

JUL 15 2009



FEMA

MEMORANDUM FOR: FEMA Regional Administrators
FEMA Acting Regional Administrators
Regions I – X

Transitional Recovery Office Directors

Federal Coordinating Officers

FROM: Elizabeth A. Zimmerman 
Assistant Administrator
Disaster Assistance Directorate

SUBJECT: Application of the 110% Footprint for Substantial Improvements in
Coastal High Hazard Areas (V-Zones) for Public Assistance Projects

This memorandum provides clarification on the application of the 110% footprint provision in the June 2, 2009, memorandum from James A. Walke, Acting Assistant Administrator of the Disaster Assistance Directorate. The June 2, 2009, memorandum provided guidance on substantial improvement activities in Coast High Hazard Areas (V-Zones) for Public Assistance Projects.

The June 2, 2009, memorandum stated that reconstruction of facilities and structures is allowable “for the same function in the substantially same footprint (not to exceed 110 percent).” This provision allowing for 10% beyond the pre-disaster footprint is meant to comply with the limitation on new construction in FEMA regulations and at the same time provide an allowance for changes necessary for the reconstruction project. Reconstruction projects resulting in a footprint increase of more than 10% will not be considered unless the increase is based specifically on the need to comply with applicable codes and standards such as floodplain management ordinances or requirements under the Americans with Disabilities Act (ADA). It is the applicant’s responsibility to demonstrate that the extension beyond the 10% is triggered by an applicable code and standard. In addition, approval of these limited exceptions will be at the discretion of the FEMA Regional Administrator or Transitional Recovery Office Director.

If you have any questions or need additional information, please contact Jomar Maldonado, Acting Environmental Officer at (202) 646-2741. For questions with regard to Public Assistance, please contact Tod Wells, Acting Director, Public Assistance Division, at (202) 646-3936.