areas subject to coastal flooding as identified in the current NFIP flood study or coastal rivers and streams located as far inland as the extent of estimated tidal influence or storm surge.

Refer to *Incorporating Sea Level Rise (SLR) into Hazard Mitigation Assistance (HMA) Benefit Cost-Analysis FAQs* for additional information on the SLR (<http://www.fema.gov/media-library/assets/documents/89659>).

Applicable HMA Program(s): HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part II.B (Climate Change and Resiliency Considerations), page 16; Part IV, I.8 (Integrating Sea Level Rise in Mitigation – pages 67-68); 2011 FEMA Climate Change Adaptation Policy Statement (Administrator Policy 2011-OPPA-01); and the 2014–2018 FEMA Strategic Plan.

Severe Repetitive Loss Property

Under HMA, a **Severe Repetitive Loss Property** is a structure that:

- ◆ Is covered under a contract for flood insurance made available under the NFIP; and
- ◆ Has incurred flood related damage –
 - For which 4 or more separate claims payments (includes building and contents) have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or
 - For which at least 2 separate claims payments have (only building) been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

Severe repetitive loss properties are eligible for assistance under the HMA programs. Under the **FMA** program, FEMA may contribute up to 100 percent **Federal share** for severe repetitive loss properties or the expected savings to the **National Flood Insurance Fund (NFIF)** for acquisition or relocation activities. The **Greatest Saving to the Fund (GSTF)** value for property acquisition may be offered to the property owner if the project is not **cost-effective** using pre-event or current market value.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 1366(d)(1)(a) of the NFIA, as amended, 42 U.S.C. 4104c(d)(1)(a); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, C (Cost-Sharing), pages 26-27 and Part VIII, C.1 (Eligible Properties), pages 116-117.

Small Business Administration (SBA) Disaster Loan

A **Small Business Administration (SBA) Disaster Loan** is a low-interest disaster loan available to homeowners, renters, businesses and private nonprofit organizations. An SBA disaster loan can be used to repair or replace structures damaged or destroyed in a disaster. The property owner may be eligible for additional funds for mitigation improvements to the structure. The mitigation portion of the disaster loan is an addition to the amount of the approved loan, but may not exceed 20 percent of total amount of disaster damage to real estate and/or leasehold improvements, as verified by SBA, to a maximum of \$200,000 for home loans.

When a **subapplication for HMA funding** involves property owners who have received SBA disaster loans, the **subapplicant** must review the loan amounts the property owners received to assure that no **duplication of benefits (DOB)** occurs. DOB occurs when a property owner receives HMA fund for the same purpose as a disaster loan. For **property acquisition and structure demolition or relocation projects**, property owners who have an SBA disaster loan are required to repay the loan or roll it over to a new property at closing prior to receiving HMA funds for the acquisition of property.

Relevant HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part A, 6.9.3 (Deductions from the Purchase Offer), pages 25-26; *Hazard Mitigation Assistance Tool for Identifying Duplication of Benefits*, page 18.

Small Impoverished Community

A **Small Impoverished Community** is a community that meets all of the following criteria. The community must:

- ◆ Be a community of 3,000 or fewer individuals identified by the State as a rural community (not a remote area) within the corporate boundaries of a larger city;
- ◆ 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;
- ◆ Have a local unemployment rate that exceeds by 1 percentage point or more the most recently reported, average yearly national unemployment rate; and
- ◆ Meet other criteria required by the Applicant in which the community is located.

Small impoverished communities may be eligible for up to 90 percent **Federal share** under the **PDM** program. Applicants for PDM assistance must certify and provide documentation of the community's status with the appropriate **subapplication** to justify the 90 percent Federal share. If documentation is not submitted with the subapplication, FEMA will provide no more than the standard 75 percent of the total eligible costs. The proposed activities must be eligible. Only **federally-recognized tribe** recipients meeting the definition of a small impoverished community are eligible for a non-Federal share of 10 percent for management costs. The table below identifies PDM eligible communities' percentage per activity.

Programs	Mitigation Activity (Percent of Federal / Non-Federal Share)	Recipient Management Costs (Percent of Federal / Non-Federal Share)	Subrecipient Management Costs (Percent of Federal / Non-Federal Share)
PDM –subrecipient is small impoverished community	90/10	75/25	90/10
PDM – Tribal Recipient is small impoverished community	90/10	90/10	90/10

Applicable HMA program(s): PDM.

References: Sec. 203 of the Stafford Act, as amended, 42 U.S.C. 5133; 44 C.F.R. § 201.2; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IIIC (Cost-Sharing) pages 26-27 and Part VIII, B.2 (Small Impoverished Communities), page 114.

Soil Stabilization

Soil Stabilization is an eligible activity under the HMA programs that involves projects to reduce risk to structures or infrastructure from erosion and landslides, including installing geotextiles, stabilizing sod, installing vegetative buffer strips, preserving mature vegetation, decreasing slope angles, and stabilizing with rip rap and other means of slope anchoring. These projects must not **duplicate** the activities of other Federal agencies on the same site.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects) page 37.

Special Flood Hazard Area (SFHA)

The **Special Flood Hazard Area (SFHA)** is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The SFHA is also an area having special flood, mudflow, or flood-related erosion hazards, and appearing on a Flood Hazard Boundary Map or a FIRM as Zone A, AO, A1–A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1–A30, V1–V30, VE, or V.

HMA projects sited in a SFHA are subject to certain requirements. Projects sited within an SFHA are eligible only if the jurisdiction in which the project is located is participating in the NFIP. For structures that remain in the SFHA after the implementation of the mitigation project, flood insurance must be maintained for the life of the structure 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. **Subapplicants** receiving assistance for projects sited in an SFHA must ensure that these requirements are met. The subapplicant must legally record a notice of flood insurance requirements and request that the participating property owner(s) sign an *Acknowledgement of Conditions for Mitigation of Property in an SFHA with FEMA Grant Funds* form. The subapplicant must provide the signed form to FEMA prior to award or final approval. This form is available from the FEMA website or from the appropriate FEMA Regional Office.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 59.1 and 61 Appendix A(2)(II); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III,E.7 (National Flood Insurance Eligibility Requirements), pages 49-50.

Stafford Act

The **Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)**, 42 U.S.C. 5121 et seq., authorizes financial and other forms of Federal assistance to support disaster preparedness, response, recovery, and mitigation efforts. The Stafford Act describes the types and extent of assistance that may be provided and fundamental eligibility requirements.

The Stafford Act authorizes two of the three HMA programs: the **Pre-Disaster Mitigation (PDM)** program and the **Hazard Mitigation Grant Program (HMGP)**. The PDM program and HMGP are authorized by Sections 203 and 404 of the Stafford Act, respectively. PDM is designed to assist States, Territories, tribes, and local communities to implement a sustained pre-disaster natural hazard mitigation program to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters. The key purpose of HMGP is to ensure that the opportunity to take critical mitigation measures to reduce the risk of loss of life and property from future disasters is not lost during the reconstruction process following a disaster. Implementing regulations for the Section 404 of the Stafford Act appear in the Code of Federal Regulations at 44 C.F.R. Subpart N, Hazard Mitigation Grant Program. There are no implementing regulations for Section 203.

Applicable HMA program(s): HMGP, PDM.

References: Secs. 101, 203 and 404 of the Stafford Act, as amended, 42 U.S.C. 5121, 5133 and 5170c; 44 C.F.R. 206.43 et seq., Subpart N.

State

State means any State of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

States, Territories and federally-recognized tribes are eligible Applicants under the HMA grant programs.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 102(4) of the Stafford Act, as amended, 42 U.S.C. 5122(4); Sec. 1366 of the NFIA, as amended, 42 U.S.C. 4104c; 42 U.S.C. 4121(2); 44 C.F.R. §§ 79.6(a), 206.431 and 206.434(a); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, A (Eligible Applicants), page 25.

State Administrative Plan

The **State Administrative Plan** is a procedural guide that details how the **Recipient** will administer the **HMGP**. Recipients must have a current Administrative Plan approved by FEMA before receiving HMGP funds, including **State management costs**. The State Administrative Plan may become an annex or chapter of the State's overall emergency response and operations plan or comprehensive mitigation program strategy. At a minimum, the State Administrative Plan must:

- ◆ Designate the State agency that will act as Recipient;
- ◆ Identify the State Hazard Mitigation Officer (SHMO), or equivalent;
- ◆ Identify staffing requirements and resources, including a procedure for expanding staff temporarily following a disaster, if necessary;
- ◆ Establish procedures to guide implementation activities, including Recipient management costs and distribution of subrecipient management costs; and
- ◆ Comply with 44 C.F.R. § 206.437, State Administrative Plan.

Relevant HMA program(s): HMGP.

References: 44 C.F.R. §§ 206.437 and 207.7(b); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part VIII, A.2 (State Administrative Plan) pages -96-99.

Strategic Funds Management (SFM)

Strategic Funds Management (SFM) refers to FEMA's initiative to provide funds for certain **HMGP** projects in incremental amounts, instead of lump sum payments, in order to better manage the Disaster Relief Fund. SFM allows FEMA to obligate funds based on project work schedules and progress as reported on the quarterly report. SFM does not allow funds to be advanced for an HMGP project that is not approved and **eligible**.

All **HMGP** projects over \$1 million Federal share must be reviewed to determine whether the project is a candidate for SFM. If an **HMGP** project is appropriate for SFM, FEMA and the non-Federal entities will review the budget and work schedule to ensure that the project supports incremental obligation.

SFM is distinct from **phased projects**, **pre-award costs** and **advance assistance** each of which address separate cost-advancing needs and allowances. However, Recipients may use advance assistance funds, when available, to review budgets and work schedules to identify SFM opportunities. .

Applicable HMA program(s): HMGP.

References: FEMA Memorandum May 24, 2013: Advance Assistance for HMGP under SRIA – Amended; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, L (Strategic Funds Management), page 23 and Part VIII, A.9 (Strategic Funds Management Toolkit, www.fema.gov), pages 105-106.

Streamlining (HMGP)

Streamlining refers to FEMA's efforts, consistent with the **Sandy Recovery and Improvement Act of 2013 (SRIA)**, to implement **HMGP** activities in a timelier manner. To achieve streamlining, FEMA:

- ◆ Developed an **Advance Assistance Pilot** and a **Program Administration by States Pilot**;
- ◆ Established **minimum eligibility and completeness** criteria for HMA project applications for some common project types (**property acquisition, structure elevation, wind retrofit and safe rooms**);
- ◆ Developed an accelerated timeframe for application review and decision-making;
- ◆ Accepts minimum design and construction standards for engineered projects, including **ASCE/SEI 24-14, Flood Resistant Design and Construction**;
- ◆ , and wind retrofit projects;
- ◆ As part of a Steering Group, developed an expedited and unified interagency **Environmental Planning and Historic Preservation (EHP)** review process known as **Unified Federal Review (UFR)**; and
- ◆ Accepts industry cost guides for project cost estimating.

Applicable HMA program(s): HMGP.

References: Sec. 404(d) of the Stafford Act, as amended, 42 U.S.C. 5170c(d); FEMA Memorandum May 1, 2013: Hazard Mitigation Grant Program (HMGP) Streamlining.

Structural Retrofitting of Existing Buildings

Structural Retrofitting of Existing Buildings is an eligible activity under the **HMGP** and **PDM** that involves modifications to the structural elements of a building to reduce or eliminate the risk of future damage and to protect inhabitants. The structural elements of a building that are essential to protect or to prevent damage include foundations, load-bearing walls, beams, columns, building envelope, structural floors and roofs, and the connections between these elements.

Applicable HMA programs: HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), page 36; *Homeowner's Guide to Retrofitting –Third Edition (FEMA P-312)*, *Floodproofing Non-Residential Buildings (FEMA P-936)*, *Wind Retrofit Guide for Residential Buildings (FEMA P-804)*, *Engineering Principles and Practices of Retrofitting Floodprone Buildings (FEMA P-259)*, *Prestandard and Commentary for the Seismic Rehabilitation of Buildings (FEMA-356)*. Hazard Mitigation Assistance Guidance Addendum (February 27, 2015), Part F.3, page 83; ASCE 24-14 Flood Resistant Design and Construction; *Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects (FEMA 2013)*.

Structure Elevation

Structure Elevation is an eligible activity under the three HMA programs that involves physically raising an existing structure to the **base flood elevation** (BFE) or higher if required by FEMA or local ordinance. Elevation may be achieved through a variety of methods, including elevating on continuous foundation walls; elevating on open foundations, such as piles, piers, posts, or columns; and elevating on fill. Foundations must be designed to properly address all loads and be appropriately connected to the floor structure above, and utilities must be properly elevated as well.

For additional information about structure elevation projects, see the *Addendum to HMA Guidance*, Part E, Structure Elevation. At a minimum, FEMA requires **Applicants** and **subapplicants** to design all structure elevation projects in accordance with the **NFIP** standards in 44 C.F.R. Part 60. Buildings proposed for structure elevation must be structurally sound and capable of being elevated safely. FEMA requires Applicants and subapplicants to design all structure elevation projects in accordance with the *American Society of Civil Engineers/Structural Engineering Institute (ASCE/SEI) 24-14, Flood Resistant Design and Construction*. In the application development, review, and approval phases (pre-award stage), HMA applicants and subapplicants will provide an affirmative certification statement (in narrative form) demonstrating their planned use of ASCE/SEI 24-14 in implementing the HMA project post-award.

Relevant HMA programs: FMA, HMGP, PDM.

References: Secs. 1366(c)(3)(B) and (D) of the NFIA, as amended, 42 U.S.C. 4104c(c)(3)(B) and (D); 44 C.F.R. Part 60 and § 79.6(c)(2)(ii); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects), page 36; *Hazard Mitigation Assistance Guidance Addendum (February 27, 2015)*, Part E (Structure Elevation), pages 74-80; *ASCE/SEI 24-14, Flood Resistant Design and Construction*; *Above the Flood: Elevating Your Flood Prone House (FEMA P-347)*; *National Flood Insurance Program Elevation Certificate and Instructions (FEMA Form 81-31)*; ; *Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects (FEMA 2013)*.

Subapplicant

The **Subapplicant** is the entity, such as a state agency, **community, local government**, federally-recognized tribes, or **private non-profit** (PNP) organization (for HMGP) that submits a **subapplication** for HMA funding to the **Applicant**. Eligible subapplicants include those listed in the table below, by program:

Entity	HMGP	PDM	FMA
State agencies	Yes	Yes	Yes
Federally-recognized tribes	Yes	Yes	Yes
Local governments/communities	Yes	Yes	Yes
Private non-profit organizations (PNPs)	Yes	No	No

For specific details regarding eligible subapplicants, refer to 44 C.F.R. § 206.434(a), Applicants, for the **HMGP** and 44 C.F.R. § 79.6(a), Eligible Applicants and Subapplicants, for the **FMA**. For the HMGP and **PDM** program, also see 44 C.F.R. § 206.2(a)(16), Local Government, for a definition of local governments. Local governments/community may include non-federally recognized tribes, or consistent with definition of local government at 44 CFR 201.2, may include any Indian tribe or authorized tribal organization, or Alaska Native village or organization that is not federally recognized per 25 U.S.C. 479a et seq. Individuals and businesses are not eligible to apply for HMA funds; however, an eligible Applicant or subapplicant may apply for funding on behalf of individuals and businesses. PNP organizations may act as the subapplicant for HMGP. PNP organizations or institutions that own or operate a PNP facility are defined in 44 C.F.R. § 206.221(e), Private Non-Profit Facility. For additional information about the eligibility of PNPs for HMGP, refer to **HMA Guidance**.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 79.2, 206.221(f)(1) and 206.431; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, C (Roles and Responsibilities), pages 5-6, Part III, B (Eligible Subapplicants), pages 25-26 and Part VIII, A.6 (Eligible Subapplicants), pages 104.

Subapplication for HMA Funding

The **Subapplication for Hazard Mitigation Assistance (HMA) Funding** is a formal request for FEMA assistance submitted by an eligible **subapplicant**, such as a state agency, **community, local government, federally-recognized tribe** or **private non-profit** organization (for HMGP). FEMA will only consider subapplications submitted to a specific HMA program (the **FMA, HMGP, or PDM**). Subapplications must meet **minimum eligibility and completeness** criteria. **Eligible activities** include mitigation projects, **mitigation planning**, technical assistance (FMA only) and **management costs**. FEMA has developed a “Minimum Criteria Checklist for Project Subapplications” that outlines the information required for all submissions.

HMGP subapplication packages are available from and submitted to eligible **Applicants** (States, Territories, or federally-recognized tribes) following Presidential major disaster declarations. The Applicant selects and prioritizes subapplications and submits them to FEMA using the National Emergency Management System (NEMIS). The Applicant must submit all HMGP subapplications to FEMA within 12 months of the date of the disaster declaration. All subapplicants for HMGP must have a FEMA approval local or tribal mitigation plan at the time of obligation of grant funds for mitigation projects. **Private non-profit subapplicants** do not have mitigation plan requirements.

The application period for the FMA and PDM programs, and the amounts of funding available, are established annually by FEMA. Subapplicants submit subapplications for the FMA and PDM program through the *eGrants* system. The *eGrants* system allows subapplicants to electronically create, review, and submit a grant application to FEMA via the Internet. Subapplicants can access *eGrants* at <https://portal.fema.gov/famsVuWeb/home>. The Applicant will rank FMA and PDM program subapplications in priority order before submitting them to FEMA for funding. All subapplicants for PDM and FMA must have a FEMA approved local or tribal mitigation plan by the application deadline and at the time of obligation of grant funds for mitigation projects.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. §§ 79.5 and 206.436; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, H.3 (Considerations for Planning Subapplication), pages 60-62, Part IV, H.4 (Considerations for Project Subapplications), pages 63-64 and Part VIII, A.7 (Submission of HMGP Subapplications) page 104.

Subrecipient

Subrecipient under the HMA programs is an entity, such as a state agency, **community, local government, federally-recognized tribe**, or **private non-profit** organization, to which FEMA awards a **subaward** and who is accountable to the **Recipient** for the use of the funds provided. Eligible subrecipients are the same as eligible **subapplicants**

The subrecipient is responsible for managing the subaward and complying with program requirements and other applicable Federal, State, Territorial, Indian Tribal, and local laws and regulations. A federally-recognized tribe may participate as either the Applicant/Recipient or the subapplicant/subrecipient.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 2 C.F.R. § 200.93; 44 C.F.R. §§ 79.2 and 206.431; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I, C (Roles and Responsibilities), pages 5-6.

Substantial Damage

Substantial Damage is damage of any origin sustained by a building whereby the cost of restoring the building to its before-damaged condition would equal or exceed 50 percent of the market value of the building before the damage occurred.

HMA property acquisition projects involving structures that are substantially damaged (from any origin), and located in a riverine **Special Flood Hazard Area (SFHA)** on a preliminary or effective **FIRM**, are eligible for an expedited **cost-effectiveness** review using the **substantial damage waiver** methodology. When using the waiver, Applicants or subapplicants should include documentation of the substantial damage determination in the project subapplication.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. § 59.1; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, I.1 (Substantial Damage Waiver), page 65.

Substantial Damage Waiver

The **Substantial Damage Waiver** is an expedited **cost-effectiveness** determination available for HMA **property acquisition** projects when certain conditions are met. Structures that are **substantially damaged** (from any origin) and located in a riverine **Special Flood Hazard Area** (SFHA) on a preliminary or effective **FIRM** are considered cost-effective when included in a property acquisition project. When using the waiver, the Applicant or subapplicant should include a certification that the structures meet the conditions of substantial damage in an SFHA in the project subapplication.

FEMA-approved data and BCA software are available at <http://www.fema.gov/benefit-cost-analysis>. FEMA's BCA Technical Assistance Helpline is available to provide assistance utilizing FEMA's BCA software and may be contacted at (855) 540-6744 or bchelp@fema.dhs.gov.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IV, I.1 (Substantial Damage Waiver), page 65.

Substantial Improvement

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage” regardless of the actual repair work performed. The term does not, however, include either:

- ◆ Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- ◆ Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

HMGP funds cannot be used to fund new construction or substantial improvement in a floodway or new construction in a **coastal high hazard zone**. However, the costs to elevate or floodproof a damaged structure or facility are not included in determining whether the substantial improvement threshold is triggered. For additional information see 44 C.F.R. § 9.11(d), Minimization Standards.

Applicable HMA program(s): FMA, HMGP, PDM.

References: 44 C.F.R. § 9.11(d) and § 59.1; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, E.6.1 (Floodplain Management and the Protection of Wetlands), page 48.

Technical Feasibility and Effectiveness

Technical Feasibility and Effectiveness (also “Feasibility and Effectiveness” or “Engineering Feasibility and Effectiveness”) refers to the HMA eligibility requirement that mitigation projects submitted for HMA grants must present a viable technical approach and be successful at mitigating the risks of the hazard for which the project was designed. The feasibility of the project is demonstrated through conformance with accepted engineering practices, established codes, standards, modeling techniques or best practices. Effective mitigation measures funded under HMA should provide a long-term or permanent solution. Consideration of technical feasibility and effectiveness during the project scoping process facilitates project development.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 1366(c)(2)(A)(i) of the NFIA, as amended, 42 U.S.C. 4104c(c)(2)(A)(i); 44 C.F.R. § 79.6(d)(3); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part II, D (Technical Feasibility and Effectiveness), page 17, Part III, E. 4 (Feasibility and Effectiveness), page 44, Part IV, J (Feasibility and Effectiveness Documentation), page 70 and Part V, A.2.2 (Feasibility and Effectiveness Review), page 75.

Territory

A **Territory** is a political subdivision of the United States that qualifies as Applicant or Grantee under the HMA programs. Territories of the United States include Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Sec. 101(4) of the Stafford Act, as amended, 42 U.S.C. 5121(4); Sec. 1366 of the NFIA, as amended, 42 U.S.C. 4104c; 42 U.S.C. 4121(2); *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part I (Roles and Responsibilities), page 5 and Part III, A (Eligible Applicants), page 25.

Unified Federal Review

The **Sandy Recovery Improvement Act** of 2013 (SRIA) added Section 429 to the Stafford Act, directing the development of an expedited and unified interagency **Environmental Planning and Historic Preservation** (EHP) review process, also known as Unified Federal Review, to ensure that Federal agencies coordinate EHP compliance for projects. When two or more Federal agencies are involved with a project, or if any Applicant EHP coordination has occurred, relevant environmental and cultural resource considerations may have already been identified and addressed in previous EHP project planning activities. FEMA is able to utilize and/or adopt EHP documentation if that documentation addresses the scope of the FEMA-approved activity and FEMA verifies that it meets FEMA's EHP compliance requirements.

Applicable HMA Program(s): HMGP, PDM.

References: Hazard Mitigation Assistance Guidance (February 27, 2015), Part II, F (Environmental Planning and Historic Preservation Review and Compliance), pg. 18; Part IV, K (Environmental Planning and Historic Preservation Documentation), pg. 70; and *Unified Federal EHP Review Process*: <http://www.fema.gov/media-library/assets/documents/98911>

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)

The **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)**, as amended, 42 U.S.C. 4601 et seq., ensures that people whose real property is acquired, or who move as a result of projects receiving Federal funds, will be treated fairly and equitably and will receive assistance in moving from the property they occupy. Implementing regulations for the Uniform Act appear at 49 C.F.R. Part 24, Uniform Relocation Assistance and Real Property Acquisition For Federal And Federally-Assisted Programs. 49 C.F.R. Part 24 promulgates rules to ensure that owners of real property displaced or acquired by Federal or federally assisted programs are treated fairly, consistently, and equitably, and that agencies who implement these regulations do so efficiently and cost effectively.

49 C.F.R. Part 24 implements the Uniform Act requirements for voluntary participation in the acquisition of structures using Federal funds. HMA program requirements related to 49 C.F.R. Part 24 appear at 44 C.F.R. Part 80, Property Acquisition and Relocation for Open Space. Part 80 provides instruction for voluntary participation in the acquisition of structures for open space.

Applicable HMA program(s): FMA, HMGP, PDM.

References: Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, 42 U.S.C. 4601 et seq.; 44 C.F.R. Part 80; 49 C.F.R. Part 24; *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part IX, Appendix D (Referenced Regulations, Statutes, Directives, and Guidance), pages 139 and 141.

Whole Community

FEMA's **Whole Community** concept is a means by which residents, emergency management practitioners, organizational and community leaders, and government officials can collectively understand and assess the needs of their respective communities and determine the best ways to organize and strengthen their community's assets, capacities, and interests. By doing so, a more effective path to societal security and resilience is built.

There are many different kinds of communities, including communities of place, interest, belief, and circumstance, which can exist both geographically and virtually (e.g., online forums). A whole community approach attempts to engage the full capacity of the private and nonprofit sectors, including businesses, faith-based and disability organizations, and the general public, in conjunction with the participation of local, tribal, state, territorial, and Federal governmental partners. This engagement means different things to different groups. In an all-hazards environment, individuals and institutions will make different decisions on how to prepare for and respond to threats and hazards; therefore, a community's level of preparedness will vary. The challenge for those engaged in emergency management is to understand how to work with the diversity of groups and organizations and the policies and practices that emerge from them in an effort to improve the ability of local residents to prevent, protect against, mitigate, respond to, and recover from any type of threat or hazard effectively.

The HMA programs support FEMA's whole community concept through hazard mitigation planning and hazard mitigation projects.

Applicable HMA program(s): FMA, HMGP, PDM.

References: *A Whole Community Approach to Emergency Management: Principles, Themes, and Pathways for Action* (FEMA Document 104-008-1), December 2011.

Wildfire Mitigation

Wildfire Mitigation projects mitigate the risk from wildfire to health, safety, and clearly defined vulnerable buildings and structures. Eligible wildfire mitigation activities are eligible under the **HMGP** and **PDM** program and include:

- ◆ Defensible space that involves the creation of perimeters around residential and non-residential buildings and structures through the removal or reduction of flammable vegetation;
- ◆ The application of non-combustible building envelope assemblies, the use of ignition-resistant materials, and the use of proper retrofit techniques in new and existing structures; and
- ◆ Vegetation management for hazardous fuels reduction, vegetation thinning, and reduction of flammable materials to protect life and property beyond defensible space perimeters but proximate to at-risk structures.

FEMA may fund above-code projects in communities with fire-related codes and may also fund activities that meet or exceed codes currently in effect for buildings and structures that were constructed or activities that were completed prior to the establishment of the local building codes. As with any HMA-funded project, wildfire mitigation projects must be technically feasible, effective at reducing risk, and designed and implemented in conformance with all local, State and Federal requirements, which include local and State building codes and land use restrictions. FEMA urges the community or any entity implementing wildfire mitigation to use the materials and technologies that are in accordance with International Code Council (ICC), FEMA, U.S. Fire Administration (USFA), and the National Fire Protection Association (NFPA) Fire-wise recommendations, whenever applicable.

FEMA recommends that projects use the design guidance in the *Homebuilder's Guide to Construction in Wildfire Zones* (FEMA P-737) or the *Wildfire Hazard Mitigation Handbook for Public Facilities* (FEMA P-754) if the latter presents a stricter standard.

Applicable HMA programs: HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance* (February 27, 2015), Part III, E.1.1 (Mitigation Projects), page 37; *Hazard Mitigation Assistance Guidance Addendum* (February 27, 2015), Part B (Wildfire Mitigation), pages 31-38; *Homebuilder's Guide to Construction in Wildfire Zones* (FEMA P-737); *Wildfire Hazard Mitigation Handbook for Public Facilities* (FEMA P-754).

Wind Retrofit for One- and Two-Family Residences (Wind Retrofit)

Wind Retrofit for One- and Two-Family Residences (Wind Retrofit) projects provide structural and building envelope protection from high wind events, such as hurricanes, for existing one- and two-family dwellings in coastal areas. FEMA provides design guidance for wind retrofit projects in **HMA Guidance** and FEMA publication *Wind Retrofit Guide for Residential Buildings* (FEMA P-804). HMA projects must be implemented in conformance with FEMA P-804 including compliance with the mitigation “packages”. Each successive mitigation package cumulatively increases the level of protection for wind-related damages to the buildings.

The general elements for each package are identified below. Eligible dwellings do not include manufactured housing.

Basic Mitigation Package

1. Option 1: Improvements with roof covering replacement; or
2. Option 2: Improvements without roof covering replacement.
3. Additional Required Retrofits for both Options 1 & 2:
 - a. Strengthening vents and soffits,
 - b. Strengthening overhangs at gable end walls,
 - c. Protecting openings per the Intermediate Packages, if located in the windborne debris region.

Intermediate Mitigation Package

1. Protecting windows and entry doors from windborne debris,
2. Protecting garage doors from wind pressure and garage door glazing from wind borne debris,
3. Bracing gable end walls,
4. Strengthening connections of attached structures.

Advanced Mitigation Package

1. Developing a continuous load path,
2. Protecting windows, entry doors, and garage doors from windborne debris and wind pressure.

Applicable HMA programs: HMGP, PDM.

References: *Hazard Mitigation Assistance Guidance (February 27, 2015)*, Part III, E.1.1 (Mitigation Projects) page 37, Part IV, I.10 (Pre-calculated Benefits for Residential Hurricane Wind Retrofit Measures) page 68, Part V, A.3.2 (Wind Retrofit Projects), page 76; *Wind Retrofit Guide for Residential Buildings* (FEMA P-804) published December 2010.