

FEMA PUBLIC ASSISTANCE APPLICANT BRIEFING

DR - 4861 - WV



FEMA



Questions? Ask them in the chat, or please wait until the end of the presentation.

FEMA PUBLIC ASSISTANCE (PA) PROGRAM PROCESS



OVERVIEW DR4861-WV

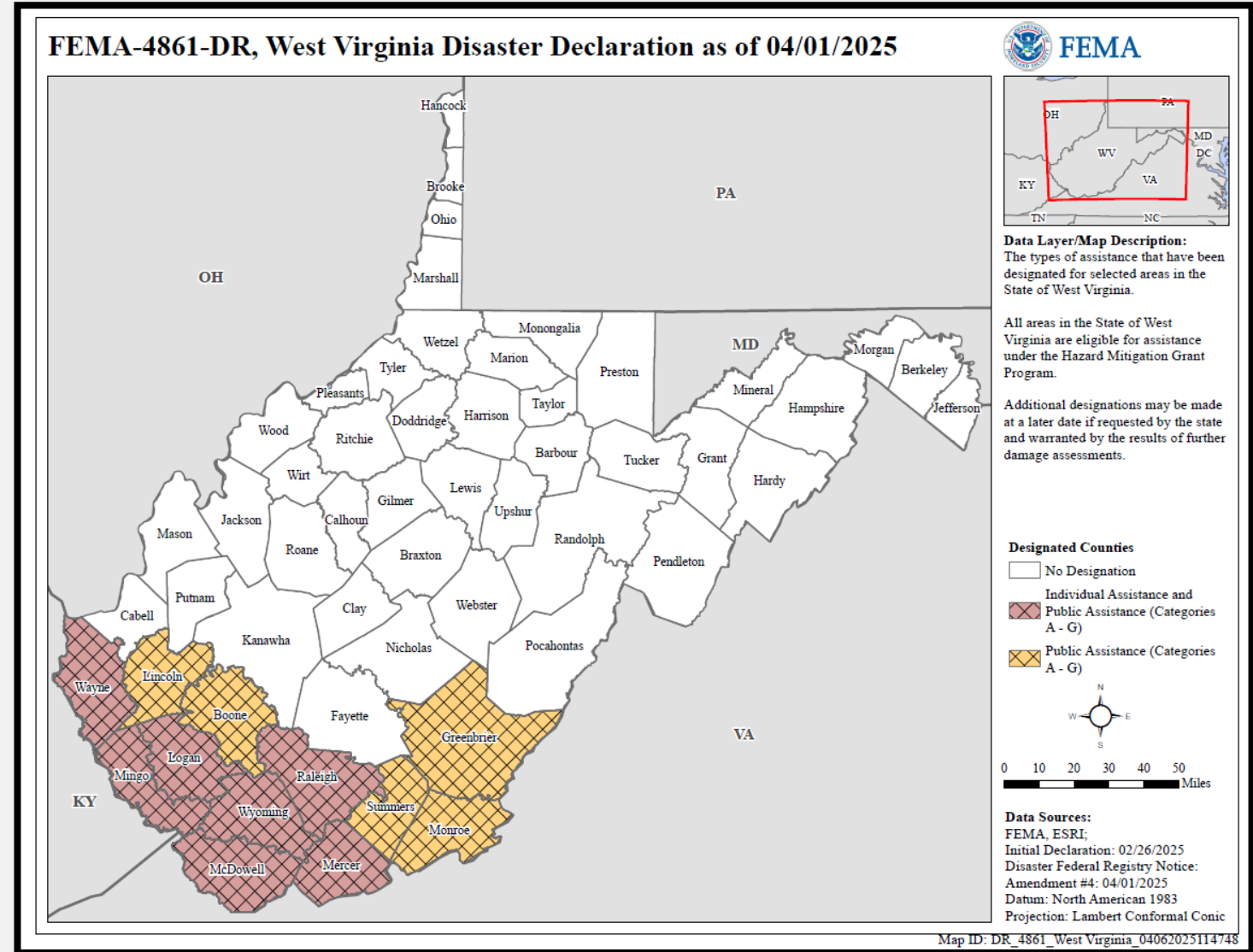
- **Incident Period:**
February 15-18, 2025
- **Date Requested By Governor:**
February 17, 2025
- **Date of Presidential Declaration:**
February 26, 2025
- **Public Assistance Addition:**
March 19, 2025
- **Event Type:**
Severe Storms, Straight-line Winds,
Flooding, Landslides, and Mudslides.
- **Designations & Types of Assistance:**
Public Assistance, Individual Assistance, &
Hazard Mitigation



COUNTY OVERVIEW DR4861-WV

Eligible Counties

- Boone
- Greenbrier
- Lincoln
- Logan
- McDowell
- Mercer
- Mingo
- Monroe
- Raleigh
- Summers
- Wayne
- Wyoming



WHAT IS FEMA's PUBLIC ASSISTANCE (PA) PROGRAM

- FEMA's Public Assistance (PA) Program supports a communities' recovery from major disasters by providing them with monetary assistance for debris removal, life-saving emergency protective measures, and restorations to public infrastructure following a federally declared disaster or emergency.
- PA is a **reimbursement program** based on eligible expenses.
- However, an Applicant may request Just-in-Time (JIT) Funding.



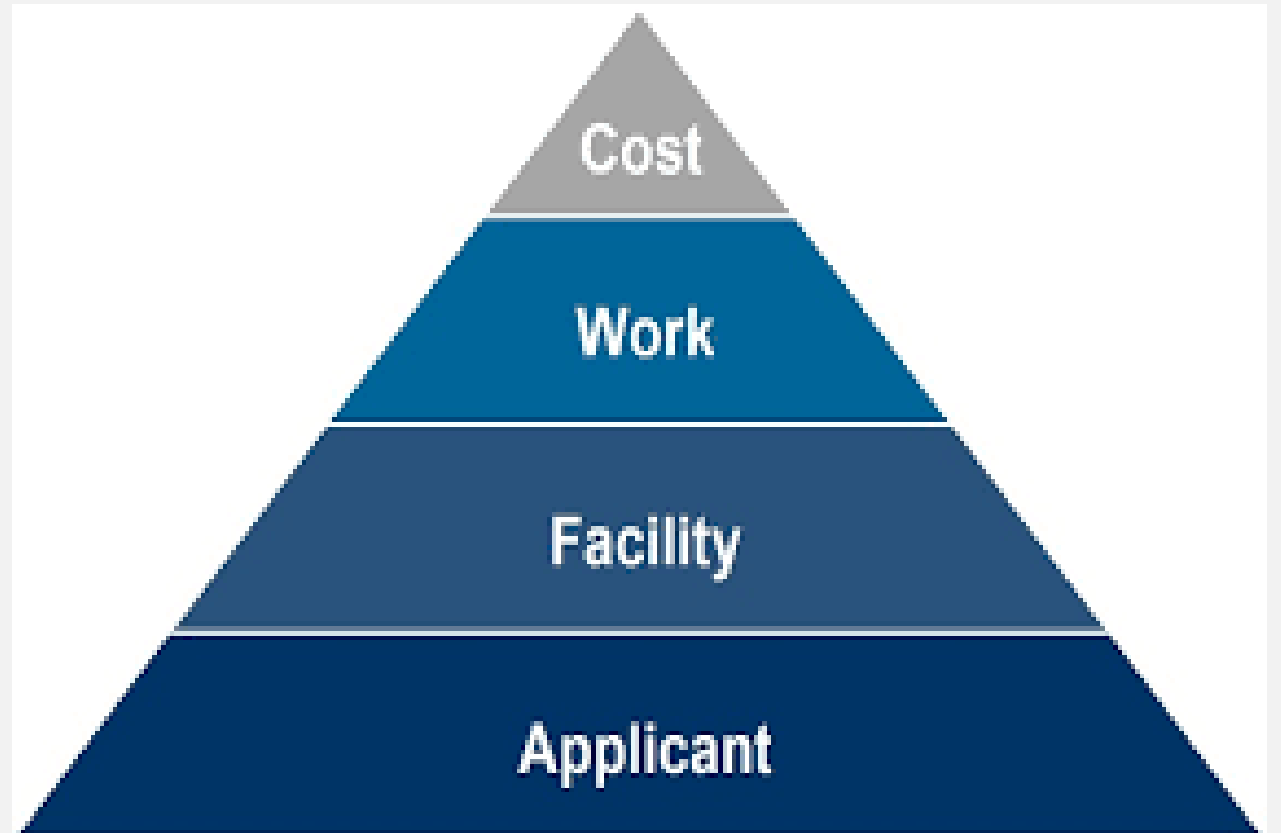
WHAT IS JUST-IN-TIME (JIT) FUNDING?

- The WVEMD serves as the Recipient of FEMA PA funds and the passthrough to Sub-Recipients.
- Once a project has been obligated by FEMA, those funds are available for drawdown.
- A Sub-Recipient may submit unpaid invoices to WVEMD. Staff will create a Reimbursement Request based on the invoice amounts and remit payment to the Sub-Recipient to pay their debts.
- After payment, a Sub-Recipient has 30 days to submit proof-of-payment. That process will continue until the completion of the project.
- Failure to remit requested documentation will result in a stoppage of funding and possible deobligation of funds by FEMA.



ELIGIBILITY PYRAMID

There is a four-layered eligibility requirement that must be met to participate in the PA Program. The Applicant must be eligible for the facility to be eligible. The facility must be eligible for the work to be eligible. The work must be eligible for the cost to be eligible.



ELIGIBLE APPLICANTS

There are four types of eligible applicants for FEMA PA. If an entity meets the requirements of one of the types, the applicant may be eligible to receive Federal disaster assistance.

Businesses are not eligible under PA. However, they may apply for a low interest loan through the Small Business Administration (SBA).

1. **State government agencies**
2. **Local government and special districts** – for example, school districts, irrigation districts, fire districts, and utility districts
3. **Certain private nonprofit organizations** (must own or operate facilities that are open to the general public and provide certain essential and critical services otherwise performed by a government agency)
4. **Federally recognized Native American Tribes or authorized Tribal organizations**

ELIGIBLE FACILITIES

A facility must be:

- Located in the designated disaster area
- Damaged by the declared disaster or emergency during the incident period
- In active use and open to the general public at the time of the disaster



ELIGIBLE WORK

To be eligible for PA funding, disaster recovery work performed on an eligible facility must be:

- Required as a direct result of the disaster event
- Located within the disaster area
- The legal responsibility of the eligible applicant
- Not covered by insurance or another federal agency



ELIGIBLE COST

Generally, costs that can be directly tied to the performance of work that has been deemed eligible are also eligible. However, costs must be:

- Reasonable, Allowable, Allocable and Necessary (RAAN) to accomplish the work
- Compliant with Federal, State, and local procurement requirements
- Reduced by all applicable credits, such as, insurance proceeds and salvage values

NOTE: AS A GENERAL RULE – FEMA DOES NOT DUPLICATE FUNDING, AND FEMA PAYS LAST.



TYPES OF ELIGIBLE WORK CATEGORIES

Emergency Work (6 months)

Category A - Debris Removal

Category B - Emergency Protective Measures

Permanent Work (18 months)

Category C - Roads and Bridges

Category D - Water Control Facilities

Category E - Buildings, Contents, & Equipment

Category F - Utilities

Category G - Parks & Recreational Facilities

Note: Time extensions to complete work may be requested when reasonable and necessary.



CATEGORY A: DEBRIS REMOVAL

Eligible debris removal can include removal from:

- Public roads, streets, & streams (including rights of way).
- Public property.
- Private Property (when brought to curb).

Debris removal can also include the demolition of damaged structures that present public safety hazards, but only when PPDR is authorized.

Eligible costs include...

- Both regular and overtime labor costs for temporary and permanent employees.
- Contracted labor costs.
- Monitoring activities.



CATEGORY B: EMERGENCY PROTECTIVE MEASURES

Protective measures indicate actions taken to protect lives and property such as...

- Police, Fire, EMS, and Search & Rescue
- Sandbagging and emergency levees
- Temporary repairs
- Safety barricades, signs, and area security
- Mass care

Eligible costs include...

- Overtime labor costs only for permanent workers
- Both regular and overtime labor costs for temporary hires
- Contracted labor costs



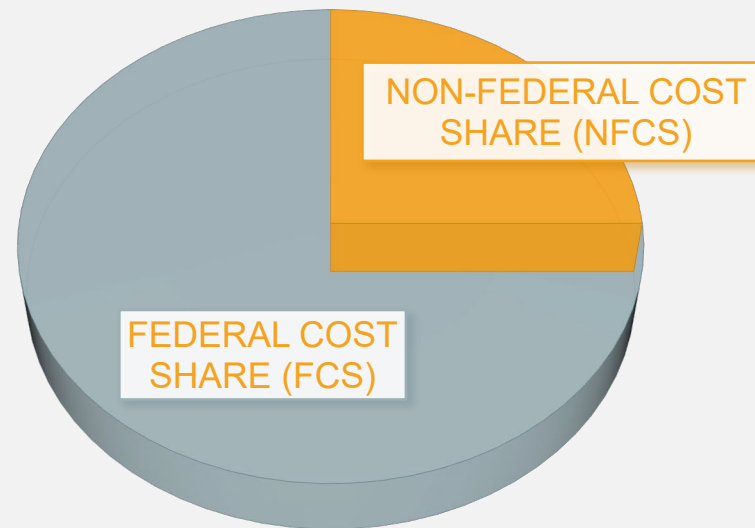
CATEGORIES & ELIGIBLE COSTS

- Labor
- Equipment
- Materials
- Contracts
- Design & Engineering
- Mitigation proposals may also be considered (406)



COST SHARE

For this event, 75% of costs will be covered by Federal funds and 25% will be covered by State Funds, Local funds, or a combination of State and Local Funds.



DONATIONS / DONATED RESOURCES

All donations need to be tracked.

- Cash donations may be used to offset the Non-Federal Cost Share (NFCS) of certain projects.
- The estimated value of certain Donated Resources (flood buckets, meals, labor for muckouts, etc.) may be used to offset the NFCS of certain projects.



PROJECT DETAILS

- **Small Projects** (\$4,000-\$1,062,900)

- Can be written as estimates or actual costs at a fixed amount
- Paid on actuals up to 100% of project obligation
- Up to 75% paid to applicant upon obligation by FEMA (contingent upon documentation)
- Final 25% payment will be made upon receipt of eligible documentation submitted to WVEMD
- Any cost overrun will be considered by FEMA at Closeout

NOTE: PROJECTS CAN ONLY BE CONSIDERED IF THEY MEET THE MINIMUM ESTIMATED COST OF \$4,000.

- **Large Projects** (Above \$1,062,900)

- Paid based on actual costs
- Up to 75% paid to applicant upon obligation by FEMA (contingent upon documentation)
- Must request a final inspection after all work is complete and all costs are reconciled
- Final 25% payment will be made after final inspection/closeout upon receipt of eligible documentation submitted to WVEMD (applicant may request waiver)
- Requires quarterly progress reports

WHAT IS A PROJECT WORKSHEET (PW)?

A Project Worksheet (PW) is a detailed and specific project description that is processed through FEMA's Grants Portal / Grants Manager which includes precise damages, Scope of Work (SO W) to be completed, and cost estimates or actual costs.



Following your PW SO W is imperative.

HOW DO I APPLY FOR PUBLIC ASSISTANCE?

- Applicants can apply for the PA Program by submitting:
 - Request for Public Assistance (RPA) (send email to WVPA@wv.gov to see if you already have an account in FEMA's Grants Portal)
 - State Request for Public Assistance (SRPA)
 - WVEMD PA Risk Assessment
- PNPs require additional supporting documentation:
 - Current ruling letter from the IRS granting tax exemption under Sections 501 (c), (d), or (e); **or** State-issued documentation substantiating non-revenue producing, nonprofit entity organized or doing business under State law (Houses of Worship are already considered tax exempt).
 - PNP Questionnaire
 - Proof of ownership/legal responsibility for an eligible facility
 - Articles of Incorporation, Charter, Bylaws
 - Accreditation (schools only)

REQUIRED DOCUMENTATION

All Applicants must submit:

- FEMA Request for Public Assistance (RPA)
- State Request for Public Assistance (SRPA)
- Complete W VEMD Risk Assessment
- Copy of Procurement Policy
- Copy of Payroll Policy
- Copy of Insurance Policy (entire policy)
- Statement of Benefits or Letter of Denial (from insurance company)
- Federal Employer ID# or EIN
- UEI# (SAM.gov)

Private Non -Profits must also submit:

- PNP questionnaire
- Articles of incorporation or by-laws
- 501(c) letter from IRS or W V State Tax Department (Houses of Worship are already considered tax exempt)
- Accreditation (for schools only)

TECHNOLOGY AND SYSTEMS

Applicants will use FEMA's *Grants Portal* (for project management) as well as WVEMD's *EMGrants* (for financial management) to submit applications, projects, and administratively manage the corresponding grants.

Contact WVEMD staff at WVPA@wv.gov prior to requesting assistance online.

- Grants Portal
 - Applicants will use this system to submit the Request for Public Assistance. Applicants will also build Projects for Category A, B, and Z through the Streamlined Application process. Any projects in Categories C-G will be done in Grants Portal as well but will not be submitted through the Streamlined Application process.
- EM Grants
 - Applicants will use this system to request payments and fulfill mandatory quarterly reports on all projects.

PUBLIC SERVICE DISTRICTS (PSD)

Common Problems & Issues:

- Increased Operating Costs
- Deferred Maintenance
- Lack of Maintenance Records
- Lack of Administrative Staff
- Isolated Damages
- Overlapping Infrastructure
- Other Grants
- O&M Agreements
- Time Lag for Line Scoping / A&E
- F&W Consultations
- Implementation of CBCSS



PRIVATE NONPROFIT (PNP)

- Certain Private Nonprofits (PNP) such as (but not limited to) Volunteer Fire Departments (VFD) and Houses of Worship (HOW) may be eligible under FEMA's Public Assistance (PA) Program to reimburse expenses related to the disaster.
- However, noncritical PNPs must first go to the Small Business Administration (SBA) and get a denial for a disaster loan. Please speak with WVEMD PA staff for details.



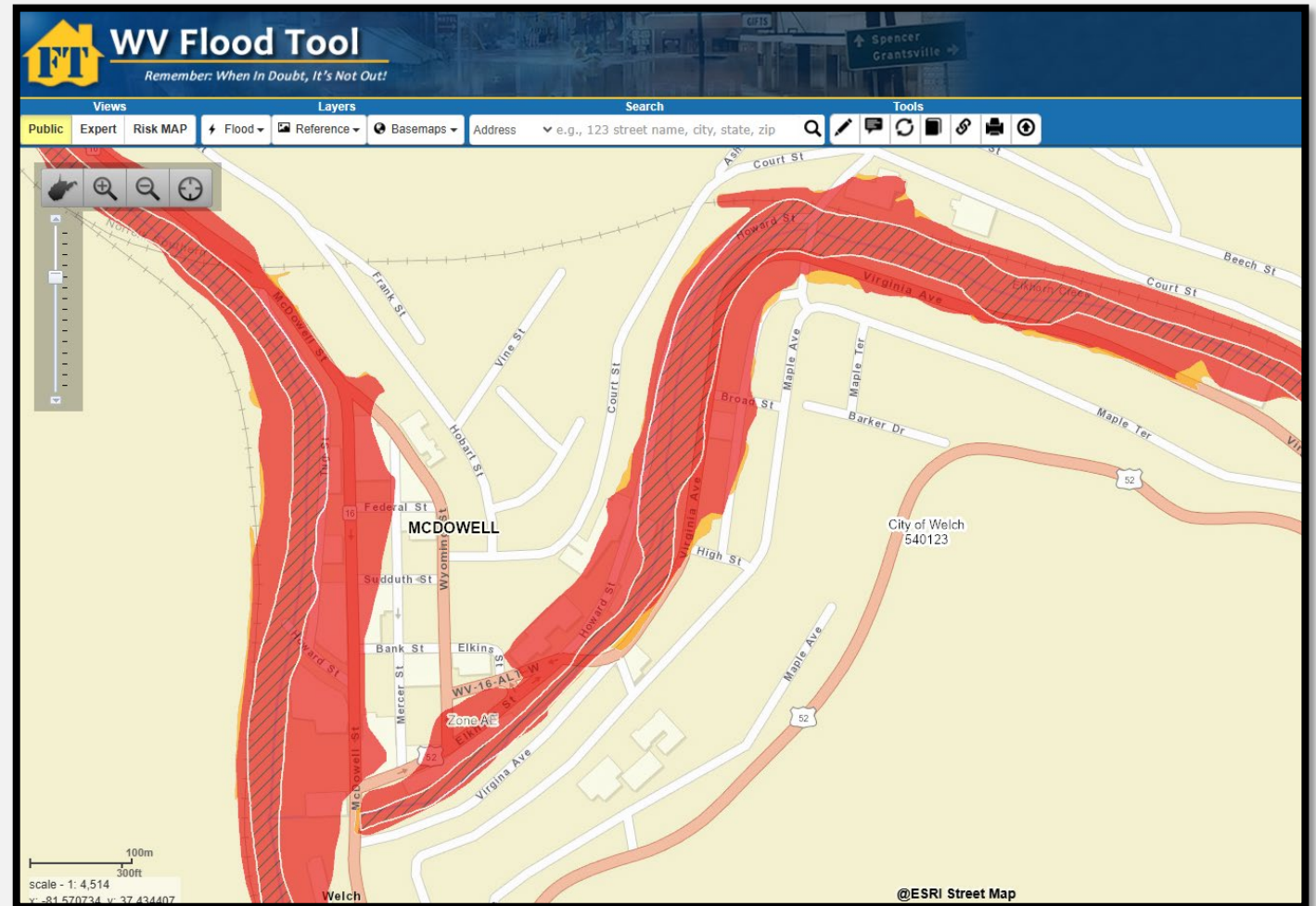
HOUSE OF WORSHIP (HOW)

- Before a non-critical PNP applies for FEMA PA, they must first apply for a loan from the Small Business Administration (SBA).
- If an applicant is denied a loan from SBA (or, the loan does not cover all their damages), then they may approach FEMA PA for financial assistance.
- To apply for SBA, you must have an EIN#.
- If you do not have an EIN#, you must register with the IRS.
- Prior to receiving a reimbursement of federal disaster funds through FEMA PA, you must also register with SAM.gov



NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

If you accept federal funds for replacement of damaged items or repairs to facilities, you may be required to purchase flood insurance. Please speak with WVEMD PA Staff for details.



CATEGORY Z (CatZ) ADMINISTRATIVE FUNDING

Administrative Funds

- Capped at 5% of total sum of all project worksheets
- May be used to cover specific activities
- Typically the last project created
- Can be paid out over the life of the project
- However, if reductions come at closeout, CatZ will also be reduced, resulting in possible clawback

C. USE OF MANAGEMENT COST FUNDS

Outcome: To establish activities eligible for management cost contributions and the deadlines to use the contributions.

1. Activities eligible as management costs include those related to developing eligible PA projects and receiving reimbursement. These activities may include, but are not limited to:
 - a. Preliminary Damage Assessments
 - b. Meetings regarding the PA Program or overall PA damage claim
 - c. Organizing PA damage sites into logical groups
 - d. Preparing correspondence
 - e. Site inspections
 - f. Travel expenses
 - g. Developing the detailed site-specific damage description
 - h. Evaluating Section 406 hazard mitigation measures
 - i. Preparing Small and Large Projects
 - j. Reviewing PWs
 - k. Collecting copying, filing, or submitting documents to support a claim
 - l. Requesting disbursement of PA funds
 - m. Training

CONSULTANTS

Issues

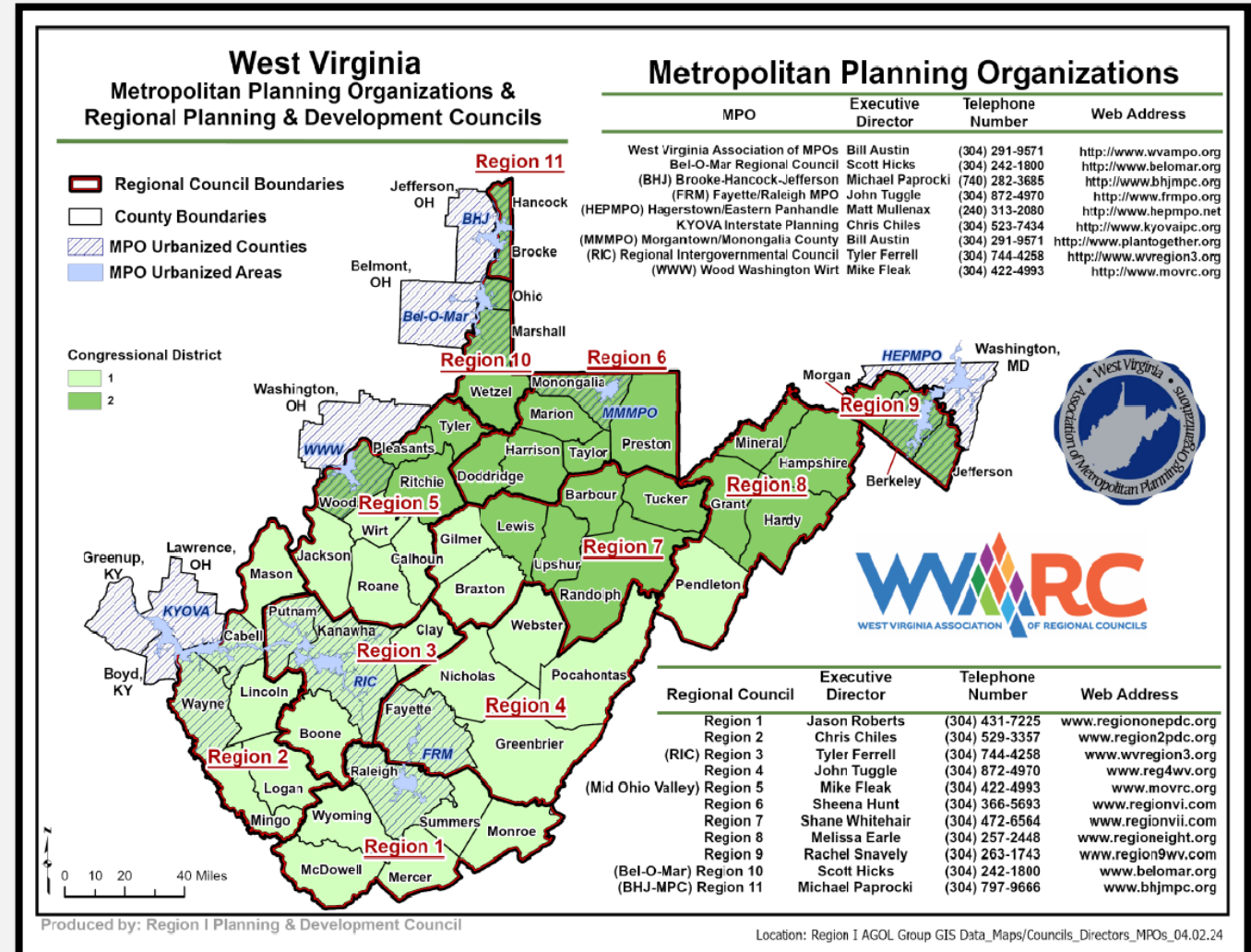
- “Consulting” services are not eligible for reimbursement under FEMA PA
- If consultants provide tangible services (uploading documentation, attending meetings regarding PA, etc.), those expenses may be eligible for reimbursement
- Must be properly procured
- Have historically drug out the life of projects to increase their cut



REGIONAL PLANNING & DEVELOPMENT COUNCILS

Attributes of using RPDCs

- Already performing work in your communities
- Advise on use of other funding streams
- Familiar with rules/regs of various grant programs
- Can help with procurement and project administration
- Administrative work can be covered by CatZ at no direct cost to applicant.



REGIONAL PLANNING & DEVELOPMENT COUNCILS



State of West Virginia
John B. McCuskey
State Auditor

Office of the State Auditor
State Capitol, Building 1, Suite W-100
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

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Director McCabe,

I am writing you to express recognition and support of your office's ongoing disaster recovery efforts. I recently attended and spoke at a Pew Foundation conference on flooding in West Virginia. While there, I had the opportunity to hear about the Emergency Management Division and FEMA's ongoing efforts to organize and train RPDC's to help coordinate efforts between municipalities and FEMA in the disaster recovery process. It is an impressive and innovative solution that will serve the people of this state well.

Our office is aware of the difficulty many municipalities have in coordinating and complying with complex FEMA rules in a disaster situation. Specifically, outside consultants that rush into municipalities post-disaster present a heightened risk of fraud or misuse of funds which can impair the ultimate restoration of communities in need. Our Public Integrity and Fraud Unit highlighted that risk in its report on a criminal situation involving consultants in the post-disaster recovery process.

If there is any way our office can be helpful in your mission involving this matter, please let me or my chief of staff, Jeff Waybright, know. Our office appreciates your work, as do I personally, both as a public official and as a citizen of West Virginia.

Sincerely,

John "JB" McCuskey

Thank you for all you do!



Report of Investigation City of Richwood



Public Integrity
and Fraud Unit

March 29
20
19



May 12, 2022

To Whom It May Concern:

We, the collective executive directors of the West Virginia Regional Planning and Development Councils (WV RPDCs) have spoken with members of West Virginia Emergency Management Division and FEMA about becoming involved in recovery efforts during a Federally declared, Public Assistance disaster.

As described to us, the WV RPDCs could serve as a consultant to and assist the communities in our regions during the recovery process, especially the communities that do not have the capacity to work the process.

Though this letter does not serve as an official agreement to assume that roll, this letter does serve as our intention and interest to explore this process more and request training to better understand the Public Assistance process. Please see our signatures below to reflect our collective interest.

If you should have any questions, please feel free to call Shane Whitehair at 304-472-6564 or by email to swhitehair@regionvii.com.

Jason Roberts, Executive Director
Region 1 PDC

Chris Chiles, Executive Director
Region 2 PDC

Colt Sandoro, Executive Director
Region 3 PDC

John Tuggle, Executive Director
Region 4 PDC

Carol Jackson, Executive Director
MOVRC

Sheena Hunt, Executive Director
Region VI PDC

Shane Whitehair, Executive Director
Region VII PDC

Terry Dively, Executive Director
Region VIII PDC

Rachel Snavely, Executive Director
Region 9 PDC

Scott Hicks, Executive Director
Belomar Regional Council

Michael Paprocki, Executive Director
BHJ PDC

CONTACT INFORMATION

WVEMD Public Assistance (PA)

- Dr. Jason Means, Public Assistance Program Manager – Jason.S.Means@wv.gov
 - 304-550-4571

WVEMD Individual Assistance (IA)

- Ehrin Starcher, Individual Assistance Coordinator – Ehrin.K.Starcher@wv.gov

FEMA

- Scott Raines, Infrastructure Branch Director – scott.raines@fema.dhs.gov

CONTACT INFORMATION

Regional Planning & Development Council (RPDC)

- Region 1 (McDowell, Mercer, Monroe, Raleigh, Summers, & Wyoming)
 - Jason Roberts, Executive Director – jasonroberts@regiononepdc.org
- Region 2 (Lincoln, Logan, Mingo, & Wayne)
 - Chris Chiles, Executive Director – cchiles@region2pdc.org
- Region 3 (Boone)
 - Tyler Ferrell, Executive Director – Tyler@wvregion3.org
- Region 4 (Greenbrier)
 - John Tuggle , Executive Director – jtuggle@reg4wv.org

REQUEST FOR PUBLIC ASSISTANCE

The deadline for all *Requests
for Public Assistance*

April 18, 2025

NEXT STEPS

After applicant contacts state Public Assistance staff @ WVPA@wv.gov accounts within FEMA's Grants Portal and WVEMD's EMGrants will be updated or created for you.

After applicant submits RPA in Grants Portal ([GRANTEE.FEMA.GOV](https://grantee.fema.gov)), a WVEMD PA staff member will contact you to conduct a Risk Assessment.

Once your RPA is approved, a representative from FEMA will contact you to begin recovery process.

- Program Delivery Manager (PDMG) will set up an Exploratory Call to discuss Public Assistance Program.
- Will work with state emergency management counterparts throughout process.

POLICIES & PROCEDURES

Federal

- a. [42 USC § 5121-5207, Robert T. Stafford Act](#)
- b. [FEMA Regulation, 44 CFR § 206 & 207](#)
- c. [FEMA Regulation, 2 CFR § 200](#)
- d. [FEMA Policy, FP-104-23-001 PA Simplified Procedures](#)
- e. [Public Assistance Program and Policy Guide – Version 5](#)
- f. [Executive Order 11988, Floodplain Management](#)
- g. [Executive Order 12612, Federalism](#)
- h. [Executive Order 12699, Seismic Design](#)
- i. [16 U.S.C. Section 3501, Coastal Barrier Resources Act](#)
- j. [16 U.S.C. Section 470, National Historic Preservation Act](#)
- k. [16 U.S.C. Section 1531, Endangered Species Act References](#)
- l. [2018 Disaster Recovery Reform Act](#)

State

- a. [West Virginia Code, Chapter 15, Article 5, “Emergency Services,” as amended.](#)
- b. [West Virginia Code, Chapter 6, Article 1, “Executive and Judicial Succession.”](#)
- c. [West Virginia Code, Chapter 8, Article 25, “Intergovernmental Relations – Regional Planning & Development.”](#)
- d. [West Virginia Code, Chapter 29, Article 31, “State Resiliency and Flood Protection Plan Act.”](#)

ONLINE TOOLBOX

QUESTIONS

Dr. Jason Means
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West Virginia Emergency Management Division
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