

PART II. FRONTLOADING HMA PROGRAM ELIGIBILITY REQUIREMENTS

Part II provides general information on the importance of “frontloading” HMA Program eligibility requirements in the project scoping and the overall decision-making process. Project scoping and project development are two of the earliest steps in the overall project lifecycle (see [Figure 1](#)) and can have a significant impact on the course an application or subapplication takes through the HMA grant process.

Project scoping (as shown in [Figure 2](#)) is the process by which subapplicants develop effective mitigation alternatives based on a defined set of requirements that meet the stated purpose and need of the proposed project. Applicants are encouraged to include representatives of the whole community in planning and scoping the project to gain broad community participation and support.

The scoping process includes the identification and evaluation of technical feasibility, cost review, cost-effectiveness, and environmental and cultural resource considerations. Based on potential impacts to environmental and cultural resources, there may be a legal requirement to alter the project. The process results in the development of a preferred project alternative that is then documented through the preparation of the application or subapplication. Applicants and subapplicants should consider the whole range of program requirements at the beginning stages of project development. The incorporation of these considerations into the scoping process can increase the efficiency of program review and ensure that all HMA program requirements are addressed.

Figure 1: Overall Project Lifecycle

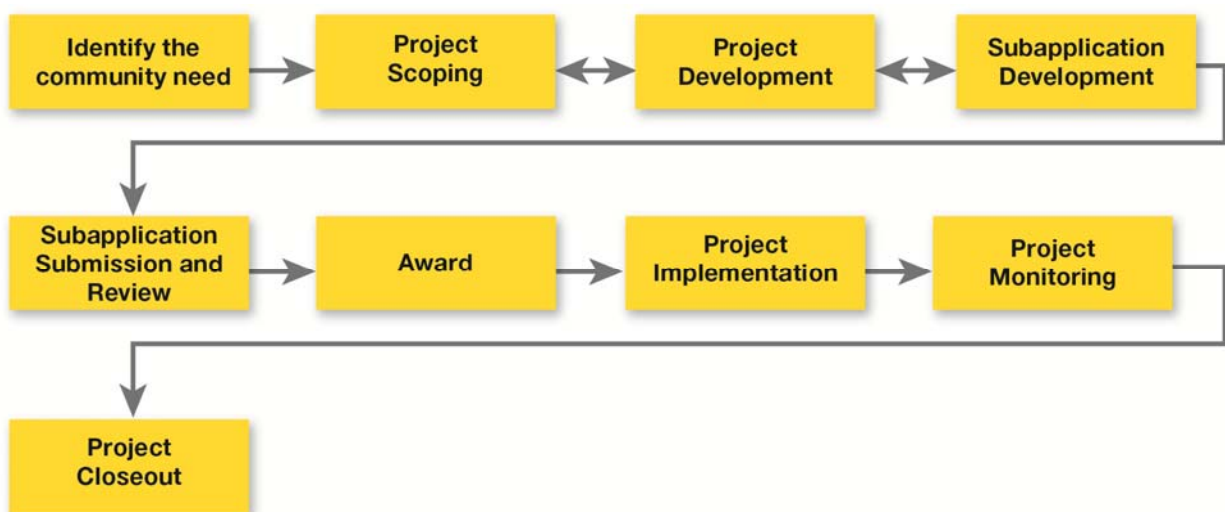
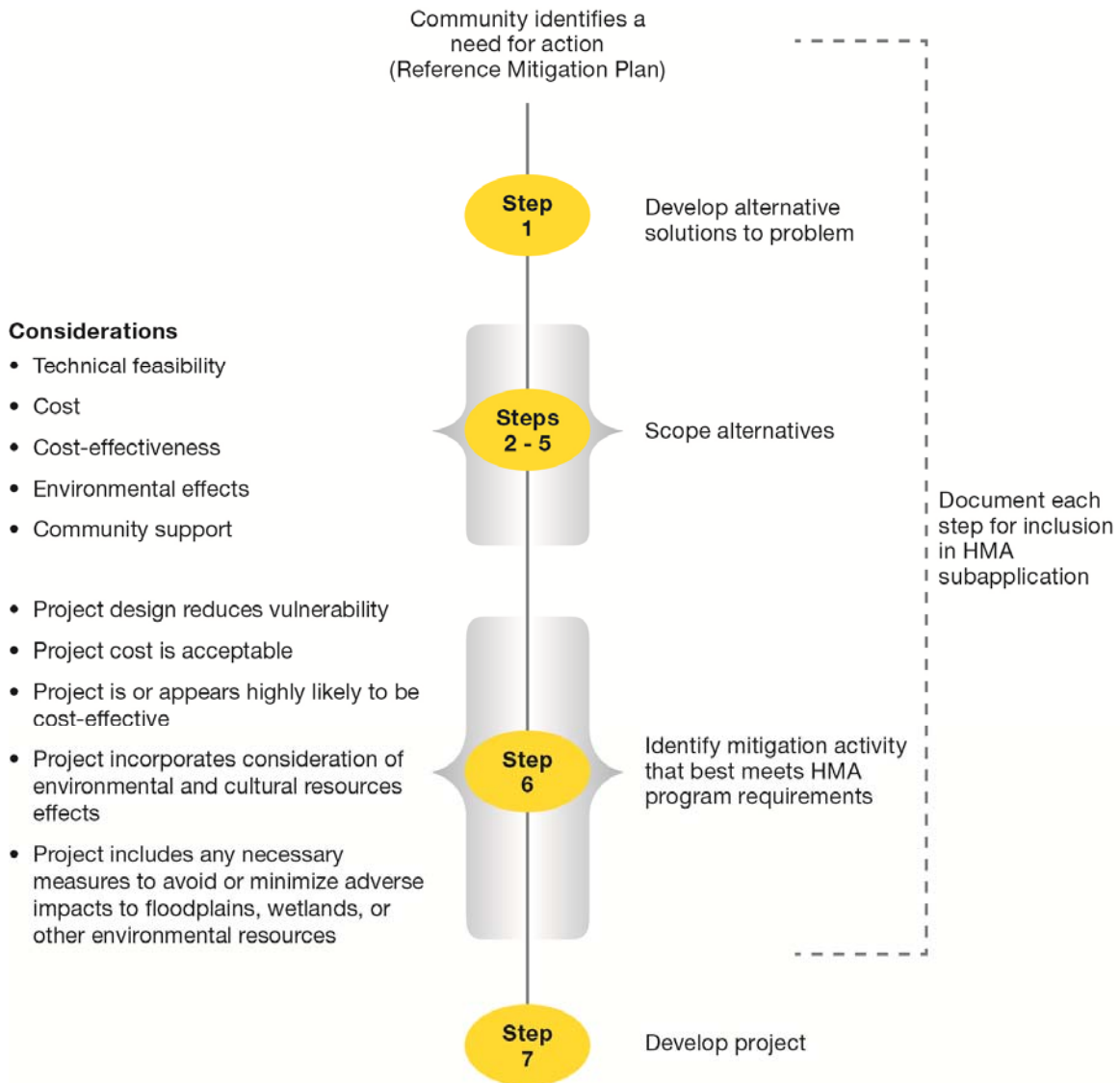


Figure 2: General Steps in Project Scoping Process



Addressing the following HMA program requirements at the earliest stage possible in the decision-making process is important because it can lead to enhanced project scoping as well as development and prevent delays later:

- ◆ Mitigation Planning;
- ◆ Technical Feasibility and Effectiveness;
- ◆ Floodplain Management and Protection of Wetlands;
- ◆ Environmental Planning and Historic Preservation Review and Compliance;
- ◆ Cost-Effectiveness; and
- ◆ Cost Review.

“Frontloading” of these requirements at the earliest point in the decision-making process increases the efficacy of the overall HMA Program. It also reduces the need for RFIs, which may result in quicker selections of projects for further review or approval. Additionally, early consideration of Advance Assistance, SFM, project monitoring, and project closeout in the decision-making process can facilitate the scoping and development of viable projects.

A. Mitigation Planning

Reviewing and incorporating information from the State, Indian Tribal, or local mitigation plan can help an Applicant or subapplicant facilitate the development of mitigation project alternatives. Linking the existing mitigation plan to project scoping can support the Applicant and the subapplicant in selecting the most appropriate mitigation activity that best addresses the identified hazard(s) while taking into account community priorities. In particular, the mitigation strategy section of the plan identifies a range of specific mitigation activities that can reduce vulnerability and includes information on the process that was used to identify, prioritize, and implement the range of mitigation actions considered. Another resource that may be useful in developing mitigation alternatives is the “Mitigation Ideas” guide available from the FEMA Library (see <http://www.fema.gov/library/viewRecord.do?id=6938>). It is important to reference the mitigation plan as potential project alternatives may have been considered during the planning process. If these alternatives were not considered during the mitigation planning process, please include this information in the next mitigation plan update. For more information on hazard mitigation planning, see [Part IV, D.1.2](#) (eligible activities), [Part V, H.2](#) (scope of work), [Part V, H.5.2](#) (cost estimate), or [Part X, C](#) (additional resources).

B. Technical Feasibility and Effectiveness

Mitigation projects submitted for the HMA grants must be both feasible and effective 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. For more information on technical feasibility and effectiveness, see [Part VI, A.3](#) (application review criteria), [Part IV, D.4](#) (eligibility program requirements), or [Part V, J](#) (documentation).

C. Floodplain Management and Protection of Wetlands

HMA programs and grants must conform to 44 CFR Part 9, which incorporates the requirements of Executive Order (EO) 11988 (*Floodplain Management*) and EO 11990 (*Protection of Wetlands*). All proposed actions should be reviewed to determine if they are in the floodplain or a wetland. Any actions located in the 100-year floodplain (500-year for critical actions), or adversely increasing the base flood or adversely affecting a wetland, trigger the requirement to

complete the 8-step decision-making process outlined in 44 CFR Section 9.6, see [Part X, Appendix J](#). 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. For more information on floodplain management and the protection of wetlands, see [Part IV, D.6.1](#) (general program requirements) and [Part X, Appendix J](#) (8-Step Decision Making Process for Floodplain Management Considerations).

D. Environmental Planning and Historic Preservation Review and Compliance

HMA programs and grants must comply with all environmental and historic preservation (EHP) laws and with 44 CFR Part 10, which may include identifying alternate locations and, as necessary, modifying the project. See the EHP Checklist in [Part X, Appendix I](#). Completion of this list is not a substitute for environmental compliance. The front-loading of EHP into the decision-making process allows for development of mitigation measures that reduce or eliminate the proposed project's impact to the human environment; see [Figure 3](#) for an overview of frontloading the EHP and National Environmental Policy Act (NEPA) process. Moreover, compliance with all environmental laws and regulations is a condition of the grant. 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 incorporate mitigation measures to minimize the impacts to those resources. To determine whether any EHP issues may be associated with the proposed project, Applicants should review FEMA's HMA EHP Resources At-a-Glance Guide, located at <http://www.fema.gov/library/viewRecord.do?id=6976>. For more information on EHP, see [Part IV, D.6](#) (general program requirements), [Part V, K](#) (documentation), and [Part VI, A.4](#) (application review).

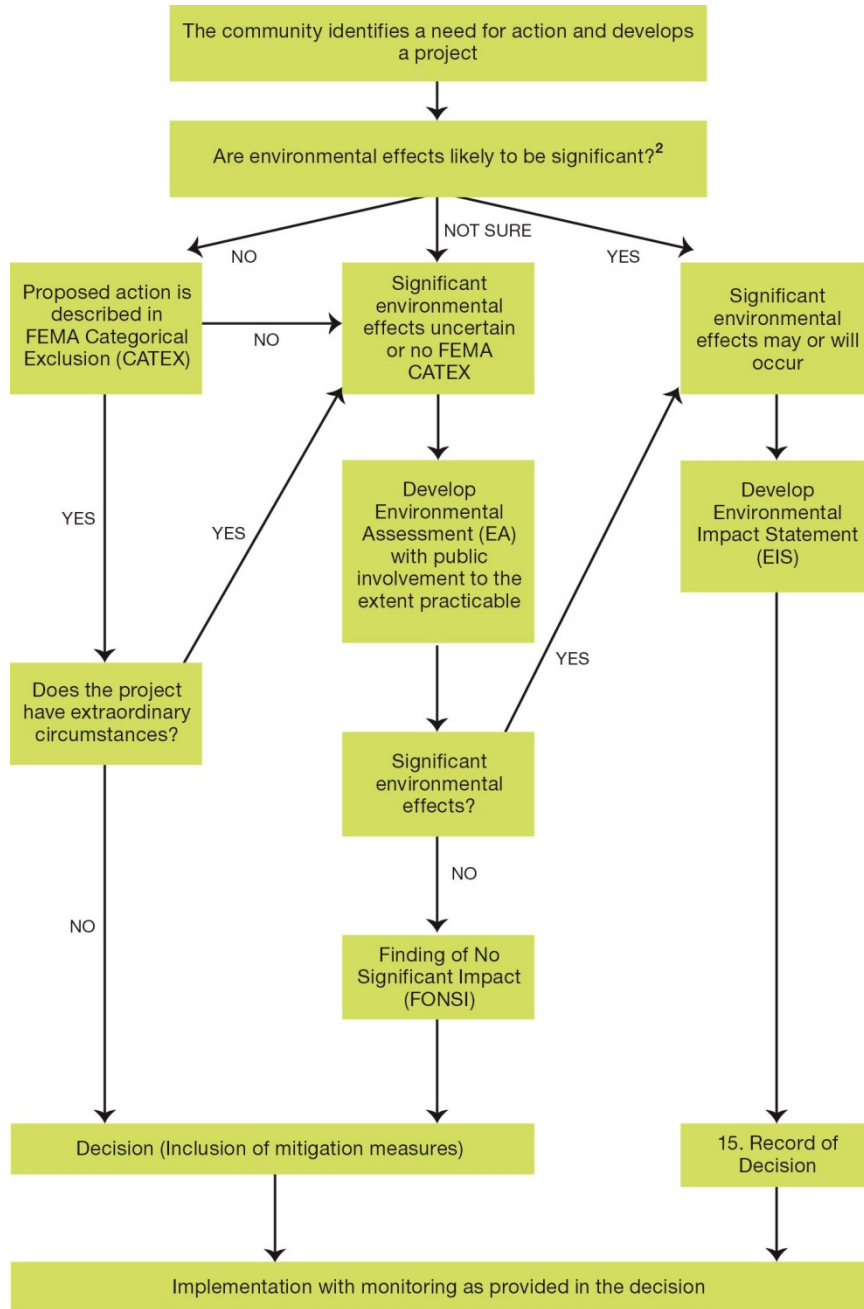
E. Cost-effectiveness

Mitigation activities are required by statute and regulation to be cost-effective or be in the interest of the NFIF. Consideration of the cost-effectiveness requirement at the earliest possible stage of the decision-making process can facilitate project scoping and improve project design. For more information on cost-effectiveness, see [Part IV, D.3](#) (general program requirements) and [Part V, I](#) (documentation).

F. Cost Review

All costs included in the subapplication should be reviewed to ensure that they are necessary, reasonable, and allocable consistent with the provisions of Office of Management and Budget (OMB) Circular A-87 and 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal

Figure 3: Frontloading EHP Considerations and the NEPA Process



Note: 1. Significant new circumstances or information relevant to environmental concerns or substantial changes in the proposed action that are relevant to environmental concerns may necessitate preparation of a supplemental EIS following either the draft or final EIS or the Record of Decision (CEQ NEPA Regulations, 40 C.F.R. § 1502.9(c)).

2. Are other environmental and historical preservation laws/EOs triggered by this action? (e.g., ESA, MTBA, EO 11988, EO 1990, CAA, RCRA, CBRA, etc.) If so, coordinate with appropriate agencies as necessary.

3. Figure adapted from "A Citizen's Guide to the NEPA" by the Council on Environmental Quality

Governments. Conducting this cost review at the earliest possible stage allows for improved project scoping and facilitates project development, which facilitates FEMA project review.

G. Project Development

Project scoping is not a separate, stand-alone process from project development. It can be considered the initial stage of project development, during which the details of mitigation activities are evaluated and developed. State, Local, and Indian Tribal governments that actively participate in and document their project scoping process put themselves in a greater position for success during project development. The information gathered in the scoping process serves as the basis for the development of a more detailed and robust technical design, cost, and environmental compliance components of the mitigation activity.

During the project development process, the subapplicant may encounter project considerations such as technical feasibility, cost-effectiveness, and EHP that necessitate the refinement or adjustment of the mitigation activity. When these situations are encountered, the reason for the refinement or re-scoping should be fully documented and included with the subapplication.

H. Advance Assistance

Section 1104 of the SRIA authorizes the use of Advance Assistance to accelerate the implementation of the HMGP. Applicants may use Advance Assistance to develop mitigation strategies and obtain data to prioritize, select, and develop complete HMGP applications in a timely manner. Using Advance Assistance can help Applicants develop eligible and complete applications that include a feasible project budget and an appropriate project milestone. See [Part IX, A.9](#) for additional information on Advance Assistance.

ADVANCE ASSISTANCE

Advance Assistance can be used to develop mitigation strategies and obtain data to prioritize, select, and develop complete HMGP applications. Consideration of Advance Assistance early in the decision-making process can help facilitate the development of a viable project, as well as project administration.

I. Strategic Funds Management

FEMA has implemented SFM. SFM, or incremental funding, is the concept of fiscal program management designed to provide funds as they are needed to implement approved HMGP activities. Through SFM, Applicant recovery and preparedness, communication and partnership, and the overall fiscal accuracy are expected to be improved. Considering SFM early in the decision-making process can help facilitate the development of a feasible project budget and

STRATEGIC FUNDS MANAGEMENT

SFM is a fiscal management approach designed to provide funds to the Grantee as needed to implement approved HMGP activities.

appropriate project milestones. At the beginning of an SFM project, FEMA and the State will work together to develop a work schedule.

See [Part VII, B.5.1](#) for additional information on SFM.

J. Project Monitoring

After a grant or subgrant is awarded, the Grantee and subgrantee are required to monitor and evaluate the progress of the mitigation activity in accordance with the:

- ◆ Approved original scope of work (SOW) and budget;
- ◆ Administrative requirements of 44 CFR Part 13; 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 Grantee, subgrantee, and FEMA to monitor obligations and any unliquidated funds. For additional information on project monitoring (reporting requirements) see [Part VII, C](#).

K. Closeout

Upon project completion, the Grantee and subgrantee are required to closeout the subgrant or grant in accordance 44 CFR Section 13.50 (Closeout). The project file should document that the:

- ◆ Approved SOW was fully implemented;
- ◆ All obligated funds were liquidated and in a manner consistent with the approved SOW;
- ◆ All environmental compliance measures or mitigations were implemented;
- ◆ The project was implemented in a manner consistent with the grant or subgrant agreement;
- ◆ Grantees submitted the required quarterly financial and performance reports; and
- ◆ The grant and subgrant were closed out in accordance with the provisions outlined in [Part VII, C](#) and [D](#) (subgrant and grant closeout).

For more information on closeout, see [Part VII, D](#).