

Workshop 2: Changes in Legislation & Recent Disasters

**Houston-Galveston Area Council
Annual Debris Training Workshop Series**
June 19, 2013



AGENDA

- **Introductions and Purpose**
- **Recent Changes to Federal Disaster Assistance Programs**
- **Break**
- **In-Depth Discussion on Debris Reimbursement Options**
- **Impacts of Recent Disasters**
- **Next Steps/Adjourn**



Part 1: Introduction and Purpose



The Stafford Act

Robert T. Stafford
Disaster Relief and Emergency
Assistance Act, as Amended

April 2013



FACILITATORS

John Buri

- Supported debris management operations in every SAIC disaster response since 2004 throughout the country.
- Assisted municipalities throughout the state with debris management programs during Hurricane Ike, Hurricane Alex, and the wildfires in Bastrop, Texas.
- Serves as the debris program manager for H-GAC

Donald Kunish

- Most recently served as a debris project manager in New Jersey for Hurricane Sandy, in Louisiana for Hurricane Isaac and in Alabama for the 2011 Tornadoes
- Managed major debris removal projects and served as a technical advisor on disaster assistance grants throughout the country for 15 years
- Lead the State of Florida Emergency Response Commission

Caryn Messer

- Serves as a technical lead for emergency management planning including disaster debris management and recovery programs throughout the country
- Has supported the H-GAC annual debris training workshops for the past 4 years
- Assisted state agencies throughout Florida with the FEMA Public Assistance Program following the 2004 and 2005 hurricane seasons

PARTICIPANTS

- Name
- Agency
- Position/role in disaster debris management



PURPOSE

- **Provide detailed information on the recent changes to federal disaster assistance programs.**
- **Discuss the impacts of the Sandy Recovery Improvement Act.**
- **Analyze the pros and cons of different funding options based on type and level of disaster debris.**
- **Review the lessons learned from Hurricane Isaac and Hurricane Sandy.**

Part 2: Recent Changes to Federal Disaster Assistance Programs



The Stafford Act

Robert T. Stafford
Disaster Relief and Emergency
Assistance Act, as Amended

April 2013



2012 YEAR IN REVIEW

- **47 major disaster declarations – fewest since 2001.**
- **Hurricanes Isaac and Sandy and Tropical Storm Debbie made landfall.**
- **10 states and the District of Columbia received major disaster declarations for Hurricane Sandy.**
 - **4 states received major declarations for Katrina.**
- **Debris operations remain ongoing for Hurricanes Isaac and Sandy.**
- **The Federal Highway Administration (FHWA) made significant changes to the Emergency Relief (ER) program.**
- **Sandy Recovery Improvement Act was signed into law.**

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

- **Objectives of the Sandy Recovery Improvement Act:**
 - Reduce the cost of federal government assistance
 - Increase the administrative flexibility of the FEMA Public Assistance program
 - Expedite the process of providing and using the assistance
 - Create incentives for applicants to complete projects in a timely and cost-effective manner

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

- **Outcomes of the Sandy Recovery Improvement Act:**
 - **Streamlines environmental review process**
 - **Allows greater flexibility to reduce rebuilding time and lower costs**
 - **Reduces debris removal costs**
 - **Provides flexibility for less expensive housing options**
 - **Improves dispute resolutions to avoid cost overruns**
 - **Recommendations for reducing costs of future disasters**

CHANGES TO FEDERAL DISASTER AID PROGRAMS

- **Robert T. Stafford Act as Amended April 2013**
 - **Defines the requirements for new alternative procedures**
 - **Changes that apply to Section 406 – permanent work**
 - **Addition of Section 428(e)(2) which applies to Sections 403(a)(3)(A), 407, and 502(a)(5) – debris removal assistance**
 - **Reauthorizes similar authorities to those granted by the PA Pilot Program**

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Overview of Changes that Apply to Section 406**
 - **Subgrants based on fixed estimates, with the Subgrantee accepting responsibility for costs above the estimate**
 - **Use of surplus funds for hazard mitigation and activities to improve future PA operations**
 - **Consolidation of multiple permanent work facilities into a single subgrant**
 - **Elimination of the penalty for alternate projects based on fixed-grant estimates**
 - **Acceptance of mutually agreed-upon cost estimates prepared by the Subgrantee's licensed engineer**
 - **Use of an expert panel to validate cost estimates with a federal share of \$5 million or more**


ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Applicable to state, tribal, and local governments and private non-profit facilities**
- **Participation is voluntary for each facility**
- **Applicable to large projects only**
- **Subgrantee must agree to participate in the grants based on fixed estimates procedure before having access to other alternative procedures.**

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- Relationship of elements of the alternative procedures for permanent work

Alternative Procedures Subgrant



Subgrant based on fixed estimate (required)

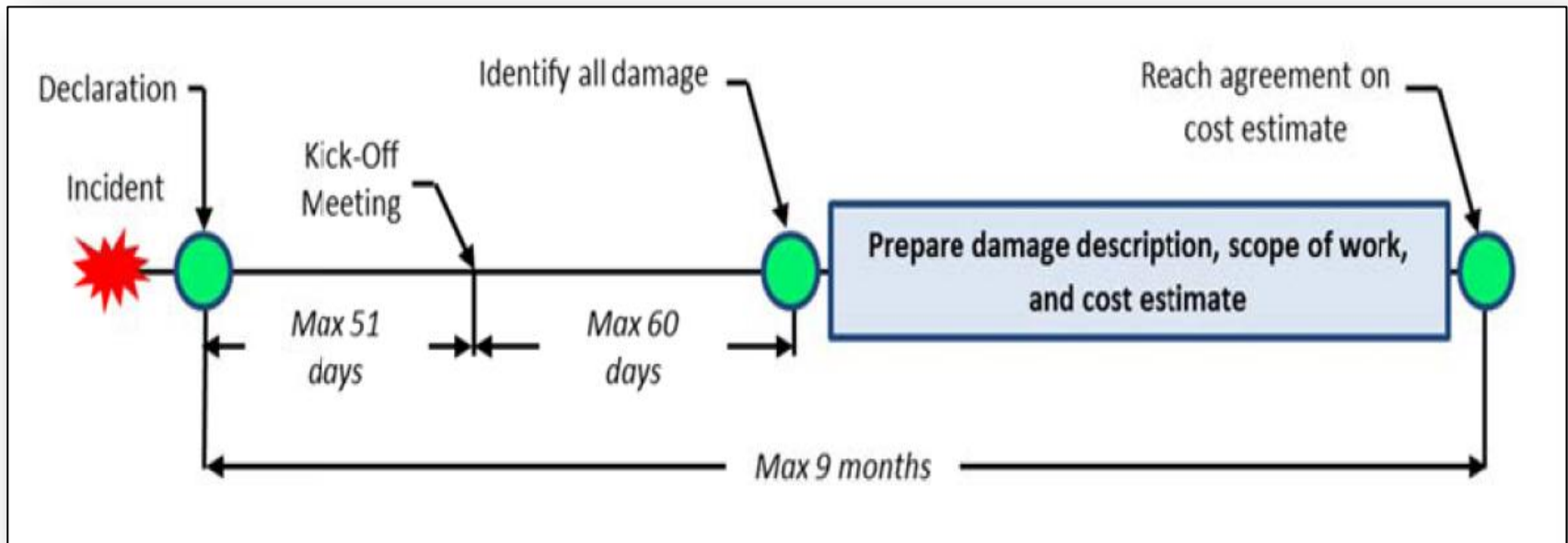
Optional features:

- Consolidation of multiple fixed subgrants
- FEMA validation of Subgrantee-provided estimates²
- Elimination of reduced eligible funding for alternate projects
- Use of excess funds
- Review of estimates by an expert panel for projects with a Federal share of \$5 million or greater

Participation is required to access all other permanent project alternative procedures

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Timeline for preparing cost estimates for permanent work**



Agreement on the estimate must be reached within nine months.

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Subgrants Based on Fixed Estimates**
 - **Subgrantee must agree with the Grantee and FEMA to the following:**
 - **Alternate procedures**
 - **Fixed amount**
 - **Scope**
 - **All disputes must be settled before the subgrant is considered.**
 - **Reimbursements are made on actual costs**

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Subgrants Based on Fixed Estimates**
 - **Cost estimates will be considered that comply with the following:**
 - Prepared by an agreed upon professionally licensed engineer
 - Properly conducted and certified
 - Comply with regulations, policy and guidance
 - **Cost estimates are eligible for funding.**
 - **Subgrants over \$5 million are eligible to be validated by a FEMA funded independent expert panel.**

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Consolidation of Fixed Subgrants**
 - **Subgrants with fixed estimates can be combined for traditional recovery or for a “fundamentally different concept.”**
 - **Must be consolidated within 12 months.**
 - **Section 406 funds can not be used if a facility is replaced or relocated.**

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Elimination of the Reduction in Eligible Costs**
 - Under standard procedures, FEMA reduces eligible costs for alternate projects.
 - Under the alternative procedures, FEMA will no longer implement this reduction for subgrants funded under the pilot program.
 - Subgrants approved and obligated under standard procedures are not eligible.

ALTERNATIVE PROCEDURES FOR PERMANENT WORK

- **Use of Excess Funds**
 - **Hazard mitigation activities that will reduce the risk of damage in future disasters including facilities not damaged in the declared disaster.**
 - **Activities that improve future PA Program permanent work operations, such as training and planning for future disaster recovery operations.**
 - **Consolidated subgrants, otherwise-eligible PA Program project activities, such as improved projects, alternate projects, etc.**

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Addition of Section 428 – Debris Removal Assistance**
 - Allows for the use of a ***sliding scale*** to determine cost share based on time.
 - Allows for the use of program ***income from recycled debris***.
 - Allows for reimbursing ***base and overtime wages***.
 - Allows for incentives to have an approved debris management ***plan and pre-qualified contractors***.
 - Allows for making grants on the basis of ***fixed estimates*** and allows the use of the ***excess funds for approved purposes***.

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Sliding Scale**

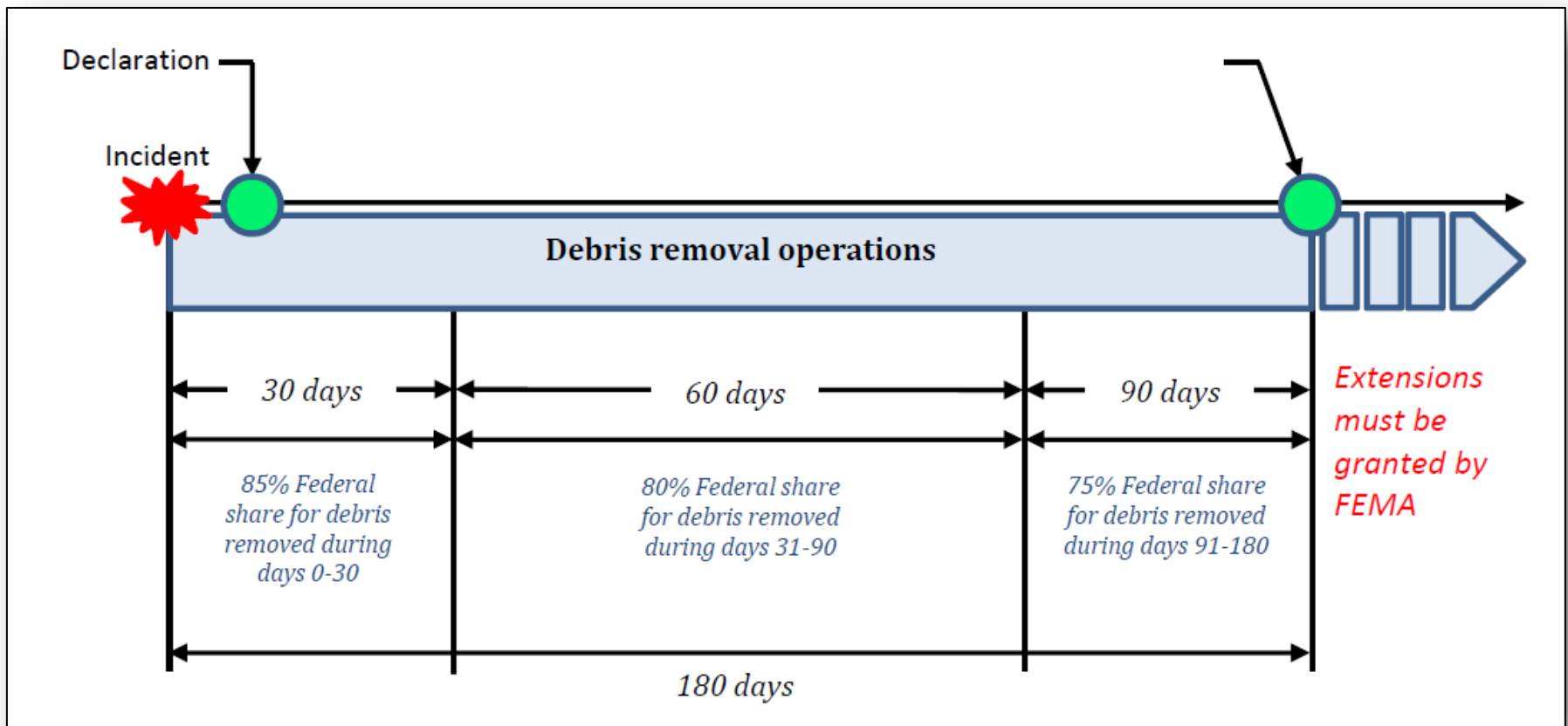
- Increased federal cost share for collection, hauling, processing and disposal within a specified timeline.

Debris Removal Completed* (days from start of Incident Period)	Federal Cost Share
0 – 30	85%
31 – 90	80%
91 – 180	75%
NO FEDERAL DOLLARS FOR DEBRIS REMOVAL AFTER 180 DAYS (UNLESS EXTENSION GRANTED)	

*Completed when accepted at final disposal site

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Sliding Scale Timeline**



ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Recycling Revenues**
 - Retain revenues received through recycling eligible disaster debris.
 - Must provide written notification to the state of the revenue.
 - Cost of recycling program cannot be claimed as direct project cost.



ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Recycling Revenues**
 - **May use revenues from recycling to:**
 - **Meet the cost sharing requirements of FEMA Public Assistance for debris removal**
 - **Develop comprehensive disaster preparedness and assistance plans, programs and capabilities**
 - **Activities that reduce the risk of future hardship or suffering from a major disaster**
 - **Activities to improve future debris removal operations or planning**

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Recycling Revenues**

- **Activities include:**

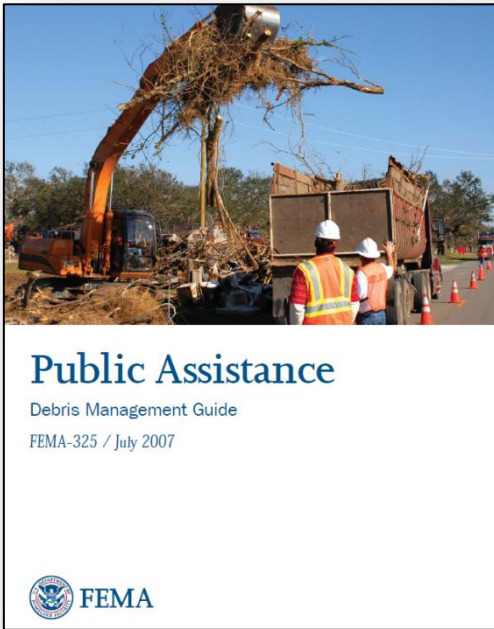
- **Developing disaster debris management plans.**
- **Updating or revising existing plans.**
- **Enhancing landfill-management sites.**
- **Installing mechanisms to control disaster debris.**
- **Purchasing equipment that would facilitate sorting, volume reduction, or removing disaster debris.**
- **Purchasing debris recycling equipment.**
- **Purchasing products to facilitate quantifying disaster debris.**
- **Purchasing onboard weight measurement systems.**
- **Purchasing software systems to assist in tracking trucks, drivers and routes.**

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

- **Straight Time Force Account Labor**
 - Reimbursement for base and overtime wages of existing employees and extra hires.
 - Costs calculated based on labor classifications.
 - Must track and maintain accurate hourly labor records.
 - Procedure can be used with any other alternative procedure or on its own.
 - Procedure can be applied to both large and small projects.

FEMA Force Account Labor Summary Record form (pictured) can be found at the following link: <http://www.fema.gov/library/viewRecord.do?id=2729>

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE



FEMA 325 provides guidance on debris management planning concepts. This document can be found at the following link:

<http://www.fema.gov/public-assistance-local-state-tribal-and-non-profit/debris-management-guide>

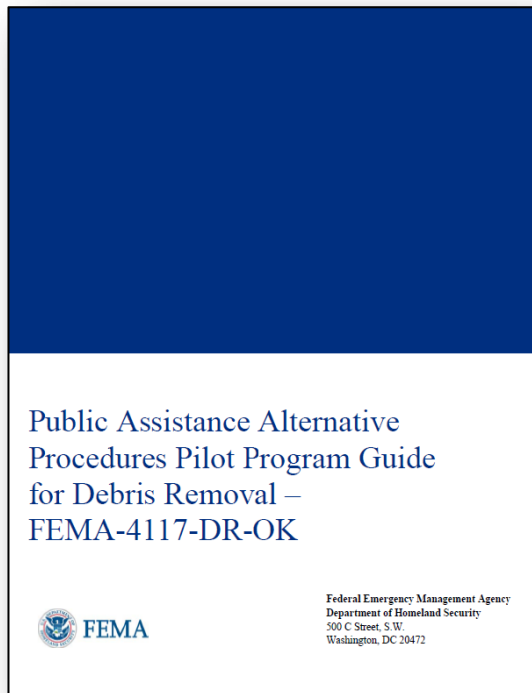
- **Debris Management Plans**
 - One-time incentive of a 2 percent increased cost share.
 - Applied to debris removal completed within 90 days from the start of the incident period.
 - Must have a debris management plan in place before the date of declaration of the major disaster.
 - Must be provided to FEMA for review within 10 days from the date of declaration.
 - Feature can be used with any other feature or on its own.

ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL ASSISTANCE

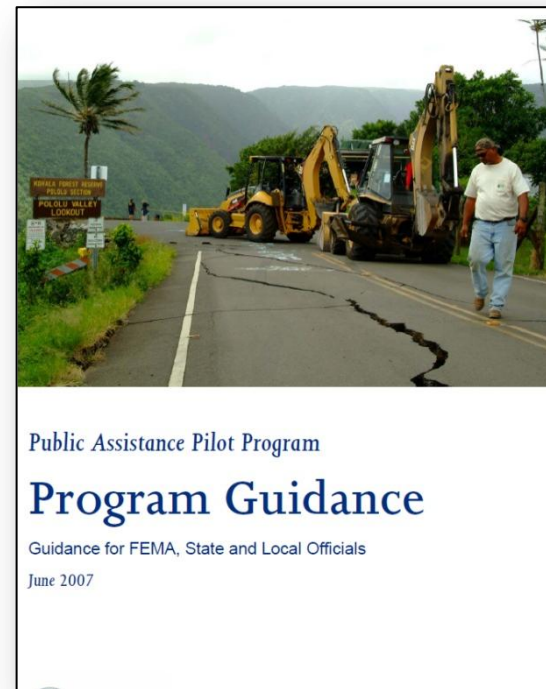
- **Debris Management Plans Should Include:**
 - Debris management overview
 - Events and assumptions
 - Debris collection and removal plan
 - Debris disposal locations and Debris Management Sites
 - Debris removal on private property
 - Use and procurement of contracted services
 - Use of force account labor
 - Monitoring of debris operations
 - Health and safety requirements
 - Environmental considerations and other regulatory requirements
 - Public information

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs



Not currently available online.



<http://www.fema.gov/pdf/about/regions/regioniii/papilot.pdf>

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs Estimated Project Underrun Uses

FEMA-4117-DR-OK Public Assistance Alternative Procedures Guide 2013	Public Assistance Pilot Program 2007
Does not allow for estimated projects	Hazard mitigation projects Offset overruns on other eligible projects Public Assistance related training Internal project management/ administrative costs that exceed sliding scale

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs Sliding Scale Reimbursement Options

FEMA-4117-DR-OK Public Assistance Alternative Procedures Guide 2013	Public Assistance Pilot Program 2007
85% federal cost share for first 30 days 80% federal cost share for days 31 – 60 75% federal cost share for days 61 – 90 No reimbursement beyond 180 days	Does not allow for sliding scale reimbursement option

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs Recycling Revenue Uses

FEMA-4117-DR-OK Public Assistance Alternative Procedures Guide 2013	Public Assistance Pilot Program 2007
Cost sharing requirements for debris removal Disaster preparedness plan, program and capability developments Activities that reduce future risk Activities to improve future debris removal operations	Not specified

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs Recycling Revenue Uses

FEMA-4117-DR-OK Public Assistance Alternative Procedures Guide 2013	Public Assistance Pilot Program 2007
Cost sharing requirements for debris removal Disaster preparedness plan, program and capability developments Activities that reduce future risk Activities to improve future debris removal operations	Not specified

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs Straight Time Force Account Labor

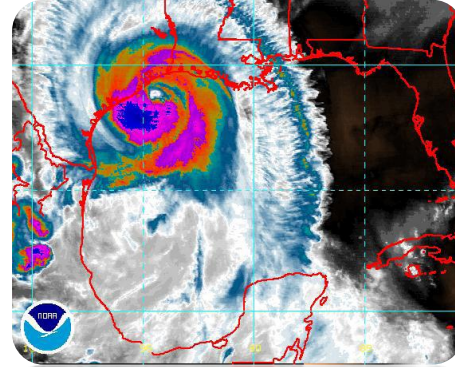
FEMA-4117-DR-OK Public Assistance Alternative Procedures Guide 2013	Public Assistance Pilot Program 2007
Reimbursement for base and overtime wages Reimbursement for permanent employees and extra hires	Reimbursement for permanent employees only

RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

Differences in Programs Debris Management Plans

FEMA-4117-DR-OK Public Assistance Alternative Procedures Guide 2013	Public Assistance Pilot Program 2007
<p>Additional 2% federal cost share (not to exceed 100%).</p> <p>Plan in place prior to declaration and provided to FEMA within 10 days of declaration.</p> <p>Must have one pre-qualified contractor (as defined in Sand Recovery Improvement Act) prior to declaration</p>	<p>Additional 5% federal cost share (not to exceed 100%)</p> <p>Must have an approved plan and two pre-qualified contractors</p>

Break



RECENT CHANGES TO FEDERAL DISASTER ASSISTANCE PROGRAMS

The screenshot shows the FEMA website interface. At the top left is the FEMA logo. To its right is a search bar with the placeholder text "What are you looking for?". Below the search bar is a navigation menu with various categories like "Archived Policies", "PA Publications Archive", "Process to Request Arbitration", etc. The main content area displays a list of policy publications under the heading "9522 General Work Eligibility". The list includes items such as "9523.1 Snow Assistance Policy (11/02/09)", "9523.2 Eligibility of Building Safety Inspections Supporting Emergency Work (1/28/08)", and "9523.19 Eligible Costs Related to Pet Evacuations and Sheltering (10/24/07)".

- **FEMA 9500 Recovery Policies**
 - **Public Assistance policies formatted for printing**
 - **Frequent updates to policies**
 - **Numbering not sequential with date**
 - **Monitor site for changes**

The FEMA 9500 Series Policy Publications can be found at the following link:
<http://www.fema.gov/9500-series-policy-publications>

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recent updates to the FEMA 9500 Series Policy Publications**
 - **Recovery Policy 9523.5 Debris Removal from Waterways**
 - **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **Recovery Fact Sheet 9580.214 Debris Removal on Federal-Aid Highways**
 - **Recovery Fact Sheet 9580.215 Debris Removal Force Account Labor Costs**

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Policy 9523.5 Debris Removal from Waterways**
 - **Guidance for debris removal from the following:**
 - Navigable waterways
 - Coastal and inland zones
 - Wetlands



FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Policy 9523.5 Debris Removal from Waterways**
 - Defines roles and responsibilities for:
 - US Army Corps of Engineers (USACE)
 - US Coast Guard (USCG)
 - Environmental Protection Agency (EPA)
 - Natural Resources Conservation Commission (NRCS)



FEMA
RECOVERY POLICY

RP9523.5

I. **TITLE:** Debris Removal from Waterways

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Policy 9523.5 Debris Removal from Waterways**
 - **Approval for FEMA Assistance:**
 - Direct result of a presidentially declared disaster
 - Removal is in the public interest
 - Another federal agency does not have specific authority to perform or fund the work
 - **Applicant must provide:**
 - Public interest determination
 - Legal responsibility
 - Debris types and quantities
 - Debris removal locations

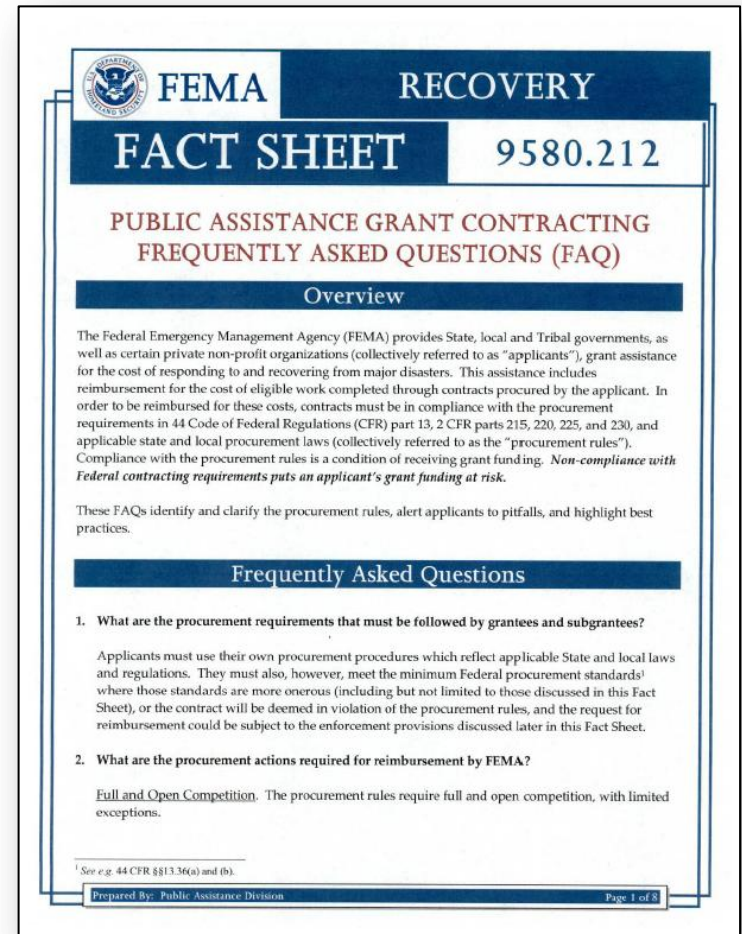
FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Policy 9523.5 Debris Removal from Waterways**

“Pursuant to Section 312 of the Stafford Act, FEMA is prohibited from providing funds for work that is covered by another source of funding. Therefore, applicants should take steps to verify whether insurance coverage or any other source of funding exists for the debris removal work.”

FEMA 9500 SERIES POLICY PUBLICATIONS

- Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting
 - Provides information on frequently asked questions regarding:
 - Procurement policies
 - Contracts
 - Compliance for receiving grant funding



FEMA 9500 SERIES POLICY PUBLICATIONS

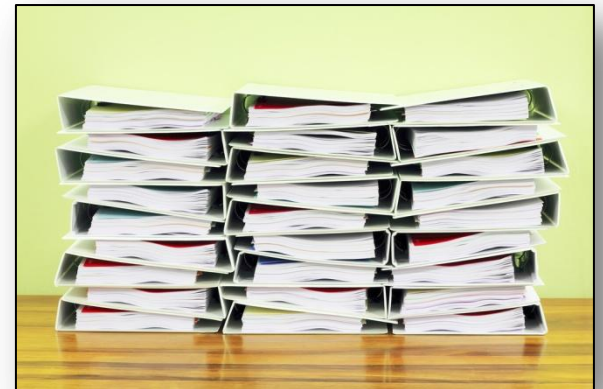
- **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **Applicants must:**
 - Use their own procurement procedures.
 - Comply with local, state and federal applicable laws.
 - **Applicant may be subject to enforcement actions for non-compliance.**

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **Procurement action requirements:**
 - Full and open competition
 - Cost or price analysis
 - Contractor ownership preferences
 - System for managing procurement
 - Required provisions in procurement actions (Davis-Bacon Act)
 - Guarantees and bonds

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **FEMA recommended best practices:**
 - Use sealed bids
 - Keep detailed records
 - Team up – intergovernmental agreements
 - Lease versus purchase
 - Use value engineering
 - Pre-qualify debris contractors



FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **FEMA discouraged practices:**
 - Time and materials contracts except for 70 hour push
 - Piggyback contracts

FEMA preferences pre-qualified contractors rather than pre-positioned contracts to ensure pricing is determined at the time of the disaster.

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **FEMA prohibited practices:**
 - Noncompetitive contracts
 - Cost plus percentage contracts
 - Debarred or suspended contractors
 - Conflicts of interest
 - Duplicating costs
 - Contingency clauses
 - Excessive costs
 - Grantee or subgrantee profit

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Fact Sheet 9580.212 Public Assistance Grant Contracting**
 - **Consequences for non-compliance:**
 - Temporarily withhold payment or take more severe enforcement action
 - Disallow all or part of the cost of the activity or action not in compliance
 - Wholly or partly suspend or terminate the applicant's current award
 - Withhold future awards
 - Take other remedies that may be legally available

FEMA 9500 SERIES POLICY PUBLICATIONS

- **Recovery Fact Sheet 9580.214 Debris Removal on Federal-Aid Highways**
 - Provides information on debris removal from federal-aid highways under the FEMA Public Assistance program.
 - Explains recent changes to federal funding programs

The image shows the cover page of a FEMA Recovery Fact Sheet. At the top left is the FEMA logo. To its right, the word "FEMA" is written in white on a dark blue background. Further right, the word "RECOVERY" is written in white on a dark blue background. Below this, "FACT SHEET" is written in white on a dark blue background, and "9580.212" is written in dark blue on a white background. The main title, "PUBLIC ASSISTANCE GRANT CONTRACTING FREQUENTLY ASKED QUESTIONS (FAQ)", is written in red. Below the title is a dark blue bar with the word "Overview" in white. The text below the bar describes the FEMA Public Assistance program and its requirements. A second dark blue bar with the words "Frequently Asked Questions" in white is followed by two numbered questions. The first question asks about procurement requirements, and the second asks about procurement actions for reimbursement. A footnote at the bottom left refers to 44 CFR §13.36(a) and (b). The footer at the bottom right says "Page 1 of 8".

FEMA RECOVERY

FACT SHEET 9580.212

PUBLIC ASSISTANCE GRANT CONTRACTING FREQUENTLY ASKED QUESTIONS (FAQ)

Overview

The Federal Emergency Management Agency (FEMA) provides State, local and Tribal governments, as well as certain private non-profit organizations (collectively referred to as "applicants"), grant assistance for the cost of responding to and recovering from major disasters. This assistance includes reimbursement for the cost of eligible work completed through contracts procured by the applicant. In order to be reimbursed for these costs, contracts must be in compliance with the procurement requirements in 44 Code of Federal Regulations (CFR) part 13, 2 CFR parts 215, 220, 225, and 230, and applicable state and local procurement laws (collectively referred to as the "procurement rules"). Compliance with the procurement rules is a condition of receiving grant funding. *Non-compliance with Federal contracting requirements puts an applicant's grant funding at risk.*

These FAQs identify and clarify the procurement rules, alert applicants to pitfalls, and highlight best practices.

Frequently Asked Questions

1. **What are the procurement requirements that must be followed by grantees and subgrantees?**

Applicants must use their own procurement procedures which reflect applicable State and local laws and regulations. They must also, however, meet the minimum Federal procurement standards¹ where those standards are more onerous (including but not limited to those discussed in this Fact Sheet), or the contract will be deemed in violation of the procurement rules, and the request for reimbursement could be subject to the enforcement provisions discussed later in this Fact Sheet.

2. **What are the procurement actions required for reimbursement by FEMA?**

Full and Open Competition. The procurement rules require full and open competition, with limited exceptions.

¹ See e.g. 44 CFR §§13.36(a) and (b).

Prepared By: Public Assistance Division Page 1 of 8

CHANGES TO FEDERAL DISASTER AID PROGRAMS

- Until recently, the Federal Highway Administration (FHWA) had the primary authority to remove debris on federal-aid highways under its Emergency Relief (ER) Program
 - FHWA would only address first pass
 - FEMA would reimburse for subsequent passes
- Moving Ahead for Progress in the 21st Century Act (“MAP-21”) signed 7/6/12 changed this process



CHANGES TO FEDERAL DISASTER AID PROGRAMS

- **FHWA ER – Conditions for Eligibility**
 - Governor declares emergency but does not receive a Presidential declaration.
 - The event receives a Presidential emergency declaration, but FEMA has determined that debris removal is not eligible for its assistance.
 - A Governor's emergency declaration includes more counties than the Presidential declaration. FHWA can participate in debris removal costs for the counties not included in the Presidential declaration.

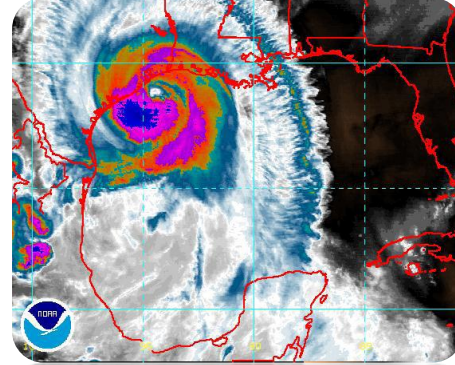
For additional information on changes as a result of MAP-21:

<http://www.fhwa.dot.gov/map21/qandas/qaer.cfm>

For additional information on the FHWA ER Program:

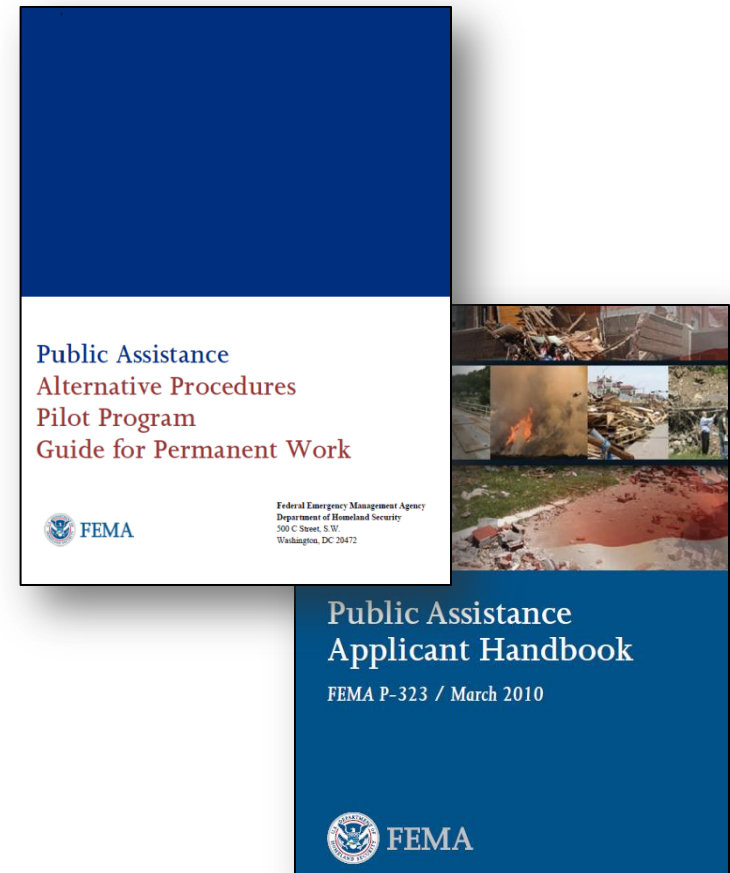
<http://www.fhwa.dot.gov/reports/erm/>

In-Depth Discussion on Debris Reimbursement Options



COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

- Advantages and disadvantages to using both program procedures based on the following:
 - Type of disaster
 - Type and quantity of debris
 - Special programs
 - Environmental considerations
 - Timeline



COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

- **Project Comparison:**
 - **Sioux Falls, South Dakota Ice Storm**
 - Short-term debris removal project
 - Vegetative debris
 - Quick project completion
 - **Bastrop, Texas Wildfires**
 - Long-term debris removal program
 - Environmental concerns
 - Special programs



COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

- **Sioux Falls, South Dakota Ice Storm**
 - **Occurred in April 2013**
 - **Combination of ice and wind caused trees to crack and fall**
 - **Hazardous hanging and leaning limbs**



COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

Sioux Falls, South Dakota Ice Storm Sliding Scale Option

Timeline	Eligible Work	Federal Share	Local Share
Day 1 to 30 Cost Share: 85%/15%	\$863,487.88	\$733,964.70	\$129,523.18
Day 31 to 90 Cost Share: 80%/20%	\$125,653.55	\$106,805.52	\$18,848.03
Day 91 to 180 Cost Share: 75%/25%	\$0.00	\$0.00	\$0.00
Day 180+ Cost Share: 0%/100%	\$0.00	\$0.00	\$0.00
TOTAL	\$989,141.44	\$840,770.22	\$148,371.22

COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

Sioux Falls, South Dakota Ice Storm Standard Debris Option

Eligible Work	Federal Share	Local Share
\$989,141.44	\$741,856.08	\$247,285.36

Comparison

Program	Federal Share	Local Share
Sliding Scale Option	\$840,770.22	\$148,371.22
Standard Debris Option	\$741,856.08	\$247,285.36

Difference of \$98,914.14 federal cost share

COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

- **Bastrop, Texas Wildfires**
 - **Fire started September 4, 2011**
 - **Tropical Storm Lee caused 30 mph winds**
 - **Most destructive wildfire in Texas history**
 - **34,000 acres burned**
 - **1,667 homes destroyed**
 - **38 non-residential structures destroyed**
 - **5,000 people displaced**
 - **2 fatalities**
 - **1.5 million trees killed**



COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

Bastrop, Texas Wildfires Sliding Scale Option

Timeline	Eligible Work	Federal Share	Local Share
Day 1 to 30 Cost Share: 85%/15%	\$1,502,881.87	\$1,277,449.59	\$225,432.28
Day 31 to 90 Cost Share: 80%/20%	\$3,230,326.73	\$2,584,261.38	\$646,065.35
Day 91 to 180 Cost Share: 75%/25%	\$3,217,615.04	\$2,574,092.03	\$643,523.01
Day 180+ Cost Share: 0%/100%	\$9,732,477.24	\$0.00	\$9,732,477.24
TOTAL	\$17,683,300.88	\$6,435,803.00	\$11,247,497.88

COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

Bastrop, Texas Wildfires Standard Debris Option

Eligible Work	Federal Share	Local Share
\$17,683,300.88	\$13,262,475.66	\$4,420,825.22

Comparison

Program	Federal Share	Local Share
Sliding Scale Option	\$6,435,803.00	\$11,247,497.88
Standard Debris Option	\$13,262,475.66	\$4,420,825.22

Difference of \$6,826,672.66 local cost share

COMPARISON OF DEBRIS REIMBURSEMENT OPTIONS

- **Sliding Scale Option:**

- **Pros:**

- Possible lower cost share

- **Cons:**

- Cleanup cut off date
- Must identify when debris actually reaches final disposal
- Ensuring contractor urgency with final disposal

- **Recycling Revenue Option:**

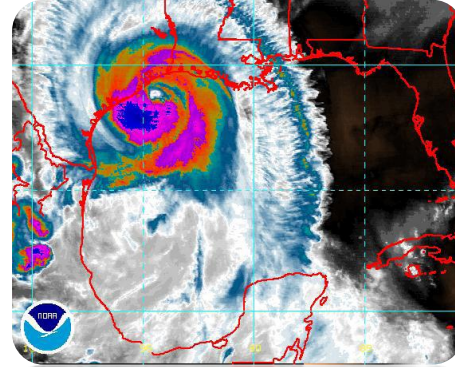
- **Pros:**

- Possible increased funding for disaster programs with Recycling revenue
- Innovative recycling methods that are more expensive are eligible

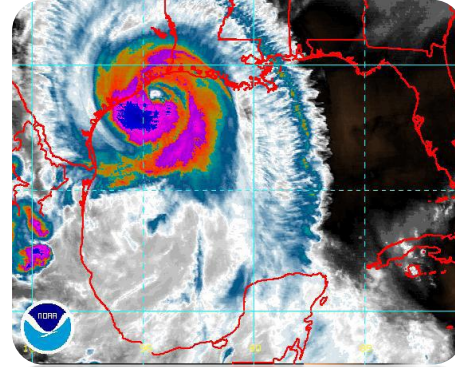
- **Cons:**

- Current contracts might not account for recycling revenues
- Contractors consider revenues in unit pricing
- Contracts may utilize cradle to grave pricing
- Local may have given up ownership of debris

Break



Impacts of Recent Disasters



LESSONS LEARNED: HURRICANE ISAAC

- **Hurricane Isaac**
 - **Landfall on August 28, 2012 near New Orleans, Louisiana**
 - **Large size and storm surge**
 - **Slow moving storm with heavy rain**
 - **\$500,000,000 in utility damage**
 - **\$612 million in damage in Louisiana**
 - **Approximately 181,000 cubic yards of debris collected**



LESSONS LEARNED: HURRICANE ISAAC



- **Hurricane Isaac Success Stories**
 - **Prepositioned contracts**
 - **Pre-identified and permitted debris management sites**
 - **Required 50% beneficial use of vegetative debris**

LESSONS LEARNED: HURRICANE ISAAC

- **Hurricane Isaac Challenges**
 - **Past experience with previous storms**
 - **New levees untested**
 - **Flooding in areas outside new federal levees**
 - **Public perception of debris start times**
 - **Mobilization schedule requirements**
 - **Subcontractor payments lower than with Gustav and Katrina**
 - **Not USACE managed projects**
 - **Industry pricing has eroded with small margins**

LESSONS LEARNED: HURRICANE ISAAC



- **Recommendations from Hurricane Isaac: Project Kickoff**
 - **Every disaster is different and requires a different response**
 - **Define the roles and responsibilities of all project stakeholders**
 - **Maintain a robust public information campaign to help manage citizen expectations**

LESSONS LEARNED: HURRICANE ISAAC

- **Recommendations from Hurricane Isaac: Managing Debris Operations**
 - **Strict mobilization schedules and low bid contracts with low debris quantities will not facilitate an immediate response**
 - **Define priority areas with associated distinctive identifiers**
 - **Require specialty crews for unique challenges**



LESSONS LEARNED: HURRICANE ISAAC



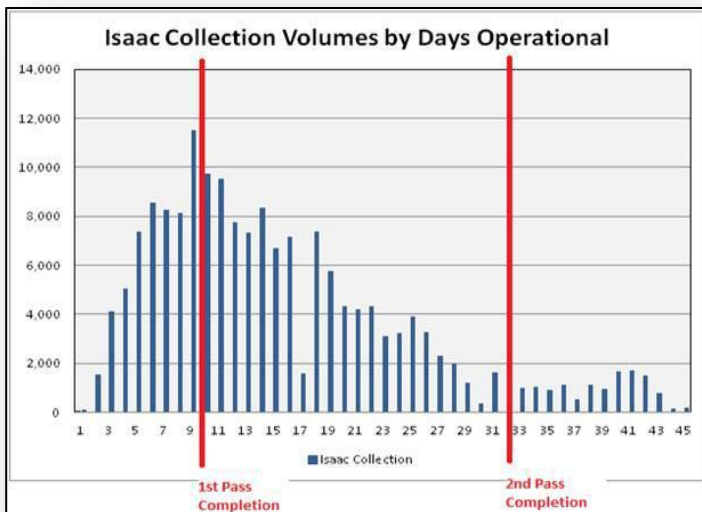
- **Recommendations from Hurricane Isaac: Zone Management/Pass Completion**
 - Define requirements for zone completion
 - Provide aggressive public information campaign
 - 1st pass – one time
 - 2nd pass – multiple with notice
 - 3rd pass – last opportunity
 - Identify pick up way points
 - Use automated debris management system (ADMS)

LESSONS LEARNED: HURRICANE ISAAC

- **Recommendations from Hurricane Isaac: Monitor and Contract Reporting**

- **Predetermine critical areas of reporting:**

- **Debris collected**
- **Areas worked (zone or collection point)**
- **Number of trucks**
- **Cumulative amount vs. capacity of debris management site**
- **Incident reports**



LESSONS LEARNED: HURRICANE ISAAC

- **Recommendations from Hurricane Isaac: Contract Management**
 - **Prepare and plan for contractor failure**
 - **Include contract clauses for under-performance**
 - **Maintain backup contractors**
 - **Ensure back up contractors are on standby**



LESSONS LEARNED: HURRICANE ISAAC

- **Recommendations from Hurricane Isaac: Debris Management Sites**
 - **Location –Strategically locate for mileage price schedule**
 - **Capacity vs. haul-out operations**
 - **Recycling opportunities - Stafford Act changes**



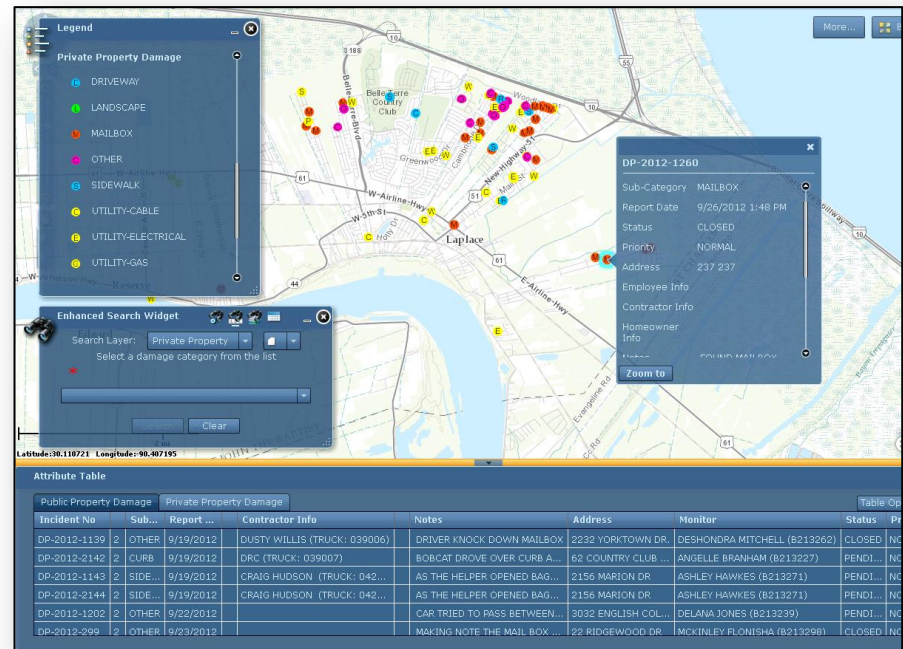
LESSONS LEARNED: HURRICANE ISAAC

- **Recommendations from Hurricane Isaac: Set Out Procedures/Bagged Debris**
 - **Task and appeal**
 - **Use force account or solid waste**
 - **Provide public Information: don't use bags**



LESSONS LEARNED: HURRICANE ISAAC

- Recommendations from Hurricane Isaac: Citizen Complaints and Questions
 - Establish a debris command center
 - Consider using a GIS based management tool



LESSONS LEARNED: HURRICANE SANDY

- **Hurricane Sandy**
 - **Late season storm making landfall on October 29, 2012 in New Jersey**
 - **Massive storm surge flooded streets, tunnels and subways**
 - **Approximately \$50 billion in damage**
 - **15 states and the District of Columbia impacted**
 - **6 million without power**



LESSONS LEARNED: HURRICANE SANDY

- Hurricane Sandy Success Stories
 - ADMS was widely used throughout the impacted area with success.

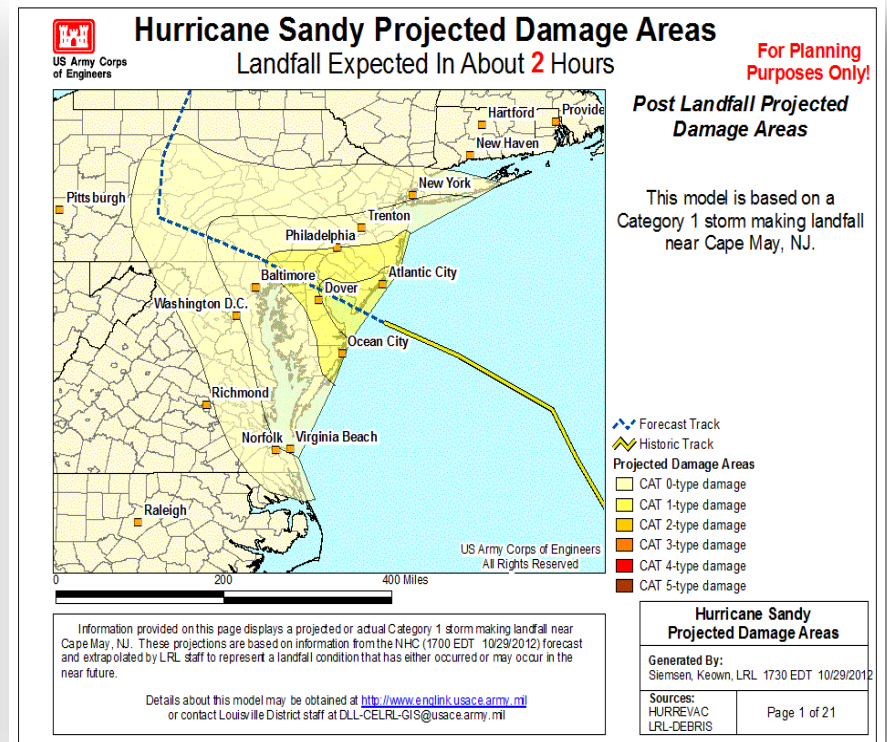
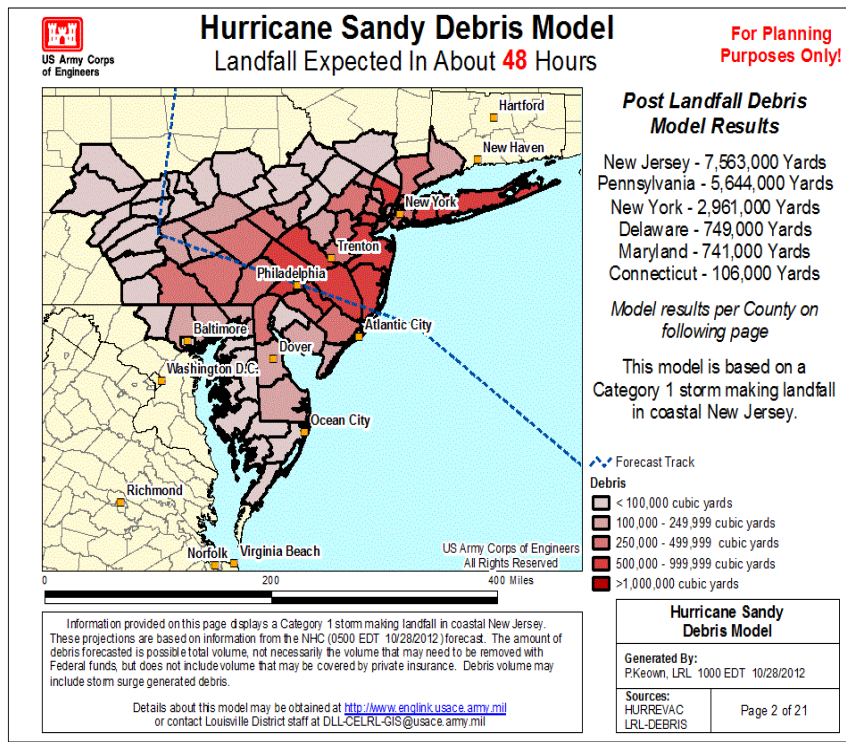


LESSONS LEARNED: HURRICANE SANDY

- **Hurricane Sandy Challenges**
 - **General lack of preparedness**
 - **Very few pre-positioned contracts or pre-identified vendors**
 - **Statewide contract**
 - **75% federal cost share in New Jersey, 90% in New York**
 - **Underestimated available resources**
 - **Lack of planning and consideration for local landfill capabilities**

LESSONS LEARNED: HURRICANE SANDY

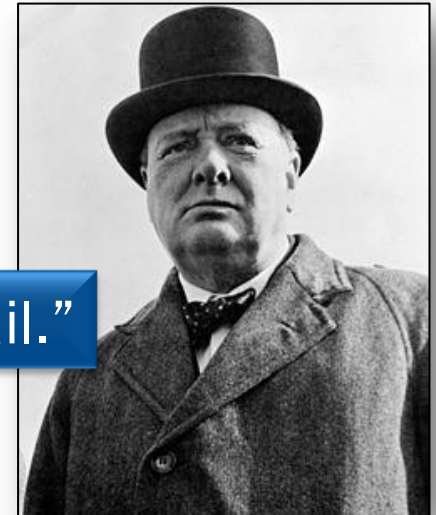
- Hurricane Sandy Challenges
 - Locals relied on debris estimation models that were significantly off target



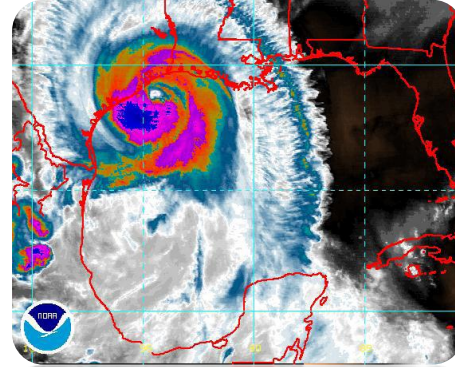
LESSONS LEARNED: HURRICANE SANDY

- **Recommendations from Hurricane Sandy**
 - **Think: It can happen to you.**
 - **Prepare even if you are on the periphery of the projected path.**
 - **Do not rely solely on debris estimation models, prepare for the worst.**
 - **Pre-identify debris contractors.**
 - **Develop a debris management plan.**

“He who fails to plan is planning to fail.”



Next Steps/Adjourn



QUESTIONS?



NEXT STEPS

- **Workshop 3: Disaster Debris Management Documentation**
 - August 21, 2013

ADJOURN

Thank you!

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