



FEMA

# Public Assistance

## What is Public Assistance?

The Public Assistance program provides supplemental funding to eligible applicants to facilitate a community's recovery from a disaster event. Funding may be made available for emergency actions taken in response to a disaster and for work done to repair or replace damaged public infrastructure. Funding is reimbursed to approved applicants as eligible costs are incurred.

## Eligibility

Approval by Federal Emergency Management Agency and Kentucky Emergency Management (KYEM) of a recovery project is based on the following:

- **Is the applicant eligible?** Public Assistance grants are for state agencies, local governments, certain governmental subdivision (e.g. school districts, water districts), and certain private, nonprofit organizations that perform services of a public nature (e.g., public utilities, emergency medical facilities, museums).
- **Is the damaged facility eligible?** Facilities must be the legal responsibility of an eligible applicant, located in the declared disaster area, in active use when the disaster occurred, and damages had to be a result of the disaster.
- **Is the work that was done or needs to be done eligible?** The work has to be disaster related, located in the disaster area, be the responsibility of the applicant, and cannot have been caused by negligence.
- **Are the project costs eligible?** To be reimbursable, costs incurred to perform recovery projects must be reasonable and necessary. FEMA will not duplicate any other benefits, such as insurance coverage.



Project documentation is critical. Applicants must provide FEMA and KYEM with sufficient documentation; maintain adequate accounting records, comply with reporting requirements, and justify all project costs. Failure to follow these requirements will jeopardize funding opportunities. *(More info on Page 3 – FAQs)*

## Categories of Work

### Emergency Work

A: Debris Removal

B: Emergency Protective Measures

### Permanent Work

C: Roads and Bridges

D: Water Control Facilities

E: Buildings and Equipment

F: Utilities

G: Parks and Recreation/Other

## **Disbursement of Funds**

Eligible work is documented on a Project Worksheet through a collaborative effort between the applicant and a FEMA Project Coordinator (PAC). Following review and approval of a Project Worksheet, FEMA obligates funds for the project. KYEM will then provide both the federal and state cost shares to the applicant. FEMA will pay 75 percent of project costs, the state will pay 12 percent, and the local applicant responsible for the remaining 13%.

Funding for small projects (those less than \$66,400) is based on estimates or actual costs, if available. As soon as practicable after FEMA obligated a small project, the state disburses funds to the applicant. Funding for large projects is disbursed to applicants only as supporting documentation such as receipts, invoices, and cancelled checks for work completed are submitted to KYEM. All funds are electronically transferred to the applicant's designated bank account.

**NOTICE: FEMA will advise applicants of any environmental or historical matters which may require special consideration or compliance actions. Failure to comply with any federal or state requirements could jeopardize disaster assistance funding. Applicants are encouraged to consult with FEMA if they have any concerns or questions on these matters.**

## **Roles of local officials working with FEMA**

When applying for Public Assistance, each applicant must designate an applicant agent. The applicant agent may be an auditor, fiscal officer, emergency manager, or someone else selected to serve as the primary point of contact with Kentucky Emergency Management and FEMA on all Public Assistance Program matters. The applicant agent is responsible for providing project documentation, ensuring program compliance, and consults with FEMA and KYEM as project questions arise.

In some cases, someone other than the applicant agent may interact on a day-to-day basis with the PAC. In these instances, it is vital that the applicant agent stays in touch with the highway supervisor, engineer, fiscal officer, or any other person who is involved with a project. Each person may have separate dealings with the Commonwealth and with FEMA, and it is important for everyone to communicate and work together.

All applicants and their agents must gain a working understanding of the FEMA Public Assistance Program. Failure to adhere to program requirements will jeopardize funding. Attendance at an Applicant Briefing is mandatory for all applicants. Additional information can be located at both the KYEM and FEMA websites.

In depth training regarding the FEMA Public Assistance Program can be obtained by attending an Applicant Agent Certification Course offered by KYEM on a quarterly basis.

This week-long training will provide vital information relevant to preparing for, responding to, and recovering from disaster events. Further information on this course is available at:

<http://kyem.ky.gov/recovery/Pages/applicantagentcertification.aspx>

### **For Additional Assistance:**

If you have any questions about your Public Assistance projects, you should first talk to your PAC. If the problem can't be resolved, contact the KYEM Public Assistance Officer Jessica Mitchell at (502) 607-5762.

### **Online Public Assistance Resources**

- Kentucky Division of Emergency Management  
<http://kyem.ky.gov/Pages/default.aspx>
- Policy and Guidance - 9500 Series Policies and other Publications  
<http://www.fema.gov/government/grant/pa/policy.shtm>
- Application Process - Step by step description of the PA grant life cycle  
<http://www.fema.gov/government/grant/pa/process.shtm>
- Roles and Responsibilities - Information on the duties of Federal, State, and local partners  
<http://www.fema.gov/government/grant/pa/roles.shtm>
- Documentation Requirements  
[http://www.fema.gov/government/grant/pa/re\\_documentation.shtm](http://www.fema.gov/government/grant/pa/re_documentation.shtm)
- Reference Topics - Specific information and instructions on PA topics  
<http://www.fema.gov/government/grant/pa/reference.shtm>
- Resources and Tools - Appeal Database, Equipment Rates, Cost Estimating Format, and other resource  
<http://www.fema.gov/government/grant/pa/resources.shtm>

## **FREQUENTLY ASKED QUESTIONS**

**Question:** When do I apply for Public Assistance?

**Answer:** Potential applicants must submit a request for assistance to KYEM within 30 days of their county being designated as part of the disaster declaration. Requests for Assistance can be submitted at Applicant Briefings or faxed to Jessica Mitchell with the Kentucky Emergency Management Recovery Branch at 502.607.5740.

**Question:** What is the deadline to complete repairs for Public Assistance funding?

**Answer:** The deadline to complete Emergency Work (Categories A or B) is 6 months from the disaster declaration. The deadline to complete Permanent Work (Categories C through G)

is 18 months from the disaster declaration. If additional time is needed to complete work, extension requests should be directed to KYEM.

**Question:** What type of documentation must I keep to help ensure I receive funding for my eligible projects?

**Answer:** Take photographs of the damage sites which will provide a before-and-after record of disaster-related damage if work was completed prior to an inspection. As work is being done, keep documents like estimates, receipts, invoices, timesheets, equipment logs, cancelled checks, etc. In addition, be sure to maintain any local disaster declaration documents or emergency decrees (eg. local state of emergency declaration, evacuation authorizations, curfews, etc.) that served as the basis for the applicant to execute any emergency authorities.

**Question:** How long do we need to maintain project records?

**Answer:** Records and supporting documentation must be kept for three (3) years following receipt of written notification from KYEM that the applicant is officially closed. The closeout may not occur until several years after the disaster.

**Question:** How do we appeal a decision?

**Answer:** Any determination made by FEMA may be appealed. If the Project Worksheet is not yet finalized, you should talk with the PAC about any concerns to see if they can be resolved before the Project Worksheet goes through the approval process. Should that not work, you need to immediately contact Jessica Mitchell at KYEM (502.507.5762). If a Project Worksheet has been obligated a formal appeal must be filed with the state within 60 days of the applicant's receipt of the official Project Worksheet. Again, contact Jessica Mitchell immediately. She will advise you on the appeal process. Your appeal will be submitted to the KYEM. KYEM in turn writes a recommendation to FEMA and forwards all documentation to FEMA Region IV in Atlanta for a determination. Should Region IV deny your appeal, you may submit another appeal repudiating Region IV's denial. The second appeal is given to KYEM. KYEM again writes a recommendation and submits the documentation to FEMA Headquarters in Washington D.C.

Step in Process	Participants	Location	What is Accomplished
Pre-Declaration Preliminary Damage Assessment	KYEM, FEMA, Local officials, Public Works Director, Road Supervisor, Emergency Manager, Property Valuation Agent, KYTC, NRCS	Teams typically meet at local government offices to learn about the extent of damages, and then visit the specific damage sites.	Damage is identified and evaluated to determine if a Presidential disaster declaration is warranted.
<b>Federal Disaster Declaration Occurs</b>			
PA Applicant Briefing	KYEM, FEMA, Local Applicant Agents (Judge/Executives, Public Works Directors, Road Supervisors, Fiscal Officers, Emergency Managers, Mayors, etc.)	Often a large public building with meeting space that can accommodate officials from as many as 8-10 counties.	KYEM provides an overview of the Public Assistance Program – how to apply, eligibility factors, and steps required to receive funding.
Kickoff Meeting	<b>FEMA/KYEM:</b> Public Assistance Coordinator (PAC) <b>Local:</b> Applicant Agent and other representatives (Public Works Director, Road Supervisor, etc.) <b>State Agencies</b> <b>Private Non Profits</b>	A meeting place of the applicant's choice. Can sometimes occur immediately following PA applicant briefing.	KYEM and FEMA establish a working relationship with the applicant. Damage sites are reviewed and environmental and contracting issues are discussed.
Damage Site Inspections	<b>FEMA/Local:</b> Designee (Public Works Director, Road Supervisor, or official of applicant's choice.)	Teams visit damage sites. If repairs have already occurred, photos, and documentation of the damage and repair work must be provided.	FEMA and the applicant review damage and reach a consensus on the work needed to return the site to pre-disaster condition.
PW Write-up and Signoff	<b>FEMA/KYEM:</b> Project Officer/Public Assistance Coordinator (PAC) <b>Local:</b> Applicant Agent (Official of applicant's choice.)	PW write-up can occur in the field or within the FEMA/State Joint Field Office. A finalized PW will be provided to the applicant agent to sign.	The PAC will use information from the site inspection to formulate an estimate of the cost for the project. After resolving any differences, the applicant will sign off in concurrence.
PW Review	<b>FEMA/KYEM:</b> Environmental and Historic Preservation, FEMA, Insurance Specialists, and State Public Assistance Officers, Mitigation Specialists.	Reviews occur within the Joint Field Office.	The project is reviewed to ensure it complies with all relevant state and federal regulations and eligibility requirements. Once the project is approved, it can be funded.

Obligation and Disbursal or funds	<b>FEMA:</b> Joint Field Office <b>State:</b> Smartlink Account <b>Local:</b> Applicant Agent	FEMA places obligated funds in Federal holding account called Smartlink. The state will provide federal and state portions to the applicant electronically. The state is then reimbursed for the federal share from the Smartlink account.	The applicant receives funding. For small projects (less than \$66,400) funding is disbursed as soon as practicable, for large projects it is provided as invoices are submitted to KYEM by the applicant.
Project Closeout	<b>FEMA:</b> Regional Office <b>State:</b> KYEM <b>Local:</b> Applicant Agent	FEMA will meet with the applicant in person or by phone.	In its role as the Grantee, the state is required to ensure that funds were used appropriately and within the scope of work outlined on the PW.