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DISASTER ASSISTANCE
TRAINING

***HAZARD
MITIGATION
WORKSHOP***

March 29 - 30, 1989
Casa Grande, Arizona

Sponsored by the
Arizona Division of Emergency Services
and
Federal Emergency Management Agency

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HAZARD MITIGATION WORKSHOP
OVERVIEW

Welcome to the Hazard Mitigation Workshop. This Workshop is intended to introduce you to the concepts of hazard mitigation and update you on the recent amendments to the disaster legislation. We will begin the Workshop with an overview and introduction to the various hazard mitigation requirements and funding programs. Then, work groups will be formed to discuss the development of hazard mitigation recommendations and workable hazard mitigation programs. The Workshop will culminate in an exercise. The exercise scenario will be presented and distributed to you at the end of the first day in order for the you to become familiar with scenario material.

The instructors for the Workshop are:

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This Workshop is designed as an introduction to hazard mitigation. At the conclusion of the session the you will only have gained a general familiarity of the topics listed on page two. It will be important for you to continue your hazard mitigation training by attending a three day hazard mitigation course, planned later this year. This three day course, which will focus on developing hazard mitigation programs at the local level, will train local government officials to undertake planning activities, in advance of a disaster, and to accomplish post-disaster hazard mitigation responsibilities. Participants of this Hazard Mitigation Workshop will be notified of the dates for the three day course.

TOPICS
Hazard Mitigation Workshop

POST DISASTER HAZARD MITIGATION PLANNING

- * Hazard Mitigation Planning Teams
- * Interagency Hazard Mitigation Teams
- * State and Local Hazard Mitigation Plans

STATE HAZARD MITIGATION PLANNING PROGRAM

- * State Hazard Mitigation Team
- * Existing Hazard Mitigation Plan
- * Approaches for Future Disaster Declarations

FLOODPLAIN MANAGEMENT

- * National Flood Insurance Program
- * Executive Orders 11988 and 11990
- * Requirement to Purchase Flood Insurance before a disaster

FUNDING OF POST DISASTER HAZARD MITIGATION MEASURES

- * FEMA Required Hazard Mitigation Measures
- * Hazard Mitigation Grant Program
- * Small Business Administration Authorities
- * Hazard Mitigation Assistance Grant

DEVELOPING A HAZARD MITIGATION PLAN AND PROGRAM

- * Plan Contents
- * Building Hazard Mitigation Teams

Post Disaster
HAZARD MITIGATION PROCESS

Disaster occurs

A. Assessments

1. Local governments declare state of emergency
2. Governor proclaims state of emergency

B. State requests joint preliminary damage assessment (PDA).
Joint Preliminary Damage Assessment Conducted

1. Purpose -- determine amount of damage, number of structures/people affected, \$ amounts, and impacts in order to request Presidential declaration
2. Individual Assistance FEMA/State/SBA/Red Cross
3. Public Assistance FEMA/State
4. Hazard Mitigation
 - a. Coordinate with State Hazard Mitigation Coordinator (HMC)
 - b. Alert Interagency Hazard Mitigation Team (IHMT) -
- Note: The IHMT is for a flood disaster only
 - c. See damage and impact before cleared
 - d. Become familiar with areas and issues
 - e. Early start on 15 day report time period

I. Request for Presidential declaration

- A. Based on data from Preliminary Damage Assessment
- B. FEMA Regional Summary Analysis and Recommendation
- C. Update IHMT Members
- D. FEMA Headquarters make recommendation to President
- E. Prepare FEMA/State Agreement paragraph on Hazard Mitigation
- F. Request signed or denied by President

II. Declaration

A. Disaster Field Office (DFO) organization:

1. Federal Coordinating Officer (FCO), Deputy and staff
 - a. Public Information
 - b. Congressional Relations
 - c. Reports
2. Program Support Staff

3. Public Assistance
4. Individual Assistance
5. Hazard Mitigation

B. FEMA/State Agreement signed

III. Hazard Mitigation process

A. Special Section 409 requirements

1. Repairs to appropriate codes and standards
2. State must prepare a Hazard Mitigation Plan - 180 days

B. Section 409 Survey Team or IHMT process

1. Identify areas of significant hazards/damage, use the following to identify sites

- a. Preliminary Damage Assessment
- b. Red Cross
- c. Disaster Application Centers (DAC)
- d. Media reports
- e. Flood insurance claims (flood)
- f. State and local officials
- g. Survey Team and IHMT Members

2. Visit sites of significant hazard/damage and evaluate impacts

a. Amount of damage

- (1) Cause
- (2) Type
- (3) Extent

b. Impact on community

- (1) Number of structures
- (2) Types of structures
- (3) Number destroyed, major, minor
- (4) Type of construction
- (5) Special problems (water, sewer, access)

c. Frequency of occurrence of event

d. Opportunities to correct problems -- existing plans/resources

3. Review and evaluate existing mitigation measures

a. Land use regulations, constructions standards and other hazard mitigation measures

- b. Areas of damage that would require reconstruction to state or local government standards or to the National Flood Insurance Program
 - c. Emergency plans including warning and evacuation plans
 - d. Hazard mitigation plans
 - e. Other pertinent information such as urban renewal, rehabilitation or master plans
4. Identify and evaluate measures to mitigate the disaster impacts
- a. Conduct brainstorming session
 - b. Include expert staff on issues (fire, flood, earthquake)
 - c. Discuss problems and possible solutions
5. Recommend appropriate hazard mitigation measures
- a. Survey or IHMT concur in recommendations
 - b. Prepare Survey Team Report or IHMT Report
 - (1) Recommended Action
 - (2) Implementation schedule
 - (3) Funding source
 - (4) Lead Agency
6. Implement recommendations
- a. Establish tracking system
 - b. 90 Day Progress Report
 - c. Include in State Hazard Mitigation Plan
 - d. Include in Section 404 (Hazard Mitigation Grant Program) proposal
 - e. Section 409 meetings with local governments

March 21, 1989
AZHMPROC.ESS

44 CFR Part 205

[Docket No. FEMA-DR-205]

Disaster Assistance; Hazard Mitigation (Subpart M)

AGENCY: Federal Emergency Management Agency Disaster Response and Recovery.

ACTION: Final rule.

SUMMARY: This rule adds a new subpart to the Disaster Response and Recovery Regulations in order to expand those portions which deal with the evaluation and mitigation of natural hazards. Field implementation of Section 406, Pub. L. 93-288, as amended, is amplified as a means of supplementing FEMA's current efforts to stimulate and encourage comprehensive hazard identification, evaluation and mitigation at all levels of government, and to enforce the current requirement for mitigation of natural hazards as a condition for Federal disaster assistance.

EFFECTIVE DATE: December 10, 1979.

FOR FURTHER INFORMATION CONTACT: Gene Morath, Office of Public Assistance, Disaster Response and Recovery, Federal Emergency Management Agency, Washington, D.C. 20472, telephone: (202) 634-7835.

SUPPLEMENTARY INFORMATION: On April 9, 1979, the Associate Director for Disaster Response and Recovery (then the Administrator, Federal Disaster Assistance Administration) published a proposed Subpart M—Hazard Mitigation—in the *Federal Register* (44 FR 21216). Comments were invited to June 8, 1979. In addition, special letters-soliciting comments were sent to over 400 interested parties. Fifty-nine comments were received from 28 States, 11 local governments, 6 non-governmental organizations, and 5 Federal agencies. Each comment was considered in development of this final rule.

Almost all respondents supported the concept of evaluating and mitigating material hazards in conjunction with disaster assistance grants to States and local governments. A number of States expressed specific concerns with the Hazard Mitigation Clause added to the Federal-State-Agreement (Section 205.403(e)). Our discussions with some of the respondents have resulted in revision of this clause for clarity and to extend up to 180 days after the

declaration the target date for submission of required hazard mitigation plans. Two States expressed concerns about the legality of the Governor's agreeing to the clause as originally proposed. As in other paragraphs of a Federal/State Agreement, the Governor and the Regional Director have some flexibility as to its provisions. FEMA staff can provide technical advice and assistance if necessary to overcome such legal problems. Based on our review, we concluded that this clause as clarified should be retained in the final rule. Several respondents felt that the regulations would result in unnecessary bureaucratic red tape, and some indicated a need for supplemental funding and for additional personnel. Follow up on these comments has revealed concerns about reports, meetings, plans, critiques, and requirements for proof of compliance. We have revised the proposed rule to eliminate some of these features and have left others to the discretion of the Regional Director for decision, working in consultation with the Governor's Authorized Representative, the applicants, and FEMA National Office Program Directors. Other respondents offered a variety of comments directed towards clarifying, refining and simplifying the regulation. We have responded to these comments by personal contacts and making minor editing changes. Comments from the Water Resources Council and others have resulted in our revising the final rule to clarify the hazard mitigation survey to permit more flexibility in its scope, use of FEMA support teams, and to avoid interference with disaster assistance activities, particularly of State or local governments. The Federal Insurance Administration submitted comments on hazard mitigation plans which have resulted in our spelling out specific planning requirements and responsibilities as distinguished from the hazard mitigation survey. Depending on the nature, severity and magnitude of the major disaster, the Regional Director and the Governor's Authorized Representative can exercise discretion under this Final rule to provide staff and other resources as necessary to achieve the desired results.

A Finding of Inapplicability of section 102(2)(c) of the National Environmental Policy Act of 1969 has been made in accordance with "Procedures for

Protection and Enhancement of Environmental Quality." Interested parties may obtain and inspect copies of this Finding of Inapplicability at the Office of the Rules Docket Clerk of the Federal Emergency Management Agency in Washington, D.C. 20472. FEMA has published a Notice of Transfer and Redesignation, effective September 28, 1979, that transferred the Federal Disaster Assistance Regulations from 24 Parts CFR 2200-2205 to 44 CFR, Part 200 *et seq.*

Accordingly, Federal regulations, Title 44 CFR, Part 205 is amended by adding a new Subpart M to read as follows:

Subpart M—Hazard Mitigation

Sec.	
205.400	General.
205.401	Definitions.
205.402	Implementing actions.
205.403	Responsibilities.
205.404	Surveys.
205.405	Hazard mitigation plans.
205.406	Hazard mitigation measures.
205.407	Land use regulations.
205.408	Construction practices.
205.409	Consultations.
205.410	Compliance.
205.411	Evaluation.

§ 205.400 General.

(a) *Purpose.* The purpose of this subpart is to prescribe the actions and procedures for implementing Section 406, Pub. L. 93-288, as amended. Any conflicting provisions elsewhere in 44 CFR 205 are superseded by this subpart. It is also the purpose of this subpart to clarify the responsibilities for hazard mitigation of the various Federal agencies and State and local governments as the result of a major disaster or emergency declared by the President.

(b) This subpart covers actions, procedures, standards, and criteria for accomplishing optimum results in reduction, avoidance and mitigation of all types of future disasters. These regulations are intended for the use of Federal, State and local governments, as well as organizations and individuals administering or receiving Federal grant or loan assistance as the result of a major disaster or emergency. They are also intended to complement and reinforce implementation in other subparts of these regulations of: (1) the President's Executive Order 11988 on Floodplain Management and Executive Order 11990 on Protection of Wetlands:

11-1

and (2) the National Environmental Policy Act, of 1969 Pub. L. 91-190. When a major disaster or emergency occurs, the hazard mitigation actions to cope with those hazards identified as the result of the major disaster or emergency shall receive priority.

§ 205.401 Definitions.

In this subpart reference is frequently made to such words as hazard reduction, avoidance, and mitigation; land use and construction regulations; and disaster proofing. As used in this subpart:

(a) "Avoidance" means to eliminate a hazard through measures such as relocation or prohibition of construction within an area susceptible to risk or danger, or by other means.

(b) "Construction practices" means codes, standards, and specifications applicable to repairs, or to alterations or new construction of a facility or structure.

(c) "Disaster proofing" means those minimum alterations or modifications to damaged facilities that could be expected to prevent or substantially reduce future damages to the repaired or reconstructed facility, or to make it disaster resistant.

(d) "Hazard" means any natural source of danger or element of risk identified following a major disaster or emergency.

(e) "Land use regulations" include zoning for purposes compatible with prudent floodplain management and both preventive and corrective restrictions on construction, repairs, or alterations of facilities within specified areas. Preventive restrictions provide regulation of new land use, i.e., nonstructural disaster control measures such as use of high hazard areas for parks, farms, and recreational areas. Corrective restrictions include:

- (1) Floodproofing;
- (2) Acquisition;
- (3) Insurance;
- (4) Removal of non-conforming uses.

(f) "Mitigation" means to alleviate by softening and making less severe the effects of a major disaster or emergency and of future disasters in the affected areas, including reduction or avoidance.

(g) "Reduction" means to diminish in strength and intensity or to restrict or lessen the size, amount and extent of damage resulting from the major disaster or emergency or to be expected as the result of future disasters.

§ 205.402 Implementing actions.

The FEMA role under Section 402 of the Act is one of providing leadership, not through mandates, but through governments and assistance to them in

their initiatives to develop and maintain effective mitigation standards. FEMA must provide realistic and attainable mitigation options for their consideration and adoption. Ultimately, improved programs can only be developed when each party understands the benefits to be gained through hazard mitigation and is willing to work in a shared environment of cooperation and commitment.

(b) While the need to respond quickly to disasters and life-threatening conditions must remain paramount, FEMA shall assure that the ultimate benefits to be gained through effective hazard mitigation programs are not diminished and remain a primary objective.

(c) FEMA shall provide technical advice and assistance for hazard mitigation to local or State governments and to certain private nonprofit organizations eligible for grant assistance under Section 402(b) of the Act. Such technical advice and assistance shall be supplementary to that available from any other State or Federal agencies under their existing programs. Technical advice may also be provided for water conservation measures in affected areas short of water as the result of the major disaster or emergency.

(d) FEMA shall encourage local or State governments to adopt safe land-use regulations and construction practices or standards. When such action is taken, after the declaration of a major disaster or emergency, the Associate Director for Disaster Response and Recovery may approve such regulations, practices or standards as applicable deviations as a condition for any Federal grants under Section 402 of the Act. When such action is not taken, the Associate Director may still prescribe appropriate standards as applicable to federally-assisted projects resulting from the major disaster or emergency being restored under Section 402 of the Act. The Associate Director may also prescribe such standards for prospective applicability to all similar repairs or new construction of facilities within the applicant's jurisdiction. In such instances, the applicant shall be notified in writing by the Regional Director through the State of these prescribed standards and that any future damages or destruction of facilities due to failure to comply with such prescribed standards would not be eligible for FEMA grant assistance under Section 402, except under unusual circumstances when approved in the public interest by the Associate Director.

(e) Local governments usually have the decision-making responsibility within their jurisdictions for hazard mitigation measures, including sound land-use regulations and safe construction practices. The State has the central role in resource management and in hazard mitigation throughout the State. Federal technical advice and assistance is supplementary in nature.

(f) FEMA recognizes the heavy administrative workloads of local and State governments in coping with major disasters or emergencies and, in initiating any hazard mitigation programs, it will be sensitive to these existing workloads. In developing any proposed implementation plan and procedures, FEMA's emphasis is to focus the efforts of all participants on achieving positive results in hazard mitigation. It encourages initiative by State and local governments within the context of their laws, regulations, and customs.

(g) For all major disasters and emergencies involving actions or affecting in floodplains or wetlands appropriate hazard mitigation measures shall be taken as required by FEMA's Floodplain Management regulations (44 CFR Part 9).

(h) Nonstructural disaster protection methods or measures shall be fully considered and emphasized where consistent with primary program purposes of the Act.

(i) As a condition for any grant for federally-assisted projects under Section 402 of the Act, the Associate Director has prescribed as a standard, floodproofing measures which the Regional Director determines are appropriate and practicable as disaster-proofing under E.O. 11988 for facilities within the 100-year floodplain or for critical facilities within the 500-year floodplain.

(j) During hazard mitigation actions involving water resources under this subpart, the State shall be the focal point for water resource management.

(k) As a condition for any grant or loan under the Act for municipal water supply or waste water treatment facilities or systems, appropriate water conservation requirements shall be included and any disincentives to water conservation shall be removed.

§ 2205.403 Responsibilities.

(a) *General.* After a declaration of a major disaster or emergency coordinated effort of all participants is required to identify the significant hazards and appropriate mitigation measures to cope with those hazards.

(b) *FEMA.* The Regional Director shall include appropriate provisions for

hazard mitigation under this subpart in the Federal/State Agreement. He/she shall coordinate with the Governor's Authorized Representative to provide for a joint Federal/State team to survey the disaster affected area soon after a major disaster or emergency declaration for these purposes:

(1) Identify significant hazards in the affected area, giving priority to disaster-related hazards;

(2) Evaluate the impacts of these hazards and measures which will mitigate these impacts; and

(3) Recommend appropriate hazard mitigation measures.

The Regional Director shall designate a FEMA staff member to serve as Hazard Mitigation Coordinator (HMC) on the FEMA/State survey team and to confer with local, State and Federal officials concerning these hazards and hazard mitigation measures. Based on these consultations by the FEMA HMC and the Regional Director, and on decisions by local or State agencies which may establish new or modified land use regulations or standards, the Regional Director may recommend that the Associate Director for Disaster Response and Recovery approve or prescribe appropriate standards. The Regional Director shall also designate a FEMA planner to serve on the FEMA/State planning team. Concurrently with the FEMA/State survey team activities, the FEMA planner shall coordinate with the State planner designated by the Governor's Authorized Representative in working with participating Federal, State, and local agencies, organizations or individuals in accomplishing hazard mitigation planning as required by the Regional Director in accordance with 44 CFR 205.403(e), 44 CFR 205.405, 44 CFR 205.410(b), and 44 CFR 205.411(c). The Regional Director may provide technical advice and assistance to local or State agencies for the purpose of accomplishing hazard mitigation activities under this subpart. He/she shall review State evidence of compliance with approved hazard mitigation activities and shall provide to the Associate Director an after-action report when all such hazard mitigation activities are completed or terminated. Because the Regional Director requires that each applicant take appropriate hazard mitigation measures as a condition for approval of a FEMA grant or loan, he/she shall follow up with the State to recover Federal funding whenever an applicant fails to satisfy any conditions upon which the approval of the grant was based. The Regional Director may arrange for other Federal agencies to participate in hazard mitigation activities under this subpart.

(c) *State.* The Governor's Authorized Representative is responsible for State performance of hazard mitigation activities under the Federal/State Agreement and this subpart. He/she shall designate a State Hazard Mitigation Coordinator (HMC) to serve on the FEMA/State survey team and a State planner to serve on the FEMA/State hazard mitigation planning team. The Governor's Authorized Representative shall arrange for State and local participation in FEMA/State surveys and FEMA/State planning in the affected areas of the State for the purposes stated above. The State HMC shall arrange for consultations on the findings and recommendations from the joint survey and shall follow up to assure that timely and adequate local and State hazard mitigation actions are taken. Whenever appropriate, he/she shall arrange for State funding or technical assistance to eligible applicants for the purposes of accomplishing State-approved hazard mitigation actions. He/she shall arrange for State inspection or audit to verify compliance with approved hazard mitigation measures. When these activities are completed in accordance with the Federal/State Agreement, he/she shall submit a final report of compliance with hazard mitigation requirements by State and local governments to the Regional Director for review and acceptance. Similarly, the State planner shall work with the FEMA planner in accomplishing the tasks referenced in 44 CFR 205.403(b) above.

(d) *Local.* The applicant is responsible for local performance of hazard mitigation measures under the Federal/State Agreement and this subpart. Each applicant shall designate a local Hazard Mitigation Coordinator (HMC) to work with the FEMA/State survey team as required by the State HMC. Working with the FEMA/State survey team, the local HMC will assess the damage within the local jurisdiction. The local HMC shall arrange for local participation in consultations with FEMA/State survey teams about hazard mitigation actions under this subpart. The local HMC is responsible for informing local officials and interested citizens about significant survey team activities. He/she shall also collect any local comments on these matters and report them to the State HMC.

With any project application, each applicant shall submit adequate assurances that any required hazard mitigation measures have been taken or will be completed. The applicant, to the extent of its legal authority, is responsible for implementing and

enforcing land use regulations and safe construction practices which are conditions agreed upon for FEMA grants or loans. The applicant shall provide evidence of compliance with conditions for any approved FEMA grants or loans as required by the Governor's Authorized Representative. The applicant's local Authorized Representative shall also arrange for the applicant's planner to work with the FEMA/State planning team in reviewing and updating existing hazard mitigation plans, or in developing new hazard mitigation plans as may be scheduled by the Governor's Authorized Representative and requested by the Regional Director.

(e) *Federal/State agreement.* When necessary to clarify responsibilities under this subpart for a major disaster and emergency, clarification shall be provided by amendment to the Federal/State Agreement. The following is a typical paragraph:

Hazard Mitigation Clause Added to Federal-State Agreement

The State agrees that, as a condition for any Federal loan or grant, the State or the applicant shall evaluate the natural hazards in the areas in which the proceeds of the grants or loans are to be used and shall make appropriate recommendations to mitigate such hazards for federally-assisted projects. The State further agrees: (1) to follow up with applicants, within State capabilities, to assure that, as a condition for any grant or loan under the Act, appropriate hazard mitigation actions are taken; (2) to prepare and submit not later than 180 days after the declaration to the Regional Director for concurrence, hazard mitigation plan or plans for the designated areas, and (3) to review and update as necessary disaster-mitigation portions of the emergency plans.

The Regional Director agrees to make Federal technical advice and assistance available to support the planning efforts and actions.

§ 205.404 Surveys.

(a) *Damage assessments.* Prior to a declaration of a major disaster or emergency, local, State and Federal preliminary assessments of damage may identify major hazards and opportunities for hazard mitigation actions. This information will be transmitted to the FEMA/State survey team as indicated below. During the period immediately following a major disaster or emergency, each applicant is expected to use its resources and capabilities as necessary to perform emergency work, such as debris removal or emergency measures to save lives, or to protect public health and safety or to protect property. The identification of hazards by the damage assessment team and the performance of the emergency

work may result in significant hazard mitigation. Damage Survey Reports (DSR) (see 44 CFR 205.114(d)) completed by Federal inspectors will also include identification of hazards and recommendations of mitigation measures to be incorporated in the repair work.

(b) *Survey activities.* After a declaration of a major disaster or emergency, the Governor's Authorized Representative shall schedule a briefing for State staff members about their participation in FEMA/State survey team activities.

The survey team shall be made up of the FEMA HMC and the State HMC, plus other Federal or State staff members or consultants. This FEMA/State survey team shall work with the appropriate local HMC. Utilizing the information from the preliminary damage assessments, the DSR's referred to above, and all other pertinent information readily available, the survey team shall visit the sites of significant damage to evaluate the hazards. This evaluation may include investigation of selected individual damaged facilities plus review of applicable land use regulations, construction standards, and other appropriate hazard mitigation measures. The Federal/State survey team shall work with the local HMC and other local officials as necessary during evaluation. The FEMA HMC shall supply model regulations, suggested standards, and other pertinent references for use by the survey team. For each identified significant hazard the survey team shall include appropriate recommendations of hazard mitigation measures in its final report (see 44 CFR 205.411(c)).

§ 205.405 Hazard mitigation plans.

(a) *Plans.* For each hazard-prone area, the FEMA/State planning team shall review and evaluate existing local or State emergency plans for hazard mitigation. Particular attention shall be given to the adequacy of plans for warning and evacuation. In those cases where no such plans exist, this planning team shall report its findings and recommendations concerning specific needs to develop and maintain such plans. The Regional Director shall require the State to update existing State or local plans or to develop such new hazard mitigation plans as he/she deems necessary in consultation with the Governor's Authorized Representative, in determining whether to impose such a requirement on a local government, consideration shall be given to the opportunities presented for hazard mitigation, the size and composition of the local government, the

local government's authority to regulate land use and to require safe construction practices, and the local government's exercise of such authority. The Governor's Authorized Representative, or Regional Director, may provide technical advice and assistance to State agencies or local governments in developing new plans or updating existing plans to mitigate hazards identified as the result of the major disaster or emergency within the affected areas.

(b) *Objectives.* The identification of hazards following a major disaster or emergency and accomplishment of appropriate hazard mitigation measures are the short-term planning objectives to be required by the Federal/State Agreement. The Regional Director and the Governor's Authorized Representative shall focus with highest priority on these objectives in verifying compliance with the Agreement as a condition for Federal loans or grants.

(c) *Mapping.* The FEMA/State planning team shall verify the impact of the major disaster on disaster frequencies computed prior to the major disaster through contacts with agencies maintaining such records. This planning team shall also consider the advisability of redefining boundaries of high-hazard areas as the result of their findings and shall make recommendations to the Regional Director on any needs for new mapping or remapping of high hazard areas.

(d) *Schedules.* In its recommendations of appropriate hazard mitigation measures, the planning team shall suggest target dates and schedules for accomplishment of each recommended measure.

(e) Measures which relate only to specific construction projects shall be specified as conditions for approval of applicable FEMA grants or loans. Those hazard mitigation measures which require other actions by applicants for FEMA grants or loans shall be reported by the FEMA/State survey team to the Governor's Authorized Representative, for referral to the FEMA/State planning team or other appropriate action.

§ 205.406 Hazard mitigation measures.

(a) *General.* Certain types of actions may be taken to achieve hazard mitigation including:

- (1) avoidance,
- (2) reduction, and
- (3) adoption and enforcement of land use regulations and of safe construction practices.

(b) *Avoidance.* For siting new construction of facilities or structures, location outside of high hazard areas is the preferred solution. For each hazard

identified following a major disaster or emergency, the survey team shall assess the feasibility of avoidance of high hazard areas in cases where new construction, alteration, or major repairs are involved in restoration of damaged or destroyed facilities. The survey team shall also make specific recommendations concerning land use regulations and rezoning to achieve the objectives of avoidance whenever appropriate.

(c) *Reduction.* Reduction of the effects of hazards on facilities and people may be achieved by reducing the area or level of the hazard itself or by reducing the impact of the hazard on individual facilities. Examples of the first are flood control projects such as dams, levees, floodwalls or channel improvements. In some situations, these may be the only practicable measures to protect facilities or structures already located in the floodplain. Reducing the impact on a facility may be accomplished by such measures as installing shearwalls or bracing in buildings or installing check valves in utility lines in earthquake-prone areas. In flood-prone areas, tie downs may be used for mobile homes, lower levels of building may be waterproofed, water damage resistant materials may be used in reconstruction, or such lower levels may be restricted to nonhazardous uses.

§ 205.407 Land use regulations.

(a) *Local zoning.* Regulation of land use within its jurisdiction is normally a function of local government. In some cases, the local government may have already adopted land use regulations or zoning prior to a major disaster or emergency. Modification or updating based on current maps and model regulations may be necessary. Some remapping may frequently be required. In certain cases, the existing land use regulation may be adequate to cope with the identified hazards, if properly enforced. State, Federal, or private interests may propose model zoning regulations, but adoption and enforcement of such regulations remain with the responsible State or local government. Certain State or Federal restrictions may be locally adopted and enforced by mutual agreement, or as a condition for certain types of financial assistance. The survey team shall make its recommendations based on field observations and evaluation of hazards within the affected areas. Consultations with the applicant, the State HMC, and the FEMA HMC may then be necessary to identify the applicant's options for decision-making. The State or FEMA HMC shall provide encouragement, technical advice, and assistance to the

applicant to adopt and enforce appropriate land use regulations. The FEMA/State planning team shall follow on contacts with the State or local government if appropriate.

(b) *State land use regulations.* For State-owned properties outside of local jurisdictions, the responsible State agency adopts and enforces land use regulations. In some cases, these State regulations may serve as model regulations for local governments. The planning team may make recommendations on new State land use regulations for State lands and provide technical advice and assistance to the State for developing such regulations. The State may require local adoption of Statewide land use regulations as a condition for State aid, such as grants, loans, or technical assistance.

(c) *Federal land use regulations.* For federally-owned lands outside of local or State jurisdictions, the responsible Federal agency adopts and enforces land use regulations which may serve as models for local or State regulations in like circumstances. The FEMA/State planning team may encourage the Federal agency to adopt land-use regulations currently used locally as being applicable to the Federal property. A Federal agency may require local or State governments to adopt and enforce certain hazard mitigation regulations as a condition for Federal assistance or participation in federally-assisted programs. For example, the National Flood Insurance Program requires certain minimum floodplain management regulations for participation by State or local government. Executive Order 11988 also imposes additional constraints on Federal grants or loan assistance within the floodplains. After reviewing a project application in accordance with FEMA's Floodplain Management regulations (44 CFR Part 9), the Regional Director may determine that no practicable alternative to locating in the floodplain exists. The Regional Director then shall require appropriate measures to minimize harm to the facility, to other property and to the floodplain and to preserve and restore the natural and beneficial values of the floodplain. Non-structural uses of floodplains and wetlands, such as open space and parks, shall be encouraged whenever practicable. Coastal zone management plans impose similar requirements for local, State, and Federal floodplain management regulation. As model hazard mitigation regulations become available to cope with other types of disasters or emergencies including earthquakes, windstorms, and

fires, the survey team may recommend them as requirements for federally-assisted projects, or for adoption and enforcement by applicants for Federal grant or loan assistance. Survey or planning teams shall make findings and recommendations as appropriate for development or updating of model hazard-mitigation regulations by various Federal agencies for mitigation of hazards identified following a major disaster or emergency. The FEMA planner may arrange for Federal technical advice and assistance to local or State governments in modifying model land use regulations to satisfy local requirements.

(d) *FEMA land use standards.* As the result of a major disaster or emergency, the Regional Director may determine that there is no practicable alternative to permitting approval of a grant or loan for an action within a high hazard area. For example, refer to 44 CFR Part 9 covering the eight-step decision-making process for floodplain management. In those cases where a practicable alternative exists outside the base floodplain, the Regional Director shall decline to approve a FEMA grant or loan unless the facility or structure is relocated. The Regional Director may take similar action for other types of disasters, such as tornadoes or earthquakes, where a practicable alternative exists outside the high hazard area. Under the Act, the Associate Director for Disaster Response and Recovery may prescribe appropriate standards as applicable for FEMA assisted projects as the result of a major disaster or emergency, as discussed in 44 CFR 205.402(d). When the Regional Director determines that restoration of a damaged or destroyed facility in a hazard area is not a practicable alternative, he/she may decline to authorize FEMA disaster assistance to restore facilities at the original site, or within the hazard area where such facilities are subject to repetitive heavy damages or destruction. When an applicant decides to relocate facilities being restored under Section 402 of the Act outside of a high hazard area, purchase and development of the site is the applicant's responsibility. The Regional Director may approve Federal grant assistance for permanent restoration of eligible facilities erected on the new site: Provided, that the Regional Director determines that the Federal grant assistance for such project is practicable and in the public interest.

§ 205.408 Construction practices.

(a) *General.* In certain cases, permanent repairs, alterations, or new construction to pre-disaster design may

not provide usable facilities or structures safe from identified hazards. Alternate actions available are relocation; restorative work to conform to updated safe construction practices; or no approval for Federal funding of the proposed work. For FEMA-assisted projects under the Act, the applicant's decision on standards for restorative work shall be subject to review and approval by the Governor's Authorized Representative and the Regional Director. In identifying hazards and in its damage evaluation, the survey team shall inventory existing construction practices or standards related to damaged or destroyed facilities and may recommend adoption and enforcement by each applicant of additional safe construction practices.

(b) *Local standards.* When a major disaster or emergency occurs, the FEMA/State survey team shall inventory and evaluate the standards already adopted by the applicants for the types of repairs, reconstruction, or restorative work for which Federal grant or loan assistance is being requested. During the field surveys this team, or the FEMA/State planning team may also have model State or Federal standards available for consideration by the applicants. Such standards for new construction may be different from those for repairs or alterations to existing facilities or structures. Federal or State agencies may provide technical advice and assistance to local governments, particularly in the form of model standards to be modified for local use. In discussions of hazard mitigation measures, the survey team or the planning team may develop appropriate recommendations to the applicant for updating existing standards, or for adopting new ones. As the result of the major disaster or emergency, each applicant has the responsibility for adopting or updating appropriate standards and for enforcing them. Such local action for non-federally funded projects shall be encouraged by the survey team and the planning team working together for a common purpose. An applicant may request State or FEMA technical advice and assistance in taking these actions. A new standard which the applicant submits for approval by the Associate Director shall include the scope of application of the standard; that is, whether the standard covers all public facilities or certain federally funded projects only. The standard shall also be accompanied by a description of local or State enforcement procedures.

(c) *State standards.* For State-owned buildings, structures, or facilities outside

local jurisdictions, the responsible State agency adopts and enforces applicable standards. In some cases these may serve as a model for similar action by local governments. As a condition for State approval of grant or loan assistance as the result of a major disaster or emergency, the Governor's Authorized Representative may recommend to the Regional Director that the Associate Director prescribe certain standards for the FEMA-assisted project for hazard mitigation purposes. The State HMC may also provide technical advice and assistance on hazard mitigation measures to applicants, private organizations, and individuals.

(d) *Federal standards.* (1) For federally-owned buildings, structures, or facilities outside local or State jurisdictions, the responsible Federal agency adopts and enforces applicable Federal standards. These may serve as models for local or State adoption and enforcement in similar circumstances.

(2) The National Flood Insurance Program (NFIP) prescribes certain Federal standards for repairs, alterations, and new construction within floodplains as a condition for acceptance of a flood-prone community within that program. The Associate Director for Disaster Response and Recovery has prescribed as a standard, floodproofing measures which are appropriate as disaster proofing and practicable under E.O. 11988 for facilities within the 100-year floodplain or for critical facilities within the 500-year floodplain. For other types of disasters, similar standards for hazard mitigation may be available and appropriate for local, State and Federal use.

(3) The FEMA/State survey team, and the planning team, shall be aware of existing standards and shall recommend appropriate examples to applicants for consideration as hazard mitigation related to the major disaster or emergency.

(e) *FEMA standards.* Working with the State and applicants, through the survey team and the planning team, the Regional Directors shall encourage local adoption and enforcement on all projects, including non-federally assisted projects, of appropriate standards for hazard mitigation. When a local or State government takes such action, the Regional Director may recommend that the Associate Director for Disaster Response and Recovery approve such standards as applicable for FEMA-assisted projects, after appropriate consultations within FEMA, local and State officials, and with appropriate elected officials of general purpose local governments. Based on

these consultations and all available information, the Associate Director may approve such standards as deviations applicable to FEMA assisted projects. When the local or State government declines to adopt and to enforce them for non-FEMA-assisted projects, the Associate Director, after appropriate FEMA, State and local consultations, may prescribe appropriate standards which are applicable only to FEMA assisted projects. Refer also to 44 CFR 205.402(d). The Regional Director may then approve FEMA grant or loan assistance to enable the applicant to comply with them on FEMA assisted projects. The Regional Director may suspend or refuse to approve any project application until he/she is satisfied that the approved work will result in a facility or structure safe and usable for the predisaster function, or for alternate functions proposed as flexible funding by the applicant in accordance with these regulations. (See 44 CFR 205 Subpart H for an explanation of funding options.)

§ 205.409 Consultations.

(a) *General.* It is the intent of these regulations to provide opportunity for State and local officials and interested individuals to participate in the hazard mitigation process. At various points in the process, consultations and meetings with the FEMA/State survey team or planning team will provide input from these sources as detailed in the following paragraphs.

(b) *Survey team.* Members of the survey team shall make frequent contacts and have consultations with various applicants until the field surveys are completed and appropriate hazard mitigation measures are recommended. The State HMC is responsible under the Federal/State Agreement to arrange for appropriate consultations and notices to inform the public on those decision-making processes involved in the work of the survey team. An applicant or the FEMA HMC may request such arrangements when desired.

(c) *Planning team.* Similarly, members of the FEMA/State planning team, in coordination with the survey team, shall make contacts and have consultations with various applicants or their planners as the planning team may require to accomplish its assigned tasks.

(d) *Meetings.* After the declaration of a major disaster or emergency, the Governor's Authorized Representative, in coordination with the Regional Director, schedules one or more meetings with local and State officials representing potential applicants for Federal assistance. These are generally known as "Applicant's Briefings" At

these meetings FEMA and State staff members brief these local and State officials on FEMA policies and procedures for Federal grant or loan assistance under the Act. The Governor's Authorized Representative may arrange for the survey team and the planning team to participate in these briefings when desirable. The FEMA/State survey team and the planning team will normally schedule followup meetings later to discuss hazard mitigation measures with State and local officials. When necessary under FEMA's regulations pertaining to floodplain management and environmental review (44 CFR Parts 9 & 10) early public notice may be given of pending Federal actions. Based on the responses to such public notice, or when otherwise appropriate, the Regional Director may request the Governor's Authorized Representative to schedule public hearings for purposes of consultation with interested parties on hazard mitigation measures or problems.

(e) *Project Management.* Normal FEMA procedures for damage survey reports, project applications, final inspections, audits, and final payments require local, State, and Federal contacts and coordination. Appeal procedures provide for further reviews and consultations of all interested parties including the Associate Director and his/her staff. These procedures provide documentation to support the hazard mitigation measures taken under Section 406 of the Act.

§ 205.410 Compliance.

(a) *Federal/State Agreement.* Requirements for evidence of compliance may vary for each major disaster or emergency depending on its nature, severity, and magnitude as well as on variations in the resources, capabilities, organization, and staffing of the local and State governments. Any specific requirement for State evidence of compliance with hazard mitigation measures may be spelled out in the Federal/State Agreement.

(b) *Plans.* Review and acceptance of hazard mitigation plans submitted by the applicant or by the State in accordance with the Federal/State Agreement provides the Governor's Authorized Representative in coordination with the Regional Director opportunities to schedule spot inspections, audits, and follow-up consultations. Through these activities, compliance with hazard mitigation objectives, schedules, and commitments may be verified.

(c) *Project Administration.* As a condition for approval of a project application, and subsequently for

approval of a voucher for final payment, the Governor's Authorized Representative and the Regional Director shall require documentation of required hazard mitigation measures, including compliance with applicable land use regulations or construction standards. In making Final Inspection Reports, Federal and State inspectors shall be specifically asked to verify compliance by the applicant with approved hazard mitigation standards. Similarly, auditors shall be required to verify such compliance in their audit reports.

(d) *Reporting.* The Regional Director may specify in the Federal/State Agreement that the State provide reports of compliance with approved hazard mitigation plans or actions. The Governor's Authorized Representative may also require such progress reports from each applicant or he/she may submit one comprehensive report when scheduled. Prior to termination of the Federal/State Agreement, the Governor's Authorized Representative shall submit a final report of compliance with hazard mitigation requirements by State and local governments to the Regional Director for review and acceptance.

§ 205.411 Evaluation.

(a) *Critiques.* If requested by the Regional Director, the Governor's Authorized Representative shall arrange for a special critique of hazard mitigation plans and actions as the result of the major disaster or emergency. Each applicant shall be notified of the critique and may be invited to participate. As an alternative, a critique of hazard mitigation plans and actions may be scheduled to be covered at the FEMA/State critique covering all disaster assistance activities as the result of the major disaster or emergency.

(b) *Final survey team report.* Prior to terminating the survey team activities, the FEMA HMC and State HMC shall prepare a joint report of their activities and recommendations to the Governor's Authorized Representative and to the Regional Director.

(c) *Final planning team report.* Upon completion of its assigned mission, as discussed in 44 CFR 205.405, the FEMA/State planning team shall make a final report of its activities, findings and recommendations to the Regional Director through the Governor's Authorized Representative. This final report shall specifically identify any remaining planning requirements for hazard mitigation as the result of the major disaster or emergency requiring State or FEMA followup.

(d) *Follow-up actions.* The Regional Director shall review the reports from the survey team and the planning team plus the report of compliance from the Governor's Authorized Representative. The Regional Director's report to the Associate Director shall focus on the positive results achieved through hazard mitigation plans and actions as the result of the major disaster or emergency. He/She also shall provide in the report specific findings and recommendations for Federal follow-up action which should be taken after termination of the Federal/State Agreement to provide mitigation of such hazards as the result of future disasters. The Associate Director may then arrange for appropriate Federal action as the result of each such recommendation.

(Sections 406 and 601, Pub. L. 93-288, 88 Stat. 143 (42 U.S.C. 5176 and 5201); Executive Order 12148; and Delegation of Authority 44 FR 44972.)

Issued at Washington, D.C., October 31, 1979.

William H. Wilcox,

Acting Director, Disaster Response and Recovery, Federal Emergency Management Agency.

[FR Doc. 79-34494 Filed 11-7-79; 8:45 am]

BILLING CODE 6718-01-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1067

[CSA Instruction 6000-2d]

Funding of CSA Grantees; Index and Applicability of CSA Regulations (Instructions)

AGENCY: Community Services Administration.

ACTION: Publication of Index of CSA Rules.

SUMMARY: The Community Services Administration is publishing an Index to its current regulations. This Index indicates which directives are in effect for grants made under specific authorities in the Economic Opportunity Act of 1964, as amended, and describes the procedures by which the list will be kept current.

EFFECTIVE DATE: November 8, 1979.

FOR FURTHER INFORMATION CONTACT: Ms. Maryann J. Fair, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506. Telephone Number (202) 254-5047. Telephone Number (202) 254-6218.

Authority: The provisions of this subpart are issued under Sec. 602, 78 Stat. 530, 42 U.S.C. 2942.

Graciela (Grace) Olivarez,
Director.

45 CFR is amended by revising subpart—Index and Applicability of CSA Regulations (Instructions) to read as follows:

Subpart—Index and Applicability of CSA Regulations (Instructions)

- Sec.
- 1067.50-1 Applicability.
- 1067.50-2 Policy.
- 11067.50-3 Background.
- 1067.50-4 Determining Applicability.
- 1067.50-5 Procedures.
- 1067.50-5 Distribution to Delegate Agencies.
- Appendix A to subpart 1067.50, Index and Applicability of CSA Regulations (Instructions) Appendix B to Subpart 1067.50, Index and Applicability of CSA Regulations (Instructions)

Subpart—Index and Applicability of CSA Regulations (Instructions)

§ 1067.50-1 Applicability.

This subpart applies to all grantees financially assisted under Titles II, IV and VII of the Economic Opportunity Act of 1964, as amended, if such assistance is administered by the Community Services Administration.

§ 1067.50-2 Policy.

The General Conditions of all CSA-administered grants made under the authorities of Titles II, IV and VII of the Economic Opportunity Act provide that program funds expended under the grant are subject to CSA directives. This subpart shows which directives are in effect for grants made under specific authorities in the EOA and describes the procedures by which the list will be kept current.

§ 1067.50-3 Background.

(a) CSA's present issuance system is made up of the following types of issuances which set forth the policies and procedures to be followed by a grantee or offer advice as to how a grantee may better accomplish its objectives: Instructions, Notices, Handbooks and Guidances. (These regulations may be referred to as "OEO" or "CSA" Instructions or Notices; in either case these regulations are deemed to be the policy statements of the Community Services Administration).

(b) *Current Issuance System.* (1)

Instructions: These issuances set forth policies and procedures and are binding on the grantees to which they are applicable as shown in Appendix B to this subpart.

(2) *Notices.* These issuances announce matters of temporary concern or one

Interagency Agreement Overview

I. Background - OMB Memo 3/17/79

- A. All Federal programs that provide construction funds and long-term recovery assistance must use common flood disaster planning and post-flood recovery practices.
- B. Established an interagency task force to carry out purposes of memorandum.
- C. Future disaster planning. Develop procedures which shall:
 1. Seek to avoid redundant or competitive expenditures;
 2. Coordinate Federal technical assistance and other program resources and encourage the packaging of Federal program elements to promote the use of nonstructural measures for flood loss reduction;
 3. Provide for the development and dissemination of information on the packages of Federal program assistance available;
 4. Encourage the preparation of pre-disaster plans for reducing future flood losses and encouraging wise use of floodplains, as well as post-disaster plans under the authority of Section 406 of the Disaster Relief Act.
- D. Post-Flood Recovery. To accomplish the objectives of the post-flood recovery efforts, the agencies should develop a common policy and enter into an interagency agreement that provides for inter-agency, inter-disciplinary and intergovernmental hazard mitigation teams. The teams shall be led by a designated FEMA official in cooperation with affected State and local governments. At the time of Presidentially declared disasters, the teams will:
 1. Assess the extent of damage;
 2. Identify riverine floodway and coastal high hazard zones in which Federal investment to repair or replace structures and facilities should be avoided and the relocation of people and structures out of these areas encouraged;
 3. Identify floodplain fringe areas in which Federal assistance should seek to mitigate hazards through the floodproofing of structures, forecasting-warning-evacuating plans, floodplain regulations and development and redevelopment policies;

4. Prepare expeditiously--normally within 15 days--a hazard mitigation report recommending specific recovery actions to be taken by each Federal agency and each non-Federal level of government. Federal agencies shall conform their recovery actions to the recommendations of the report to the fullest extent practicable.

II. Future Disaster Planning. No procedures for future disaster planning.

III. Post Disaster Recovery.

A. Agreement signed on 12/80.

B. Created 10 regional Interagency Hazard Mitigation Teams.

1. Each agency appointed one member and two alternates.
2. FEMA Regional Director designated team leader.
3. The teams shall be mobilized by the FEMA Regional Director in response to a Presidentially declared flood disaster or emergency.
4. The teams may also be mobilized by the FEMA Regional Director in response to a planning initiated hazard mitigation effort. An agency, in response to a request to participate in a hazard mitigation team effort in other than a Presidentially declared disaster or emergency, may reply that other program commitments preclude any involvement.

C. Interagency Flood Hazard Mitigation Report

1. Submitted to FEMA Regional Director in 15 days (30 days).
2. This report will provide an overall framework for the hazard mitigation and disaster recovery activities.
3. The report will include:
 - a. Assessment
 - 1) Assessment of the nature, cause and extent of flood damage to structures and facilities.
 - 2) Identification of high hazard flood areas, floodway and coastal high hazard areas.
 - 3) Identification of emergency actions that must proceed while the Hazard Mitigation Report is being prepared.

b. Recommendations

- 1) Identification of areas in which Federal investment to repair or replace structures and facilities should be avoided and the relocation of people and structures out of these areas should be encouraged.
- 2) Identification of areas in which Federal assistance should encourage mitigation through the floodproofing of structures.
- 3) Identification of those immediate actions that are required to minimize recurring flood damage.
- 4) Delineation of areas subject to specific nonstructural policies and measures.
- 5) Specific recommendations which when taken will leave the community less vulnerable to future flood hazards.

c. Special Elements

- 1) An implementation program initiating a package of Federal and State programs to address hazard mitigation opportunities with emphasis on nonstructural measures.
- 2) Identification of priorities and a schedule for implementation of the report recommendations.
- 3) Definition of agency actions including the appropriate Federal agency to lead in the implementation of the report recommendations.

D. Post-Flood Recovery Progress Report

1. Due 90 days from the date of the receipt of the Hazard Mitigation Report. This report shall be submitted to the FEMA Regional Director for comment and coordination by the designated lead agency.
2. The report shall include:
 - (a) Identification of progress made in implementing the Hazard Mitigation Report.
 - (b) Description of problems or issues that have developed after completion of the report.
 - (c) Recommendations for further actions.

- E. The parties agree to the following compliance measures:
1. Federal agencies shall conform their recovery actions to the recommendations of the Hazard Mitigation Report to the fullest extent practicable.
 2. When a proposed action does not follow the recommendations of the Hazard Mitigation Report, the initiating department or agency shall report the proposed action to the FEMA Regional Director along with the reasons therefore prior to the initiation of the action.
 3. When appropriate, unresolved differences between FEMA and a Federal department or agency may be referred to the CEQ, pursuant to 40 CFR 1504.
 4. FEMA's Regional Director shall require states to identify a State agency and a local agency to provide ongoing local leadership in implementing the Hazard Mitigation Report. Federal agencies working with other State and local agencies will encourage their cooperation with the designated non-Federal lead agency.
 5. Within manpower and funding limitation, Federal agencies shall give due consideration to providing financial and technical assistance, as needed, in furtherance of the hazard mitigation recommendations.
- F. The FEMA Regional Director shall bring any difficulties in the implementation of the report recommendations to the immediate attention of the Task Force Leader. The Regional Director and the Task Force Leader shall, in consultation with the appropriate agencies, together decide on the proper course of action.
- G. Oversight Responsibility. The parties acknowledge that the Office of Management and Budget, the Council on Environmental Quality, and the Water Resources Council shall jointly oversee the compliance to this agreement.

DEC 15 1980

INTERAGENCY AGREEMENT
FOR
NONSTRUCTURAL DAMAGE REDUCTION MEASURES
AS APPLIED TO COMMON
FLOOD DISASTER PLANNING
AND
POST-FLOOD RECOVERY PRACTICES

I. INTRODUCTION

Federal, State and local interests have expended over \$10 billion for structural measures to mitigate flood losses. Notwithstanding this effort, average annual flood losses have continued to increase. This experience has generated renewed interest in non-structural flood damage reduction measures which are usually complementary and, in some situations, necessary substitutes for structural approaches.

Since nonstructural measures frequently can be used in flood disaster recovery situations, the Director of the Office of Management and Budget (OMB), in a memorandum dated July 10, 1980, has directed that "All Federal programs that provide construction funds and long term recovery assistance must use common flood disaster planning and post-flood recovery practices." The objective of this policy is to coordinate flood disaster recovery efforts and to assure that these efforts give full consideration to nonstructural as well as structural measures to minimize flood losses to the extent practicable, and thereby reduce the flood vulnerability of riverine and coastal communities.

The Federal Emergency Management Agency (FEMA) is directed to coordinate and lead twelve key departments and agencies in the development of an interagency agreement that establishes a common policy statement and guidelines to implement the policy. The President has assigned to the Director of the Federal Emergency Management Agency the responsibility to establish Federal policies for and to coordinate all mitigation and assistance functions of Executive agencies. The Director shall represent the President in working with state and local governments and the private sector to stimulate vigorous participation in mitigation, response and recovery programs. All Executive agencies are to cooperate with and assist the Director in the performance of his functions (E.O. 12148, July 20, 1979).

The July 10, 1980 memorandum from OMB provides that:

The common flood disaster planning and post-flood recovery practices will ensure that Federal financial and technical assistance minimizes flood losses.

Flood disaster planning, as used in this agreement, occurs in response to an officially declared disaster. Pre-disaster planning, as used in this agreement, is a planning initiated hazard mitigation effort that addresses potential (prior to flood events) flood problems. These planning processes can proceed concurrently with agency studies that are being conducted to identify justified flood damage reduction measures.

Consistent with the President's July 1978 Water Policy Initiatives, nonstructural measures are to be used wherever practicable.

Structural measures affect the floodwaters. Nonstructural measures affect activities in the flood plain. Nonstructural measures will play an important role in flood hazard mitigation programs, and used alone, will often be the most acceptable and efficient approach. The degree of nonstructural as related to structural measures will vary with respective problems but will always be given full consideration in detailed as well as general studies. The post-disaster situation affords unique opportunities for hazard mitigation through the effective use of nonstructural measures. This agreement does not address emergency actions (work essential to save lives and protect property) in a post-disaster situation. It is concerned primarily with nonstructural measures for hazard mitigation which may be accomplished in the post-disaster recovery period. Such measures include, but are not limited to:

- flood plain regulations;
- relocation of structures and facilities out of the flood hazard area with attendant land acquisition and management;
- floodproofing of existing and new structures and facilities;
- forecasting, warning and evacuation plans; and
- vegetative measures to reduce runoff.

This policy is also designed to encourage wise use of the Nation's flood plains.

The concept of "wise use of the Nation's flood plains" is discussed in the Water Resources Council's "Unified National Program for Flood Plain Management." In the context of this agreement, wise use of flood plains includes minimizing flood losses to the extent practicable and restoring and preserving the natural and beneficial values served by flood plains. Flood plains generally provide excellent resources for agricultural, aquacultural, and forestry production, and these activities are included in the concept of "natural and beneficial values." This agreement focuses on urban, suburban and rural areas, and is not intended to cover land used in the production of primary agricultural products. The goal is to

achieve an absolute decline in communities' average annual flood losses due to unwise flood plain use. Activities and programs to accomplish this goal shall address both future and existing development. Emphasis shall be on reserving or clearing land to ensure open floodways and coastal high hazard areas.

II. COMMON FEDERAL POLICY

In order to ensure that Federal financial and technical assistance minimizes flood losses and that future Federal expenditures for flood disaster recovery and relief will be minimized, the parties to this agreement agree to the following elements of a common Federal policy in response to flood disasters:

- A. All Federal programs that provide construction funds and long-term recovery assistance shall use common flood disaster planning and post-flood recovery practices.
- B. Wise use of the Nation's flood plain shall be an objective of this agreement and shall be encouraged.
- C. These common practices shall ensure that responses to flood disasters are prompt and effective to the fullest extent practicable and are based on evaluation and delineation of the flood and related hazards.
- D. These common practices for pre-disaster planning and post-flood recovery, including nonstructural flood damage reduction measures and flood disaster recovery activities, shall be based on and implemented in accordance with the Unified National Program for Flood Plain Management, Executive Orders 11988 and 11990, and the President's July 1978 Water Policy Initiatives, and shall be guided by the Water Resources Council's Guidelines for Implementing E.O. 11988.
- E. As provided in E.O. 11988, having determined that a proposed action is located in the base flood plain, an agency is required to identify and evaluate practicable alternatives to locating in the flood plain.
 1. Relocation of existing structures and facilities from flood hazard areas may well be an appropriate action. In either a planning initiated activity prior to a disaster (see V.A.2 and V.C.3) or as part of post-flood disaster recovery activities, structures and facilities that may be or have been adversely affected by floods shall be considered for relocation out of the flood plain in the following situations:

- a. the structure or facility is located in a designated or approximate floodway;
 - b. the structure or facility is located in a designated or approximate coastal high hazard area;
 - c. the structure or facility was substantially damaged.
 - d. State or local legislation, regulations, and/or restrictions have designated the structure or facility as a non-conforming use and discourage its continuation or prohibit the repair of the structure or facility when affected by a flood disaster; or
 - e. the structure or facility has experienced repetitive flooding.
2. In a flood hazard area where it has been determined that relocation of existing flood damaged structures and facilities is not practicable, floodproofing may be an appropriate response in the following situations:
- a. Where evaluations have shown that the floodproofed structures and facilities will not affect adversely lives and property or the natural and beneficial values served by flood plains.
 - b. Where new water dependent structures and facilities, after proper evaluation, are deemed necessary.
3. In a flood hazard area where it has been determined that neither relocation nor floodproofing are practicable, alternative actions, including the no action option, must be considered.
- G. The parties to this agreement will support coordinated post-flood recovery efforts by:
1. Striving toward coordinated hazard mitigation in the post-flood recovery effort. To achieve that result, the parties shall work to develop actions necessary to reduce the threat to lives and property posed by future floods and to encourage all other levels of government and private interests to do likewise.

2. Agreeing to have representatives participate in hazard mitigation teams to be established by the FEMA Regional Director in each of the ten Federal regions, as appropriate, to implement this agreement. These teams will involve appropriate state and local participation.

III. INTERAGENCY TASK FORCE

An Interagency Task Force for Nonstructural Flood Damage Reduction Measures and Flood Disaster Recovery is hereby established by and comprised of the parties to this agreement. This interagency task force, which operates at the Washington level, will be chaired by the FEMA representative designated to coordinate the development of the Interagency Agreement and the Handbook of Procedures for Flood Disaster Mitigation Planning as called for by the OMB Directive.

IV. RESPONSIBILITIES OF THE INTERAGENCY TASK FORCE

The task force has the following responsibilities:

A. Pre-Disaster Planning

Develop procedures in cooperation with State and local representatives, when appropriate, for pre-disaster planning to avoid future flood losses. Those procedures include:

- coordinating Federal technical assistance and other program resources;
- packaging of Federal program elements to promote the use of nonstructural measures for flood damage reduction;
- developing and disseminating information on the packages of Federal program assistance available;
- encouraging the preparation of pre-disaster plans for reducing future flood losses and encouraging wise use of flood plains;
- encouraging the development of flood forecasting and warning systems;
- providing guidance for preparation and review of post-disaster plans; and
- avoiding redundant or competitive expenditures.

The Parties and each FEMA Regional Director will encourage all levels of government and all private interests to use the procedures developed. Agencies required to follow the Water Resources Council's Principles and Standards for Planning Water and Related Land Resources will implement measures by actions consistent with the Principles and Standards.

B. Post Flood Recovery

Assist in efforts to coordinate activities and facilitate commitment of funds to help implement the report recommendations of the hazard mitigation team.

C. Preparation of Handbook of Procedures

Prepare a handbook of procedures for flood hazard mitigation planning. This handbook should be suitable for use by members of the hazard mitigation teams, and if appropriate, by State and local agencies in carrying out their responsibilities. The handbook will be prepared prior to October 1, 1981.

D. Quarterly Reports

Submit to the Office of Management and Budget through October 1, 1982, quarterly progress reports on the development of a common post-flood response policy, flood hazard mitigation teams, and future flood disaster planning procedures. To expedite the preparation of these quarterly reports, copies of hazard mitigation reports will be forwarded to the Task Force by the FEMA Regional Directors. Staff support for preparation of these reports shall be provided by FEMA.

V. HAZARD MITIGATION TEAMS

The parties agree to the following elements pertaining to hazard mitigation teams.

A. General

1. Within 90 days from the date of this Agreement, these teams shall be operational in each of the 10 Federal Regions.
2. The teams shall be mobilized by the FEMA Regional Director in response to a Presidentially declared flood disaster or emergency. The teams may also be mobilized by the FEMA Regional Director in response to

a planning initiated hazard mitigation effort. An agency, in response to a request to participate in a hazard mitigation team effort in other than a Presidentially declared disaster or emergency, may reply that other program commitments preclude any involvement.

B. Composition

1. Composition of the teams shall be interagency, interdisciplinary, and intergovernmental with representation from all appropriate agencies which are party to this agreement. Appropriate State and local participation will be arranged by the team leader. Federal and State team members shall be familiar with their agency programs and will have either had experience or will receive training in flood plain management and hazard mitigation. The Federal Emergency Management Agency shall conduct a training program to assure that the teams are prepared to deal with both future disaster planning and post-flood recovery efforts.
2. Each party shall designate a representative and two alternates in each Federal region, as appropriate, to participate on hazard mitigation teams.
3. The hazard mitigation team leader in each of the ten Federal regions will be designated by the FEMA Regional Director and will be familiar with flood plain management and hazard mitigation.

C. Tasks

1. In a post-flood recovery effort, the hazard mitigation team shall prepare recommendations for actions to be taken by each agency and each non-federal level of government. Such recommendations shall be in accordance with the following principles of E.O. 11988: avoidance of flood plain unless it is the only practicable alternative; and minimization of harm to and within flood plains.
 - a. Hazard Mitigation Report - due within 15 days from the date of the disaster. This report will provide an overall framework for the hazard mitigation and disaster recovery activities conducted by the parties to this agreement including those conducted by FEMA in implementing Section 406, P.L. 93-288. The 406 surveys are to be

complimentary to and a part of the implementation of the hazard mitigation report. The report shall be submitted concurrent with implementation to the FEMA Regional Director for comment and coordination and shall include the following elements:

- Assessment of the nature, cause and extent of flood damage to structures and facilities, by watershed where practical.
- Identification, based upon best available data, of: high hazard flood areas, areas likely to be in a floodway; and coastal high hazard areas.
- Identification of areas in which Federal investment to repair or replace structures and facilities should be avoided and the relocation of people and structures out of these areas should be encouraged.
- Identification of emergency actions (work essential to save lives and protect property) when it is necessary to separate restoration activities from these emergency actions which are to proceed while the Hazard Mitigation Report is being prepared.
- Identification of areas in which Federal assistance should seek to mitigate hazards through the floodproofing of structures.
- Identification of those immediate actions and alternatives that are required to minimize recurring flood damage within those identified areas.
- Delineation of areas subject to specific nonstructural policies and measures.
- Specific recommendations which when taken will leave the community less vulnerable to future flood hazards.
- An implementation program initiating a package of Federal and State programs to address hazard mitigation opportunities with emphasis on non-structural measures.
- Identification of priorities and a schedule for implementation of the report recommendations.

- Definition of agency actions including the appropriate Federal agency to lead in the implementation of the report recommendations.
 - b. In extraordinary circumstances involving large scale, major disasters, the FEMA Regional Director may determine that a preliminary Hazard Mitigation Report will be submitted within 15 days. A more detailed report would be presented by the Team within 30 days from the date of the disaster.
 - c. Post-Flood Recovery Progress Report - due 90 days from the date of the receipt of the Hazard Mitigation Report. This report shall be submitted to the FEMA Regional Director for comment and coordination by the designated lead agency and shall include:
 - Identification of progress made in implementing the hazard mitigation report.
 - Description of problems or issues that have developed after completion of the report.
 - Recommendations for further actions.
2. The FEMA Regional Director shall bring any difficulties in the implementation of the report recommendations to the immediate attention of the Task Force Leader. The Regional Director and the Task Force Leader shall, in consultation with the appropriate agencies, together decide on the proper course of action.
 3. In a pre-disaster hazard mitigation planning effort, the hazard mitigation team shall review and evaluate existing local and State plans for flood hazard mitigation and shall report its findings and recommendations concerning specific needs to:
 - Assess the nature and causes of the flood risk.
 - Identify, based upon best available data: high hazard flood areas; areas within a floodway; and coastal high hazard areas.
 - Prepare a Hazard Mitigation Report to include:
Conceptual Plan.

Specific recommendations which, when taken by the community, will leave them less vulnerable to future flood losses.

Efforts to be taken to avoid harmful land uses in flood areas and evaluation of alternatives.

Package of Federal and State programs available to assist community nonstructural measures.

Suggested legislative or code amendments required.

Suggested priorities action list and implementation schedule.

- Review and comment by public.

VI. COMPLIANCE

The Parties agree to the following compliance measures.

- A. Federal agencies shall conform their recovery actions to the recommendations of the hazard mitigation report to the fullest extent practicable.
- B. When a proposed action does not follow the recommendations of the Hazard Mitigation Report, the initiating department or agency shall report the proposed action to the FEMA Regional Director along with the reasons therefore prior to the initiation of the action.
- C. When appropriate, unresolved differences between FEMA and a Federal department or agency may be referred to the CEQ, pursuant to 40 CFR 1504.
- D. FEMA's Regional Director shall require states to identify a State agency and a local agency to provide on-going local leadership in implementing the Hazard Mitigation Report. Federal agencies working with other State and local agencies will encourage their cooperation with the designated non-Federal lead agency.
- E. Within manpower and funding limitations, Federal agencies shall give due consideration to providing financial and technical assistance, as needed, in furtherance of the hazard mitigation recommendations.

VII. OVERSIGHT RESPONSIBILITY

The Parties acknowledge that the Office of Management and Budget, the Council on Environmental Quality, and the Water Resources Council shall jointly oversee the compliance to this agreement.

VIII. ANNEXES TO AGREEMENT

Annexes to this agreement may be developed among the signing parties to:

1. Clarify the basic agreement's provisions and their relation to specific programs and authorities.
2. Identify the parties' procedures for carrying out the common Federal policy.
3. Set forth common program areas for effectuating flood hazard mitigation.
4. Provide further details for coordinating respective agencies' activities.

The executed agreement and the annexes will be included in the Handbook of Procedures for Flood Hazard Mitigation.

John W. Macey
Director
Federal Emergency Management Agency

December 16, 1980
Date

Sam Williams Acting
Secretary of Agriculture

12-16-80
Date

for Edward E. Boyer OASA (CW)
Secretary of the Army

December 16, 1980
Date

Robert T. Pipes Jr
Secretary of Commerce

December 16, 1980
Date

for Edward M. Doherty ASMB, OS
Secretary of Health & Human Services

Dec 16 1980
Date

for Norman R. Golster, Dep'y Asst Sec.
Secretary of Education

12/16/80
Date

for Francis J. Harris
Secretary of Housing & Urban Development

16 Dec 1980
Date

Daniel Beaulieu
Secretary of Interior

12/16/80
Date

Lee C. Goodenough
Secretary of Transportation

Dec. 24, 1980
Date

Richard L. Costello
Administrator
Environmental Protection Agency

12/16/80
Date

Leta M. McCoy Assoc. Admin
Administrator
Small Business Administration

12/16/80
Date

VA Churchill for S. David Freeman
Chairman
Tennessee Valley Authority

12-16-80
Date

ANNEX TO THE INTERAGENCY AGREEMENT
FOR
NONSTRUCTURAL DAMAGE REDUCTION MEASURES
AS APPLIED TO COMMON FLOOD DISASTER PLANNING
AND POST FLOOD RECOVERY PRACTICES
FOR
THE DEPARTMENT OF TRANSPORTATION

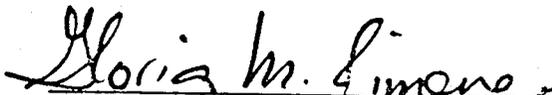
Annex:

Part 1

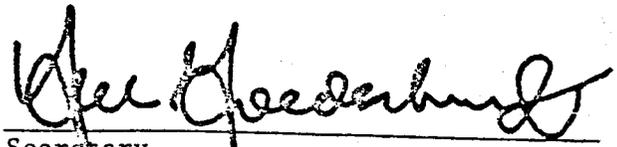
The Department of Transportation (DOT) has entered this Interagency Agreement with the following understanding:

(1) The responsibilities of the various agencies of the DOT are to be carried out in accordance with the statutes regulations and DOT orders which govern the DOT program involved. It is not the intent of this agreement to override those responsibilities.

(2) The interpretation of DOT's governing statutes remain the responsibility of DOT and DOT's interpretation of such governing statutes shall be relied upon for purposes of this agreement.



Administrator
Federal Insurance Administration
12/13/80



Secretary
Department of Transportation

FLOOD HAZARD MITIGATION ASSISTANCE PROGRAM

FEMA AGREEMENT NO. EMF-85-K-0179

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INTRODUCTION

The purpose of this mitigation program is twofold. First, it will acquaint all users of the State's Emergency Response Plan (Peacetime) with a general overview of and basic philosophy behind natural hazard mitigation and management. Although the term natural hazard mitigation includes all natural hazards such as earthquakes, high winds and severe winter storms, this program will concentrate on flood hazard mitigation since flooding in Arizona occurs much more frequently than other natural hazards. It should also be mentioned that mitigation concepts for flood hazards are in some instances transferable and applicable to other natural hazards.

The second purpose of this program is to instill in the local applicant-agent an acute awareness of mitigation as a useful and indispensable tool in reducing the impact of future natural disasters. It will, further, serve as orientation material to familiarize recipients of federal disaster funds with some of the basic programs, processes and requirements for accomplishing flood hazard mitigation.

RELATIONSHIP BETWEEN HAZARD MITIGATION AND HAZARD MANAGEMENT

The management of hazards can be viewed in a four-stage process focused on an emergency event or disaster. Those stages before a disaster may be identified as mitigation/prevention and preparedness and those after a disaster can be considered response and recovery and each of these stages is discussed below. Nonetheless, traditional implementation of most hazard mitigation recommendations has usually occurred as a result of large and repetitive disasters. As such, it may be stated that major and repetitive disasters cause mitigation to occur. However, in recent years the emergence of nonstructural hazard mitigation has been thrust to the forefront of predisaster planning as well as postdisaster opportunity.

PREDISASTER MITIGATION/PREVENTION

Beginning in the late 1960's and continuing to the present, natural hazard mitigation at the federal, state and local levels has been characterized by increased accentuation on regulations and other attempts for the control and prevention of hazardous events. This approach was due, for the most part, from mounting costs of providing aid as a result of a major disaster. An integral part of such regulatory legislation linking the prevention of future floods with the availability of disaster recovery funds was the National Flood Insurance Act of 1968. Another important legislative approach incorporating predisaster mitigation includes Section 406 of the Disaster Relief Act of 1974. Specifically, the Act mandates that public jurisdictions that receive federal aid shall evaluate natural hazards and take measures to mitigate them, the purpose being to prevent recurrences of the disaster or lessen its impact. As was stated previously, state and local governments were largely unresponsive to the implementation of this requirement in the predisaster stage. Again, generally, it was only in the recovery stage of a completely devastating natural disaster that the actual implementation of mitigation measures occurred and only recently have attempts been made to encourage compliance. An overview of the Section 406 process is discussed in Appendix A.

Hazard mitigation deals primarily with longer term hazard reduction issues. Its focus, with regard to the State's County and City Emergency Operations Plan is on improving community capabilities to withstand future disasters. It primarily requires effective strategic skills which include planning, policy design and implementation.

Applicant-Agent and user hazard mitigation strategies must strive to seek three major goals:

1. Containment or modification of the hazard, which would include structural solutions such as dams and levees. Such containment or modification is an attempt to alter the character of the threat.
2. The protection of people and structures in identified hazard areas and the gathering of appropriate relevant information to determine potential in risk areas. In this case, it is obvious that people and facilities are already located in known hazardous areas. However, by requiring certain physical modifications, such as building elevation or appropriate floodproofing, the vulnerability to substantial damage is reduced.

3. A limitation in the utilization of identified hazardous areas. Such limitations would include land-use regulations, zoning ordinances, subdivision regulations, building codes as well as land acquisition and relocation. These particular limitations are discussed below. Further, appropriate implementation of such limitations does substantially reduce the amount of exposure of people to the hazard.

PREDISASTER PREPAREDNESS AND DISASTER RESPONSE

Efforts relating to preparedness taken prior to a disaster are theoretically intended to coordinate a response and reduce the impact of the disaster.

The State plays a central role in preparedness planning and disaster response. Arizona has delegated to local governments the responsibility for first response, but nonetheless, they perform important integrative and informational functions in disaster management. These functions are discussed in Annex Q under Part X designated "Implementation."

POSTDISASTER RECOVERY

Prior to the enactment of legislation pertaining to hazard mitigation in the late 1960's, federal disaster efforts were almost entirely distributive i.e., the federal role was to respond to the damage produced by a disaster, and assist in the long-term reconstruction of communities. However, by the late 1970's, federal financial considerations in performing this role were examined and it was felt by Congress that steps to stem this fiscal tide were necessary. Thus, as a result of the Disaster Relief Act of 1974, more stringent terms were placed on disaster grants and the federal practice of principle forgiveness involving certain agencies were discontinued. One such result of the 1974 Act was the Section 406 Clause. Specifically, Section 406 requires that recipient jurisdiction of federal disaster funds take steps to evaluate and mitigate natural hazards. The assumption was that such actions would reduce the impact of natural disasters and, consequently, reduce the demand for federal assistance.

Two major disaster assistance programs that have been created by statute include (1) the Small Business Administration disaster loan program and (2) the National Flood Insurance Program.

These programs provide either loans, grants, or insurance to individuals and businesses.

OVERVIEW

Flood Hazard Mitigation

Floods in the United States constitute a major threat to the public and property. Average annual losses are estimated to be \$8.3 billion. Of the thirty (30) Federal emergencies and major disasters occurring in 1980, nineteen (19) were flood related. Flood damage reduction is still a major problem. Efforts at reducing flood losses have undergone major changes during the last two decades. In the past, emphasis was almost entirely on reducing flood losses through the control of floodwaters with major modifications. Today, emphasis is on employment of non-structural measures, a combination of regulatory, administrative, and engineering approaches, to limit flood damage. Current actions and expenditures to reduce the occurrence or severity of potential flood disasters are balanced with potential losses from future floods.

Most areas of Arizona are subject to flooding conditions. Except for flash flooding, floods usually can be forecasted and emergency actions initiated. In areas subject to flooding, local governments should address this subject in their plans to familiarize their emergency services organizations and the public with the warning system and emergency responses. The Local Hazard Mitigation Coordinator should be particularly conscious of the possibility of flash floods in their immediate areas. Local public broadcast stations will disseminate flood advisory information. The local Emergency Services Coordinator will also provide information and warning about flood conditions and will recommend evacuation when conditions dictate.

Arizona has a history of major floods affecting people and property although the state is one of the more arid areas in the United States, it has been constantly plagued by damaging floods. Since 1890, major flooding has occurred in 1891*, 1905, 1906, 1909, 1914, 1916, 1917, 1923, 1926, 1935, 1937, 1938, 1939, 1940, 1941, 1945, 1952, 1957, 1962, 1964, 1965, 1967, 1970, 1972, 1977, 1978, 1980, 1983, 1984. Major flooding may result in Arizona when a combination of one or more of the following occurs: a winter storm with low-intensity rainfall covering wide areas, often continuing for several days; general summer storms with heavy rainfall over wide areas; and by local thunderstorms with high-intensity rainfall, usually of short duration, over small areas.

Water, as a resource, is managed quite closely throughout the state, perhaps more so than any other area in the United States. Despite frugal use, recycling, and regulation of water, Arizona continues to use large amounts of water each year that cannot be replenished by natural recharge for many decades. The area of greatest use of municipal and irrigation purposes is the Metropolitan Phoenix area of Central Arizona, where much of the region's groundwater overdraft occurs. Additionally, 80% of Arizona's people reside in the two metropolitan areas of Phoenix and Tucson.

It is within these climatological extremes that Arizona flooding disasters must be understood. While the state has recognized the need and is aggressively participating in mitigating flood hazards, it is concurrently attempting to maximize the use of all water, including disastrous flood waters.

Flooding is a natural phenomenon, but flood hazards are man-made. A river creates and periodically overflows its floodplain. Man interferes with natural conditions. Land adjoining water becomes valuable for the location of human activities associated with riverine resources.

Floodplains are heavily devoted to human activities, such as roads, railroads, and housing developments, which are at odds with their natural role. This results in frequent and mounting flood losses. The effects of flooding depend upon the nature of the flood itself and the settlement patterns of the area inundated. Floods can be categorized as follows:

* Years underlined are major flood years and when loss of life occurred.

1. Gradual Floods - These develop over a period of days as the flood peak descends the river system, collecting tributary crests as it goes.
2. Flash Floods - These develop rapidly from thunderstorms or other extreme weather conditions. Flash floods account for most flood related fatalities.

FEDERAL, STATE AND LOCAL GOVERNMENT RESPONSIBILITIES

Federal Government

Federal officials are responsible for reducing flood losses through legislation and regulations and by controlling floodwaters with major engineering works, such as dams, levees, and channel modifications.

State Government

State officials are responsible for flood control legislation, developing rules and regulations for flood mitigation, coordinating emergency planning for floods, and providing assistance to local jurisdictions, upon request, during disaster situations.

Local Governments

Local officials of jurisdictions which have flood-prone areas are responsible for adopting flood mitigation measures, such as limiting development in the floodplain, proper anchoring of structures, use of water-resistant materials, proper siting of structures, and configuration of streets and lots in relation to drainage. They should also develop a flood preparedness plan and, if in a flash flood-prone area, a flash flood warning system.

MITIGATION MEASURES

Flooding is the most common cause of widespread disaster in Arizona. There are a number of legislative enactments at the federal level, which have been taken to mitigate flood disasters. One particularly important piece of legislation is the National Flood Insurance Program (NFIP) of the National Flood Insurance Act of 1968, which is designed to provide previously unavailable flood insurance protection to property owners in flood-prone areas. This Act requires that a risk study be undertaken by each community before flood insurance would be available for sale. Pending completion of the risk study,

communities are authorized to purchase insurance under the provisions of the Emergency Program. Following the completion of the risk study and to qualify for the Regular Program of the Flood Insurance Program, a community must adopt acceptable floodplain management regulations designed to reduce flood damages and to control floodplain management. Under the Flood Disaster Protection Act of 1973, the purchase of flood insurance is required as a condition for receiving any form of Federal or Federally related financial assistance.

Flood insurance provides an avenue to facilitate economic recovery following a flood disaster by equitable distributing recovery costs and benefits. The adoption of floodplain ordinances necessary for conversion to the Regular Program of the NFIP also aids in the mitigation of future potential flood damages by providing construction standards and measures to control floodplain development. Floodplain mapping, provided by the National Flood Insurance Program of the Federal Emergency Management Agency, also allows for identification of those areas most susceptible to flooding. There are two general stages of flood insurance mapping produced in the Program. First, Flood Hazard Boundary Maps are developed to illustrate approximate flood hazard areas within a community. The final mapping stage, developed in conjunction with the risk study, includes Flood Insurance Rate Maps which illustrate flood hazard areas which have been determined by detailed analysis. These maps include projected flood elevation data and risk zones which are used to determine actuarial premium rates and a minimum indication as to which flood protection construction practices should be afforded. These maps help to provide a sense of flood awareness by indicating those areas most susceptible to flood hazards. They are also valuable tools used to carry out floodplain management programs.

As of December 1, 1985, Arizona had 86 communities and counties participating in the National Flood Insurance Program. Of these, all were participating in the regular phase of the program.

COMPREHENSIVE MITIGATION MEASURES

There are a number of areas that need to be examined by representatives of the various levels of government in the management of flood losses. One area includes the modification of susceptibility to flood damage and disruption through nonstructural methods. Such methods include:

FLOODPLAIN MANAGEMENT

Floodplain management in Arizona is a community (county, city, or town) responsibility. The Arizona Department of Water Resources (ADWR) is directed by statute to assist these communities in complying with state statutes and federal regulations in floodplain management. Floodplain management in this sense is limited to land use planning and the use of land and facilities within the floodplain in ways which will reduce future flood losses. ADWR is the State Agency with primary responsibility for water resource planning and development, as well as all structural mitigation measures.

In 1973, Section 45-2341 of the Arizona Revised Statutes (ARS) required Arizona communities to adopt floodplain regulations and to delineate floodplains. ADWR was to establish criteria for determining the 100-year flood.

In 1975, the statutes were revised to allow ADWR to assist communities in floodplain delineation if funds were made available. Funding has never been provided for this purpose.

Executive Order 77-6, dated September 27, 1977, required all state agencies to comply with local floodplain management regulations and to establish procedures to reduce future flood losses in the normal course of their activities.

Executive Order 79-1, dated May 2, 1979, named ADWR as the State Coordinator for the National Flood Insurance Program (NFIP) and directed it to assist communities in complying with ARS and NFIP regulations.

In 1984, the statutes were revised to make floodplain management a responsibility of a flood control district within each county, unless a city or town resolved to keep the responsibility. ADWR was directed to establish procedures to delineate 100-year floodplains within the state. The ADWR ability to assist communities in floodplain delineation was broadened, although no funds were made available.

In summary, ADWR has three statutory and executive responsibilities:

1. To establish criteria for the 100-year flood and for floodplain delineation;

2. To assist communities in floodplain delineation if funds are made available; and
3. To act as the State Coordinator for the NFIP, including providing assistance to communities to comply with the statutes and the regulations of the NFIP.

ZONING ORDINANCES

Zoning ordinances rely upon the police power of the government to ensure the public health and safety. Zoning is used to regulate the use of land and structures and to set standards for setbacks and yards, building height and bulk, lot size, density, and treatment of nonconforming uses and structures. For implementation of a development management strategy, low-density zoning districts can be used to limit development in areas that are environmentally sensitive, such as water supply watersheds, or hazardous, such as floodplains. Hazard areas can be delineated in traditional zoning districts (residential, commercial, industrial) or as hazard "overlay" districts which require special performance standards for all uses, no matter what their type. One example of such an overlay district performance standard is the minimum elevations requirement that must be one foot above the 100-year flood height for the first inhabited floor of structures in a flood hazard zone. Incentive zoning can offer bonuses to encourage incorporation of hazard reduction features in projects. Special use permits can include risk reduction as a criteria for approval. Treatment of nonconforming uses can be a critical factor in post-disaster reconstruction. The goal of nonconforming use regulations is to require that such uses become conforming when they are repaired or rebuilt following significant damage. Enforcement of nonconforming use requirements following a disaster can require buildings to be strengthened or floodproofed, or can reduce the number of buildings rebuilt within hazard zones and thus the number at risk in the next hazard occurrence.

Subdivision regulations control the conversion of raw land into building sites. They establish requirements and standards for streets, water and sewer lines, and storm drainage; such facilities can be required to be floodproofed. They can require the subdivider to dedicate land for parks, schools, and other public purposes and to prevent environmental degradation and to mitigate hazards. Subdivision regulations can either prohibit development in high-hazard areas to require that it be protected from damage by flood

proofing, elevation, or similar means. They can also be used to disclose to prospective lot buyers that hazard risks are present by requiring that hazard information appear in deeds. Planned unit development or cluster regulations, enacted either as part of subdivision regulations or separately, offer the option of grouping building sites within a large tract of land away from hazardous areas, while not decreasing overall density on the tract.

LAND ACQUISITION/RELOCATION

The State of Arizona, specifically its Division of Emergency Services (ADES) is responsible for statewide relocation programs. Floodplain relocation authorities can be found in the Arizona Revised Statutes (ARS) 26-321 et. seq. This section also gives ADES the authority to engage in floodplain land exchange programs. Additionally, ARS 37-610 provides that if an area has been designated eligible for flood relocation assistance, any owner of affected flood-damaged land may petition the Division for land outside the floodplain. Originally, this land outside the floodplain could only have been state land. This was recently amended to include any land, provided funds were available to complete the project. Other acquisition/relocation programs handled by the Division include the use of Superfund monies for mitigation programs. One such example is the Globe Asbestos Project.

The State of Arizona continues to aggressively support the policy of relocating small communities from flood-prone areas. The number of Arizona communities which have been permanently relocated out of the floodplain has expanded from three to ten, and a major amendment to the State's Floodplain Land Exchange Law was passed. Chapter 163 (Senate Bill 1199) was signed into law April, 1980 by Governor Babbitt and allows the Director of ADES to purchase any land for a community flood relocation project and also gives the Director new condemnation and indemnifying powers.

The following listing gives the current status of Arizona's relocation projects to date:

PROJECTS IN RESPONSE TO DECEMBER, 1978 FLOODING

- A. Allenville (Maricopa County) - Construction of new site by the U.S. Army Corps of Engineers (Corps) has been completed. Title work regarding exchange of floodplain property for new state land property is complete.
- B. Little Hollywood (Graham County) - Project completed.
- C. Duncan (Greenlee County) - Project completed.

PROJECTS IN RESPONSE TO FEBRUARY, 1980 FLOODING

- A. Verde Lakes Estates (Yavapai County) - Project completed.
- B. Hound Dog Acres (Maricopa County) - Razing of improvements was completed on February 2, 1986. Project completed.
- C. East Allenville, Southwest Phoenix (Maricopa County) and Camp Verde (Yavapai County) - Project completed.
- D. Kearny (Pinal County) - Project completed.

PROJECTS IN RESPONSE TO OCTOBER, 1983 FLOODING

- A. Clifton - The Corps has completed the Upper Gila River Preliminary Reconnaissance Study, and results of the study have been promising. The Corps has accelerated the second phase of the study and has suggested a structural (levee) as well as nonstructural (relocation) solution to Clifton's flood problems. The benefit to cost ratio thus far calculated is acceptable. It is anticipated that the nonstructural aspect of the project may begin as early as July, 1986 once funding has been authorized.

- B. Riverside - A comprehensive relocation and land exchange program has been developed by ADES. FEMA has allocated \$250,000 of Section 1362 funds to purchase 18 substantially damaged buildings that were insured through the NFIP. ADES is also continuing to investigate other possible funding sources for flood victims who did not have national flood insurance.

ANNEX Q
STATE OF ARIZONA



DISASTER PREPAREDNESS PROGRAM
ARIZONA DIVISION OF EMERGENCY SERVICES



MitigationI. AUTHORITIES AND REFERENCES

A. Authorities

1. Arizona Revised Statutes - Title 26
2. Arizona Revised Statutes - Title 37
3. Public Law 93-288, Disaster Relief Act of 1974, Section 406.
4. National Flood Insurance Act of 1968 (Title XIII, Housing and Urban Development Act of 1969), Public Law 90-448, August 1, 1968.
5. Code of Federal Regulations, Volume 44, October 1, 1984, Emergency Management and Assistance - Rules and Regulations.

B. References

1. State of Arizona Mitigation Program, prepared following the February 1980 Flood (Presidential Disaster Declaration FEMA 614-DR) for Mohave, Yavapai, Maricopa, and Gila Counties. Prepared by the Arizona Division of Emergency Services, August 1980.
2. State of Arizona Hazard Mitigation Program, prepared following the July 1984 through August 1984 Flood (Presidential Disaster Declaration FEMA-730-DR) for Mohave, Yuma and Maricopa Counties. Prepared by the Arizona Division of Emergency Services, July 1985.
3. Making Mitigation Work, A Practical Handbook for State Officials, FEMA (Draft), July 1985.
4. Flood Hazard Mitigation Handbook of Common Procedures, FEMA-14, September 1981.
5. A Mitigation Strategy for the Integrated Emergency Management System, FEMA-CPG-1-104 (Draft), February 1984.
6. Handbook for Arizona Communities on Floodplain Management and the National Flood Insurance Program. Prepared by the Arizona Department of Water Resources, October, 1985.

II. DEFINITIONS

See Appendix B.

III. PURPOSE

The purposes of this Plan are to:

- A. Examine mitigation measures that can be applied to eliminate future disasters, reduce the possibility of their occurring, and minimize their impacts if they are unavoidable.
- B. Identify ongoing programs designed to mitigate flood hazards.
- C. Identify the potential for hazard mitigation through State and Federal assistance programs.
- D. Develop and implement State Policy to realize the potential of hazard mitigation through programs carried out by state agencies and local governments.
- E. Increase awareness of local governments as to costs and benefits of hazard mitigation.
- F. Insure local governments formally address hazard mitigation in Emergency Operations Plans and designate a County/City Hazard Mitigation Coordinator.

IV. SCOPE

- A. Assign tasking to State organizations which have hazard analysis and mitigation responsibilities.
- B. Assist local governments in identifying hazards in their jurisdictions, set forth procedures for establishing mitigation programs, and encourage development of supporting plans.
- C. Identify the hazard mitigation responsibilities of federal, state and local governments for flood hazards.

V. SITUATION

A. General

1. Emergency management consists of four interrelated phases: mitigation, preparedness, response, and recovery. Mitigation, the most neglected of the four phases over the years, has recently become highly visible. Rather than wait for disasters to strike, communities are encouraged and/or required to take steps to prevent them or reduce their effects in order to be eligible for disaster relief funds. Conflicts of interest may occur. The conflicting needs of the community, especially its economic development, could hinder the implementation of a strong mitigation program.
2. All communities are continually exposed to hazards which could result in a disaster. Hazards are natural or man-made conditions which could cause death, injury, or extensive property damage. Heavy rains or melting snow could turn the calm stream into a raging torrent, thereby creating flood conditions. Implementing effective mitigation strategies, such as floodplain management, floodproofing of structures, and participation in the National Flood Insurance Program, will ameliorate the effects of the flood. To mitigate the conditions that present a risk leading to a disaster, a community will first have to identify potential dangers. The conditions in a community and the changes that are occurring are vital indications of the need for mitigation of all types of disasters that could happen. A hazards vulnerability analysis is an essential ingredient of a community's emergency management system.

B. Potential Hazards in Arizona

1. Arizona is vulnerable to most types of hazards and in varying order of magnitude. The type and frequency of a hazard occurring is dependent on the location of the community within the state. Flash floods occur frequently in all parts of the state. Analyses of emergencies which have occurred in Arizona

since 1960 with the greatest effect on people and property indicate that Arizona is most vulnerable to floods, followed by tornadoes, hazardous materials incidents, droughts, transportation accidents, and major fires. Only flood hazards and appropriate mitigation actions are addressed in this Plan.

2. To be effective, mitigation planning and actions must be taken in advance of a disaster. After disaster strikes, mitigation opportunities exist only for the next disaster, and even those opportunities are often needlessly limited by the absence of advance planning. Nevertheless, the immediate post-disaster period does present special opportunities for mitigation.
3. Current policy in implementing the Federal Disaster Relief Act of 1974 (PL 93-288) requires hazard mitigation efforts to be undertaken as a condition of disaster aid. Section 406 of the Act requires that a political subdivision which has been subjected to a specific major disaster or emergency develop a Hazard Mitigation Plan outlining those activities to be undertaken to reduce or eliminate damage from future, similar disasters or emergencies. Section 406 requires that as a result of a Presidentially declared disaster, the state or local government must evaluate the natural hazards in the affected area and plan appropriate actions to mitigate such hazards. Further, mitigation efforts required may be extensive, and non-compliance may result in penalties in the form of loss or recoupment of aid and/or preclusion of future aid to states, units of local government, or individual residents of communities not complying with flood hazard mitigation requirements.
4. Past policy of the Federal Government was to provide 100 percent of the funds needed by state and local governments for recovery from major disasters. However, that policy has been changed to Federal funding for only 75 percent of eligible costs. It is quite apparent that a major disaster that causes hundreds of millions of dollars in damages could be most costly to the state

S
A

B. Local Government Organization

Arizona Revised Statutes § 27-308, as amended, requires that each jurisdiction designate an Emergency Services Coordinator. The chief executive officer, however, as part of this has the authority to appoint the local Emergency Services Coordinator. Direction of hazard mitigation efforts will be the responsibility of the Hazard Mitigation Coordinator. Locally-available forces and resources should be committed before requesting assistance from state government.

VIII. CONCEPT OF OPERATIONS

B
X. I
L

A. Heads of local governments have the primary responsibility for identifying hazards (and take appropriate action to mitigate their consequences) in their communities through their Emergency Services Coordinator and Hazard Mitigation Coordinator. An analysis of the conditions of a community and changes that are occurring are vital indications of the need for mitigation. The kinds of emergencies that could happen. Whether the community is growing, declining or diverse will have a bearing on hazards to be mitigated. An effective mitigation program requires actions on the cause of the hazard (hazard), the population affected by the emergency, and the intensity of the hazard and the people.

B. Hazard mitigation is a part of the Integrated Emergency Management System (IEMS). This system requires that the State and each locality:

1. Identify, analyze, and rank the hazards which have the potential for loss of life and property damage.
2. Determine emergency response capabilities to address those hazards.
3. Develop an emergency response organization and plan.
4. Develop and maintain a multi-year work plan to schedule new measures to improve response capability. These actions should include:

5. The applicant-agent and/or County/City Hazard Mitigation Coordinator will advise the chief elected official of the respective jurisdiction as well as the State Hazard Mitigation Coordinator on mitigation measures.
6. Review annual hazard assessments of relevant County/City agencies for vulnerability to flood disaster.
7. Summarize findings of flood hazard assessments and disseminate vulnerability information to public and relevant agencies.
8. Prioritize resources and opportunities for hazard mitigation.
9. Define responsibilities for the implementation of resources and hazard mitigation strategies according to prioritization.
10. Monitor performance of mitigation efforts of County/City by their relevant agencies.
11. Annual summarization of mitigation efforts achieved by County/City mitigation programs.

B. Predisaster Preparedness

1. Review, annually, County/City emergency plans with attention given to specific agency responsibilities and resources.
2. Conduct annual emergency operation exercises between County/City to facilitate problem solving, logistical improvement techniques and reciprocal cooperative agreements.
3. Evaluate performance of annual emergency operation exercises and identify deficient areas which need to be improved through training and education.
4. Report, annually, the state of preparedness and forward to the appropriate political entity(ies).

C. Response

1. Initiate an organized and coordinated response in accordance with the State of Arizona Emergency Response Plan (Peacetime) and the State of Arizona County/City Emergency Operations Plan.

Recovery

1. Each County/City will initiate an immediate assessment of damage to life and property through appropriate agencies responsible for emergencies and disasters.
2. Summarize data obtained by agencies responsible for emergency and disaster responsibilities and estimate recovery costs.
3. Formulate and prioritize short- and long-term recovery goals and objectives.
4. Obtain technical assistance through appropriate political entity for realization of goals.
5. Review nonstructural mitigation opportunities which may prevent or reduce the recurrence of the disaster, and search for appropriate means of implementation.
6. Complete hazard mitigation program report in accordance with Section 406 requirements and any other requirements deemed necessary by the State Hazard Mitigation Coordinator.

XI. IMPLEMENTATION

State Government

A. Predisaster Mitigation/Prevention

1. Coordinate the Flood Hazard Mitigation efforts and activities of state and local agencies by establishing contacts with identified state and local agencies and continue to identify critical shortfalls and update agency roles, authorities and responsibilities.
2. This Annex is effective for execution upon receipt.
3. Support to local governments by state agencies and the Federal Government will be through the Arizona Division of Emergency Services.
4. Support the continuation of a strong National Flood Insurance Program for the State of Arizona.

5. The State Hazard Mitigation Coordinator will maintain, review, update, and certify this Annex annually. Responsible officials of state agencies should recommend improvements and changes which they consider appropriate to the State Hazard Mitigation Coordinator when necessary.
6. Increased emphasis in the training and education of state and local personnel in Flood Hazard Mitigation. This training would focus on local, state, and federal hazard mitigation issues, opportunities and solutions.
7. This Annex and any approved changes will be forwarded to all organizations and individuals with responsibilities for implementation of the Annex. Revised pages will be dated and marked to show where changes have been made.
8. Diligently pursue the search for funds to complete structural/nonstructural flood relocation programs currently under consideration in Pinal and Greenlee Counties.
9. Governor will designate a State Hazard Mitigation Coordinator who will develop mitigation policy for the state.
10. Continue to place strong emphasis on maintaining liaison contact with the State National Flood Insurance Program in obtaining upgraded flood hazard delineation maps.
11. The State Hazard Mitigation Coordinator will encourage all political subdivisions of the state to support and implement mitigation measures.

B. Predisaster Preparedness

- I. Conduct Public Information and Awareness programs concerning hazard mitigation.

Response

- I. Initiate an organization and coordinated response in accordance with the State of Arizona Emergency Response Plan (Peacetime) and the State of Arizona County/City Emergency Operations Plan.

Recovery

- I. Vigorously pursue future relocation programs and the necessary state, federal, and local funding needed to implement such programs.

APPENDIX A

SECTION 406, P.L. 93-288

Background and Authority

Section 406 of Public Law 93-288 requires, as a condition to receiving federal disaster aid, that repairs be done in accordance with applicable codes, specifications, and standards. It also requires the state or local government recipient of federal aid to evaluate the natural hazards of the area in which the aid is to be used and, if appropriate, take action to mitigate them, including safe land use and construction practices in accordance with standards prescribed or approved by the President after consultation with local elected officials.

In response to this legislation, the Federal Emergency Management Agency promulgated regulations (44 FR 64809, November 8, 1979). These regulations (44 CFR 205, Subpart M - Hazard Mitigation Regulations) were intended to respond to Section 406, and to complement and reinforce Executive Order 11988 - Floodplain Management; Executive Order 11990 - Wetlands Protection; and the National Environmental Policy Act of 1969, P.L. 91-190.

Summary of the Section 406 Process

The Subpart M regulations are based upon several important principles and interpretations. First, Section 406 deals with the opportunities presented in a current major disaster or emergency response effort to mitigate potential hardship and loss resulting from future disasters. FEMA's involvement with natural hazard mitigation under Section 406 is triggered in post-disaster situations. Second, the regulations facilitate the identification and mitigation of hazards related to all types of disasters, although there is priority attention placed on the type of catastrophe which resulted in the current major disaster or emergency declaration. Third, the approach is generally noncoercive; the regulations impose few mandates. Rather, FEMA will cooperate with and encourage state and local governments to develop and maintain reasonable and effective hazard mitigation strategies. Fourth, the Regional Director's and Governor's Authorized Representatives are vested with broad discretion to determine how vigorously they pursue hazard mitigation objectives in each disaster. Fifth, hazard mitigation efforts under the regulations are to

be consistent and coordinated with the implementation of Executive Order 11988, the National Environmental Policy Act and similar authorities. Finally, the regions, states and local governments are to give full consideration to non-structural mitigation measures.

In accordance with these interpretations and principles, the regulations rely primarily on three devices to ensure the implementation of Section 406. Initially, the Regional Director must include appropriate provisions for hazard mitigation in the federal/state agreement. Under the "typical paragraph"^(a) set out to serve this purpose, the state would agree to: 1) evaluate, or have the disaster assistance applicant evaluate, the natural hazards in the disaster area; 2) follow-up with applicants to ensure that appropriate mitigation plan or plans are developed for the concurrence by the Regional Director; and, 3) review and update as necessary the relevant portions of emergency plans.

The second device identified for carrying out Section 406 is the joint federal/state survey team. The Regional Director and the Governor's Authorized Representative are to name a federal and state Hazard Mitigation Coordinator (HMC) respectively; the local applicant designates a local HMC. The survey team, in part composed of the federal/state HMC's, identifies significant hazards, evaluates the impacts of these hazards, evaluates possible measures to mitigate the hazards, and recommends appropriate measures to be

(a) The following represents the "typical paragraph" that has been added to the federal/state agreement in order to clarify Subpart M, Section 406 responsibilities.

The State agrees that, as a condition for any Federal loan or grant, the State or the applicant shall evaluate the natural hazards in the areas in which the proceeds of the grants or loans are to be used and shall make appropriate recommendations to mitigate such hazards for federally-assisted projects. The State further agrees: (1) to follow up with applicants, within State capabilities, to assure that, as a condition for any grant or loan under the Act, appropriate hazard mitigation actions are taken; (2) to prepare and submit not later than 180 days after the declaration to the Regional Director for concurrence, hazard mitigation plan or plans for the designated areas, and (3) to review and update as necessary disaster-mitigation portions of the emergency plans.

The Regional Director agrees to make Federal technical advice and assistance available to support the planning efforts and actions.

taken. The survey team uses information gathered during predisaster damage assessments on Damage Survey Reports, from the interagency hazard mitigation report and through visits to selected sites where significant damage has occurred. The state and local representatives on the survey team are responsible for ensuring that there is adequate consultation among interested federal, state, and local parties. Ultimately, the survey team is to prepare a joint report on its activities and recommendations for submission to the Regional Director and the Governor's Authorized Representative.

The third device is the FEMA/state planning team. As with the survey teams, the planning team is composed of federal, state and local personnel. The purpose of the team is to operate in a manner that would ensure adequate consultation with all participants. The team prepares a Hazard Mitigation Plan which is submitted to the Regional Director through the Governor's Authorized Representatives within 180 days after the declaration. The planning team evaluates existing local and state emergency plans for hazard mitigation. The Regional Director can then require the updating or development of state or local plans. Any requirements for local governments shall be based on stated criteria, as set forth in the 406 regulations.

The 406 regulations provide for FEMA land use standards. The regulations discuss various types of hazard mitigation measures including avoidance, land use regulations, and construction standards. Avoidance includes siting facilities outside of high hazard areas, reduction of the effects of hazards by taking measures to protect an area, or specific steps to protect individual facilities. Additional land use regulations may be imposed by local governments, state or federal agencies. The Regional Director is authorized to decline to fund the repair or rebuilding of a facility in a high hazard area in those cases where the facility would be subject to repetitive heavy damage or destruction, or where there exists a practicable alternative outside the high hazard area. This provision is mandatory under Floodplain Management regulations for flood hazard mitigation (44 CFR Part 9). A final form of hazard mitigation measure discussed in the regulations relates to construction practices. These include the standards of the National Flood Insurance Program, as well as applicable state and local standards, which the joint survey team must inventory and evaluate.

Based on the recommendations of the applicant, the survey teams, and the Regional Director, the Associate Director of State and Local Programs and Support can approve or prescribe mitigation standards. He can approve, as a deviation from current codes under

Section 402, construction practices and standards adopted by an applicant or state which were not in effect at the time of the disaster. He can also prescribe a standard for federally-assisted projects being restored under Section 402 of the Act where it is not willingly adopted by the applicant or state. The Associate Director also has authority to prescribe standards for prospective area wide applicability i.e., not just applicable to disaster damaged or FEMA-funded construction. Any future damages or destruction of facilities due to the failure to comply with such prescribed standards for area wide applicability would not be eligible for FEMA grant assistance under Section 402, except when approved in the public interest by the Associate Director. Under any of these alternatives, when a Section 402 project is repaired or built in compliance with an approved or prescribed standard, the costs of complying with the standard are eligible for reimbursement in compliance with the federal/state disaster assistance agreement.

Hazard Mitigation Coordinators and Hazard Mitigation Planners are designated at the federal, state and local level. The formation of the federal, state and local Hazard Mitigation Team is an integral part of both the Section 406 process and the Interagency Agreement process. According to Section 406 regulations, the FEMA Regional Director shall designate a staff member to serve as the federal Hazard Mitigation Coordinator (HMC). In many cases, for flood disasters, this could be the Interagency Hazard Mitigation Team leader. The federal Hazard Mitigation Coordinator's role is one of providing technical advice and assistance for hazard mitigation to local and/or state governments, as well as other federal agencies as appropriate.

In addition to the designation of a federal Hazard Mitigation Coordinator, the Regional Director shall also designate a FEMA planner to serve on the FEMA/state planning team. Although Section 406 specifically mentions the designation of a federal Hazard Mitigation Coordinator and a federal planner, in all likelihood, a single FEMA staff member could fill both the coordinator and planner roles.

Similarly for state responsibility, the Governor's Authorized Representative (GAR) is responsible for state performance of hazard mitigation activities. The Governor's Authorized Representative shall designate a state Hazard Mitigation Coordinator to serve on the FEMA/state survey team and a state planner to serve on the FEMA/state hazard mitigation planning team. Again, this would be the same person who should also serve on the Hazard Mitigation Team. In addition to the federal and state Hazard Mitigation Coordinators and planners, the Section 406 regulations require the local applicant

to name a person to fill the role of local Hazard Mitigation Coordinator and local planner, and this person would also be a member of the Hazard Mitigation Team.

Hazard Mitigation Planning

The longer range hazard mitigation effort is the subject matter of the Hazard Mitigation Plan. While the Section 406 regulations require the evaluation of the risks for each hazard prone area, only one Hazard Mitigation Plan, submitted to the Regional Director 180 days following the Presidential declaration is required. The responsibility for developing and writing the Plan rests with the state. FEMA and local staff would be available to offer technical advice and assistance to the state in preparing the Hazard Mitigation Plan.

In summary, the Hazard Mitigation Section 406 Plan (Hazard Mitigation Plan) seeks to achieve several objectives, primarily:

1. To follow-up, in detail, recommendations of the federal/state/local and interagency Task Force Teams as discussed in the Interagency Hazard Mitigation Report.
2. To establish both immediate and long term planning frameworks for implementation of hazard mitigation efforts.
3. To recommend hazard mitigation alternatives for local, state and federal agencies.

HAZARD MITIGATION CONTACTS

ARIZONA STATE AGENCIES

Arizona Departments	Address	Director	Hazard Mitigation Designate	Response Phone Number
Arizona Historical Society	949 East Second Street Tucson, AZ 85719	James E. Moss	Andrew E. Masich	(602) 628-5774
Department of Economic Security	1717 West Jefferson P.O. Box 6123 Phoenix, AZ 85005	Douglas X. Patino	John Ward	(602) 255-5637
Department of Education	1535 West Jefferson Phoenix, AZ 85007	Carolyn Warner	Jim Wilkinson	(602) 255-3234
Department of Health Services	1740 West Adams Phoenix, AZ 85007	Lloyd Novick	Dr. Jon Counts	(602) 255-1188
Department of Transportation	206 North 17th Avenue Phoenix, AZ 85007	Charles L. Miller	Don Cornelison	(602) 255-7388
Department of Water Resources	99 East Virginia Phoenix, AZ 85004	Weslie E. Steiner	Les Bond	(602) 255-1566
Division of Emergency Services	5636 East McDowell Phoenix, AZ 85008	Richard A. Colson	Joe Herman	(602) 231-6226
Game and Fish Department	2222 West Greenway Road Phoenix, AZ 85023	Bud Bristow	Lee Perry	(602) 942-3000
Department of Commerce	1700 West Washington Phoenix, AZ 85007	Beth Jarman	Ray Teran	(602) 255-4920
State Land Department	1624 West Adams, Room 422 Phoenix, AZ 85007	Robert K. Lane	Gary Smith	(602) 255-4621
State Historic Preservation	1688 West Adams Phoenix, AZ 85007	Donna J. Scholer	Teresa Hoffman	(602) 255-4621
State Historic Preservation State Parks	1688 West Adams Phoenix, AZ 85007	Donna J. Scholer	Teresa Hoffman Roger Brevoort	(602) 255-4174

APPENDIX C

DEFINITIONS

1. Applicant-Agent -The state, local government, or eligible private nonprofit facility submitting a project application or request for direct Federal assistance under the Disaster Relief Act of 1974 or on whose behalf the Governor's Authorized Representative takes such action.
2. Area of shallow flooding - means a designated AO or VO Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.
3. Area of special flood hazard - means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This area is designated as Zone A, AO, AH, and AI-30 on the FIRM and other areas determined by the criteria adopted by the Director of Water Resources.
4. Base flood -- means the flood having a one percent chance of being equalled or exceeded in any given year.
5. Breakaway walls - means any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building materials which are not part of the structural support of the building and which are so designed as to breakaway, during the base flood, without damage to the structural integrity of the building on which they are used or any structures to which they might be carried by flood waters.
6. 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 located within the area of special flood hazard.
 7. Flash Flood - means a flood of relatively sudden onset, within a few hours at most, and usually confined to the headwaters of a river system.
 8. Flood or flooding - means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of flood waters and/or
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.

9. Flood Boundary Floodway Map - means the official map on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.
10. Flood Forecasts and Flash Flood Bulletins - These are forecasts of expected conditions issued as far in advance as conditions warrant. Information included consists of crest or flood stage expected, time of arrival of the crest, and areas affected. They are disseminated to the public as soon and as fast as possible.
11. Flood Insurance Rate Map - (FIRM) - means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
12. Flood Insurance Study - means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary Floodway Map, and the water surface elevation of the base flood.
13. Floodway - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. The floodway for some watercourses is delineated on the Flood Boundary Floodway Map and is as defined by the Director of Water Resources for other watercourses.
14. Mitigation - means any action taken to eliminate or reduce the degree of long-term risk to human life and property from natural and man-made hazards.
15. One Hundred (100) - Year Flood - means a flood that has one chance in one hundred or a one percent chance of being equaled or exceeded in any given year.
16. Regulatory Flood Elevation - means an elevation one foot above the base flood elevation.
17. Structure - means a walled and roofed building or mobile home that is principally above ground.
18. Substantial improvement - means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) before the improvement or repair is started, or
- (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

19. Variance - means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

EXECUTIVE ORDERS 11988 and 11990

Executive Order 11988, Floodplain Management (EO 11988) and Executive Order 11990, Protection of Wetlands (EO 11990) direct all federal agencies to avoid to the extent possible the long and short-term adverse impacts and to avoid direct and indirect support of floodplain and wetland development wherever there is a practicable alternative. The Orders apply to all agencies that: (1) acquire, manage, or dispose of federal lands and facilities, (2) undertake, finance, or assist construction and improvements, and (3) conduct activities and programs affecting land use, including planning, regulating, and licensing.

Disaster assistance, authorized by PL 93-288, must comply with the order's requirements except that emergency work essential to save lives and property under Sections 305 and 306 is exempt from the requirements:

EO 11988, Floodplain Management, requires that for all actions the agencies avoid the base floodplain, unless it is the only practicable alternative. If the base floodplain cannot be avoided, the agencies must adjust to it in order to: (1) reduce the hazard and the risk of flood loss; (2) minimize the impact of floods on human safety, health, and welfare; and (3) restore and preserve the natural and beneficial floodplain values. In addition, the agencies must evaluate, design, and implement all actions to meet the policies of the Order and notify the public if the head of an agency finds there is no practicable alternative. This will usually occur after there has been early notice to the public on plans and proposals and alternative courses of action.

EO 11990, Protection of Wetlands, directs each agency to provide leadership and take action to minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values. Each agency shall also provide an opportunity for early public review.

The two Executive Orders are so similar that FEMA promulgated a common regulation to implement both orders (44 CFR Part 9). These regulations set out an eight-step decision making process to be followed in applying EO 11988 and 11990. The eight steps are:

Step 1. Determine whether the proposed action is located in a wetland and/or the 100-year floodplain (500-year floodplain for critical actions), or whether it has the potential to affect or be affected by a floodplain or wetland;

Step 2. Notify the public at the earliest possible time of the intent to carry out an action in a floodplain or wetland, and involve the affected and interested public in the decision-making process;

Step 3. Identify and evaluate practicable alternatives to locating the proposed action in a floodplain or wetland (including alternative sites,

actions and the "no action" option). If a practicable alternative exists outside the floodplain or wetland, FEMA must locate the action at the alternative site;

Step 4. Identify the full range of potential direct or indirect impacts associated with the occupancy or modification of floodplains and wetlands and the potential direct and indirect support of floodplain and wetlands development that could result from the proposed action;

Step 5. Minimize the potential adverse impacts and support to or within floodplains and wetlands to be identified under Step 4, restore and preserve the natural and beneficial values served by floodplains, and preserve and enhance the natural and beneficial values served by wetlands;

Step 6. Reevaluate the proposed action to determine first, if it is still practicable in light of its exposure to flood hazards, the extent to which it will aggravate the hazards to others, and its potential to disrupt floodplain and wetland values and second, if alternatives preliminarily rejected at Step 3 are practicable in light of the information gained in Steps 4 and 5, FEMA shall not act in a floodplain or wetland unless it is the only practicable location;

Step 7. Prepare and provide the public with a finding and public explanation of any final decision that the floodplain or wetland is the only practicable alternative; and

Step 8. Review the implementation and post-implementation phases of the proposed action to ensure that the requirements of the Orders are fully implemented. Oversight responsibility shall be integrated into existing processes.

FORMULATING RECOMMENDATIONS
consistent with
EXECUTIVE ORDER 11988

- I. Relocation of existing structures and facilities from flood hazard areas should be considered in the following situations:
 - A. The structure of facility is located in a designated or estimated floodway;
 - B. The structure or facility is located in a designated or estimated coastal high hazard area;
 - C. The structure or facility was substantially damaged;
 - D. State or local legislation, regulations, and/or restrictions have designated the structure or facility as a non-conforming use and discourage its continuation or prohibit the repair of the structure or facility when affected by a flood disaster;
 - E. The structure or facility has experienced repetitive flooding.

- II. Floodproofing existing structures and facilities may be an appropriate response in the following situations:
 - A. Where it has been determined that relocation of existing flood damaged structures and facilities is not practicable.
 - B. Where evaluations have shown that the floodproofed structures and facilities will not affect adversely lives, property or the natural and beneficial values served by flood plains.
 - C. Where new water dependent structures and facilities, after proper evaluation, are deemed necessary.

- III. In a flood hazard area where it has been determined that neither relocation nor flood-proofing are practicable, alternative actions must be considered including:
 - A. Planning and installing flood warning systems.
 - B. Developing or amending flood warning and evacuation plans.
 - C. Adopting or revising floodplain management regulations, building codes.
 - D. Adding a floodplain element to community land use or general plan.
 - E. Adopting development and redevelopment policies.

IV. Evaluate the alternatives considering their contribution to the following objectives:

- A. Reducing future property losses.
- B. Reducing future casualties.
- C. Limiting future Federal expense.
- D. Contributing to the achievement of community goals making wise use of the floodplain.
- E. Protecting the natural and beneficial use of the floodplain.

HAZARD MITIGATION GRANT PROGRAM (HMGP)

Section 404

Public Law 93-288

Overview

The Hazard Mitigation Grant Program (HMGP), authorized by Section 404 of Public Law 93-288, establishes for the first time an independent grant program to be used to fund State and local post-disaster mitigation measures. This grant program is one of many programs and activities that in combination help form an overall pre- and post-disaster mitigation strategy for a state or local unit of government. It is closely tied to the post-disaster mitigation activities required under Section 409 of the Act, including the State Hazard Mitigation Plan, which forms the basis for identifying projects to be funded under the Hazard Mitigation Grant Program.

Other existing hazard mitigation plans or programs in the disaster area are also useful in identifying mitigation projects to be funded under this program. Mitigation recommendations of the Interagency Hazard Mitigation Teams and the Hazard Mitigation Survey Teams, which are part of the post-disaster process, assist in early identification of projects to be funded. All mitigation plans, programs, and activities within the disaster area should be coordinated so that the Hazard Mitigation Grant Program can be used in the most effective manner possible to reduce the potential for future losses from natural disasters within the disaster area.

Funding Limitations

The total estimate of Federal assistance available for the Program is based on 10 percent of the Federal share of the FEMA estimate of all Damage Survey Reports under Section 406 (Public Assistance permanent restorative work). Federal contributions can be up to 50 percent of the cost of the hazard mitigation projects approved for funding.

The law states that the President may contribute up to 50 percent of the cost of hazard mitigation measures. This is interpreted that the Federal share of the mitigation projects will typically be 50 percent of the cost of the projects, unless the State or subgrantees wish to contribute more in order to increase the total amount available for mitigation. In no instance will the Federal share of the Hazard Mitigation Grant Program exceed 50 percent or the final 10 percent estimate of the Federal share of the Public Assistance permanent restorative work. Any specific requirements for the cost-share will be established in the FEMA-State Agreement.

State Responsibilities

The State is designated as the grantee to which funds are awarded and which will be accountable for the use of those funds. State agencies, local governments, private non-profit organizations, and Indian tribes are eligible subgrantees.

Key State responsibilities for program management include: 1) identification of a State Hazard Mitigation Officer to serve as a point of contact for all programs matters, 2) determination of eligible applicants, 3) identification and selection of projects for which funding is requested, and 4) development of a State Administrative Plan that outlines procedures for administration of the program.

The designated State Hazard Mitigation Officer has overall program responsibility for the Hazard Mitigation Grant Program. The State Hazard Mitigation Officer is also responsible for the development and implementation of the State Hazard Mitigation Plan, which is the tool for identifying mitigation projects to be funded. Though overall program responsibility rests with the State Hazard Mitigation Officer, who typically works in an emergency management or natural resources type of agency, the State Hazard Mitigation Officer must rely on the support and resources of all other key State agencies that have a role in mitigation and recovery. The State Hazard Mitigation Officer will work closely with the FEMA Hazard Mitigation Officer on the implementation of all disaster related mitigation programs and activities.

The State must have an approved Hazard Mitigation Grant Program Administrative Plan in order to receive funding under the Program. This Administrative Plan is a different requirement than the State Hazard Mitigation Plan. The Administrative Plan outlines all financial and administrative procedures that the State will follow to implement the program. The Plan not only assures FEMA that the State has the capability to manage the program, but establishes essential procedures for the State's interface with FEMA and with the subgrantees. All States are required to develop an Administrative Plan within 180 days of the publication of the regulations for the Hazard Mitigation Grant Program.

Project Eligibility

Even though the Hazard Mitigation Grant Program funds are based on a percentage of public assistance funding, the projects funded under the program are not limited to measures that protect public facilities. The projects are derived from the full range of measures identified in the State Hazard Mitigation Plan. Virtually all types of hazard mitigation projects are eligible, provided the project benefits the disaster area and meets the basic project eligibility. A project can not simply identify and analyze the hazard. It must include identification of corrective measures and an implementation program. Types of eligible projects are:

1. Acquisition and Relocation Projects
2. Retrofitting and improvement of public and private structures and facilities
3. Development and implementation of site-specific mitigation plans or strategies
4. Development of State or local mitigation standards
5. Development or improvement of warning systems
6. Structural hazard control projects

It is the State's responsibility to identify and select mitigation projects. FEMA has final approval of all projects selected for funding under the Hazard Mitigation Grant Program. The projects must meet the following minimum criteria in order to qualify for program funding. A State may establish additional criteria through its Administrative Plan.

1. Be in conformance with the State's Hazard Mitigation Plan
2. Have beneficial impact on the disaster declared area, whether or not the project is located in the designated area
3. Be in conformance with Floodplain Management and Protection of Wetlands regulations
4. Solve a problem or be a functional portion of a solution, where there is assurance the total project will be completed
5. Be cost-effective and substantially reduce the risk. A detailed cost-benefit analysis will not be required but the following factors will be used:
 - a. Problem is repetitive or poses a significant risk
 - b. Project will not cost more than the anticipated value of the reduction in direct damages and subsequent negative impacts
 - c. Project is demonstrated to be the most practical, effective and environmentally sound alternative
 - d. Project will contribute to a long term solution
 - e. Long-term changes to the areas are considered and the project has manageable future maintenance and modification requirements

Summary

The Hazard Mitigation Grant Program funds are not intended to be used as a substitute or replacement to fund projects or programs that are available under other Federal authorities. In fact, the funds should be considered as a source of last resort when seeking mitigation funding. The funds can be packaged with other Federal, State, local and private funds to develop a comprehensive mitigation solution. Program funds can not to be used as the cost-share for other Federal programs, nor are other Federal funds to be used as the cost-share for the Hazard Mitigation Grant Program projects.

Even though it is up to the State and to the applicants to identify potential projects for funding, and through the State, establish criteria for selecting projects to be funded, FEMA does have final approval of funding for all projects. It is therefore essential that FEMA and the State work together closely throughout the identification and selection process to ensure that program guidelines are being followed and that appropriate and worthwhile mitigation projects are identified.

SCENARIO

Introduction

Localized thunderstorms associated with Hurricane Victor caused widespread damage in Torrence and Putah Counties during the period October 30 to November 5, 1986. The storm brought record rainfall ranging from two to five inches. The heaviest rains occurred on November 3 and 4 and triggered widespread runoff along Chama Wash and the Cimarron and Gallinas Rivers. A flash flood warning was issued by the National Weather Service for Torrence and Putah Counties on November 3 and 4; a Presidential Disaster Declaration was issued on November 9.

High velocity currents in Chama Wash flowed through agricultural lands and a recreational area causing significant damage. The Chama Wash continued to flow northwest, joined the Cimarron River, and emptied into the Gallinas River at Morgan in Torrence County. Morgan suffered minor damage, primarily because Gallinas Reservoir, located upstream from Morgan, was nearly empty at the time of the flood and was able to contain the flood waters from the upper Gallinas River. However, Caprock, a town located downstream from Morgan on the Gallinas River, suffered significant damage.

Figure 1 is a map of the affected areas. The Gallinas River Drainage System, the location of the stream gages and the peak discharges are high-lighted.

Caprock

Background:

Caprock is an unincorporated community in Torrence County. It is located along the Gallinas River just ten miles northwest of Morgan. The community was settled in the early 1900s as a mining town. It is situated in a mountainous area at an elevation of 1823 feet. Caprock encompasses about 3.5 square miles and has a population of 536.

Caprock, like Morgan, has a history of damaging floods. Most development on the floodplain occurred on the concave side of the river's meander. Development consists of a service station, a general store, and low density residential structures. There are no major flood control projects in town; however, Torrence County is in the regular phase of the National Flood Insurance Program. No new development has occurred since the passage of Torrence County's floodplain management ordinance in 1980.

The Disaster:

Early Saturday morning, November 4, 1986, high velocity flows reached an estimated 20 feet above normal elevation and flooded Caprock to depths of 12 feet. Because the Gallinas Reservoir held flood water from the upper Gallinas River, the main source of flooding in Caprock was the Cimarron River. Preliminary discharge estimates from two USGS

gages located on the Gallinas River one mile above Morgan and just below the confluence of the Gallinas/Cimmarron Rivers are 17,000 cfs and 125,000 cfs, respectively.

A Small Business Administration damage assessment for Caprock indicates 16 single family dwellings, 6 rental units, 2 businesses and 14 mobile homes were completely destroyed, leaving only the foundations as evidence of their existence. Seven single-family dwellings were moved 10 to 50 feet off their foundations. Two mobile homes were overturned several times but remained in the area. Only 15 buildings are still on their foundations, all single-family residential dwellings distributed near the foot of the bluff. The homes were inundated by approximately 6-12 feet of water. All damaged structures were within the floodway. Figures 2 and 3 are maps of the area.

There was no specific flood warning issued in Caprock during the flood. Most residents, having been through floods before, were aware of the flood potential and periodically monitored the river. The water rose very quickly at dawn, however, and most residents did not evacuate until after water had entered their home. Residents in 3 households near the river did not evacuate in time and 10 people were killed.

Torrence County officials have posted notices on properties in Caprock and notified the property owners that building permits must be obtained before post-flood reconstruction begins. To assure permits are obtained, the county has a cooperative agreement with the local utility company to disconnect power to all damaged properties. Power will be reconnected only after the utility company receives written permission from the county to do so.

The county has also determined that 7 of the 15 remaining buildings were substantially damaged and must be brought up to code requirements for new construction. Owners of damaged properties must perform all reconstruction/rebuilding in compliance with all codes, including the National Flood Insurance Program Ordinance. In addition, further analysis indicates that the 100-year flood elevations vary between 6 feet and 35 feet above ground level.

Morgan

Background:

Morgan is an incorporated community located in Torrence County along the Gallinas River, just 20 miles downstream of the Gallinas Reservoir and Lincoln Dam. It is situated on the north bank of the Gallinas River, across from the mouth of the Cimmarron River. Morgan was developed as a mining town in the late 1800s. The mining industry is declining and the population has correspondingly decreased to 977. The town is about three square miles in size and is located at an elevation of 1970 feet.

Morgan Flats is a flood prone area with a long history of damaging flooding along the Gallinas River. The most disastrous flood occurred in October, 1972. Two tropical storms caused major damaged in Morgan Flats.

The only protective measure in Morgan is a small earthen embankment along the Gallinas River. The City of Morgan is in the regular phase of the National Flood Insurance Program. The discharge of the 100-year flood at Morgan is 120,000 cfs and would result in high velocity flows of depths to 13 feet through the flood plains of Morgan. The winter storm season has just begun.

The Disaster:

On November 5, 1986, after flows on the Cimmarron River subsided, flood waters from the upper Gallinas River filled Gallinas Reservoir and water began flowing over the spillways of Lincoln Dam. The earlier flows from the Cimmarron River deposited sediment in the Gallinas River near the confluence of the Cimmarron. Due to this situation, these low flows (5,000 cfs) on the Gallinas River resulted in flooding of the low-lying areas of Morgan. Standing water inundated business and residential structures up to depths of two feet, causing minor damage to approximately 75 structures. Now that the reservoir is full, additional flows on the upper Gallinas River will continue to flow through the spillways and toward Morgan. Figure 4 is a map of the area.

Chama Village

Background:

Chama Village, a recreational development, is located on the Acoma Indian Reservation in Putah County. The village is owned and operated by the Acoma Tribe and is used by the general public. The development, consisting of 4 cabin tracts and 5 campgrounds, is located at an elevation of 2502 feet and encompasses approximately two square miles of mountainous terrain. The Chama Wash, a tributary of the Cimmarron River, flows northwest through the village. The wash is characterized by a flat, sandy channel that meanders during major flows. There are no floodplain maps available for the reservations. The site plan (Figure 5) shows the location of each campground as "1" through "5" and each cabin tract as "a" through "d" and the area that was flooded.

Each cabin tract consists of four, 2-room cabins. The only utility provided to the cabins is running water. One family, who acts as caretaker, lives in a cabin in tract "b". They have installed a propane tank for light, heat, and cooking. Each campground includes ten campsites, pit toilets, and a water spigot.

The Acoma Tribe proposes to expand and renovate Chama Village (Figure 6). The plan is to add electricity to all the cabins, and convert all campsites to R.V. sites with full hook-ups (sewer, water, and electricity). In addition, a restaurant, motel, gift shop, and spa are planned for the north side of Chama Wash. An 18-hole golf course and

water slide are proposed for the south side of the Wash. The new village site plan is being reviewed for approval by the Acoma Tribe in January, 1987.

The Disaster:

Flooding occurred along the Chama Wash drainage late Friday evening, October 5, 1986. Portions of the village were significantly damaged or destroyed. This is the first time the development has sustained damage since it was constructed in 1971.

Bureau of Indian Affairs staff visited Chama Village two days ago to assess the damage. All the campsites were damaged. Due to the rainstorm, only 5 of the 50 campsites were occupied at the time of the flood. Two campers in camping area "1" were killed, all the others safely evacuated but lost their camping equipment. Three of the five pit toilets were destroyed.

Ten of the 16 cabins were occupied at the time. All occupants safely evacuated but personal belongings were lost or damaged. Cabins in area "d" were undermined and suffered structural damage; cabins in areas "a" and "c" were flooded to depths of four feet.

The dip crossing and water lines across Chama Wash were washed out.

Lincoln Dam

Background:

Lincoln Dam is owned and operated by the Bureau of Indian Affairs. The Congressional Act of June 7, 1924, authorized construction of Lincoln Dam to provide irrigation water to the Acoma Indian Reservation lands for the benefit of the Acoma Indians who were without adequate water supply. Second, the authorization allowed for the irrigation of other lands in public or private ownership which could be served without diminishing the supply for Indian lands.

The project's mission, therefore, is to serve irrigation and power needs of its beneficial water users, the Acoma Indian Tribe and the Torrence Irrigation District, a non-Indian irrigation district established under State law. The Lincoln Dam facility and the reservoir were not authorized or maintained for flood control or to promote fish, wildlife or recreational pursuits.

Further, the Bureau of Indian Affairs is not aware of any legislative history or laws subsequently enacted that would allow the administration of the project to vary from its statutory mission unless authorized by Federal law, except for the application of prudent management practices to assure the overall safety and integrity of the facility. The possibility of a lawsuit by the Irrigation District or the water users is likely in the event of any significant draw down of the reservoir.

The 1980 Safety Evaluation of Existing Dam (SEED) Report for Lincoln Dam enumerated 79 major dam failures that require corrective actions. At this time the Bureau of Indian Affairs is unable to secure funds to implement the recommendations in the SEED report. One of the more serious problems identified is that the report questions the ability of the outlet works, such as the bypass tubes and the spillways to adequately pass the maximum probable flood.

The Disaster:

The State Department of Water Resources believes that with the reservoir full, the dam would be overtopped by peak flows similar to the January storms.

With the rainy season in progress, the State and City of Morgan are concerned about the safety of Lincoln Dam, increased flows over the spillways, and potential overtopping of the dam. The State and City of Morgan recommend lowering the reservoir to provide additional storage capacity for the winter inflows.

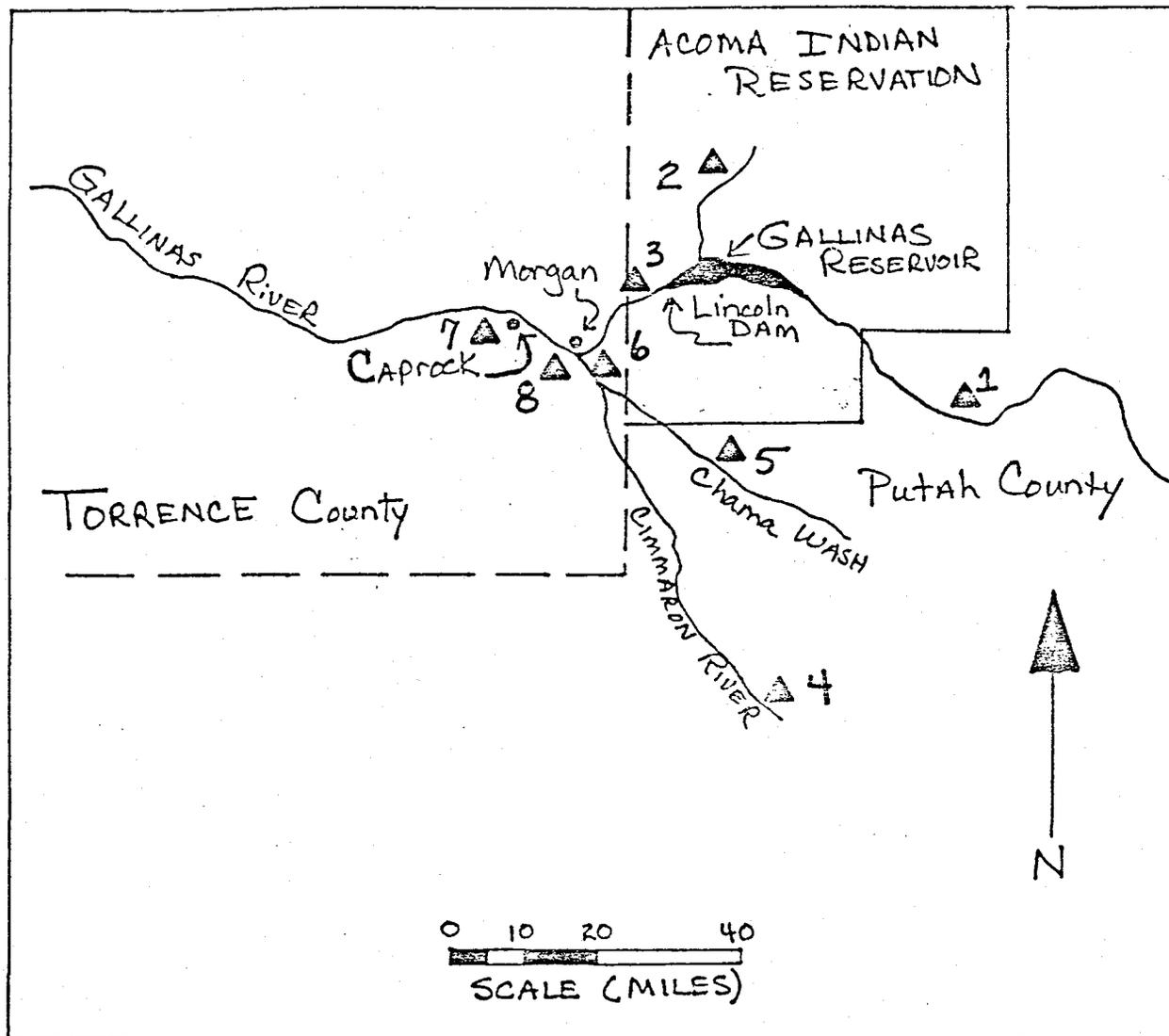
The flood control capabilities of Lincoln Dam are limited because it was designed as a water resource structure rather than a flood control structure. The only flood control mechanism in Lincoln Dam is the ability to lower the water level by opening the bypass tubes. There are two bypass tubes, each having a capacity of 3,000 cfs or a total capacity of 6,000 cfs. This lowering of the reservoir level could minimize possible overtopping during periods of heavy inflow.

Bureau of Reclamation inspected the dam last week and found the bypass tubes are in good condition. However, the water flowing over the spillway is causing turbulent backwater at the dam and saturating the fill under the bypasses. Bureau of Reclamation recommends that the bypass not be used until the spilling stops and the fill can be inspected.

Bureau of Reclamation is conducting an investigation that will provide recommendations for immediate actions necessary for safety of the dam. Completion of this investigation is expected in two weeks.

March 22, 1989

Figure 1



GALLINAS RIVER DRAINAGE SYSTEM

Continuous Record Gages

Peak Discharges (c.f.s.)

1. Gallinas River-Calva	150,000
2. San Carlos River	11,000
3. Gallinas River-Lincoln Dam	0
4. Cimmarron River-Redington (telemetered)	30,000
5. Chama Wash	60,000
6. Cimmarron River-Mammoth	100,000 +
7. Gallinas River-below Caprock (telemetered)	100,000
8. Railroad Bridge	125,000

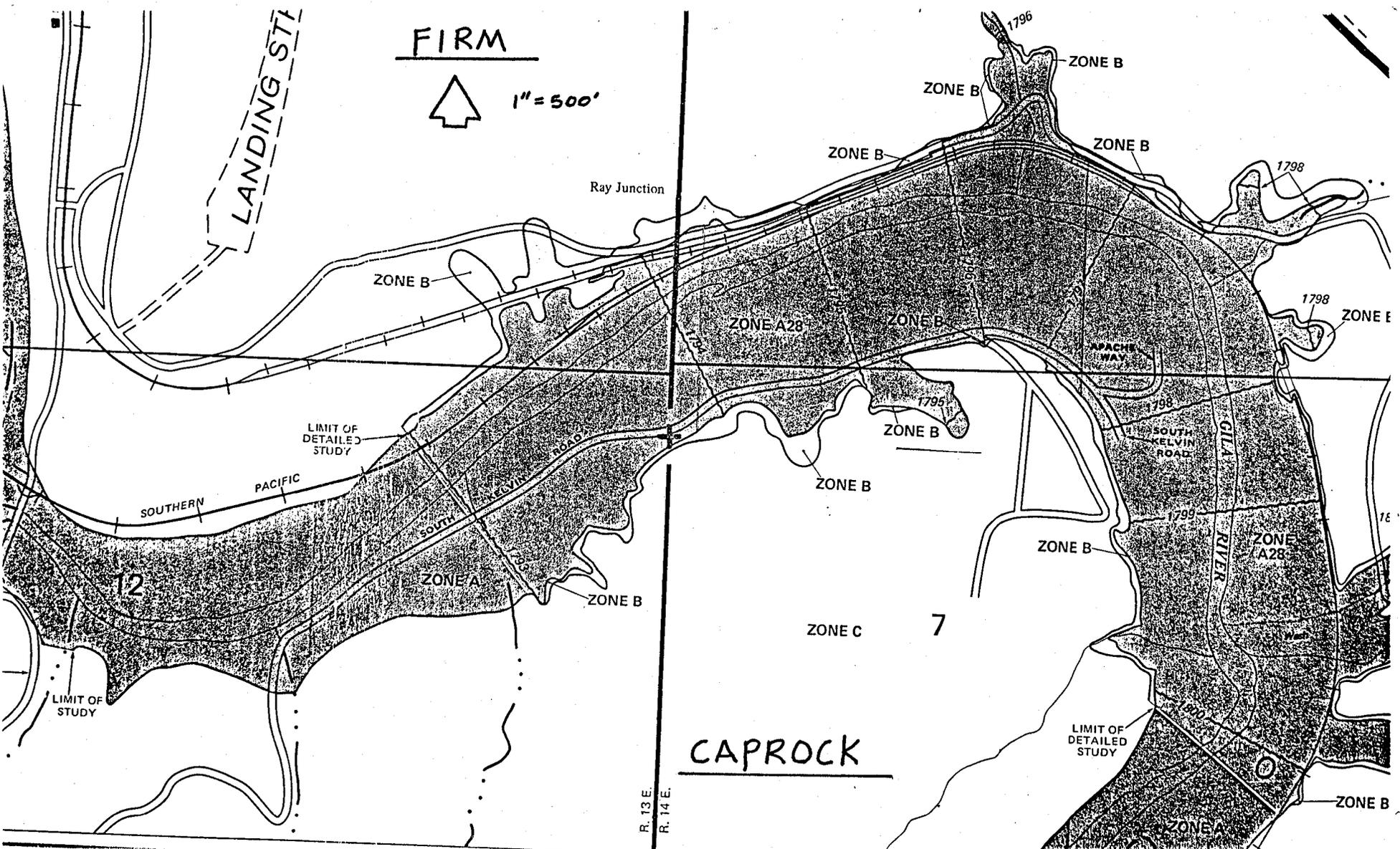


Figure 2

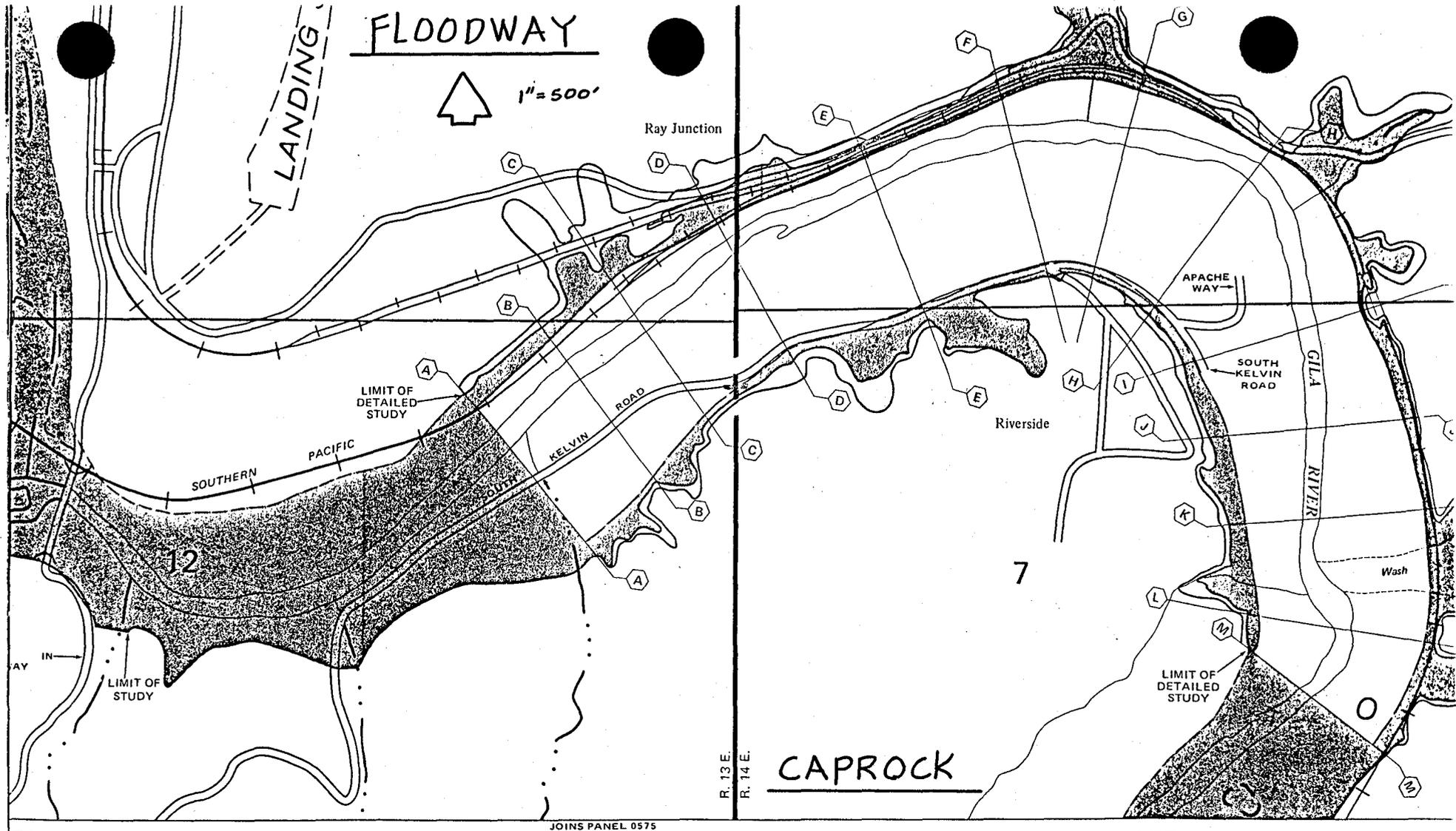
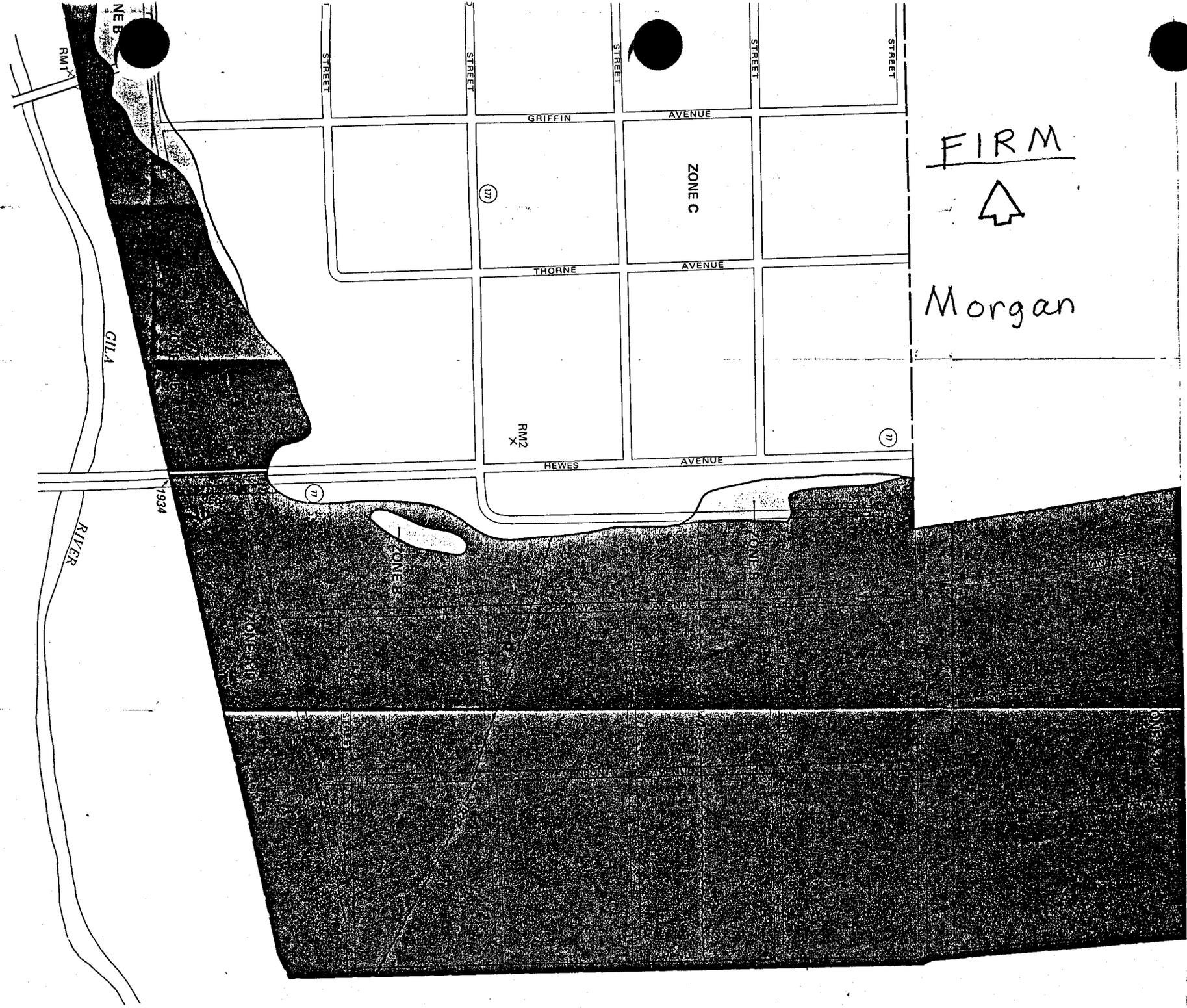


Figure 3



FIRM

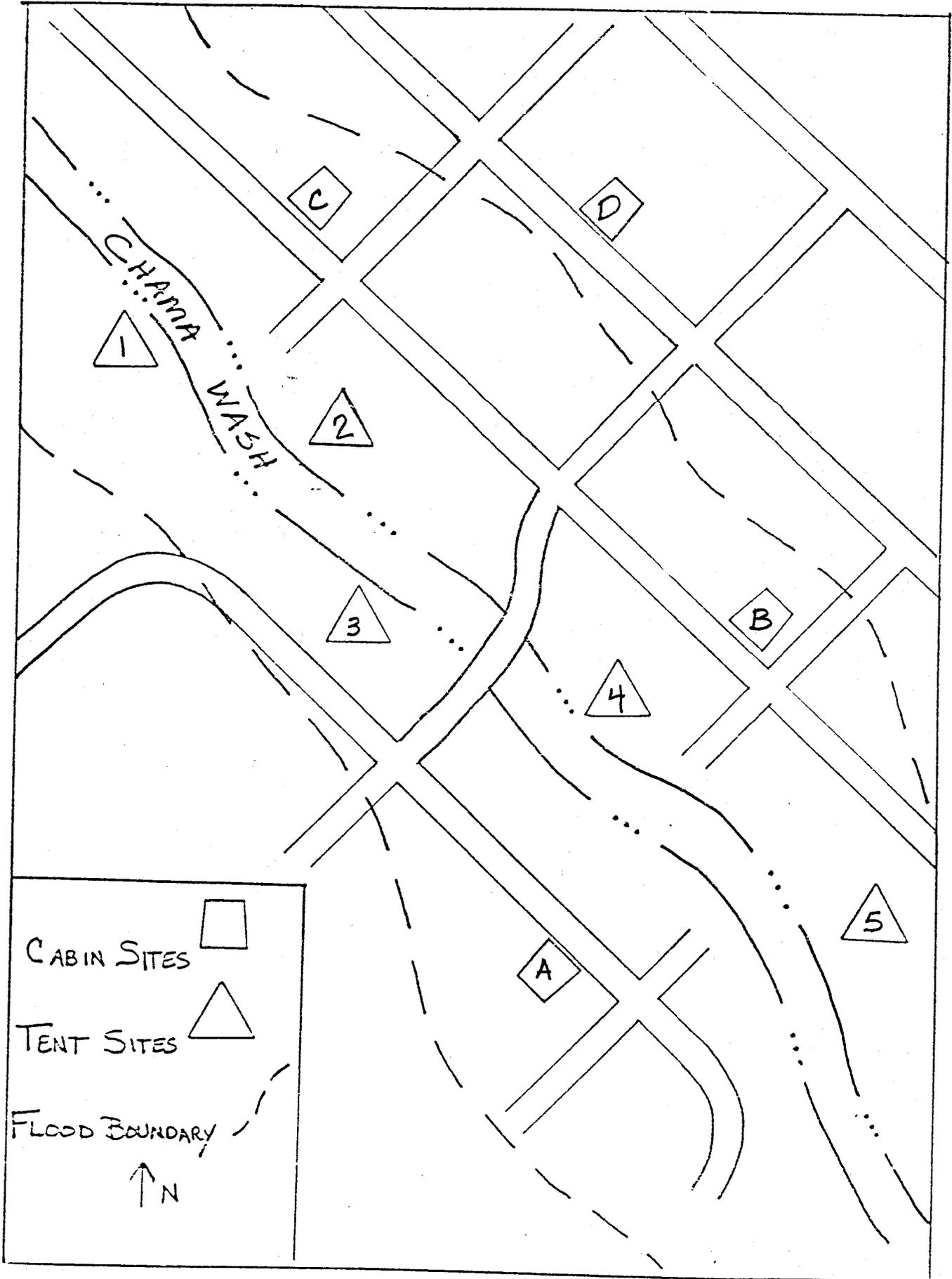


Morgan

Figure 4

EXISTING

Figure 5



CHAMA VILLAGE SITE PLAN

HAZARD MITIGATION ASSISTANCE PROGRAM (HMA)

PROGRAM AUTHORITY

The Disaster Relief Act of 1974 (PL 93-288), as amended.

PROGRAM PURPOSE

The basic purpose of the HMA Program is to reduce a state or local government's vulnerability to risk through hazard mitigation planning, or implementation of mitigation measures. The HMA Program encourages a state or local government to assess the degree of risk to natural hazards, and to develop a comprehensive mitigation strategy that will reduce loss to life and property when a disaster strikes. Hazard mitigation planning may be done either before or after the occurrence of a disaster. Target areas for the program are those which are threatened by repetitive or potentially severe hazards, thereby increasing the likelihood that there will be an opportunity for the plan or other mitigation project to serve its intended purpose.

EXAMPLES OF PROJECTS

- * Local hazard mitigation plans (either pre- or post-disaster) for very vulnerable cities or counties
- * A state program to conduct flood-audits for home owners and small businesses in coastal areas
- * A plan for reconstruction and maintenance of malfunctioning tidal gates
- * A statewide post-flood mitigation seminar for local officials
- * Development of a mitigation guidebook for coastal communities
- * A study of the effects of rising lake levels for 20 lakes within a state, including a mitigation strategy for each lake
- * A statewide levee policy conference
- * A multi-hazard mitigation plan for an area undergoing rapid development
- * A flash flood conference and video-tape

FUNDING

The HMA Program is funded through a Comprehensive Cooperative Agreement (CCA) between FEMA and the State. The current annual HMA Program budget is \$200,000. Each of ten FEMA regions is given \$18,000 to fund HMA projects within their states. \$20,000 is retained at FEMA headquarters for discretionary projects. No state or local match is required, though it is encouraged.

EVALUATION CRITERIA

The FEMA Regional Office selects those projects to be funded each year. Generally, FEMA looks for projects in which the applicant has a strong commitment to mitigation, and which have the greatest chance of being implemented and eventually resulting in long term savings of life and property. The applicant should consult the HMA Program guidelines for specific evaluation criteria.

FURTHER INFORMATION

All applications for assistance must be submitted through the CCA. Requests for HMA Program guidelines or for further information should be directed to the Hazard Mitigation Officer in the FEMA Regional Office that serves your area.

FY 1989 Comprehensive Cooperative Agreement
Executive Program Summary

HAZARD MITIGATION ASSISTANCE (HMA)

I. Program Synopsis

This program is intended to assist States and local units of government in reducing vulnerability from recurring or potentially severe natural hazards by supporting hazard mitigation planning and implementation activities. This program typically funds either site specific mitigation plans for a particular community or area which faces a serious threat of disaster; funds specific mitigation activities on a statewide basis, such as development of a statewide acquisition and relocation plan; funds implementation of hazard mitigation recommendations from Section 406 Plans or Interagency Hazard Mitigation Team Reports; or funds any other appropriate mitigation project which adequately satisfies the criteria outlined in the Program Guidelines.

II. Program Changes

There are no significant changes from the FY 1988 HMA Guidelines.

III. Major Program Emphasis

- A. Develop mitigation plans for State or local governments that identify short and long-term mitigation measures which can be implemented both in a post-disaster situation and in day-to-day decision making.
- B. Fund Section 406 mitigation activities or Interagency Hazard Mitigation Team recommendations that cannot be funded through other means.
- C. Fund projects that complement, where possible, other FEMA, Federal, State or local hazard mitigation projects.
- D. Fund projects that best meet the evaluation criteria listed in the Program Guidelines.

FY 1989 Comprehensive Cooperative Agreement
Annual Program Requirements

HAZARD MITIGATION ASSISTANCE (HMA)

I. Introduction.

Chapter 8 of Civil Preparedness Guide (CPG) 1-3 contains the guidelines for the Hazard Mitigation Assistance (HMA) Program. These guidelines include all pertinent background information on the HMA, as well as information on the expected outputs and evaluation criteria for the HMA. The following Annual Program Requirements merely supplement the HMA guidelines and serve to highlight special requirements for the FY 1989 CCA. In order to fully understand the HMA Program, one must first read Chapter 8 of CPG 1-3.

When preparing a CCA package, care should be taken to select the most appropriate source of funding for the CCA projects. A key factor to bear in mind is that the HMA Program has very limited funding and is not automatically available to States each year. In fact, States will quite possibly not receive funding for HMA in successive years due to the limited program budget. Therefore, it is important that HMA projects either be self-contained or that non-FEMA funds be available if total project costs are expected to exceed the current FY HMA funds. In many cases the HMA Program funds have served as an impetus for further mitigation activities in a State or local government. Opportunities for cost sharing or for funding the implementation or expansion of HMA products should be sought among other Federal, State, local or even private sources to make the most of the limited HMA program funds.

II. Program Requirements.

The following requirements apply to FY 1989 HMA proposals.

A. Evaluation Criteria.

HMA projects should satisfy as many of the Evaluation Criteria listed in Chapter 8 of CPG 1-3 as possible. At a minimum, project applicants must meet the following criteria.

1. Serious or repetitive problems of hazard vulnerability which make it likely that the community/area can reasonably expect to sustain damages in the life of the plan/project.
2. Demonstration of a commitment on the part of the responsible State or local governmental unit to the objectives of long-term recovery and mitigation.

HMA-2

3. Compliance on the part of the responsible governmental entity with all regulatory requirements of the National Flood Insurance Program, PL 93-288, E.O. 11988 and E.O. 11990 (if applicable).
4. Potential for the achievement of long term benefit as a result of the project through reduction of hazard vulnerability.

B. HMA for All States with Presidential Disaster Declarations.

FEMA should encourage States which have had one or more Presidentially declared disasters in the past year to consider how funding provided through the CCA can be used to help implement measures recommended in their Section 406 hazard mitigation plans. The work program should include a brief statement under the heading of "Mitigation Assistance" which describes how the CCA is being used to help implement recommendations contained in the Section 406 hazard mitigation plan. If the State does not feel the CCA can provide assistance in implementing this plan, the statement of work should state so with a brief explanation as to why.

C. Reporting.

As shown in the attached sample, the Activities-Results List will be used to monitor outputs described in the HMA statements of work on a quarterly basis. This format will, in fact, serve as a core for the statement of work, though is not in itself sufficient as a statement of work. The narrative statement of work which accompanies the Activities-Results List shall contain an identification of the specific products or activities which will be produced under the HMA, along with an explanation of the methodology used to complete the project and a list of milestones to allow at least quarterly evaluation of the project. An estimate of staff hours, travel and other resources needed to complete each output should be shown in the statement of work.

III. Special Considerations.

The following questions will be considered to assist in ranking HMA proposals for available funding.

HMA-3

- A. Is a HMA grant the most appropriate source of funding for the proposed activity? Would other CCA Program funds (or other Federal, State, or local funding) be more appropriate for the proposed activity?
- B. Are non-Federal funds to be used along with Federal funds to complete the proposal? What percentage of the total proposed cost of the project is to be provided by HMA? What are other sources of potential funding, the dollar amount requested, and dollar amounts likely to be received from these other sources?
- C. Are the goals of the proposal consistent with the goals of the NFIP, PL 93-288, E.O. 11988 and E.O. 11990 (if applicable)?
- D. Does the proposal reflect intent to reduce non-Federal hazard mitigation to a supplemental rather than a sustaining level?
- E. Does the proposal provide the basis for continued or enhanced activity in support of hazard mitigation goals? Is the project part of or does it serve to complement an established comprehensive long term State or local program of hazard mitigation (i.e. Section 406 or other hazard mitigation plan, redevelopment or relocation plan)?
- F. Does the statement of work clearly identify specific products or activities which will be delivered under the HMA, along with adequate milestones to allow at least quarterly evaluation of the project? Does the statement of work include an estimate of staff hours, travel and other resources needed for each output? Are the time and staff commitments in the statement of work sufficient to ensure successful completion?

FEDERAL EMERGENCY MANAGEMENT AGENCY

ACTIVITIES-RESULTS LIST

O.M.B. No. 3067-0170
Expires March 1987

FY IS 85 COMPREHENSIVE COOPERATIVE AGREEMENT NO.

STATE XX

PROGRAM HMB

FOR FEMA USE ONLY

AWARD AMOUNT: XX,XXX

FINAL AMOUNT USED:

INDICATE IF:

AWARD QTR 1 QTR 2 QTR 3 FINAL

LIST REVIEWED BY:

DATE REVIEWED:

RESULTS VERIFIED/ACCEPTED
R - REPORT
O - ON SITE VISIT
RE - REVIEWED PRODUCT
U - UNSATISFACTORY (Action required)

PROGRAM ACTIVITY OUTPUT/PRODUCTS

QUARTERLY MILESTONES
E - # OR % EXPECTED FOR COMPLETION
C - # OR % COMPLETED (If % include)
D - DELAY (Requires comment)

(ACTION)	(OUTPUT DESCRIPTION)	(LOCALE)	HICA/MYDP	FUNCTION 1-8	QUARTER 1		QUARTER 2		QUARTER 3		FINAL		FY TOTAL	
					E	C	E	C	E	C	E	C	E	C
Prepare Consolidated Detailed Evaluation of Major Hazards Using Existing Data	Map and Accompanying Descriptive Information	Jackson County		7	1									
Identify critical Areas of County with greatest potential for Damage	Map and Accompanying Descriptive Information	Jackson County		7	1									
Analyze Activities, Resources, Capabilities which impact critical areas	Detailed written Analyses	Jackson County		7		1								
Identify Strategies to mitigate hazards	Initial Draft Hazard Mitigation Plan	Jackson County		7		1								
Seek public input and support	Second draft hazard mitigation plan	Jackson County		7				1						
Produce and Distribute	Hazard mitigation Plan as recommended in Work Element -- of the IHMT report for XXX-DR.	Jackson County		7						1				

CHAPTER 6

Hazard Mitigation Assistance Program

6-1. General. The HMA Program is designed to reduce a State or local government's vulnerability to risk through hazard mitigation planning and implementation activities.

6-2. Scope. The HMA Program provides a limited amount of funding to States to cover or to assist in covering the cost of preparing a site specific or functionally specific hazard mitigation plan, one or more components of such a plan, or a related activity which will contribute to reducing vulnerability to hazards either throughout the State or for a selected area within the State. Hazard mitigation plans may be prepared by general purpose local governments, including counties, or by State government agencies with responsibility for one or more aspects of disaster recovery or mitigation.

6-3. Objectives. The HMA Program is intended to encourage a State or local government to assess the degree of risk and to develop a comprehensive mitigation strategy to effectively reduce potential losses. Hazard mitigation planning may be carried out either prior to the occurrence of a disaster (predisaster planning), after the occurrence of a disaster (postdisaster planning), or may be an ongoing project of the State or local government. Target areas for the program are those which are threatened by repeated or potentially severe hazards thereby increasing the likelihood of implementation within the useful life of the plan.

6-4. Definitions. The following definitions help clarify the basic objectives of the HMA Program:

a. Hazard Mitigation. Hazard mitigation is defined as actions intended to reduce the degree of risk of vulnerability to hazards present in an area, such as adopting and effectively administering building codes which include features to prevent vulnerability of structures to earthquakes, floods, fires, etc. Hazard mitigation does not include actions which simply involve preparing for or responding to the existing level of risk or vulnerability such as developing warning systems and plans for temporary evacuation of hazard-prone areas. Mitigation actions involve modifying the degree of risk or vulnerability of an area over the long term. Mitigation activities complement preparedness and response measures in that successful mitigation can reduce or eliminate the need for response capabilities.

b. Predisaster Planning. Predisaster plans are those developed in advance of a disaster so that (1) recovery efforts can be guided in such a way as to minimize the potential for recurrence, and (2) routine decisions such as the adoption or enforcement of building code standards

or zoning regulations can be influenced to reduce vulnerability to a disaster.

c. Postdisaster Planning. Postdisaster plans are simply those which are developed after the occurrence of a disaster, though in actuality become pre-disaster plans which are to be implemented before the next disaster event. The occurrence of a disaster heightens the awareness of a community or State to the reality of hazard vulnerability and often results in calls for official actions to address hazard vulnerability. As a condition of Federal assistance following a presidentially declared disaster States are required by FEMA under PL 93-288 Section 406 to evaluate their hazards and identify measures to mitigate these hazards. HMA funds are not to be used to develop plans required under Section 406, because that is a State commitment for receiving Federal disaster assistance. HMA may be used, however, to fund mitigation actions identified in Section 406 plans if the mitigation actions satisfies HMA guidelines. HMA may also be used to fund other post-disaster planning efforts aside from the Section 406 requirement.

d. Hazard Mitigation for All States. Each State should work toward creation of a hazard mitigation section or annex of the State emergency plan. This annex should clearly identify significant hazards present in the State for which mitigation measures are appropriate. (This identification of hazards and mitigation measures should be drawn to the extent practicable from assessments conducted in accordance with HICA/MYDP outlined in CPG 1-36, 1-35, and 1-35a.) For such hazards, the annex would identify what mechanisms are currently in place for reducing long term vulnerability (e.g., State building or fire codes, authorities for construction of flood control facilities, awareness and training program for developers and building inspectors, etc.) and what mechanisms, programs or authorities are needed to address reduction of long term vulnerability that are not already in place.

6-5. Expected Outputs. The basic responsibility of the applicant will be to comply with the requirements and produce the final output, and any interim outputs or reports, as described in the statement agreed to by the State and FEMA regional office. Generally speaking the final output will be a hazard mitigation plan, or implementation of specific mitigation measures, which would be drawn from one or more of the key elements and processes outlined below. The format of the product should be designed to meet the needs of the audience whose support the State or community must enlist to accomplish the actions required. The following key elements and processes are to be used in developing the hazard mitigation plan, or in implementation of specific mitigation measures:

a. Hazard Evaluation. An indepth analysis of the principal hazard(s) affecting the area to provide a basis for proposed mitigation strategies.

b. Community Development Issues/Objectives. An identification of the major community, area or State development issues or objectives which would be affected by the occurrence of a disaster and would therefore become a part of the mitigation planning process.

c. Mitigation Capabilities. A review of existing programs, policies, laws, regulations or activities which are designed to have the effect of reducing vulnerability.

d. Recovery and Mitigation Options/Opportunities. An identification of mitigation opportunities such as mitigation measures identified in a Section 406 Hazard Mitigation Plan or an Interagency Hazard Mitigation Team report.

e. Mitigation Constraints. An examination of legal, political, financial or administrative obstacles to either the preparation or implementation of mitigation strategies.

f. Recovery/Mitigation Plan Action Items. The formulation of specific mitigation tasks, actions or procedures to be followed in the event that an anticipated disaster occurs.

6-6. Evaluation Criteria. In order to select the most worthwhile projects the following factors will be used in evaluating proposals:

a. Serious or repetitive problems of hazard vulnerability which make it likely that the State/locality can reasonably expect to sustain damages in the next 5-10 years (i.e. within the useful life of the HMA plan or project.)

b. Commitment on the part of the responsible State or local governmental unit to the objectives of long-term recovery and mitigation as demonstrated by previous support for active programs of risk reduction.

c. Compliance with all regulatory requirements of the NFIP, PL 93-288 Section 406, and E.O. 11988 and E.O. 11990 if applicable.

d. Potential for the achievement of long term benefits as a result of the project through reduction of hazard vulnerability and promotion of State/local development objectives.

e. Capability to involve the private sector and general public in recovery and mitigation initiatives.

f. Transferability of issues, problems, recommendations, or implementation measures to other States/localities with hazard-prone areas.

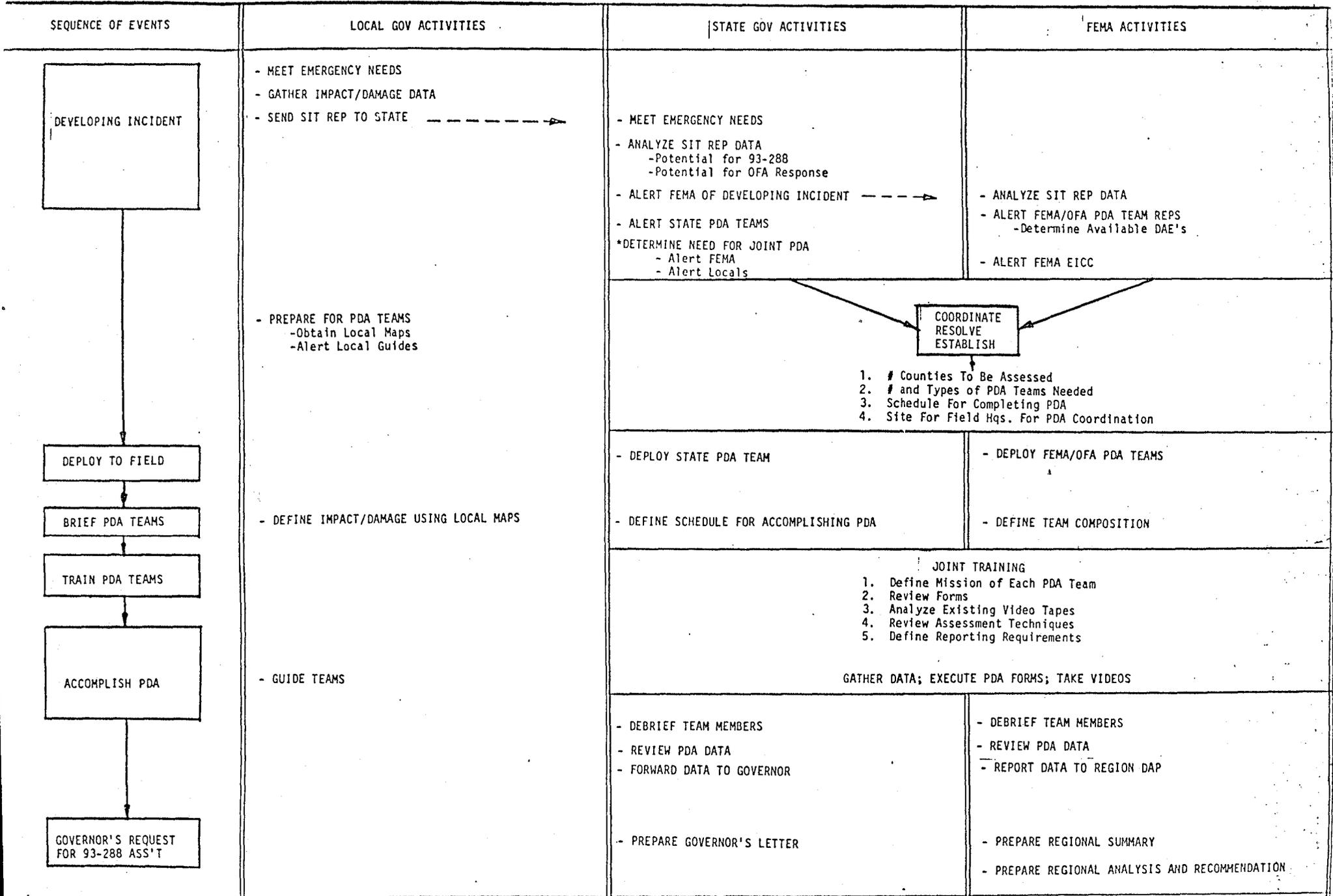
June 2, 1987

g. Vulnerability to multiple hazards such as the following: earthquake, hurricane, tsunami, riverine flooding, coastal flooding, landslide or other earth movement, tornado, drought, avalanche, dam failure, hazardous materials incidents, etc.

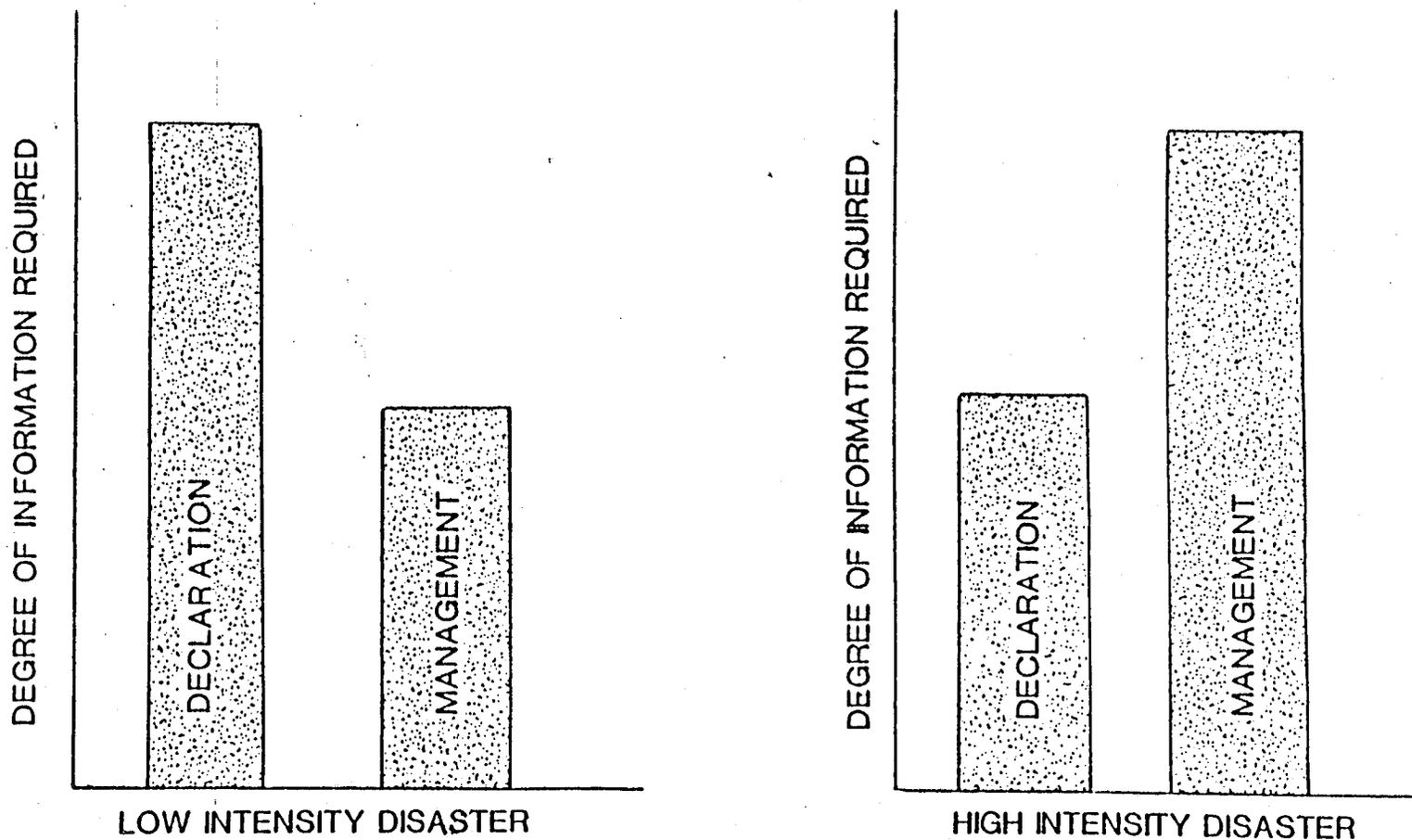
h. Established and active community development program.

6-7. State Application Responsibilities. HMA Program proposals are to be submitted in accordance with CPG 1-38 and the current year's CCA request for application package.

THE PRELIMINARY DAMAGE ASSESSMENT PROCESS



DAMAGE ASSESSMENT - DISASTER INTENSITY VS. INFORMATION REQUIRED



DAMAGE ASSESSMENT CHECKLISTS

These checklists are provided to help damage assessors in conducting damage assessments. At this time, they need not replace the forms presently used, but may serve to supplement them as you describe the impact of the damage on the area to be inspected.

PEOPLE PROBLEMS

In conducting damage assessments, you will be gathering information needed to paint an accurate mental picture of the damage and of its impact on the people and their communities. The subjects listed below represent important aspects of assessments, which may be applicable to the situation you are assessing.

In each of the areas listed below the assessor should rely on the following criteria for determining the level(s) of damage.

Destroyed. Item/building is a total loss or is damaged to the extent that it is not usable and not economically repairable.

Major Damage. Item/building is damaged to the extent that it is no longer usable and may be returned to service only with extensive repairs.

Minor Damage. Item/building is damaged and may be used under limited conditions; may be restored to service with minor repairs.

Affected Habitable (Homes Only). Some damage to structure and suspected damage to contents. Structure is usable without repairs.

The impact of a disaster is the effect that the damage has had on people's health, safety, mobility, income, and their normal standard of living. In many instances, documentation of numbers and dollars represents only a portion of the total damage picture. For example, only one road or bridge leading to a community could be destroyed, but it may be the only one available, in which case the impact is great. If there are other routes available that can handle the traffic flow, the impact is thereby lessened. Impact description is extremely important in determining the types and amounts of federal disaster assistance necessary.

In addition to the assessment of structures (houses and businesses), you should consider the following subjects to determine whether they are applicable to your situation; and if they are, include them in your description of the impact of the damage to the area.

I. GENERAL

AREA.....Whether it is primarily rural, suburban, urban or a combination of the three, may be important.

DEBRIS.....It may pose a health hazard, prevent access to homes or block roads, restricting movement.

TYPE OF FLOODING.....Consider such things as the depth of water, length of time the area was flooded, whether the flood water was fast moving, whether it contained harmful chemicals, etc.

TRANSPORTATION NEED.....An estimate of the need for transportation by either public or private means.

DEATH/INJURY IMPACT.....The incidence of death and injury is important and should be reported, especially where it results in special needs (e.g., emergency medical care, public health assistance, etc.).

PERSONAL PROPERTY LOSS.....An estimate of the extent of personal property loss.

ECONOMIC DESCRIPTION.....1) Determine whether a significant number of affected people had, as their primary source of income:
- social security,
- welfare programs,
- retirement pensions, or
- unemployment compensation;
2) Determine whether a significant number were in a low income category.

AVAILABILITY OF LOCAL RESOURCES...What are local and state governments and volunteer groups doing to meet the needs in these areas?

EMERGENCY FOOD/SHELTER.....If there is a significant number of displaced people, identify where they are and if mass feeding is required.

II. DAMAGE RELATING TO DWELLINGS

DAMAGE DESCRIPTION.....In describing the damage to the structure, consider if it is destroyed, or has sustained structural or mechanical damage that prevents the family from returning to a safe, secure and sanitary unit. Determine if essential utilities will be unavailable for an extended period of time, either as a result of damage to the property or damage to the utility system. Families are also displaced because of inaccessibility.

If conditions are observed that would prevent accessibility, such as high water, bridges out, or official quarantined areas, these circumstances should be noted.

TRANSIENT ACCOMMODATIONS.....Their availability, in terms of hotel/motel rooms, etc.

RENTAL HOUSING.....Its availability in such categories as single-family-attached, multi-family, etc.

MOBILE HOMES.....Their acceptability and the extent of their use in the areas. Also, the extent of pad vacancy in local mobile home parks.

UTILITIES.....Their operational status. (If out of commission, for how long?) Are service outages widespread or concentrated?

CONSTRUCTION TYPES.....Prevalent types used in the area (brick, woodframe, concrete block; basement or on slab; etc.).

DWELLING TYPES.....A general description of the types of housing damaged by the disaster; e.g., single-family homes, apartments, mobile homes, etc.).

DWELLING VALUES.....Damaged homes may be low, medium or high cost homes for the area.

INSURANCE COVERAGE.....A general estimate of the percentage of damaged homes and personal property covered by insurance. (Identify your source of information.)

III. DAMAGE RELATING TO LOCAL BUSINESSES

DAMAGE DESCRIPTION.....In describing the damage to the structure, consider if it is destroyed or has sustained structural or mechanical damage that prevents the business from returning to a safe, secure and sanitary unit. Determine if essential utilities will be unavailable for an extended result of damage to the property system. Businesses are also displaced because of inaccessibility. If conditions are observed that would prevent

accessibility, such as high water, bridges out, or official quarantined areas, these circumstances should be noted.

TYPES OF BUSINESSES.....A description of the types of businesses and business inventories affected and the impact on the community.

RECOVERY TIME.....An estimate of how long it will be before businesses will be restored and back in operation again.

INSURANCE COVERAGE.....A general estimate of the percentage of damaged businesses covered by insurance. (Identify your source of information.)

IV. DAMAGE RELATING TO FARMS

DAMAGE DESCRIPTION.....In describing the damage to the structure, consider if it is destroyed or has sustained structural or mechanical damage that prevents the family from returning to a safe, secure and sanitary unit. Determine if essential utilities will be unavailable for an extended period of time as a result of damage to the utility system. Families are also displaced because of inaccessibility. If conditions are observed that would prevent accessibility, such as high water, bridges out, or official quarantined areas, these circumstances should be noted.

TYPES OF BUSINESSES.....A description of the types of businesses and business inventories affected, and the impact on the community.

EXTENT OF DAMAGE.....An overall description of the extent of damage to:
- farmhouses,
- fences,
- crops,
- farm lands (erosion, siltation).
The point in the growing season (planting, harvesting, etc.).

DEBRIS.....An estimate of the extent of debris on farm land and its impact on agricultural production.

V. DAMAGE RELATING TO EMPLOYMENT*

UNEMPLOYMENT BREAKDOWN.....The unemployed usually fall into these general categories: 1) self-employed, 2) migrant workers, 3) other farmworkers, 4) local business, and 5) industry and service workers. Describe which group or combination best characterizes the unemployed people in the area.

LENGTH OF UNEMPLOYMENT.....Estimate the approximate length of unemployment in each group, based on the amount of restorative work needed to permit re-employment.

MAJOR EMPLOYERS AFFECTED.....Try to identify the major employers whose disaster damage resulted in unemployment.

*This category of assessment is normally conducted by state and local government officials through their own sources. However, damage assessors should be alert to conditions which impact on the unemployment situation.

REGIONAL DISASTER SUMMARY

1. STATE _____ 2. DATE OF PREPARATION _____

3. TYPE OF DISASTER (circle appropriate descriptions).
 a. Slow rising flood b. Severe storm c. Earthquake
 d. Flash flood e. Hurricane f. Fire
 g. Tornado h. Tsunami i. Other describe
 (Brief narrative required)

4. DATE OF INCIDENT From _____ / _____ / _____ To _____ / _____ / _____

5. LOCATION (city, county)

6. CASUALTIES
 a. Deaths _____ b. Injuries _____ c. Missing _____
 (Brief narrative required)

7. PERCENT OF LOW INCOME FAMILIES _____ %
 (Brief narrative required)

8. DEGREE OF RESIDENTIAL DAMAGE (FEMA)

	Dest.	Major	Minor	Affec.	Total	%Own	%Ins
a. Residential units	_____	_____	_____	_____	_____	_____	_____

 (Brief narrative required)

9. ESTIMATED HOUSING REQUIREMENTS

	Number	Average Cost	Total Cost
a. Minimal repair	_____	_____	_____
b. Rental asst. own	_____	_____	_____
c. Rental asst. rent	_____	_____	_____
d. Mobile home	_____	_____	_____
Total	_____	_____	_____

 (Brief narrative required)

10. INDIVIDUAL AND FAMILY GRANT PROGRAM ESTIMATES

	Number	Average Cost	Total Cost
a. Applicants	_____	_____	_____

 (Brief narrative required)

11. SMALL BUSINESS ADMINISTRATION

	Estimated No. Loans	Estimated Amount
a. Residential	_____	_____
b. Business	_____	_____

 (Brief narrative required)

12. DISASTER RELATED UNEMPLOYMENT

a. Est. number _____	b. Est. DUA _____	c. Est. duration DUA _____
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 (Brief narrative required)

13. EMERGENCY NEEDS

a. Mass shelters	Number initially _____	Number currently _____
b. Indiv. sheltered	Number initially _____	Number currently _____

 (Brief narrative required)



Federal Emergency Management Agency

Region IX Building 105
Presidio of San Francisco, California 94129

January 25, 1989

Verne Paule

Verne Paule
Regional PIO

PUBLIC INFORMATION - WHEN DISASTERS STRIKE

When typhoons, volcanoes, floods, sea wave action, fires, etc., strike, the media with the first responders are on the scene. When local, state, Red Cross, and federal agencies, along with the military are involved, the media want to know what is happening and how the responders are operating.

A coordinated action for release of information is most important, so that the same facts, statistics and other information is accurate.

When damage assessments are being made, when requests for assistance, when emergencies are declared, when federal, state, Red Cross and military assistance is provided, the media need to know. They can help us inform those who have suffered from the disaster, identifying what assistance will be available, where and how the various programs will operate - including where the DACs will be located, and how they will function - days and hours of operation, programs available, when the DACs will close, etc.

The IA and PA programs have many public information associations. ONLY OFFICIAL SPOKESPERSONS FROM LOCAL, STATE AND FEDERAL AGENCIES SHOULD RESPOND TO THE MEDIA. If the media meet Preliminary Damage Survey teams, the team leader should take a few minutes and explain what the purpose of the survey is to the

assistance being provided. However, NO statistics or estimates of the damage should be released, since this is only part of the overall survey. The media should be referred to the local, state or federal public information officer. Likewise, when inspectors and verifiers are in the field and media meet with them. Courtesy should prevail and just a basic reference to what is occurring should be provided to the media but the public information office should be referred to and informed. If the media insists on a camera interview, the team leader should be able to provide general information without providing specific details. COOPERATION, COMMUNICATION AND COORDINATION IS THE BY-WORD FOR GOOD PRESS RELATIONS AND PROVIDE ASSISTANCE TO THE PUBLIC AND THE MEDIA.

(Reference FEMA-79 When Disaster Strikes - A Handbook for the Media.)

The U.S. Small Business Administration is authorized to make loans up to \$500,000 to a business of any size to repair or replace the business' property to its pre-disaster condition. Repair or replacement of real property, machinery, equipment, fixtures, inventory, and leasehold improvements may be included in a loan.

Any business located in a declared disaster area which has suffered damage as a result of a physical disaster is eligible to apply for a physical disaster loan to help repair or replace damaged property to its *pre-disaster condition*.

SBA loans will cover uninsured physical damage. If you are *required* to apply insurance proceeds to an outstanding mortgage on the damaged property, the amount applied can be included in your disaster loan.

The interest rate which the Agency charges on its disaster loans is determined by your ability to obtain "credit elsewhere," that is, from non-Federal sources.

Unable to Obtain Credit Elsewhere

If SBA determines that the business is unable to obtain credit elsewhere (considering the cash flow and assets of the business, its principals, and affiliates), the interest rate which will be charged on a loan will not exceed 4 percent per year.

The maximum maturity for such business disaster loans is 30 years. However, the actual maturity of a loan is set depending upon the ability of the business to repay the loan.

Able to Obtain Credit Elsewhere

If SBA determines that the business does have the ability to obtain credit elsewhere, the Agency can make a loan at an interest rate which will not exceed that being charged in the private market at the time of the physical disaster or 8 percent, whichever is less. The maturity of this loan may not exceed three (3) years.

Note: Charitable, religious, nonprofit and similar organizations, although not classified by SBA as businesses, are eligible for physical disaster loans for up to 30 years at an interest rate based upon a different statutory formula. The nearest SBA Disaster Office can supply you with the interest rate.

Questions and Answers about Physical Disaster Loans to Businesses

Q. I've heard that SBA loan applications are complicated and hard to complete. Is this true?

A. No. The application form asks you for the same information about the business and its substantial owners and managers as that generally required for a bank loan. If you need help, SBA personnel are available to explain the forms and give you assistance *at no charge*. You may use the services of an accountant or attorney if you wish, but be sure they are reliable and that their fees are reasonable. You must report the use of an accountant and/or an attorney and their fees on your loan application.

Q. If I receive a disaster loan, may I spend the money any way I want?

A. No. The disaster loan is intended to help you return your property to the condition it was in before the disaster. Your loan will be made for specific and designated purposes. Remember that the penalty for misusing disaster funds is *immediate repayment of 1½ times the original amount of the loan*. SBA requires that you obtain receipts and maintain good records of all loan expenditures as you restore your damaged property, and keep these receipts and records for three years.

Q. I already have a mortgage on my business. Can SBA refinance my mortgage?

A. In certain cases, yes. To be eligible for SBA refinancing, (1) the property has to have been destroyed or substantially damaged, (2) SBA must determine that the business is unable to obtain credit elsewhere, (3) the amount of refinancing cannot exceed the actual amount of damage, and (4) the amount shall be reduced to the extent such mortgage or lien is satisfied by insurance or otherwise. An SBA loan officer can provide you with more detailed information on your specific situation.

Q. Is collateral required for these loans?

Loans of \$5,000 or less normally require the signature of the owner(s) of the property. Loans

in excess of \$5,000 require the pledging of collateral to the extent it is available. Normally the collateral would consist of a first or second mortgage on the damaged business property. In addition, personal guarantees by the principals of a business are required. No loan will be declined for lack of collateral, but you must pledge that collateral which is available.

Q. How soon will I know if I will get a loan?

A. That depends on how soon the business files a complete SBA loan application. As a loan program, we have to know the cost of repairing the damage, be satisfied that the business can repay the loan out of the operations of the business, and take reasonable safeguards to help make sure the loan is repaid. The SBA loan application asks for the information we need. The faster you can return it to us, with all the needed information, the faster we can work on it. We try to get all applications processed through to a decision not later than 60 days after they are filed. The ones that are filed early can be completed in a much short time. Applications are processed in the order received, so it is in your interest to file early. *Be sure your application is complete because missing information is the biggest cause of delay.*

Q. How soon can I expect the money?

A. Because loans over \$5,000 have to be secured, after a loan is approved there are other steps that you have to take. Usually, the security consists of a first or second mortgage on the damaged business property and personal guarantees. After we approve the loan we will tell you what has to be done (these are the loan closing documents, just like in any other secured loan). When the loan closing documents are returned to us, we can order the checks. Because these are subsidized loans, we will not give you all the money at once; we will give it to you in installments, as you use it to repair or replace the damage.

Q. Will SBA check the losses I claim?

A. Yes. Once you have returned your loan application, an SBA loss verifier will visit you to determine the extent of the damage and the reasonableness of the loan request.

Q. What information do I need to help me complete the loan application form?

A. Necessary information is specified in the loan application and includes: (1) an itemized list of losses with your estimate of the repair or replacement cost of each item, (2) copies of your last three years' Federal income tax returns, (3) a copy of your deed, mortgage, lease or rental agreement, (4) a brief history of the business, and (5) personal and business financial statements. A contractor's estimate for repairing structural damage may be desirable, but you may make your own cost estimate, if you wish. Remember to sign and date each part of the application; it cannot be processed if you omit any form that requires your signature.

Q. How may I use the SBA disaster loan?

A. The loan is intended to help you restore your property as nearly as possible to its pre-disaster condition. Normally, SBA funds cannot be used to expand or upgrade a business. But, in the event that city or county building codes require such upgrading, SBA loans may be used for that purpose.

Q. I had to remove debris from my property after the disaster. Can this expense be included in my loan application?

A. Yes, but your own labor and that of family members cannot be included. Amounts paid to others and any equipment rental can be listed as part of repairs to real estate. Remember that the maximum loan limit on physical damage is \$500,000, and debris removal is included in that limit.

Q. I am a farmer. Am I eligible to apply for SBA assistance for damage to my farm?

A. No, not for damage to farms. However, you may apply to SBA only for a loan to cover the damage to your home and its contents. It may be in your interest to seek assistance first from the Farmers Home Administration.

Q. I would like to get a contractor's estimate for the cost of repairing damage to my business, but I'm having difficulty in finding a contractor. Should I hold up my application until I get the estimate?

A. No, because you might miss the deadline for filing your application by waiting for a contractor's estimate. If you have one, include it. SBA will

verify the damage estimate in your application. The sooner you file a completed application, the faster it can be processed by SBA.

Q. Should I wait for my insurance settlement before I file my loan application?

A. No. The application may be returned to SBA now, and final insurance information added when a settlement is made. A loan may be approved for the total replacement cost, but the insurance proceeds must be assigned to SBA. Don't miss the filing deadline by waiting for an insurance settlement.

Q. Must I use my own money or try to borrow from a bank before I come to SBA?

A. No. The resources of the business and its principals will be considered in determining the ability for the business to obtain credit elsewhere.

Q. If my business is completely destroyed, can SBA lend me money to relocate my business?

A. Yes. In certain circumstances, limited relocation costs can be included in the loan amount. Whenever relocation is involved, you should contact the SBA disaster office before making any commitments.

Q. Besides the damage to my property, my business suffered economically as a result of the disaster. Do SBA loans cover these economic losses also?

A. Yes they do, but only if you and your business do not have credit available elsewhere and your business qualifies as small as defined by SBA. The same application form is used together with a supplement for the economic injury. However, the maximum the business and any affiliated businesses may borrow for any one disaster for both physical and economic injury combined is limited to \$500,000.

Q. Is flood insurance needed to get a loan?

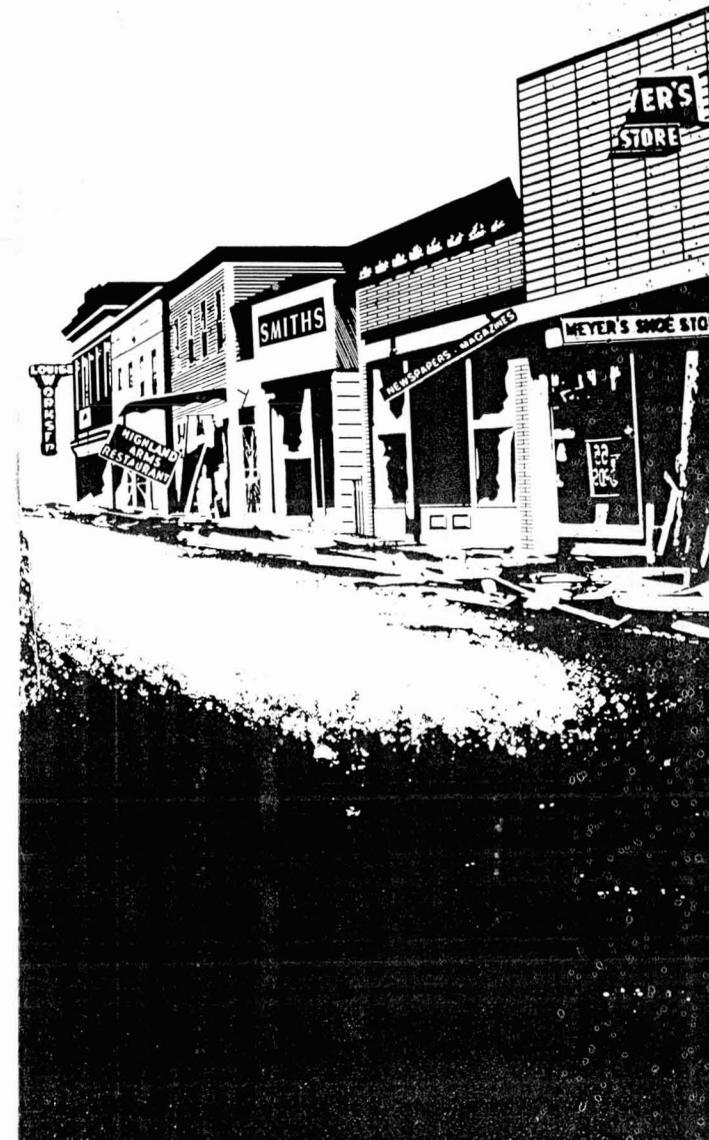
A. If the business is in a special flood hazard area, it must have flood insurance before we can disburse a loan.

U.S. Small Business Administration
Disaster Assistance Division

SBA

Physical Disaster Business Loans

U.S. Small Business Administration



The **U.S. Small Business Administration (SBA)**, created by Congress in 1953, was given a mandate to provide financial assistance to victims of disasters.

If as a direct result of a physical disaster, your business has suffered substantial economic injury, with or without actual physical damage, you may be eligible to apply for an **Economic Injury Disaster Loan (EIDL)**. Substantial economic injury is the inability of a business to meet its obligations as they mature and to pay its ordinary and necessary operating expenses. These loans, however, are limited to small businesses and to small agricultural cooperatives.

The purpose of the loan is to permit you to meet necessary financial obligations which your business could have met had the disaster not occurred. EIDLs are *working capital* loans and are made only to provide relief from economic injury caused directly by the disaster and to permit you to maintain a reasonable working capital position during the period affected by the disaster.

No EIDL assistance can be made to a business which is determined by SBA to be able to obtain credit elsewhere.

EIDL assistance to businesses is limited to a maximum of \$500,000 (together with any business physical disaster loan for damage from the same disaster). However, the actual amount of the loan will be based upon the business' actual economic injury and its financial needs. The interest rate on EIDL's may not exceed 4 percent per year. However, by law the interest rate for small agricultural cooperatives may be substantially, higher than 4 percent.

The term of these loans may not exceed 30 years. However, the actual term will be set depending upon the ability of the business to repay the loan.

Questions and Answers About Economic Injury Disaster Loans

Q. How may I use an EIDL loan?

A. The loan will provide you with operating funds until your business recovers. To the extent you could have made payments had the disaster not occurred, the loan may also be used to make payments on short-term notes, accounts payable, and installment payments on long-term notes.

Q. How much money may I borrow?

A. An EIDL can be made for the amount of economic injury and operating needs, but not in excess of what the business could have paid had the disaster not occurred. In determining your eligible amount, SBA will look at (1) the total of your debt obligations, (2) operating expenses which mature during the period affected by the disaster, plus the amount you need to maintain a reasonable working capital position during that period, and (3) expenses you could have met and a working capital position you could have maintained had the disaster not occurred. The amount of your economic injury does not automatically represent the dollar amount of your loan eligibility, but SBA will evaluate the information you provide and determine the reasonableness of your loan request.

Q. Must I submit a personal financial statement with my loan application?

A. Yes. SBA must review your financial statement and one for each partner, officer, director and stockholder with 20 percent or more ownership. SBA usually requires business' principals to personally guarantee repayment of the loan and, in some instances, secure the loan by pledging additional collateral.

Q. Must I sell assets which are not used in my regular business operations before I am eligible for an EIDL?

A. Availability of such assets will be reviewed by SBA to determine if part or all of your economic

injury might be remedied by such sales. The business and its principal owners must use their own resources to overcome the economic injury to the greatest extent possible without causing undue hardship.

Q. If I can borrow from a bank, am I still eligible for SBA assistance?

A. Private credit sources must be used as much as possible to overcome the economic injury. SBA can provide EIDL assistance only to the extent the business (and its principals) cannot recover by using its own resources and normal lending channels.

Q. What are some prohibited uses of an EIDL?

A. You may not use funds to pay cash dividends or bonuses or for disbursements to owners, partners, officers or stockholders not directly related to the performance of services for the business. SBA will not refinance long-term debts and will not provide working capital which was needed by the business prior to the disaster, and thus is not disaster-related.

Q. Is collateral required for an Economic Injury Disaster Loan?

A. Generally, Economic Injury Disaster Loans require the pledging of collateral to the extent available. Occasionally, very small EIDLs may be made on an unsecured basis. However, an EIDL loan will not be declined solely because available collateral will not adequately secure the loan, and a business will not be required to pledge more collateral than is necessary. SBA may decline a loan if a business has collateral available but refuses to pledge it.

Q. How long will I have to pay off the SBA loan?

A. Your financial situation will be examined by SBA, and loan terms will be based on your needs and repayment ability. The maximum maturity of disaster loans is 30 years.

Q. What kind of documentation should I use to show my losses?

A. You must furnish balance sheets and operating statements for comparative periods of time, so SBA can compare your financial condition and operating results preceding the disaster with those during and since the disaster period. The specific requirements are contained in the EIDL application form.

Q. If I receive an Economic Injury Disaster Loan, may I spend the loan money any way I want?

A. No. An Economic Injury Disaster Loan is intended to help you maintain a secure financial condition until your business is back to normal. Your loan will be made for specific and designated purposes. *Remember that the penalty for misusing disaster funds is immediate repayment of 1½ times the original amount of the loan.* SBA requires that you keep receipts and good records of all loan expenditures for three years following receipt of your SBA loan.

Q. May I expand my business facilities or purchase a new line of inventory with an EIDL?

A. No.

Q. If I show SBA that I am not making a profit, is that enough to qualify me for an EIDL?

A. No. Lack of profit by itself or loss of anticipated sales is not sufficient to establish substantial economic injury. Substantial economic injury occurs only when the business cannot meet current obligations because of the disaster. Indicators of economic injury might be a larger than normal volume of receivables, lower sales volume, slow inventory turnover and development of delinquencies in trade payables, current accruals and debt payments.

Q. Are religious and non-profit organizations eligible for an EIDL?

A. No. Only profit-oriented operating small business concerns and small agricultural cooperatives may apply.

Q. How soon will I know if I will get a loan?

A. That depends on how soon the business files a complete SBA loan application. We have to be able to calculate the amount of economic injury and the business' working capital and other needs. We have to be satisfied that the business can repay the loan out of its operations, and take reasonable safeguards to help make sure the loan is repaid. The SBA loan application asks for the information we need. The faster you can return it to us, with all the needed information, the faster we can work on it. We try to get all applications processed through to a decision not later than 60 days after they are filed. The ones that are filed early can be completed in a much shorter time. *Be sure your application is complete because missing information is the biggest cause of delay.*

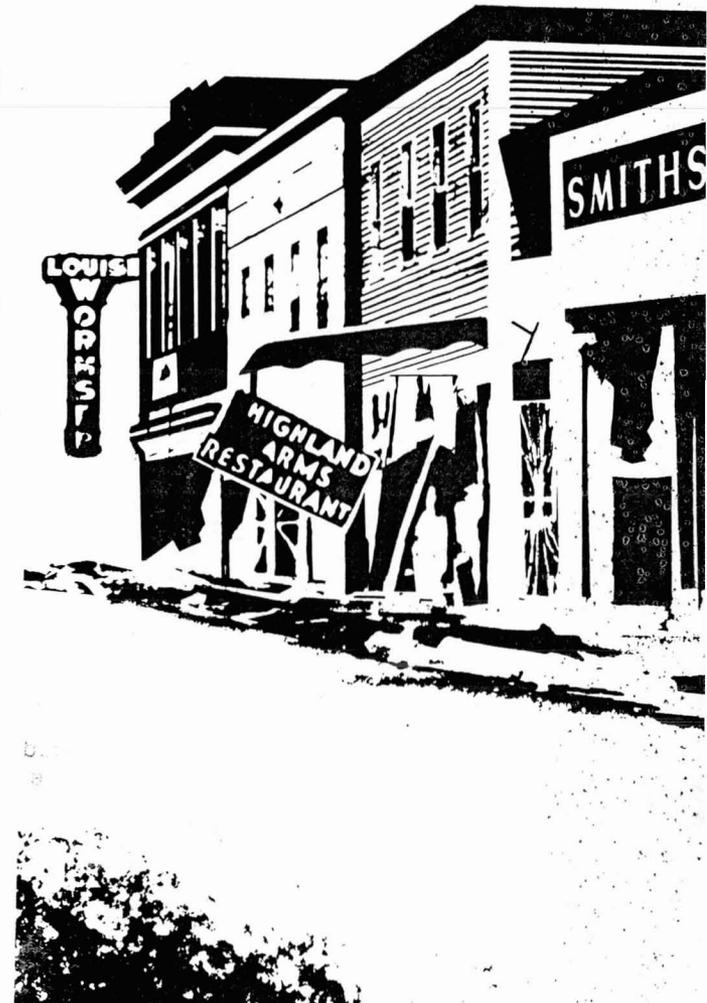
Q. How soon can I expect the money?

A. Because loans over \$5,000 have to be secured, after a loan is approved we will tell you what has to be done (these are the loan closing documents, just like in any other secured loan). When the loan closing documents are returned to us, we can order the checks. Because these are subsidized loans, we will not give you all the money at once; we will give it to you in installments, as it is needed.

U.S. Small Business Administration
Disaster Assistance Division

SBA Economic Injury Disaster Loans for Small Businesses

U.S. Small Business Administration



The **U.S. Small Business Administration (SBA)** was created by Congress in 1953. At that time, Congress issued a mandate to the Agency to provide financial assistance to victims of disasters.

However, do not let the name, "**U.S. Small Business Administration**," confuse you. As a homeowner or a person who is renting, you may apply to SBA for a loan to help you recover from this disaster. The information contained in this brochure is designed to provide you with as much information as possible to make it easier for you to apply for a loan.

Type of Loans Available

As a homeowner, there is one basic loan, with two purposes, available to you:

Personal Property Loan: This is limited to \$20,000 and is meant to help you repair or replace the personal property you lost in the disaster, such as clothing, furniture, automobiles, etc. As a rule of thumb, personal property is anything which is not considered real estate or a part of the actual structure. This loan may not be used to replace extraordinarily expensive or irreplaceable items, such as antiques, collections, pleasure boats, recreational vehicles, fur coats, etc.

Real Property Loan: Homeowners may apply for a loan of up to \$100,000 to repair or restore their primary home to its *pre-disaster condition*. The loan may not be used to upgrade the home or make additions to it. However, in the event that city or county building codes require structural improvements, the loan may be used to comply with these requirements.

Note: A renter may apply only for a personal property loan.

Insurance Proceeds: If you have insurance coverage on your personal property/home, the amount you will receive from the insurance

company will be deducted from the total damage to your property in order to determine the amount for which you are eligible to apply to SBA.

If you are *required* to apply insurance proceeds against an outstanding mortgage, the amount applied can be included in your disaster loan. But, if you *voluntarily* apply insurance proceeds against an outstanding mortgage, the amount applied cannot be included in your disaster loan.

If you have not made settlement or are having trouble reaching an agreement with your insurance company, then you may apply for a loan in the full amount of your damages and give SBA an assignment on any insurance proceeds to be received.

Interest Rates on Loans: The law requires a test of your ability to obtain funds elsewhere in order to determine the rate of interest which will be charged on your loan. This "credit elsewhere" test also applies to applicants for personal property loans.

Applicants Determined to be Able to Obtain Credit Elsewhere: The interest rate to be charged is based on the cost of money to the United States Government, but will not be more than 8 percent per year.

Applicants Determined to be Unable to Obtain Credit Elsewhere: The interest rate to be charged will be one-half (1/2) of the interest rate mentioned above, but will not be more than 4 percent per year.

Term of Loan: The maximum maturity, or repayment term of an SBA loan, is set at 30 years. However, the SBA will determine on a case-by-case basis how long you will have to repay the loan, based on your ability to repay.

Frequently Asked Questions About SBA Loans

Q. How much can I borrow?

A. The amount of money which SBA will lend to you will be based upon the actual cost of repairing your damaged home and/or personal property or replacing your destroyed home and/or personal property, minus any insurance settlements or other reimbursements or grants. The total loan amount is subject to the limits set out above.

Q. Must I use my own money or try to borrow from a bank before coming to SBA?

No.

Q. I already have a mortgage on my home. I can't afford a disaster loan plus my current mortgage payment? Can SBA refinance my mortgage?

A. In certain cases, yes. In order to be eligible for refinancing of a mortgage, SBA must determine (a) that you are unable to obtain credit elsewhere, (b) that your property has been destroyed or substantially damaged, and the property will be repaired or replaced, and (c) that the amount to be refinanced will not exceed the amount of the real estate damage. An SBA loan officer can provide you with more detailed information on your specific situation.

Q. What information do I need to submit for a home and/or personal property loan?

A. The necessary information is specified in the loan application. In all cases, it includes an itemized list of personal property losses with repair or replacement costs of each item. It also includes a copy of your last two years' Federal income tax returns. If you have pictures of the damaged property, these also are helpful.

Q. Will SBA check the losses I claim?

A. Yes. Once you have returned your loan application, an SBA loss verifier will visit you to determine the extent of the damage and the reasonableness of the loan request.

Q. How soon will I know if I will get a loan?

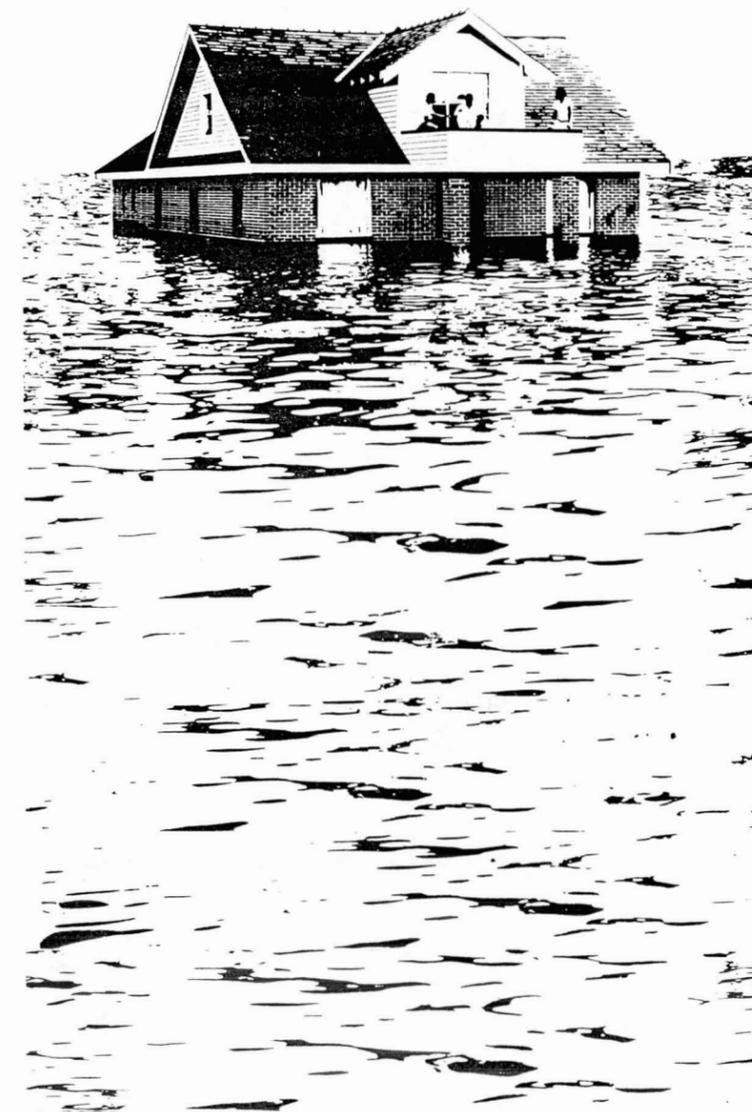
A. That depends on how soon you file a complete SBA loan application. The SBA disaster relief program is not an immediate, emergency relief program such as Red Cross assistance, temporary housing assistance, etc. It is a loan program to help you in your long-term rebuilding and repairing. As a loan program, we have to know the cost of repairing the damage, be satisfied that you can repay the loan, and take reasonable safeguards to help make sure the loan is repaid. The SBA loan application asks for the *information we need*. The faster you can return it to us, *with all the needed information*, the faster we can work on it. We try to get all applications processed through to a decision not later than 60 days after they are filed. The ones that are filed early can be completed in a much shorter time. Applications are processed in the order received, so it is in your interest to file early. *Be sure your application is complete because missing information is the biggest cause of delay.*

Q. How soon can I expect the money?

A. Loans over \$5,000 have to be secured. We won't decline a loan just because you do not have enough collateral, but we do ask for whatever collateral is available. This means that after a loan is approved there are other steps that you have to take. Usually, the security consists of a first or second mortgage on the damaged real estate. After we approve the loan we will tell you what has to be done (these are the loan closing documents, just like in any other secured loan). When the loan closing documents are returned to us, we can order the checks. Because these are subsidized loans, we will not give you all the money at once; we will give it to you in installments, as you use it to repair or replace the damage.

SBA

Disaster Loans for Homes and Personal Property

U.S. Small Business Administration**Q. Should I wait for my insurance settlement before I apply to SBA?**

A. No. If you do not know how much of your loss will be covered by insurance or other sources, SBA will consider making a loan for the full amount of the loss, *provided* that you will assign the insurance check to SBA in order to lower the amount of the SBA loan. However, total funds advanced by SBA to restore real property may not exceed \$100,000 under any circumstances.

Q. I would like to get a contractor's estimate for the cost of repairing damage to my home, but I'm having trouble finding one. Should I hold up my application until I get the estimate?

A. No, because you might miss the deadline for filing your application just because you are waiting for a contractor's estimate. If you have one, include it. SBA will verify any damage estimates listed on your loan application. Also, the sooner you file a completed application the sooner it can be processed by SBA.

Q. If I receive a disaster loan, may I spend the money any way I want?

A. No. The disaster loan is intended to help you return your property to the same condition it was in before the disaster. Your loan will be made for specific and designated purposes. Remember that the penalty for misusing disaster funds is *immediate repayment of 1½ times the original amount of the loan*. SBA requires that you obtain receipts and maintain good records of all loan expenditures as you restore your damaged property and keep these receipts and records for three years.

Q. If my home is completely destroyed, can SBA lend me money to relocate my home somewhere else?

A. If you are unable to obtain a building permit to rebuild your home or replace it at its original site, the cost of relocating your home might be

included in the loan amount. But, if you decide to relocate your home without being required to, an SBA loan can be obtained only for the exact amount of the damage.

Q. I am a farmer. My home was damaged, and so were my barns, fences, and some of my crops. Am I eligible to apply for SBA assistance?

A. You may apply to SBA for a loan to cover the damage to your home and its contents only. However, it may be in your interest to seek assistance first from the Farmers Home Administration for all your damage.

Q. Are secondary homes or vacation homes eligible for loans?

A. No, not as homes. They may be eligible for business disaster loans under certain conditions.

Q. Are there any other limitations?

A. Yes. Generally, loans will not be made for damage to personal pleasure boats, planes, recreational vehicles, antiques, collections, etc. Also, amounts for landscaping, family swimming pools, etc. are limited.

Q. Is there a minimum monthly payment, and when would the first payment be due?

A. SBA does not have a minimum monthly payment. Payments vary depending upon income and expenses, size of family, and other circumstances that may affect your repayment ability. Generally, the first payment is not due until five months after the date of the loan.

Q. I had to remove debris from my property after the disaster. Can this expense be included in my loan application?

A. Yes, but your own labor and that of family members cannot be included. Amounts paid to others and any equipment rental can be listed as

part of repairs to real estate. Remember that the maximum loan limit on real estate damage is \$100,000, and debris removal is included in the limit.

Q. May people over the age of 65 apply for help from SBA?

A. Yes. Loans are made without regard to age.

Q. I've heard that SBA loan applications are complicated and hard to complete. Is this true?

A. No. The application form asks you the same information that a banker would ask you if you went to a banker to borrow money. If you need help, SBA personnel are available to explain the forms and give you assistance *at no charge*. You may use the services of an accountant or attorney if you wish, but be sure they are reliable and that their fees are reasonable. If you choose to use an attorney or an accountant, you must report their fees on your SBA loan application form.

Q. Are damages to cars and mobile homes eligible?

A. Generally, yes. The loan would be only for uninsured losses.

Q. Do I need flood insurance to get a loan?

A. If you are in a special flood hazard area, you must have flood insurance before we can disburse a loan. The amount of insurance required is the insurable value of the property in the special flood hazard area but not to exceed the maximum flood insurance available under the National Flood Insurance Act.

U.S. Small Business Administration
Disaster Assistance Division



American
Red Cross



FLOODS



FIRES



TRANSPORTATION WRECKS



FOREST FIRES



EXPLOSIONS



EARTHQUAKES



EPIDEMICS



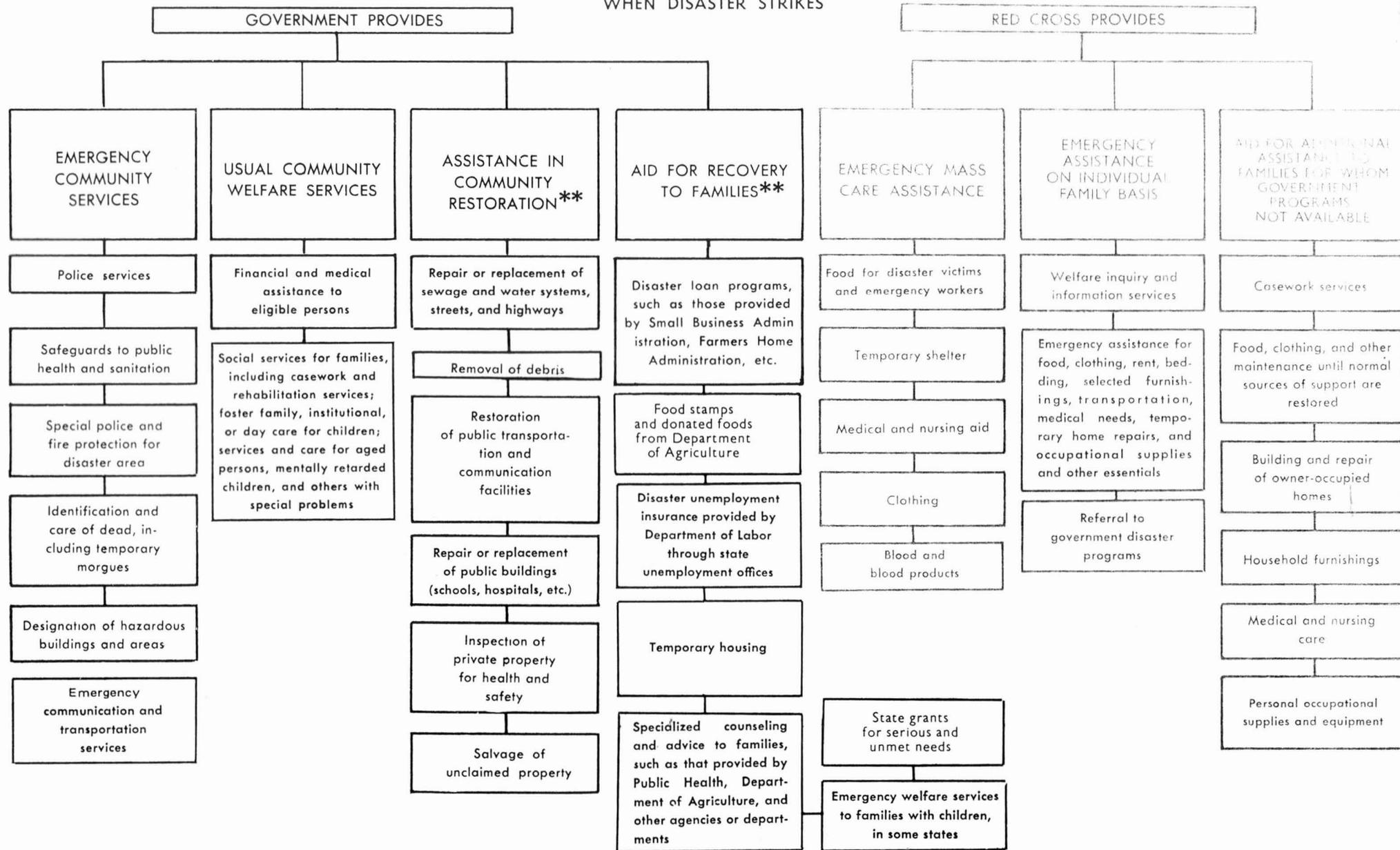
HURRICANES



TORNADOES

YOUR
COMMUNITY
COULD
HAVE A
DISASTER

WHEN DISASTER STRIKES



* The chart shows how distinct and yet how closely related are the responsibilities of Red Cross and of government in natural disasters.

** Some of these programs are activated only after a Presidential Declaration of a major disaster. Federal disaster assistance is coordinated by the Federal Emergency Management Agency (FEMA).

Red Cross and government are both needed to perform disaster functions.

RESPONSIBILITIES IN NATURAL DISASTERS*

LOCAL GOVERNMENT AUTHORITY

DISASTER COORDINATOR

RESPONSIBILITIES OF GOVERNMENT

Protection of life and property, public health and welfare, repair or replacement of public property, and help to disaster victims (Financed by public agencies from tax funds)

RESPONSIBILITIES OF RED CROSS

The relief of persons in need as a result of disaster
(Financed by Red Cross from voluntary contributions)

GOVERNMENT

Issues official warnings and designates hazardous zones
Enforces evacuation from threatened areas
Provides means of rescue and evacuation and directs these means
Organizes and coordinates all government departments and agencies

WHEN DISASTER THREATENS

RED CROSS

Assists government agencies in disseminating official warnings
Coordinates Red Cross resources for voluntary evacuation
Mobilizes trained volunteers to assist in rescue
Transports and temporarily stores household goods
Assists in coordination of voluntary agencies' relief efforts

THE RED CROSS JOB DURING A DISASTER

When floods, hurricanes, or other natural disasters threaten, or immediately on their occurrence, the Red Cross provides food, clothing, shelter, blood and blood products, and medical and nursing or hospital care on the basis of evident need. Fre-

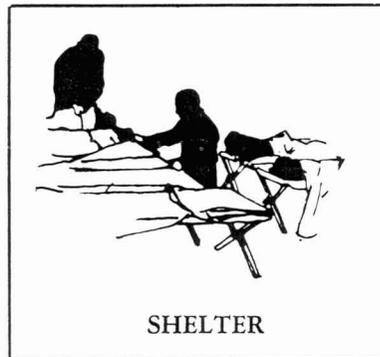
quently this assistance is given to large numbers of people on a mass care basis, but, whenever possible, the Red Cross deals directly with each family on an individual basis.



FOOD



FIRST AID



SHELTER

HOW RED CROSS GIVES IMMEDIATE ASSISTANCE TO FAMILIES

When disaster victims can resume living as family units, Red Cross will provide emergency assistance with food, clothing, rent, transportation, temporary home repairs, medical and health needs, selected furnishings, and personal occupational supplies and equipment, and other essentials. Red Cross refers

families to government disaster programs, provides additional assistance with major needs to families for whom such programs are not available. This aid may include building and repair, replacement of essential household furnishings, and other help.



FOOD, CLOTHING &
OTHER MAINTENANCE



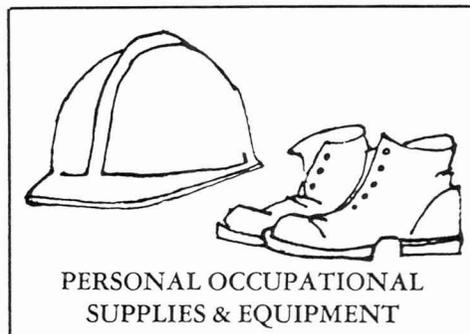
MEDICAL, NURSING &
HOSPITAL CARE



BUILDING & REPAIR



HOUSEHOLD FURNISHINGS



PERSONAL OCCUPATIONAL
SUPPLIES & EQUIPMENT

RED CROSS
Assistance to disaster victims
is given—not loaned.

No repayment of any kind is asked or expected.

MAJOR CHANGES TO THE SBA DISASTER ASSISTANCE PROGRAM
(resulting from Public Law 100-590)

- Increased the unsecured physical disaster loan amount from \$5,000 to \$10,000.
- Provided for loan increases of up to 20 percent for hazard mitigating measures.
- Includes contiguous counties in all SBA Administrator declarations. This provision does not apply to presidential declarations. The president through FEMA has the ability, where deemed necessary, to add contiguous counties.
- Adjusted the interest rate for non-profit organizations, where credit is not available elsewhere, to 4 percent.
- Several of the other provisions of the law should help in the delivery of the disaster loan program. They include priority funding etc. These are related more to the administration of the program which will benefit the disaster victim more indirectly than directly.

WHAT IS THE USUAL CRITERIA FOR RECOMMENDING AN SBA DECLARATION?

Criteria for Recommending SBA Declaration

Physical

- a. At least 25 homes and/or businesses in any county or other political subdivision each have suffered uninsured losses of at least 40 percent of their estimated fair replacement value; or
- b. At least three businesses have been damaged to the same extent and at least a quarter of the work force in the community would be unemployed for at least 90 days as a result of such damage.

Economic Injury

- a. Available under all physical declarations.
- b. Certification by Governor that at least 5 small business concerns in the state have suffered substantial economic injury due to a disaster.
- c. SBA may provide economic injury assistance for a natural disaster, determined by the Secretary of Agriculture. Under these designations SBA makes economic injury assistance available to eligible small businesses.

Generally, for physical disasters, an Area Office shall not recommend an SBA disaster declaration unless one of the two damage criteria has been met.

At least 25 homes or 25 businesses, or a combination of 25 eligibles in any county or political subdivision have sustained uninsured loss equal to 40 percent or more of their estimated fair replacement value. This does not mean that 25 separate houses (homes) and commercial buildings must each have suffered structural damage, but rather that 25 separate disaster victims have suffered qualifying losses whether it be damage to real property or personal property.

The following illustrations are given to clarify the interpretation of this rule.

Homes If 25 tenants of one apartment building, which may be owned by one person, each suffer uninsured losses of 40 percent or more of the estimated fair replacement value of their personal property (furniture, household appliances, etc.), the qualifying declaration loss criteria have been met.

Businesses If 25 separate businesses are tenants of one building and each business suffers uninsured losses of 40 percent or more of the estimated fair replacement value of its personal property (furniture and fixtures, machinery and equipment, inventory, etc.), the qualifying declaration loss criteria have been met.

Area office recommendations for economic injury declarations are based on the quality and reliability of the information submitted to support the Governors certification.

DOES THE SBA DISASTER LOAN PROGRAM DIFFER UNDER PRESIDENTIAL VS. SBA ADMINISTRATIVE DECLARATIONS?

The SBA Disaster Loan Program is the same under either declaration.

When an SBA only declaration is declared the only program available is disaster loans. Whereby in a Presidential declaration a number of other assistance programs administered by FEMA and the State come into play for homeowners and renters. In both instances the only federal assistance available for businesses is the SBA disaster loan.

Economic injury loans can also be made available where a declaration for a physical disaster was not declared. This can occur in either of two ways, by a governor's certification or by a declaration by the Secretary of Agriculture for farmers.

In the instance of a Secretary of Agriculture declaration the SBA can make economic injury loans available to businesses that have suffered financial losses as a direct result of the disaster losses to farmers and ranchers.

WHAT ARE SBA DISASTER DECLARATION PROCEDURES?

SBA Disaster Declaration Procedures

All requests for SBA Physical and/or Economic Injury Disaster Declarations must be made by the Governor of the State wherein the disaster occurred.

- a. Governor's request for Presidential (Major) Disaster Declarations are made directly to the Federal Emergency Management Agency (FEMA).
- b. Governor's requests for SBA Disaster Declarations ,both physical and economic, are made to the SBA Regional Office servicing the affected areas. The regional office will immediately forward these requests to the appropriate SBA Area Office. The area office will then conduct the disaster damage survey and process the request to SBA Central Office in Washington D.C.
- c. All Governors' requests for SBA Physical Disaster Declarations must be made within 60 days of the incident period of a disaster.
- d. All Governors' requests for SBA Economic Injury Declarations must be made within 120 days of the incident period of the disaster.

U.S. Small Business Administration

FACT SHEET

DISASTER LOANS

WIND/FIRE DISASTER, LOS ANGELES COUNTY AND THE CONTIGUOUS COUNTIES OF KERN, ORANGE, SAN BERNARDINO, AND VENTURA, WHICH OCCURRED BETWEEN DECEMBER 7 AND DECEMBER 9, 1988

TYPES OF DISASTER LOANS:

- * Home Disaster Loans: Loans to homeowners or renters to repair or replace disaster related damage to homes or personal property that is owned by the applicant. Renters are eligible for personal property loans.
- * Business Physical Disaster Loans: Loans to businesses to repair or replace disaster related damaged property owned by the business, including inventory and supplies.
- * Economic Injury Disaster Loans: Working capital loans (referred to as EIDL) to small businesses and to small agricultural cooperatives to assist them through the disaster recovery period. These loans are available only if the business or its owners cannot obtain this type of assistance from non-government sources. This determination is made by SBA.

CREDIT REQUIREMENTS:

- * These are loans and you must show that you have the ability to repay them. Physical loss loans in excess of \$10,000 and EIDL loans in excess of \$5,000 must be secured with collateral. Generally, for individuals, that will include a lien on the applicant's real estate. However, loans will not be declined for lack of a fixed amount of collateral.
- * There are different interest rates and terms for these loans. They depend on whether or not you could recover from your disaster damage with your own funds or have the ability to borrow through non-government sources. It is called "Credit Available Elsewhere" and "Credit Not Available Elsewhere." This determination is made by SBA.

INTEREST RATES:

	Credit Available Elsewhere	Credit Not Available Elsewhere
Home Loans (includes personal property loans)	<u>8 %</u>	<u>4 %</u>
Business Loans	<u>8 %</u>	<u>4 %</u>
Non-profit Organizations	<u>9.125%</u>	<u>4 %</u>
Economic Injury Loans	<u>N/A%</u>	<u>4 %</u>

LOAN AMOUNT:

- * For homeowners and renters, up to \$100,000 for repair or replacement of real estate; up to \$20,000 for repair or replacement of personal property. The loan amount is limited to the amount of uninsured, SBA verified losses, but may be increased by up to 20 percent for mitigating devices for damaged real property.
- * For business physical disaster loans, up to 100 percent of the uninsured, SBA verified loss not to exceed \$500,000. Within this limit, the loan may be increased by up to 20 percent for mitigating devices for damaged real property.
- * Any insurance proceeds that are required to be applied against outstanding mortgages may be included in disaster loan eligibility. Any insurance proceeds that are voluntarily applied against outstanding mortgages by the owner may not be included in disaster loan eligibility.
- * Refinancing of existing mortgages on homes and business property is possible in some circumstances. Consult an SBA representative for further information.
- * For Economic Injury, up to \$500,000.
- * The total amount to any one business entity (including affiliates for combined Economic Injury and Business Disaster Loans) cannot exceed \$500,000.

LOAN TERM:

- * For businesses with "Credit Available Elsewhere," the maximum term is up to three (3) years.
- * For all other borrowers, loan terms not to exceed 30 years are available. Loan terms are individually determined based upon what is reasonable in consideration of your repayment capability.

LOAN LIMITATIONS:

- * No loans for damages to secondary homes.
- * No loans for damage to personal pleasure boats, planes, recreational vehicles, antiques, collections, etc.
- * Limitation on loan amounts for landscaping, family swimming pools, etc.

FLOOD INSURANCE REQUIREMENTS:

- * Applicants who have SBA loans that require them to maintain flood insurance are not eligible for loans if they have not maintained their insurance.
- * If your property is located in a special flood hazard area, you must purchase and maintain flood insurance for the insurable value of your property, regardless of the amount of your loan.

LOAN APPLICATION FILING DEADLINES:

- * Applications for physical damage to homes, personal property, businesses: March 27, 1989.
- * Applications for Economic Injury: October 26, 1989.

U.S. Small Business Administration
FACT SHEET
ECONOMIC INJURY DISASTER LOANS

SBA DISASTER DECLARATION DUE TO DESIGNATION BY THE SECRETARY OF AGRICULTURE

COCHISE and GRAHAM COUNTIES, ARIZONA have been designated an economic disaster area because of damages and losses to fruit and nut crops due to freezing temperatures, which occurred between March 18 and May 3, 1988.

As a result of the disaster designation, small non-farm businesses and small agricultural cooperatives may qualify for economic injury disaster loans.

TYPE OF LOAN:

- * Economic injury disaster loans (called EIDL's) are working capital loans to meet necessary financial obligations which cannot be met because of the disaster.

ELIGIBILITY LIMITATIONS:

- * Only small businesses and small agricultural cooperatives are eligible.
- * The economic injury must have been the direct result of the disaster designated by the Secretary of Agriculture. This means that the economic injury must be the direct result of disaster losses to farmers and ranchers. Eligibility is restricted to agri-dependent businesses.
- * The applicant business must be located in the declared disaster area.
- * Loan assistance is available only to the extent the business and its owners cannot meet necessary financial obligations due to the disaster. This determination is made by SBA.
- * Only applicants which do not have "credit available elsewhere" are eligible. That determination is made by SBA based on whether the business and its owners cannot recover from the disaster injury with their own resources or by borrowing from non-government sources.
- * Farmers and ranchers are not eligible. Assistance for farmers and ranchers is provided by the U. S. Department of Agriculture.
- * Certain other businesses may not be eligible. These include businesses engaged in holding real estate for lease or rent, such as landlords.

OVER

CREDIT REQUIREMENTS:

- * These are loans and applicants must show that they have repayment ability. Loans in excess of \$5,000 must be secured with collateral. Generally, this will include a lien on the applicant's business and/or personal real estate. However, loans will not be declined for lack of a fixed amount of collateral.

INTEREST RATES:

- * The interest rate for small businesses unable to obtain credit elsewhere is 4%.
- * The interest rate for small agricultural cooperatives unable to obtain credit elsewhere is 9%.

LOAN AMOUNT:

- * The total loan amount to any one business entity (including affiliates) cannot exceed \$500,000. Actual loan amounts are determined by SBA based on the amount of disaster-caused economic injury and the business' disaster-caused financial needs.

LOAN TERM:

- * Loan terms not to exceed 30 years are available. Loan terms are individually determined based upon what is reasonable in consideration of the applicant's repayment ability.

FLOOD INSURANCE REQUIREMENTS:

- * Applicants with existing SBA loans which require them to maintain flood insurance are not eligible if they have not maintained their flood insurance.
- * If collateral securing the loan is located in a special flood hazard area, the applicant may be required to purchase and maintain flood insurance as a condition of any loan.

LOAN APPLICATION FILING DEADLINE:

- * Applications for this declared disaster must be filed by March 6, 1989.

For additional information, contact SBA, Disaster Assistance - Area 4, P. O. Box 13795, Sacramento, California 95853-4795. Or, call us toll free, Monday through Friday between 8:00 a.m. and 4:30 p.m. (Pacific time zone) at 1-800-468-1713 (in California) or 1-800-468-1710 (all other states).

Disaster Assistance Training

HAZARD MITIGATION WORKSHOP

March 29
Day 1

1:00 p.m.	<u>Post Disaster Hazard Mitigation Planning</u>	Viki Doty FEMA
	* Hazard Mitigation Planning Teams	
	* Interagency Hazard Mitigation Teams	
	* State and Local Hazard Mitigation Plans	
1:45 p.m.	<u>Arizona Hazard Mitigation Planning Program</u>	Barbara Corsette ADES
	* State Hazard Mitigation Team	
	* Existing State Hazard Mitigation Plan	
	* Special Projects	
	* Approaches for Future Disaster Declarations	
2:30 p.m.	<u>Break</u>	
2:45 p.m.	<u>Funding of Hazard Mitigation Measures</u>	
	Small Business Administration Authorities	John Brenner
	* Funding of Hazard Mitigation Measures	SBA
	* Required Upgrading or Relocation	
	FEMA Funding Authorities	Viki Doty
	* Funding of FEMA Required Measures	FEMA
	* Post-Disaster Hazard Mitigation Grant Program	
	* Hazard Mitigation Assistance Program	
3:45 p.m.	<u>Scenario Presentation</u>	
4:00 p.m.	Adjourn	

Disaster Assistance Training

HAZARD MITIGATION WORKSHOP

March 30, 1989

Day 2

9:00 a.m.	<u>Floodplain Management</u>	
	National Flood Insurance Program	Terri Miller
	* Floodplain Management Issues	DWR
	* Pre-disaster Requirement to Purchase Insurance	
	Executive Order 11988	Viki Doty
	* Floodplain Management	FEMA
	* Formulating Consistent Recommendations	
10:30 a.m.	<u>Break</u>	
10:45 a.m.	<u>Exercise</u>	Participants
12:00 Noon	<u>Lunch</u>	
1:00 p.m.	<u>Continuation of Exercise</u>	
2:30 p.m.	<u>Break</u>	
2:45 p.m.	<u>Reconvene in General Session</u>	
4:00 p.m.	<u>Adjourn</u>	

DESCRIPTION OF BASIC PROGRAMS IN DAC

A. TEMPORARY HOUSING ASSISTANCE. Interviewers take applications for individuals whose primary residences cannot or should not be lived in because of damage or other disaster-related reasons. The purpose of the program is to make sure people have a safe place to live until their homes can be repaired.

B. INDIVIDUAL AND FAMILY GRANT PROGRAM. Interviewers take applications for individuals who have serious needs and necessary expenses which are not met by insurance benefits or other government disaster assistance programs (e.g. SBA or FmHA loans). Grants of up to \$10,000 may be given for assistance under the following categories: medical/dental expenses, transportation expenses, home repair, replacement of essential personal property, and funeral expenses.

C. EMERGENCY SERVICES. Voluntary organizations (e.g. the American Red Cross, Salvation Army and Mennonite Disaster Services) and local private sources, provide disaster victims with assistance to meet their emergency needs. Such assistance may include, but is not limited to:

1. Immediate food, clothing, shelter, medical attention, and such items as false teeth, prescription medicines, eyeglasses, artificial limbs, etc.

2. Financial assistance for emergency home repair or replacement of essential household items.

3. Skilled and unskilled labor for debris removal and/or home repair and rehabilitation.

D. DISASTER LOANS (SBA).

1. Home/Personal Property Physical Disaster Loans. Disaster loans or refinancing of existing loans are available to homeowners and renters for restoring or replacing the home and personal property as nearly as possible to predisaster condition. The maximum real estate portion of the loan is \$100,000, and the maximum portion for personal property, also available to renters, is \$20,000. Applicants may borrow 100 percent of their verified loss. Interest rates are based on the applicant's ability to obtain credit elsewhere, although they are not required to do so.

2. Business Physical Disaster Loans. Disaster loans are available to privately owned colleges, non-profit organizations, libraries, and businesses, including major sources of employment, to repair or replace destroyed or damaged facilities, inventory, machinery, or equipment. The maximum loan amount is \$500,000, which may be waived when the applicant is a major source of employment in the area. Applicants may borrow 100 percent of their verified loss.

The term of business loans may not exceed 30 years, except a loan to a business able to obtain credit elsewhere may not exceed 3 years. The maturity and interest rates are based on the borrower's ability to repay.

3. Economic Injury Disaster Loans for Businesses (EIDL). The purpose is to provide working capital to enable small businesses to recover from adverse economic impacts resulting from a disaster. Only small businesses and small, non-farm agricultural cooperatives which are unable to obtain credit elsewhere are eligible. There is no requirement to have had a physical loss.

The maximum loan amount is \$500,000 for any combination of physical disaster loan and an EIDL. This limitation may be waived if the applicant is a major source of employment. The term of the loan may not exceed 30 years.

E. TAX ASSISTANCE. The Internal Revenue Service provides counseling and assistance in the form of income tax refunds to disaster victims who file income tax returns during the year of the disaster occurrence, or, by amendment to the previous year's return. Uninsured losses are only deductible to the extent they exceed 10 percent of the adjusted gross income. Benefits may also result from filing amended State income tax returns. Also, county assessors may provide information of possible property tax relief.

DESCRIPTIONS OF OTHER PROGRAMS IN DAC

A. UNEMPLOYMENT ASSISTANCE. Disaster Unemployment Assistance (DUA) is a program which provides unemployment benefits and reemployment services to individuals who have become unemployed because of major disasters. The DUA program is run by the State Employment Security Agency.

The application period is for 30 days, with the benefit period starting with the week (as defined in State law) following the disaster incident or the date that the individual became unemployed, continuing up to 26 weeks after the date of declaration or until the individual becomes reemployed.

B. AGRICULTURAL AID.

1. FmHA Emergency (EM) Loans. FmHA can make EM loans available in counties that the President or the Secretary of Agriculture has declared a major disaster area, as well as all counties contiguous to declared counties. These EM loans are for severe physical and/or production losses and may be used for: repair or replacement of disaster damaged or destroyed farm property or other expenses incurred or needed to continue farming operations.

a. Loan eligibility is limited to an applicant who:

(1) Has suffered property damage or severe production losses from a natural disaster;

(2) Is a U.S. citizen or a legal resident alien;

(3) Is an established farm, ranch, or aquaculture operator;

(4) Is unable to obtain credit elsewhere;

(5) Offers all assets as lien to FmHA, as well as liquidates all nonessential assets;

(6) Evidences adequate repayment ability, and possesses such characteristics as diligence, ability, training, or experience necessary to reasonably assure repayment of the loan(s) requested; and

(7) Has losses to crops that are not insurable under the Federal Crop Insurance Corporation.

b. The loan limit is 80 percent of the sum of the calculated actual production loss and/or 100 percent of the actual physical loss, or

\$500,000, whichever is less, per borrower per each disaster declaration/designation.

c. Loan repayment time is usually 7 years (but may be up to 20 years) for production losses and 30 years (but may be up to 40 years) for physical losses.

2. Agricultural Stabilization and Conservation Service (ASCS). ASCS has several disaster assistance programs available:

a. Agricultural Conservation Program is used to replace some conservation structures destroyed by natural disasters on eligible lands.

b. Emergency Conservation Program provides assistance for repair or replacement of permanent fencing; debris removal from cropland and fields; grading and rehabilitating farmland; and other assistance as needed and approved by the county ASC committee. It is a cost-share of 64 percent of the cost of the work, with the farmer paying the remainder. (FmHA can lend 36 percent to cover the farmer's share.)

c. Emergency Feed Assistance Program & Emergency Feed Program provide assistance (reduced rates or cost-share) for the farmer's obtaining necessary livestock feed.

d. Haying and Grazing may be authorized on acreage conservation reserve land retired from the production of annual program crops.

e. Indian Acute Distress Donation Program allows government-owned feed grains to be donated to Indian tribes for livestock feeding, as the need proves warranted.

3. Soil Conservation Service provides technical and financial assistance for runoff retardation and soil erosion prevention as needed to reduce hazards to life and property from floods, drought and the products of erosion on any watershed impaired by a natural disaster.

C. Local Officials. Two types of assistance that may be offered local area residents are: (1) property tax adjustments; and (2) debris clearance, when property contains disaster-generated debris producing health or safety risks.

D. Insurance Services. Information and assistance provided by the State Insurance Commissioner, the American Insurance Association, and FEMA's National Flood Insurance Program. Such assistance can include counseling on insurance problems and questions, as well as obtaining copies of lost policies, claims filing, expediting settlements, etc.

E. Legal Services. Free legal counseling to low-income persons for disaster-related problems; may include replacing legal documents,

transferring titles, contracting problems, will probates, insurance problems, etc. Fee-generating cases such as civil lawsuits for damages where legal fees are based on court or out-of-court settlements, are referred to other lawyers. These services are usually provided by the Young Lawyers Division (YLD) of the American Bar Association, though non-YLD attorneys may also be available.

F. Social Security. The Social Security Administration assists annuitants in address changes and expedited check delivery, and provides assistance in applying for disability, death and survivor benefits and Social Security Insurance payments.

G. Veterans Benefits. The Veterans Administration (VA) representatives will record any necessary address changes or assist in applying for VA death benefits, pensions, insurance settlements and adjustments to VA-insured home mortgages.

H. Food Stamps. Food coupons may be issued by a State agency, such as Social Services or Welfare Department. This 30-day increment of free food stamps is normally administered when commercial channels of food distribution have been restored, after disruption caused by the disaster, and the ongoing food stamp program is unable to expeditiously handle the number of potentially eligible households affected by the disaster and who are in need of emergency food assistance.

I. Consumer Services. The State Attorney General's Office provides counseling on consumer problems, such as nonavailability of products and services needed for reconstruction, price gouging, and disreputable business concerns and practices. May involve coordination with insurance and/or legal counseling.

J. Aging Services. Area Offices of Aging can provide transportation for the elderly to and from the DAC, assistance in applying for appropriate assistance in the DAC, completing loan applications and other forms, and other types of assistance.

K. Crisis Counseling. Local mental health centers can provide referral services and short-term counseling for mental health problems caused or aggravated by the disaster.

L. Hazard Mitigation. Counseling may be offered individuals regarding what steps they can take to lessen future flooding losses to property.

FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER ASSISTANCE REGISTRATION/APPLICATION

See Privacy Act
on Reverse

CONTROL No. **J 7832**

O.M.B. No. 3067-0009
Expires June 30, 1987

A APPLICANT INFORMATION

1. NAME OF APPLICANT (Last, First, MI) _____ 2. NAME OF SPOUSE/Co-Applicant (Last, First, MI) _____ 3. SSN _____
 APPLICANT _____
 SPOUSE _____

4. GIVE A BRIEF SUMMARY OF HOW YOU WERE AFFECTED BY THE DISASTER

5. DATE OF LOSS _____

6. ADDRESS OF DAMAGED PROPERTY

No.	Dir.	Street	City	State	Zip	7. COUNTY
-----	------	--------	------	-------	-----	-----------

8. PRIMARY RESIDENCE

NO, go to 9 YES → Own/Rent Free Rent House Mobile Home Apartment/Duplex Other

9. CURRENT MAILING ADDRESS

No.	Dir.	Street	City	State	Zip
-----	------	--------	------	-------	-----

Same as above

10. PHONE NUMBER(S)

CURRENT PHONE ()	WORK PHONE ()	ALTERNATE PHONE ()
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11. Was your BUSINESS damaged (includes rental property you own, but not farm property)? YES NO
 12. Was your FARM damaged (includes crops, livestock, farm bldgs., machinery, but not FARM HOME)? YES NO
 13. Have you lost time at work or become UNEMPLOYED due to this disaster (includes Self-Employed)? YES NO
 14. Are your disaster-related needs LIMITED to BUSINESS or FARM damage, or UNEMPLOYMENT? YES NO
 15. Do you have EMERGENCY need for CLOTHING, SHELTER or FOOD? YES NO
 16. Do you have disaster related MEDICAL, DENTAL, or FUNERAL EXPENSES? YES NO
 17. Was your HOME or PERSONAL PROPERTY affected (includes vehicles)? YES NO
 18. Do you need any services related to Items D9 through D19? YES NO

Check D2, 6, 8
 Check D2, 7, 8
 Check D5
 STOP - Skip to D9 - 11
 Check D3, 4
 Check D3, C[4]
 Check D2, 8
 Check as Appropriate

19. HOUSEHOLD

NAMES OF ALL PERSONS LIVING IN HOME AT THE TIME OF DISASTER	RELATION TO HEAD OF HOUSEHOLD	SEX	AGE	DEP. Y/N	continued
	HOH				

20. Has anyone listed above also visited a DAC and applied for assistance? (Name): _____

B INSURANCE/HOUSING INFORMATION (Registrar: Advise applicant on disaster housing assistance)

1. DAMAGE OR LOSSES CAUSED BY: Flood Wind Other Rain Fire

2. INSURANCE COVERAGE: NO INSURANCE Homeowners/Renters Mobile Home FLOOD - Policy No. & Company _____

REGISTRAR: If damage is limited to wind, rain and/or fire and applicant has homeowners/renters insurance, check B[2], skip to C.

3. Have any of the following items been SO SEVERELY affected that you and your family SHOULD NOT LIVE IN your primary residence?

Foundation/Outside Walls Roof Only Access (Bridge/Road)
 Debris/Standing Water/Mud Utility Furnace (Season) Other _____

YES, check B[1] and continue NO, continue

4. Have you made any repairs to the above items at your own expense TO ENABLE YOU TO LIVE THERE?

YES, check B[1] NO - If B3 and B4 above are NO, check B[3] below

APPLICATION DECISION: B [1] Temporary Housing Application B[3] No Application-Insufficient Damage/Expense
 B [2] No Application - Insurance

5. CURRENT LOCATION: Friends/Family Mass Shelter Hotel/Motel Rental Unit

6. PAID FOR BY: Applicant Red Cross No Cost Other

C INCOME INFORMATION (Registrar: Advise applicant on SBA and IFG programs)

1. DAMAGE ESTIMATE

Real Estate	\$ _____
Personal Property	\$ _____
Other	\$ _____

3. INCOME TEST

a. Gross Income of Applicant \$ _____
 b. Other gross income (include spouse's income, interest, dividends) _____
 c. Total (a + b) _____
 d. SBA minimum cost of living amount for this size household _____

2. NUMBER OF DEPENDENTS IN HOUSEHOLD INCLUDING APPLICANT: _____

If 3d is LESS than 3c: - Check C[1] below, Issue SBA Application
 If 3d is GREATER than 3c: - Check D1 and go to Section E

APPLICATION DECISION: C [1] SBA Application Issued [3] SBA Decline Issued - This IS an IFG Application for Housing, Personal Property and Transportation
 C [2] SBA Application Refused [4] MEDICAL, DENTAL, FUNERAL EXPENSES-This IS an IFG Application

D REFERRALS (Initial in blank spaces)

<input type="checkbox"/> 1. Summary Decision (SBA)	<input type="checkbox"/> 6. Business Loans (SBA)	<input type="checkbox"/> 11. Legal Services	<input type="checkbox"/> 16. Aging Services
<input type="checkbox"/> 2. Map Reader	<input type="checkbox"/> 7. Agricultural Aid	<input type="checkbox"/> 12. Social Security	<input type="checkbox"/> 17. _____
<input type="checkbox"/> 3. American Red Cross	<input type="checkbox"/> 8. Tax Assistance	<input type="checkbox"/> 13. Veterans Services	<input type="checkbox"/> 18. _____
<input type="checkbox"/> 4. Vol. Agency	<input type="checkbox"/> 9. Local Officials	<input type="checkbox"/> 14. Food Stamps	<input type="checkbox"/> 19. _____
<input type="checkbox"/> 5. Unempt. Assistance	<input type="checkbox"/> 10. Insurance Services	<input type="checkbox"/> 15. Consumer Svc.	<input checked="" type="checkbox"/> 20. Exit Interview

COMMENTS: _____

E CERTIFICATION

REGISTRAR: Ask APPLICANT to read the CERTIFICATION/AUTHORIZATION on the reverse side and SIGN below.
 APPLICANT: I have read or had read to me and understand the Certification on the reverse of this form.

1. SIGNATURE OF APPLICANT	2. DATE	3. DAC No.	4. NAME OF REGISTRAR (Print)	5. Lead Registrar (Init.)
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F FLOOD HAZARD DETERMINATION (This section to be completed by map reader)

1. COMMUNITY-PANEL NO. _____ 2. MAP DATE _____ 3. ZONES Zone A Zone V Other
 Not Mapped No Map Floodway

DIRECTION TO DAMAGED PROPERTY (Nearest cross street and other location aids (sketch map if necessary))

INDIVIDUAL ASSISTANCE IMS FLOW CHART

(0) DAC

APPLICANT VISITS A DISASTER APPLICATION CENTER (DAC) AND APPLIES FOR DISASTER ASSISTANCE. A FEMA FORM 90-69, DISASTER ASSISTANCE REGISTRATION/APPLICATION FORM IS COMPLETED. THESE FORMS ARE RETURNED TO THE DISASTER FIELD OFFICE (DFO) ONE OR TWO TIMES DAILY.

(1) DOCUMENT CONTROL

WHEN THE APPLICATIONS ARE RETURNED TO THE DFO, THEY ARE FIRST SORTED BY THE DOCUMENT CONTROL SECTION (IF THIS HAS NOT BEEN DONE IN THE DAC). THOSE THAT ARE MEDICAL/ DENTAL/FUNERAL (M/D/F) ONLY ARE SEPARATED. (SBA BUSINESS ONLY OR FMHA FARM LOSS ONLY, OR OTHERS NOT REQUIRING A HOME INSPECTION ARE ALSO SORTED SEPARATELY.) DOCUMENT CONTROL REVIEWS THE APPLICATIONS FOR COMPLETENESS AND LEGIBILITY AND THEN "BATCHES" THE APPLICATIONS INTO GROUPS OF 25. THE GROUPS WILL LATER BE LISTED ON A WORK ORDER. AFTER THIS INITIAL SORT AND REVIEW THE APPLICATIONS ARE READY FOR COMPUTER ENTRY AND ARE FORWARDED TO THE NEXT STATION, COMPUTER OPERATIONS.

(2) COMPUTER OPERATIONS

DATA ENTRY OPERATORS INPUT GENERAL INFORMATION (E.G., NAME, DAMAGED ADDRESS, MAILING ADDRESS, SSN) FROM THE APPLICATION INTO THE IMS. THOSE APPLICATIONS THAT ARE M/D/F/ ONLY ARE RETURNED TO THE DOCUMENT CONTROL SECTION TO BE FORWARDED TO IFG. ALL OTHER APPLICATIONS REQUIRING HOME INSPECTIONS HAVE BEEN BATCHED INTO GROUPS OF 25 AND AT THIS TIME ARE LISTED ON A WORK ORDER TO BE ISSUED TO THE CONTRACT INSPECTOR. THE APPLICATIONS, BATCHED IN GROUPS OF 25 ARE THEN FORWARDED, THROUGH DOCUMENT CONTROL, TO THE NEXT STATION, COMBINED VERIFICATION CHIEF.

(3) COMBINED VERIFICATION CHIEF

THE COMBINED VERIFICATION CHIEF (CVC), SOMETIMES CALLED THE PROJECT MONITOR, RECEIVES THE APPLICATIONS AND ISSUES THE WORK ORDER TO THE CONTRACT INSPECTOR (HIRED BY FEMA). THE CVC IS RESPONSIBLE FOR MONITORING THE VERIFICATION CONTRACT.

Lionel's
Handouts
from Seminar
sac

(4) VERIFICATION CONTRACTOR

AFTER THE CONTRACTOR HAS RECEIVED THE APPLICATIONS, THEY HAVE 48 HOURS (EXCEPT FOR EXTENUATING CIRCUMSTANCES WHEN AN EXTENSION IS GIVEN) TO PERFORM THE INSPECTION AND RETURN THE APPLICATION AND ACCOMPANYING INSPECTION REPORT, FEMA FORM 90-56 TO THE CVC. THE CVC REVIEWS THE INSPECTIONS REPORTS FOR SOME QC AND THEN FORWARDS THEM TO THE NEXT SECTION, REVIEWERS.

(5) INSPECTION REPORT REVIEWERS

THE INSPECTION REPORTS REVIEW STAFF MAY BE COMPOSED OF BOTH STATE IFG AND FEMA STAFF OR ONLY FEMA STAFF. THIS IS ESTABLISHED ON A DISASTER-BY-DISASTER BASIS BY FEMA AND THE STATE. THE INSPECTIONS ARE REVIEWED AND PREPARED FOR DATA ENTRY. THE INSPECTORS RECORD ALL LOSSES THEY OBSERVE OR CAN VERIFY. THE REVIEWERS THEN INDICATE THOSE LOSSES THAT ARE ELIGIBLE FOR IFG OR TEMPORARY HOUSING ASSISTANCE (THA). THE APPLICATION PACKAGE IS THEN FORWARDED TO THE DOCUMENT CONTROL SECTION.

(1) DOCUMENT CONTROL

THE INSPECTION REPORTS ARE REVIEWED BY DOCUMENT CONTROL FOR ACCURACY, COMPLETENESS, AND LEGIBILITY BEFORE BEING FORWARDED TO THE COMPUTER OPERATIONS SECTION FOR ENTRY.

(2) COMPUTER OPERATIONS

THE INFORMATION FROM THE INSPECTION REPORTS PREPARED BY THE REVIEW SECTION IS THEN ENTERED INTO THE IMS. AFTER THIS DATA IS ENTERED, AWARD PACKAGES FOR BOTH IFG AND THA PROGRAMS ARE GENERATED. ALL OF THE DOCUMENTATION IS RETURNED TO DOCUMENT CONTROL.

(1) DOCUMENT CONTROL

DOCUMENT CONTROL STAFF SEPARATE THE DOCUMENTATION AND PREPARE THE PACKAGES FOR THE THA AND IFG SECTIONS.

(6) THA STAFF

THE THA SECTION RECEIVES THE AWARD/DENIAL PACKAGES FOR FINAL REVIEW AND SIGNATURE. THOSE THAT RECEIVE A RENTAL OR MINIMAL REPAIR CHECK ARE ENTERED INTO THE FEMA FISCAL PROCESS FOR A CHECK TO BE ISSUED WITH THE AWARD LETTER. THE FINAL AWARD/DENIAL INFORMATION IS COMMUNICATED BACK TO THE DOCUMENT CONTROL SECTION.

(6) IFG STAFF

THE STATE IFG SECTION RECEIVES THE COMPLETED PACKAGES FOR FINAL REVIEW AND SIGNATURE. THE STATE STAFF THEN INITIATES THE CHECK DISBURSEMENT PROCESS FOR THOSE APPLICANTS RECEIVING AWARDS. THE FINAL AWARD/DENIAL INFORMATION IS COMMUNICATED BACK TO THE DOCUMENT CONTROL SECTION.

(1) DOCUMENT CONTROL

THIS SECTION RECEIVES THE FINAL AWARD/DENIAL INFORMATION AND FORWARDS IT TO THE COMPUTER OPERATIONS SECTION FOR DATA ENTRY.

(2) COMPUTER OPERATIONS

ALL FINAL INFORMATION IS ENTERED BY IMS STAFF SO THE COMPUTER DATA BASE IS UPDATED AND ACCURATE.

NOTE
* PLEASE ~~NOT~~ THAT ALL PAPERWORK MUST GO THROUGH DOCUMENT CONTROL WHEN GOING INTO OR COMING OUT OF THE COMPUTER OPERATIONS SECTION.

FEDERAL EMERGENCY MANAGEMENT AGENCY
 IMS SCOREBOARD

DR# = 0815

12:56:05 13 MAR 1989

RECD	RETURNED		INSPECT LETTER		HOUSING SCHED		ON IFG	
	ISSUED	BY CONTR	ENTERED	PRINTED	APPROVED	PRINTED	TRANSMITTAL	
TH/IFG:	77	77	77	76	74	53	53	77
TH ONLY:	1	1	1	1	1	0	0	XXX
TH/SBA:	49	49	49	48	48	32	32	XXX
IFG ONLY:	35	35	35	25	XXX	XXX	XXX	35
SBA ONLY:	110	XXX	XXX	XXX	XXX	XXX	XXX	XXX
TH/SBA/MPND:	12	12	12	12	11	8	8	12
SBA/MPND:	15	XXX	XXX	XXX	XXX	XXX	XXX	15
MPND ONLY:	1	XXX	XXX	XXX	XXX	XXX	XXX	1
TPND ONLY:	0	XXX	XXX	XXX	XXX	XXX	XXX	0
WNC:	6	XXX	XXX	XXX	XXX	XXX	XXX	4
TOTAL:	300	174	174	162	134	93	93	140

TOTAL APPS ENTERED:310

IFG STATUS REPORT
DR# = 0815

13:01:46 13 MAR 1989

=====

APPS RECEIVED AT DAC: 156

=====

APPS TRANSMITTED TO IFG: 156

3= PND
1= MPND
0= TPND
41= DENY
7= WITHDRAWN

ELIGIBLE: 104

TOTAL AMOUNT APPROVED: \$ 35708200

=====

FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION IX
7420 TELSTAR AVE SUITE 202
EL MONTE, CALIFORNIA 91731

Application No.: APPLICATION NUMBER

03/13/89

NAME
ADDRESS
CITY, STATE ZIP

Dear M(R/S) NAME

We have reviewed your disaster Assistance Application form. We have also reviewed the inspection report of the damages to your home and/or personal property. You are eligible for the maximum Individual and family grant (IFG) award in the amount of \$5000.00. Your check is being processed by the State Controller's Office and should be received within approximately 15 days from the date of this letter.

You can spend the money for disaster-related serious needs and necessary expenses for repairing or rebuilding your home and/or repairing or buying personal property and furnishings, which have been destroyed or damaged by the fire. You may use the money for any or all of these allowed needs and expenses.

Do not spend the money for any ineligible items. Items not eligible are:

Business-type losses;
Cosmetic repairs or improvements to your home;
Landscaping;
Recreational and luxury items such as swimming pools and stereos;
Bills you owed before the disaster.

Remember, the IFG Program money is an allowance toward meeting necessary expenses and serious needs caused by the disaster. It will not restore you to your pre-disaster status. Our program guidelines require that we review some grant awards. Please keep all original bills, receipts, estimates and cancelled checks of what you purchased with IFG money for three (3) years, in case we review our grant award. If your records are not available, or if you spent the money incorrectly, you may be required to return the money.

Hopefully this grant will assist you in recovering from your disaster losses.

Sincerely,

FRANK L KISHTON
DISASTER HOUSING OFFICER

INDIVIDUAL AND FAMILY GRANT PROGRAM
STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL SERVICES
744 P STREET, MS 19-43
SACRAMENTO, CA 95814
916-445-4621--(TTY ONLY 800-952-5434)

DATE: _____
DR#: 0815
APP#: APPLICATION NUMBER

NAME
ADDRESS
CITY, STATE ZIP

Dear M(R/S) NAME

We have reviewed your Disaster Assistance Application form. We have also reviewed the inspection report of the damages to your home and/or personal property.

You are not eligible for assistance from the Individual and Family Grant (IFG) program because:

- _____ There was no significant damage to your property.
- _____ Your needs were met by insurance or other forms of disaster assistance, specifically, _____.
- _____ You refused assistance offered by other programs, specifically, _____.
- _____ You requested things that are not covered by the IFG program, specifically, _____.
- _____ Other _____

If you told us about damages or needs for other items, such as medical, dental, funeral expenses, or transportation, you will receive another letter. It will tell you whether you will receive IFG assistance for these items.

Sincerely,

J. SHAWN ORTIZ
ADMINISTRATOR

FEDERAL EMERGENCY MANAGEMENT AGENCY

DOB MASTER LIST

DR # =

PAGE # = 8

Duplication
of
Benefits

07:32

02/10/89

NAME	SPOUSE	DAMAGED ADDRESS	FEMA#	OWN	ZONE	INSURANCE	ARC	STAT	TH-STAT	SBA-STAT	SBA#	IFG-STAT	COMMENTS	AC	ACTIVE
Gladys			X0005										MARGARET E		
Douglas Linda J	Jesse	John Burn Rd,	A5463	O		NI				APP			A5386	Q	10/07/88
			X0036										CATHLEEN		
													A5490		
Sharo Carl W		Excelsior Rd,	A5286	O		NI			PR	DECFA	0071	500000		6	01/12/89
Colleen M			X0040										LARRY A5107		
Douglas		Mix Canyon Rd,	A5053	O		NI			MR-819	DECA		DENY	APPEAL DENIED	6	10/11/88
													111888		
Robert H	Alice	Digger Hill Way,	A5321	O		MH				APP		26400	MPND-\$264	6	12/28/88
Gerald L	Evelyn L	Shadow Hill Dr, Rou	A5343	O		NI			PR	25900/840	0026			8	10/24/88
Edward	Laura	Gold Rush Ln, Rough	A5312	R		NI			IN	DECA		500000	PETER A	6	10/27/88
													A5311, PAUL		
													A5298		
James F	Annette L	Sunfish Ct, Penn Va	A5542	O		HO				APP				Q	10/10/88
Velma S	Edward J	Honey Mushroom Ln,	A4818	O		NI				200/3000	0065		SIGN REQ	8	11/16/88
Arnold	Jan A	Owl Creek Rd, Nevad	A5208	O		HO				DECFA	0043	70500	MPND-\$705; RP/PP	6	01/25/89
													DENY 12/21/88		
Jr, William		Sunshine Valley	A5272	R		NI			IN	APP				T	10/11/88
Albert	Dorothy	Rough & Ready Rd, R	A6522	O		HO				APP				Q	11/29/88
Mary E	Gary A	Rapp Rd, Nevada Cit	A5546	O		NI				APP		DENY	MPND-DENIED	Q	10/10/88
Robert R	Sharon L	Digger Hill Way, Ro	A5528	O		HO				072900	0027			8	10/24/88
Kelly L.		Grindley Ranch Rd, Whitm	A4835	O		NI				DECA		175000	ESS TOOLS-DENIED;	6	11/16/88
													BRIAN		
													A5600		
Steven D	Tamara	Starduster Dr, Neva	A5335	R		NI			PR	0720000	0007	DENY	ORIGINAL CHECK	8	12/01/88
													LOST, REISSUE		
													11730/88		
Robert G		Garden Ln, Rough &	A5314	O		NI	14		PR	100000/20	0099	DENY	TR-\$300,	8	01/24/89
													OCCUP. SUP-\$220+\$3		
													89-\$609; SBA LOAN		
													AMT VERIFIED		
													LOSS		
William I		Pleasant Valley Rd,	A4948	O		NI			MR-2508	APP				T	10/11/88
William L	Nancy A	Jones Bar Rd, Nevad	A5264	R		NI	52/2/5		IN	DECFA	0048	7900	MPND-\$79; PP DENY	6	02/03/89
													12/20/88		
David R		Mountain House Rd,	A5446	O		HO				APP				Q	10/10/88
Arion		Excelsior Ditch Rd,	A5558	O		NI			PR	APP				T	10/12/88
Sam M	Virginia	Bosa Dr, Rough & Re	A5246	O		HO				APP		27100		6	11/17/88
David			X0026										JANET A5507		
Janet M	Robert N	Little Bear Ln, Nev	A5507	O		NI				APP				Q	10/10/88
George C	Githa T	Hwy 49, Nevada City	A5590	O		HO				APP				Q	10/10/88
James C	Betty L	Burke Rd, Penn Vall	A5547	O		NI				12800/169	0032			8	10/24/88
Roger A	Charmia	Rudd Rd, Nevada Cit	A5361	O		HO				46100/139	0072		CLIFFORD	8	11/21/88
													A5361		
Steve		Penna Way, Rough &	A5329	O		NI			IN	DECFA	0046	405000		6	12/01/88
													A5351		
Joan	Henry L	Penna Way, Rough &	A5351	O		NI	5		PR	7630070	0024	500000	OCCUP. SUP-\$25.07;	6	01/12/89
													MPND; SBA LOAN		
													AMT VERIFIED		
													LOSS		
John D		Empty Diggins Ln, R	A5505	O		HO				APP				Q	10/10/88

-- Contracts

- Contracts currently awarded to three companies
- Activated after disaster declaration (in order of contract award)
 - Included in project notification to contractor
 - Estimated cost
 - Estimated number of inspection
 - Estimated duration of operation
 - When and where to report
 - Name of Combined Verification Chief
- FEMA reimburses for travel to disaster area and pays a specific dollar amount per inspection completed
- Contract inspectors are required to complete a certifying examination which indicates their knowledge of FEMA inspection requirements
- Briefing of contractors conducted by FEMA and State at beginning of each disaster operation

-- Contractor responsibilities

- Work Order (WO) issued to Contractor
 - Inspections to be returned within 48 hours after issuance. Specifically identified priority cases must be returned within 24 hours
 - No more than 25 applications per WO - a maximum number of applications that will be issued in one day is established at the beginning of the operation
- Inspection reports (FF 90-56) reflect damages as of the day after the disaster, even if repairs have been made.
- If the applicant wishes to withdraw (WD) his/her application, the inspector must:
 - perform inspection
 - document the withdrawal on an Information Update form (FF 90-67 or other agreed-upon form) and the Inspection Report (FF 90-56)
 - if possible, obtain applicant signature

- If No Contact (NC) can be made with the applicant, the inspector must:
 - make at least three aggressive attempts (documented)
 - include on-site inspection and partial completion of FF 90-56, listing exterior damages
 - Leave "Not Home" letter at residence
- Each time an inspection is completed, inspector leaves FEMA letter.
 - To be copied on FEMA letterhead
 - Identifies the inspector performing the inspection
 - Indicates that the inspector is not a FEMA program person and cannot answer program questions.
 - Provides a telephone number for program questions and/or assistance.
- Inspector is normally required to take pictures.
- State's role
 - Pricing of personal property items and negotiations with FEMA on real property pricing.
 - Additions/deletions to requirements for inspection report
 - Differing requirements for what's acceptable as verification of home ownership.
 - Eligibility determinations

3. Form 90-56, Inspection Report.

- A separate page 2 will be completed if there are individuals living in the household and listed as non-dependents in Block 19 of the FF 90-69
- Block 2 - Flood Insurance
 - NFIP policy number is always 10 digits and begins with either 1 or 2
 - Write-You-Own (WYO) - enter policy number and company name
- Block 8 - Destroyed
 - item or building that is a total loss or is damaged to the extent that it is not usable and not economically repairable

-- Block 10 - Verification of ownership

- Legal owner - notation of book, page and deed number to the residence in local or county records or evidence of the mortgage payments by the applicant, or IF ACCEPTED BY THE STATE, a current insurance policy number

*NOTE: If more than one owner appears on the deed or policy, Contractor is to note those persons in Block 13.

- Rent-Free Owner

- Evidence of tax payments (tax records or receipts).
- Evidence of maintenance (bills for utility usage - not just customer charge for maintaining nonuser's service OR evidence of repair bills paid by applicant for general upkeep and maintenance.

*Inspection of documents proving both payment of taxes and maintenance are required. The issuer of the document and its date are to be recorded.

- "Beneficial Owner" - (Lifetime occupancy) Requires a notarized statement from the legal owner or representative of the estate.
- If unable to obtain proof of ownership, the contractor is responsible for making a second contact with the applicant

- Advises applicant to acquire a notarized statement to prove ownership and mail to DFO

-- Blocks 11 & 12 - Occupancy/Primary Residence

- Determined on a case-by-case basis - dwelling into which an applicant was about to move or one which is required because of its proximity to employment
- Acceptable Verification Documents
 - Utility bills
 - Statements from neighbors, local merchants or officials, the applicant's employer, voter registration, etc.

-- Block 13 - Co-owners

- Should include names of all co-owners of the residence
- An asterisk (*) will be placed in the box if the information is unverified

-- Block 14 - Itemized Repairs

- Column A refers to essential living areas only and will be completed for both owners and renters. (Provides documentation necessary to support THA program recommendation.)
- "Essential Living Area" means that area of the residence essential to normal family living, i.e., kitchen, one bathroom, dining area, living room, entrances and exits and essential sleeping areas. Does NOT include family rooms, guest rooms, garages, or other non-essential areas unless hazards exist in these areas that impact safety of the essential living areas
- Column B describes all other remaining repairs necessary to correct the disaster-related damages to the residence, including essential and non-essential living areas
- The total of columns A & B constitutes all eligible repairs for the residence
- If there will be no Minimal Repair Program (MRP) award made (i.e., rental payment instead) then A and B will be added together to comprise the IFG award
- "800" series of items - Hazard Mitigation
 - For future use; not currently eligible
 - Inspector's recommendation based on whether it would be feasible to relocate, elevate, or install one or more of the line items and that these measures would prevent or reduce flood damage in the future

-- Block 15 - Generic Rooms (Flood only)

- Used by IFG program only
- Inspector will enter codes for both the floor area in the room and the water level in the room. These codes will be translated into dollar amounts for removing and replacing the following items when applicable:

- baseboard
- window and door trim
- insulation
- sheetrock
- finish tape sheetrock and paint all with a prime coat

- Since sheetrock and insulation may also be covered in items #309, #310, and #311, any amounts entered in these item numbers will be deducted from the grant award

-- Block 20 - Personal Property/Furnishings

- Code X = damaged but all repairable
- Code Y = damaged but some items repairable and some must be replaced
- Code Z = damaged and most of the items must be replaced

- "N/A" = used to describe furnishings in undamaged rooms, and also in damaged rooms when the furnishing had been removed prior to the disaster and therefore not damaged

-- Block 21 - Personal Property/Clothing

- Code letters used preceded by a numerical symbol to indicate the number of persons in each category

- Code X = damage which can be cleaned (repaired)
- Code Y = some of the clothes can be cleaned and some must be replaced
- Code Z = all clothes must be replaced

- "N/A" = to be used when not affected

-- Block 22 - Appliances/Mechanical Devices

- Code X = damaged but repairable
- Code Z = damaged and must be replaced

- "N/A" = Not affected

- Code Y not used

- State may add additional items as required. Specify any limitations to other items (i.e., TV)

- If applicant did not have an item before the disaster, but now needs it as a result of the disaster, it should be added in the comments

- Line items m, n, o and p refer to "hazard mitigation". Again, inspector's recommendation shall be based on whether it would be feasible to relocate and/or elevate one or both of the items and that these measures would prevent or reduce future flood damage.

-- Block 23 - Work/School Equipment

- Applies only to items required due to employment by others, not self-employment. Also applies to items for schooling.
- Brief description of items entered (uniforms, tools, books, etc.). The dollar value is entered if applicant has dated estimate or receipts. If not, an envelope addressed to the IFG program in the DFO is left.

-- Block 24 - Moving and Storage

- Disaster-related moving and storage expenses for moving personal property away from the threat of damage.
- Brief description and name of company entered. The dollar value is entered if the applicant has dated estimate or receipts. If not, an envelope is left.

-- Block 25 - Transportation

- State is responsible for inspections of transportation only applications, i.e., no real or personal property losses.
- If applicant has one or more usable vehicles, and that number is adequate to meet the applicant's needs, contractor enters the number of usable vehicles on line (a) and skips the rest of #25.
- If there are no usable vehicles, or if more than one vehicle is required due to family composition and circumstances, the contractor must:
 - determine if there were vehicles damaged, and their type (line b);
 - determine if the vehicles were operational prior to the disaster (line b);
 - determine if, in the inspector's opinion, they are repairable (line b);

- review repair estimates or receipts relating to the disaster and note on the form (line b). If not available, an envelope is left.
- verify the title number, plate number and insurance information (line b);
- determine that the need for a car is disaster related (line c); and
- indicate whether there is a need for transportation as a result of the disaster where the applicant did not own a vehicle prior to the disaster.

Review of State responsibilities, including medical, dental,
funeral (M/D/F) expense verifications.

- Personal Property Pricing for inspections
- Additions/deletions to Block #22 (i.e., add infant car seat)
- Restrictions of the State on what can be accepted as proof of ownership
- Pre-addressed envelopes for the contractor to leave with applicants
- M/D/F, received as a single application or as part of another
 - verification of need/expense
 - possible supplemental payments (i.e. disburse more than one check)
 - advise ADAMS/IMS of decisions and award amounts
- Transportation
 - verification of ownership (if plate # is all that's provided)
 - determination of repair/replacement cost
 - possible supplemental payments
- Late applications and appeals
 - if FEMA is on-site, necessity of reinspections resulting from appeals is jointly determined
 - conduct damage verifications, if FEMA is not on-site
- SBA loan denials (IFG only)
 - use of SBA Form 739 (for verification purposes)

TITLE I—EXPANSION OF NATIONAL FLOOD INSURANCE
PROGRAM

* * * * *

REQUIREMENTS TO PURCHASE FLOOD INSURANCE

SEC. 102. (a) After the expiration of sixty days following the date of enactment of this Act, no Federal officer or agency shall approve any financial assistance for acquisition or construction purposes for use in any area that has been identified by the Secretary as an area having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, unless the building or mobile home and any personal property to which such financial assistance relates is, during the anticipated economic or useful life of the project, covered by flood insurance in an amount at least equal to its development or project cost (less estimated land cost) or to the maximum limit of coverage made available with respect to the particular type of property under the National Flood Insurance Act of 1968, whichever is less: *Provided*, That if the financial assistance provided is in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation direct such institutions not to make, increase, extend, or renew after the expiration of sixty days following the date of enactment of this Act any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or to the maximum limit of coverage made available with respect to the particular type of property under the Act, whichever is less.

(c) Notwithstanding the other provisions of this section, flood insurance shall not be required on any State-owned property that is covered under an adequate State policy of self-insurance satisfactory to the Secretary. The Secretary shall publish and periodically revise the list of States to which this subsection applies.

* * * * *

AMOUNT OF INSURANCE AVAILABLE

Emergency Program

	Residential		Non-Residential
Building		Building	
Single Family	\$ 35,000*	Non-Residential	\$100,000
Other Residential	\$100,000**		
Contents (per unit)	\$ 10,000	Contents (per unit)	\$100,000

* In Alaska, Guam, Hawaii, and U.S. Virgin Islands, the amount available is \$50,000.

** In Alaska, Guam, Hawaii, and U.S. Virgin Islands, the amount available is \$150,000.

Regular Program

	Basic Insurance Limits	Additional Insurance Limits	Total Insurance Available
Building Coverage			
Single Family Dwelling	\$ 40,000 /	\$145,000	\$185,000
2-4 Family Dwelling	\$ 40,000 /	\$210,000	\$250,000
Other Residential	\$115,000 /	\$135,000	\$250,000
Non-Residential	\$115,000 /	\$ 85,000	\$200,000
Small Business	\$115,000 /	\$135,000	\$250,000
Contents Coverage (per unit)			
Residential	\$ 15,000 /	\$ 45,000	\$ 60,000
Non-Residential	\$115,000 /	\$ 85,000	\$200,000
Small Business	\$115,000 /	\$185,000	\$300,000

For Preferred Risk Policy coverages, see the PRP Section.

FLOOD INSURANCE RATE TABLE

ANNUAL RATES PER \$100 OF COVERAGE

EMERGENCY PROGRAM RATES

BUILDING TYPE	BUILDING RATES	CONTENTS RATES
RESIDENTIAL	.55	.65
NON-RESIDENTIAL	.65	1.30

REGULAR PROGRAM—PRE-FIRM CONSTRUCTION RATES¹

FIRM ZONES	BASIC/ADDITIONAL																								
	A, AE, A1-A30, AO, AH, D								V, V1-V30, VE								A99, B, C, X								
	SINGLE FAMILY		2-4 FAMILY		OTHER RESIDENTIAL		NON-RESIDENTIAL		SINGLE FAMILY		2-4 FAMILY		OTHER RESIDENTIAL		NON-RESIDENTIAL		SINGLE FAMILY		2-4 FAMILY		OTHER RESIDENTIAL		NON-RESIDENTIAL		
OCCUPANCY	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	
BUILDING TYPE	NO BASEMENT	55/17	65/30	55/17	N/A	55/35	N/A	65/30	N/A	55/45	65/80	55/45	N/A	55/75	N/A	65/75	N/A	25/07	40/12	25/07	N/A	25/07	N/A	25/07	N/A
	WITH BASEMENT	60/30	65/30	60/30	N/A	60/35	N/A	70/35	N/A	60/110	65/80	60/110	N/A	60/180	N/A	70/180	N/A	30/15	45/20	30/15	N/A	35/15	N/A	35/15	N/A
	MANUFACTURED (MOBILE) HOME	55/17	65/20	N/A	N/A	N/A	N/A	65/30	N/A	55/210	65/80	N/A	N/A	N/A	N/A	65/340	N/A	25/15	40/12	N/A	N/A	N/A	N/A	25/15	N/A
CONTENTS LOCATION	BASEMENT AND ABOVE	N/A	N/A	N/A	65/30	N/A	65/30	N/A	1.30/95	N/A	N/A	N/A	65/80	N/A	65/80	N/A	1.30/80	N/A	N/A	N/A	55/35	N/A	55/35	N/A	65/35
	LOWEST FLOOR ONLY—ABOVE GROUND LEVEL	N/A	N/A	N/A	65/30	N/A	65/30	N/A	1.30/25	N/A	N/A	N/A	65/80	N/A	65/80	N/A	1.30/30	N/A	N/A	N/A	40/25	N/A	40/25	N/A	35/15
	LOWEST FLOOR ABOVE GROUND LEVEL AND HIGHER FLOORS	N/A	N/A	N/A	65/20	N/A	65/20	N/A	1.30/25	N/A	N/A	N/A	65/70	N/A	65/70	N/A	1.30/10	N/A	N/A	N/A	40/12	N/A	40/12	N/A	35/12
	ABOVE GROUND LEVEL MORE THAN ONE FULL FLOOR	N/A	N/A	N/A	16/11	N/A	16/11	N/A	16/11	N/A	N/A	N/A	27/23	N/A	27/23	N/A	36/30	N/A	N/A	N/A	11/11	N/A	11/11	N/A	11/11
MANUFACTURED (MOBILE) HOME	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1.30/25	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1.30/30	N/A	N/A	N/A	N/A	N/A	N/A	N/A	30/20	

¹ Start of construction or substantial improvement prior to 12/31/74 or before the effective date of the initial Flood Insurance Rate Map (FIRM), whichever is later. If FIRM Zone is unknown use rates for Zones A, AE, A1-A30, AO, AH, D.

REGULAR PROGRAM—POST-FIRM CONSTRUCTION RATES²

FIRM ZONES	BASIC/ADDITIONAL																
	A99, B, C, X								D								
	SINGLE FAMILY		2-4 FAMILY		OTHER RESIDENTIAL		NON-RESIDENTIAL		SINGLE FAMILY		2-4 FAMILY		OTHER RESIDENTIAL		NON-RESIDENTIAL		
OCCUPANCY	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	
BUILDING TYPE	NO BASEMENT	25/07	40/12	25/07	N/A	25/07	N/A	25/07	N/A	55/17	65/20	55/17	N/A	65/30	N/A	65/30	N/A
	WITH BASEMENT	30/15	55/35	30/15	N/A	35/15	N/A	35/15	N/A	*	*	*	N/A	*	N/A	*	N/A
	MANUFACTURED (MOBILE) HOME	25/15	40/12	N/A	N/A	N/A	N/A	35/15	N/A	80/45	80/45	N/A	N/A	N/A	N/A	140/50	N/A
CONTENTS LOCATION	BASEMENT AND ABOVE	N/A	N/A	N/A	55/35	N/A	55/35	N/A	65/35	N/A	N/A	*	N/A	*	N/A	*	
	LOWEST FLOOR ONLY—ABOVE GROUND LEVEL	N/A	N/A	N/A	40/25	N/A	40/25	N/A	35/15	N/A	N/A	65/30	N/A	65/30	N/A	1.30/25	
	LOWEST FLOOR ABOVE GROUND LEVEL AND HIGHER FLOORS	N/A	N/A	N/A	40/12	N/A	40/12	N/A	35/12	N/A	N/A	65/20	N/A	65/20	N/A	1.30/25	
	ABOVE GROUND LEVEL MORE THAN ONE FULL FLOOR	N/A	N/A	N/A	11/11	N/A	11/11	N/A	11/11	N/A	N/A	16/11	N/A	16/11	N/A	16/11	
MANUFACTURED (MOBILE) HOME	N/A	N/A	N/A	N/A	N/A	N/A	N/A	30/20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1.30/25	

FIRM ZONES	AO, AH (NO BASEMENT BUILDINGS ONLY) ³								V1-V30, VE							
	SINGLE FAMILY		2-4 FAMILY		OTHER RESIDENTIAL		NON-RESIDENTIAL		ALL CATEGORIES							
	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS	BUILDING	CONTENTS								
WITH CERTIFICATION	.17/06	.17/11	.17/06	.17/11	.17/06	.17/11	.17/06	.17/11	1975-81 POST-FIRM—A. If the bottom of the lowest floor beam is at or above the base flood elevation, apply a factor of 1.75 to the corresponding "0" (zero) elevation rate for FIRM Zones A1-A30. B. If the bottom of the lowest floor is below the base flood elevation, apply a factor of 1.75 to the corresponding negative elevation rate for FIRM Zones A1-A30. 1981 POST-FIRM—Refer to the Federal Insurance Administration's Flood Insurance Manual for detailed instructions on the rating of structures located in Zones V1-V30, and VE on which construction or substantial improvement was begun after October 1, 1981.							
WITHOUT CERTIFICATION	55/17	65/20	55/17	65/20	65/30	65/20	65/30	1.30/25								

² For Post-FIRM Zones A, A1-A30, AE see back. ³ ZONES AO, AH BUILDINGS WITH BASEMENT: Submit for rating. * Submit for rating.

Map Revisions
(Effect on Insurance Rating)

The purpose of map revisions is to provide communities with the best available data for use in the community's guiding future development and construction. Owners of buildings built before the identification of the community's flood hazard or in accordance with the best information available at the time of construction, are not penalized as a result of a map revision.

Under current FIA procedures, when a policy is written on a building which was built at or above the identified BFE on the map in effect at the time of construction, the elevation and/or zone factors used in rating the policy originally remain in effect if the building's lowest floor remains the same. The rating of a property not originally built at or above the BFE as identified on the then effective map at the time of construction is subject to the effect of a map revision. However, just like all other NFIP policies, these policies will be affected by general premium rate increases.

Example: A building was in a B Zone when it was built. Insurance may continue to be rated at B Zone rates even if the community is remapped and the building is deemed to be in an AE Zone on the revised map.

If a map revision is effective in an A Zone and results in elevation designations which would be advantageous to a policyholder because the building is adequately elevated, then a building previously rated with B Zone rates may be rated using A Zone rates. The producer should provide the policyholder with the lowest possible valid rate.

If a building which was rated in an A Zone and on a revised map is now eligible for a B Zone rate, the producer should write the coverage at the B Zone rates. Always give the policyholder the lowest valid rates.

When title to any insured property is transferred, the rates can be maintained by assignment, or by the cancellation/rewrite of a new policy at the time of settlement. The new property owner's policy may continue to be rated in the applicable zone on the FIRM in effect when the building was constructed or in the zone on the FIRM which was in force when coverage was first obtained on the building, assuming that the property has not been altered so as to change the lowest floor elevation.

Coverage on a previously uninsured Post-FIRM building may be written using rates based on the effective map at the time of construction *IF* the producer or property owner can provide documentation which demonstrates that the building was constructed in compliance with the map in effect at the

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time of construction. If this documentation is not readily available and if the property owner wishes to purchase coverage immediately, the Application should be written on the basis of the current FIRM and an appeal with the appropriate documentation should be filed as soon as possible.

If the building's elevation, relative to the BFE on the current FIRM, results in a rate which is unavailable from the Flood Insurance Manual, the Application should be treated as a "Submit for Rate."

Flood Insurance Costs Individual Family Grant

Single Family - no basement

Homeowner (\$7000 structure
\$3000 contents)

Renter (\$10000 contents)

Pre-FIRM

$$\$7000 @ .55/100 = 39$$

$$\$3000 @ .65/100 = 20$$

$$\text{Expense constant} = \underline{45}$$

$$\text{Total} \quad \$104$$

$$\$10,000 @ .65/100 = 65$$

$$\text{Expense constant} = \underline{45}$$

$$\text{Total} \quad \$110$$

Post-FIRM (Zone A)

With elev. cert.

$$\text{lowest floor @ est. BFE (.33/50)} = \$83$$

$$+2 \text{ above est. BFE (.22/.33)} = \$70$$

$$-1 \text{ below est. BFE (.78/94)} = \$128$$

$$\$95$$

$$\$70$$

$$\$139$$

Without elev. cert.

$$+2 \text{ to } +4 \text{ above H.A.G. (.55/.65)} = \$90$$

$$+5 \text{ or more above HAG (.28/.45)} = \$79$$

$$\$110$$

$$\$90$$

$$\text{No. elev. cert. (1.50/1.50)} = \$195$$

$$\$195$$