

## **Introduction to Working with FEMA | Focus on FEMA Public Assistance and What to Expect: Application, Process and Timelines (10/16/24)**

### **Q&A Summary**

#### **Does the 6-month 100% FEMA cost share apply to all categories of work, or just Categories A & B?**

It covers all costs at 100% but almost exclusively, for that time period, it would be for Categories A&B - emergency work.

An additional note is to ensure that good documentation is kept to divide the work that happens within that first six months and after the 100 percent reimbursement period is over. Projects that continue after the first six months will be reimbursed at two different cost shares (100% and 75%). The jurisdiction will be responsible for providing documentation that clearly shows which work is done in which time period.

The NC - PA Eligible Areas slide shows eligible Counties. You mentioned that municipalities in these Counties are also eligible. Does that mean that these municipalities do NOT have to file Request for Public Assistance Forms (FEMA Form 90-49) within 30 days after the disaster designation? See 44 CFR 206.202(c).

Each jurisdiction that desires direct reimbursement must file an RPA. The exception is if the municipality were to work reimbursement through the county.

#### **Does work on water/wastewater infrastructure to restore service fall within Category B, or one of the Permanent Work Categories? This includes labor, construction, etc. If it falls under a Permanent Work Category, if the work is completed within the six-month window will it be under the 100% umbrella?**

If the damages must be repaired to restore life sustaining services, they can be considered under Category B (Emergency Protective Measures) for temporary repair measures. Any work not considered an emergency repair would be reimbursed under permanent work.

If the work can be completed, you should be at the 100% mark. I recommend working a strong justification for why the work is considered emergency and have all the correct procurement documentation in place.

#### **Can County Fire Departments (all 501c3) be sub-recipients of the County Application? Or do they all need to file their own RPA?**

If the fire department and county agree, the county can be responsible for the reimbursement process. That would mean the FD would supply all documentation to the county with the county fully responsible for all FEMA requirements. The county would receive the reimbursement.

**Which RPA do we apply for on the state side? There are 2 in the EMGrants Portal. One is IA and the other just says "flood".**

An RPA would be submitted under "flood," but I would confirm with local emergency management to ensure you submit to the right disaster.

**Does this PA Process and Deadline apply to municipalities like ours, who sent crews FD & PD to the NC mountains to assist recovery or only to the immediately affected areas?**

It depends on the agreement for what, I assume, was mutual aid. If the impacted area requested assistance, they often submit costs and provide reimbursement to assisting organizations. If your municipality is not a declared county under the Major Disaster Declaration, this is the only way it could be worked - through the requesting jurisdiction.

To word it differently, the community you supported in the mountains is the one that is legally responsible for that work (protecting their residents), so that community is the one that would request reimbursement for FEMA. Check the terms of your mutual aid agreement, but you generally would submit an invoice for all of your costs (labor, equipment, materials, fuel) to the entity you were supporting, they would pay that invoice, and they would then work with FEMA to be reimbursed for that cost.

from\* FEMA

**How should a municipality work through a county for FEMA PA reimbursement? Would the County serve as a grant administrator in that scenario, since the damages would be the legal responsibility of the municipality rather than the county?**

If the municipality holds legal responsibility, they would need to file an RPA and go through the PA process for direct reimbursement unless there is an official agreement with the county stating they have a part in responsibility. That type of agreement would need to be in place before the disaster occurs.

**If our contracting requirements include exceptions for emergency situations, to allow the City Manager to provide exceptions to normal procedures, and those are documented, does FEMA consider contracts let in those circumstances as legitimate and reimbursable? Or do they require all "normal" procedures be followed?**

FEMA is more flexible on procurements for emergency procurement as long as there is a policy in place. However, there are still steps to go through including developing a justification for needing to use that type of procurement. This greatly depends on policies in place and the procurement being what FEMA would consider emergency work.

I would add that if your procurement policy says that a certain person can authorize emergency procurement, they will want to see written documentation that they did so. Your policy may state exactly how that authorization happens, in which case FEMA would want to see documentation that your process was followed.

**All this new to me. The town has already started cleaning up debris, how does this impact the site inspection if work complete?**

"Specific to debris, the town would need to keep and provide good records for labor and equipment costs. If these are town employees, FEMA refers to that as Force Account Labor (FAL) and if the town is using their own equipment, it is termed Force Account Equipment (FAE). If you used contractors, you would need to ensure there is clear documentation on contracts, invoices, and proof of payment.

One of the biggest challenges for a town using their own labor and equipment is to be able to prove labor costs were for disaster debris removal (as opposed to their regular daily job)."

**If it's a house in a historic designated part of the city, is that is to the private homeowner even though the house was in an area of the city that was completely damaged?**

No, a private owner is not covered under the FEMA PA grant. If the county is declared under FEMA's individual assistance, they can apply direct to FEMA for some financial assistance. I believe the max would be around \$42,000 per household.

**Do we apply for assistance through the EM Grants Portal? Which assistance are we applying for? One says TS Helene and another just says flood. Both?**

You start with submitting a Request for Public Assistance (RPA) through Grants Portal. The correct grant is DR-4827-NC - Tropical Storm Helene.

**We are providing mutual aid to another County. Since our County is assisting with the recovery efforts, do I need to file an RPA and go through the PA process for direct reimbursement, or is that responsibility handled by the other County?**

The county you're supporting is the one that is legally responsible for life safety in their boundaries, so THEY are the ones that would request reimbursement through this program. As a responding entity, you would submit an invoice to them that documents all of your costs (including labor, fuel, materials, equipment usage and damage, etc.), and they would then request reimbursement. It will be extremely helpful to them for you to provide work logs, timesheets, and other documentation, because they are likely to ultimately need those items to be reimbursed.

**Our FEMA rep advised us that the Water Restore was permanent unless we were just doing a temporary fix. So, with us there was no lines thus no temporary fix.**

The line between emergency repairs and temporary facilities is sometimes thin, but if it's a full replacement, then those would all be permanent work costs. If you conducted other operations to provide water, don't forget to include those in your emergency work (Category B) costs!

**Traditionally, NC covers the 25% cost share so that local governments have no cost share for PA funds. Has the state issued any guidance on whether this will be the case after the 6-month window is over?**

NC has historically covered this cost, but it is not enshrined in law that they will ALWAYS do so - I have not seen a firm declaration that they will cover these costs for this disaster.

**I've worked several disasters on the NC coast and the State has always picked up the 25% that FEMA doesn't pick up. For both the emergency and permanent work. this has changed?**

NC has historically covered this cost, but it is not enshrined in law that they will ALWAYS do so - I have not seen a firm declaration that they will cover these costs for this disaster.

**I was told in a meeting last week that it would drop to 90% coverage but the state was covering the remaining 10%**

I have seen that happen in past disasters, but FEMA covering an additional cost share is generally a political question and not a programmatic or policy matter. NC has historically covered the non-federal cost share, but it is not enshrined in law that they will ALWAYS do so. I always advise caution in this regard!

**Can a local government request assistance through the state EOC for professionals to help complete the damage inventory or DDD?**

You can absolutely request assistance from the state. They may or may not be able to assist with staffing be overwhelmed. FEMA can also provide assistance - this would be a good question for the PDMG.

**Asheville water was hit two years ago that needed FEMA assistance. A new disaster starts a new time clock? that wouldn't be piggybacking based on time**

FEMA considers these processes to be completely separate. The timelines, deadlines, and projects from the previous disaster all still apply, but any new Helene-related costs and projects would be subject to the new deadlines and requirements.