

DRRA Resources for State, Local, Tribal, and Territorial (SLTTs) Governments

DRRA 1206 authorizes FEMA to provide SLTTs with resources needed to effectively administer and enforce adopted building codes and floodplain ordinances



Building Code Administration (review and process building applications; collect fees; hire, train, supervise staff; etc.)



Code Enforcement (inspect structures; review elevation certificates; conduct and process condemnation determinations; etc.)



Floodplain Management Regulation, Administration, and Enforcement (hire, train, supervise staff; provide training; process permits; etc.)



Substantial Damage Operations (conduct field surveys; prepare cost information; perform inspections; etc.)



When Is It Available and For How Long?

- FEMA Public Assistance major disaster declarations for Categories C-G (permanent work). These will be Category G, Other, Worksheets.
- Administer and enforce adopted building codes and floodplain ordinances in disasterdamaged areas for the 180 days directly following the declaration



Eligibility

Eligible Work

- Policy provides a descriptive list of eligible activities
- Work is eligible if it is consistent with the work that is normally done by the community to administer and enforce adopted building codes
- Eligible work must relate to the repair, replacement, or retrofit of disaster-damaged structures:
 - May include public, private, & residential structures

Ineligible Work

- Activities associated with non-disaster damaged development
- Activities to update a community's laws, rules, procedures, or requirements
 - Examples: Updating building codes, adopting new zoning requirements, developing new land use plans.

Eligible Work: Building Code Administration & Enforcement

- Review and process applications for building permits; certificates of occupancy; certificates of compliance
- Hire, train, supervise, certify, and license staff, as required to conduct eligible activities
- Provide training and outreach to the public on building code and building permit requirements

- Establish construction plan review and inspection processes, procedures, and instructions for permit holders
- Inspect structures
- Monitor impacted areas for unpermitted construction activities
- Identify and carry out corrective actions
- Review and issue elevation certificates



Eligibility Continued

Eligible Costs

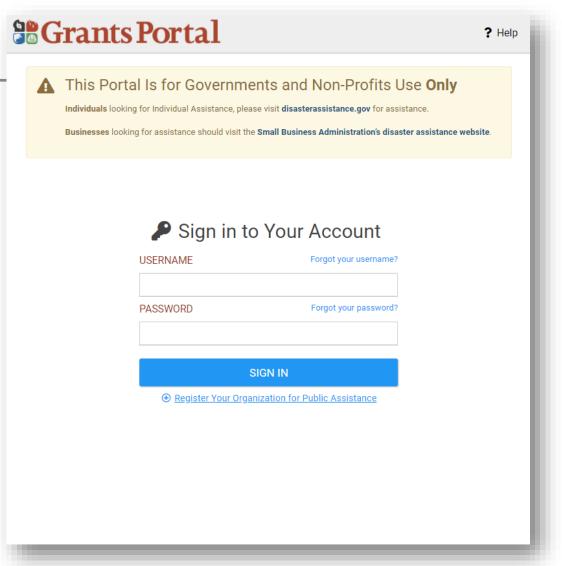
- Reimbursed at the cost-share for permanent work
- Overtime for budgeted employees and straight and overtime for extra hires
- Purchase of supplies and equipment necessary to complete eligible work

Other

 Any fees and fines collected or waived will offset the final costs of the PW at closeout see policy section C.11

Community Requirements

- Communities must submit their applications for reimbursement and all supporting documentation through the PA Grants Portal
- Supporting documentation is needed to:
 - Demonstrate completed work,
 - Demonstrate costs incurred,
 - Location of work,
 - Validate EMAC resource requests or intrastate/interlocal mutual aid requests





Floodplain Regulations: Damage by Any Source Must be Assessed and Be Made Compliant

The local floodplain administrator's job is to <u>assess damage</u> before residents begin repairs in the special flood hazard area and to <u>issue permits</u> that comply with flood-related guidelines.

- Flood
- Tornado/Inland Wind
- Fire
- Hurricane
- Earthquake
- Debris impact, etc.





Substantial Damage (SD)

NFIP participation requires locally adopted and enforced building/rebuilding standards for homes in the high-risk flood areas. SD is when the total cost to repair a structure to its pre-damaged condition ≥ 50% of the pre-damage market value. SD structures may need to be elevated, relocated, demolished or floodproofed (non-residential only).





FEMA photo

Direct Assistance Through FIMA SD Data Collection Contract

- Part D, Direct Assistance, in the policy is not connected to FEMA Public Assistance.
- Inspection contract assistance may be available due to extreme nature/lack of resources, but must include justification, a free from damages/indemnity agreement, and an agreement for the non-federal cost share.
- The fastest and most cost-effective route for communities to take will be to position themselves to be able to conduct or contract out on their own for inspections. This takes planning, so make sure your community has a substantial damage SOP in place now.



- 11. Revenue collected by the applicant (including fees and fines) for the performance of eligible work funded under this policy is considered program income. The project worksheet will be reduced accordingly during closeout. FEMA will deduct income from total project costs as specified in 2 CFR Section 200.80 and 200.307. If the applicant waives fees or fines following the disaster, FEMA will still reduce the eligible costs by the amount that the fees or fines would have been.
- D. Direct Assistance through FEMA's Federal Insurance and Mitigation Administration

Outcome: To describe the process for assistance under FEMA's Federal Insurance and Mitigation Administration's Substantial Damage Data Collection Contract.

- Work described in this section is funded through FEMA's Substantial Damage Data Collection Contract, which is currently funded as a task order under the Production and Technical Services Contract administered by the Risk Management Directorate of FEMA's Federal Insurance and Mitigation Administration. Refer to the relevant State NFIP Coordinator or FEMA Regional Floodplain Management and Insurance Branch Chief for more information on the contents of this section.
- For substantial damage data collection work described in section B.3.d(i-xiii) of this
 policy, FEMA's Substantial Damage Data Collection Contract may be available to
 support communities in cases where the State, Tribal, Territorial and local government
 lack the capability to perform or contract for eligible substantial damage data collectionrelated efforts due to the extreme catastrophic nature of an event or a demonstrated
 lack of resources.
- Assistance provided through FEMA's Substantial Damage Data Collection Contract for disasters declared on or after the effective date of this Policy will be subject to the Permanent Work cost-share applicable to the disaster.
- Local governments that seek assistance through FEMA's Substantial Damage Data Collection Contract must submit a request in writing to the State, which will review and, if warranted, submit the request Regional Administrator which shall include:
 - a) A statement as to the reasons the State, Tribal, Territorial, or local government cannot perform or contract for performance of the requested work;
 - Agreement that the State, Tribe, or Territory will hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work; and

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FEMA Policy FP 204-079-01



All Eyes are Watching: People and **Property Are at Risk**

- Government Accountability Office, Report GAO-20-396
- Insurance Journal, Houston Chronicle, The New York Times

Flood Games

Manipulation of flood insurance leads to

repeat disasters

By Mark Collette

Natural Resources Defense Council: Losing Ground: Flood Data Visualization Tool



NATIONAL FLOOD INSURANCE PROGRAM

FEMA Can Improve Community Oversight and Data Sharing

Why GAO D

on communities rebuilding efforts undertake a con

HOUSTON CHRONICLE

Why Storm-Prone States Continue to Balk at **Tough Building Codes**

By Christopher Flavelle | March 19, 2018





Cities Are Flouting Flood Rules. The Cost: \$1 Billion.

a Emergency Management Agence

Hurricane Season Is Approaching.... Are you Ready?

Post-Disaster Realities for Local Officials

Code Administration	Code Enforcement	Floodplain Administration		
Perform timely building safety evaluations	Inspect structures under construction or repair for compliance with applicable codes, laws, and ordinances	Conduct Substantial Damage Estimates in the Special Flood Hazard Area		
Educate affected property owners on rebuilding/permit requirements for damaged structures	Identify and address non-compliant construction, design, and occupancy	Inform property owners of damage determination results and provide compliance requirements Determine whether proposed improvements are "substantial improvements" and trigger requirements for compliance (elevate home above BFE)		
Review, process & issue building permits, certificates of occupancy, certificates of compliance	Conduct and process condemnation determinations			
Establish plan review and inspection procedures , and instructions for permit holders	Investigate and address violations of building codes and related ordinances	Coordinate with building department to enforce floodplain ordinance requirements for permitting		





Team of four from
Minnesota supporting USVI.
Electrical, mechanical,
building, and plan review
joined up with local USVI
building permits team,
geared up and ready for
field orientation, inspection,
and plan review.

Mutual Aid for Post-Disaster Code Enforcement

- With all of the trained and certified **flood mangers**, **code enforcement**, and **design professionals** in our nation, why not utilize their skills following a disaster?
 - How will this work?
- The new "second responder," post-disaster code enforcement initiative and DRRA § 1206 are paving the way to give states more options on choosing and funding recovery support staff.
 - What options/plans are you following?

Utilizing Mutual Aid Teams and Personnel

USVI - Hurricanes Irma and Maria, 2017

- 10 ICC Chapter Personnel Deployed:
 - □ AZ, GA, MD, MN
- Types of Assistance:
 - Building Inspections
 - Plan Review
 - Permit Tech
- Reimbursement Success:
 - 100% success rate of EMAC reimbursement







- 8 ASFPM Chapter Personnel Deployed:
 - Types of Assistance:
 - Substantial Damage Estimates
 - Flood Recovery Education for home-owners
- AIA & LA State Fire Marshall
 - Building Safety Assessments (ATC-45)
 - Seeking reimbursement through DRRA 1206 policy





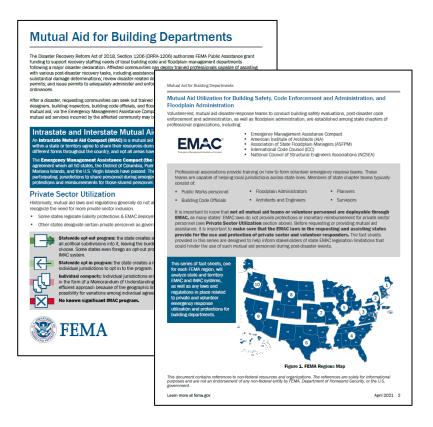
How Can Affected Use DRRA 1206 to Pay for Mutual Aid Responders?

- Understand which Disaster Assistance Response Teams exist in your state
 - State mutual aid legislation should be identified prior to making a request
 - Will distinguish protections and reimbursement potential for responders
 - Ex: most states will reimburse state assets (municipal workers) but not private sector personnel
- Local officials should build relationships with their community Public Assistance (PA) Point of Contact (POC), who works directly with the FEMA Program Delivery Manager (PDMG) Have you made these connections in your community?

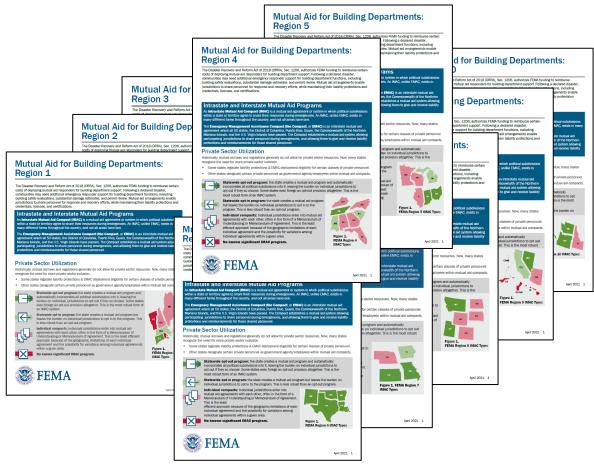


Mutual Aid for Building Departments Factsheets

Mutual Aid Overview Fact Sheet



Regional Fact Sheets for FEMA Regions 1-10

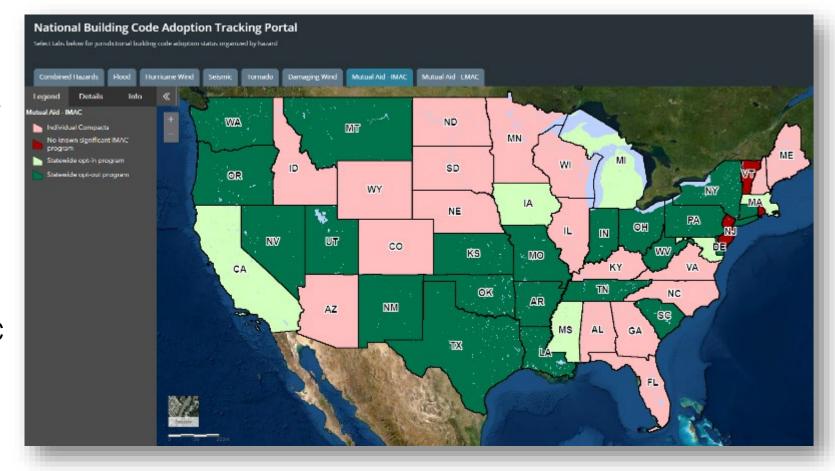




BCAT WebGIS Portal – Mutual Aid Layers

https://geo.stantec.com/National_BCAT_Portal/

- BCAT Portal also includes two separate mutual aid layers
- IMAC layer colors state or territory based on its type of intrastate mutual aid system
- EMAC layer colors state or territory based on whether it participates in EMAC, and whether it has expanded its EMAC legislation beyond the baseline





BCAT WebGIS Portal – IMAC Layer

Statewide opt-out IMAC program

The state creates a statewide mutual aid program and automatically enrolls all jurisdictions into it. Jurisdictions typically may choose to exit the program.

Statewide opt-in IMAC program

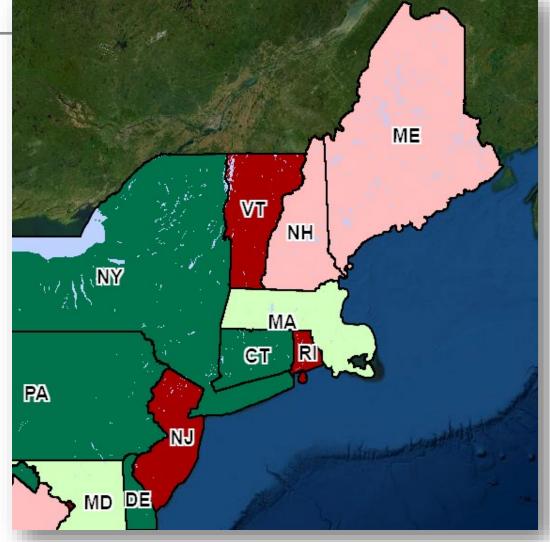
 The state creates a statewide mutual aid program but does not automatically enroll jurisdictions into it.
 Jurisdictions must choose to join the program.

Individual Compacts (no statewide IMAC)

 No formal statewide mutual aid system. Jurisdictions individually make mutual aid arrangements with each other, or with the state.

No known significant intrastate mutual aid

 Current research failed to find any significant mutual aid arrangements within in the state or territory.





BCAT WebGIS Portal – EMAC Layer

Enhanced EMAC Legislation

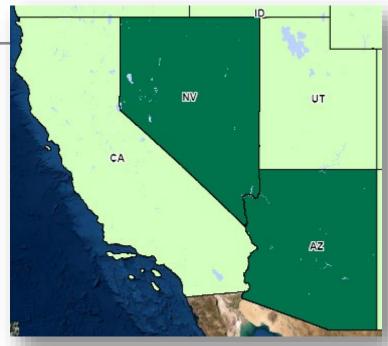
- The state or territory expands the scope of personnel who can be deployed through EMAC beyond the baseline threshold of the model EMAC language.
 - Example: Arizona empowers its governor to deploy private and volunteer personnel through its EMAC system just as well as its government personnel, and provides them with similar legal protections.

Standard EMAC Legislation

State or territory has not notably expanded the scope of its EMAC system beyond the baseline (government personnel only) described in the model EMAC language (viewable at www.EMACweb.org).

Not a Participating EMAC Jurisdiction

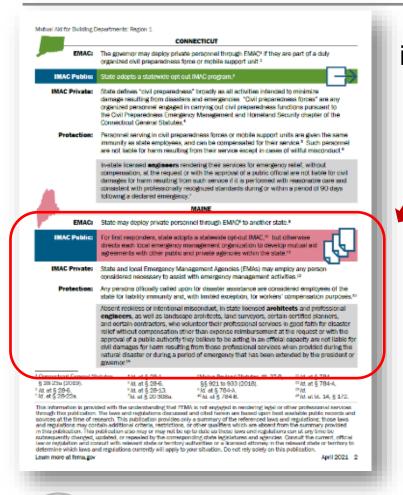
 American Samoa is not a party to the Emergency Management Assistance Compact. The other territories, all 50 states, and DC are EMAC participants.



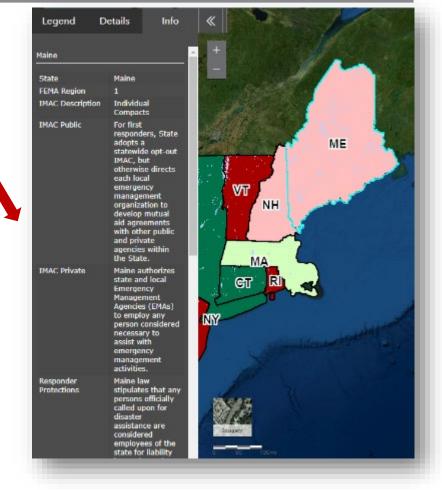




Mutual Aid - IMAC Layer



Same state and territory information as found in the MABD Fact Sheets





Resources

- DRRA 1206 policy
- DRRA <u>webpage</u>
- DRRA policy launch <u>video</u>
- Public Assistance Program and Policy Guide (PAPPG)
- FEMA Public Assistance <u>YouTube Channel</u>
- Answers to Questions About Substantially Improved/Substantially Damaged Buildings,
 FEMA 213
- YouTube FEMA <u>Substantial Damage Estimator Training Modules</u>
- Mutual Aid for Building Departments (fema.gov)
- Mutual Aid Layers in GIS Portal



Applicable FEMA Training

- Public Assistance
 - FEMA Emergency Management Institute (EMI) Independent Study (IS) Course IS-1000:
 Public Assistance Program and Eligibility
 - □ IS-1002: <u>FEMA Grants Portal</u> <u>Transparency at Every Step</u>
 - IS-1009: Conditions of the Public Assistance Grant
- Substantial Damage
 - □ FEMA EMI IS-285: <u>Substantial Damage Estimation for Floodplain Administrators</u>



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