



# North Dakota Township Officers Association: Public Assistance (FEMA)

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NORTH DAKOTA DEPARTMENT OF EMERGENCY SERVICES (NDDDES)



# What is the Public Assistance (PA) Program?

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- Part of the Response & Recovery effort
- Provides grants for eligible facilities as a direct result of a “Declared” event
- Supplemental assistance to eligible Applicants (Townships)
- May provide grants to prevent or reduce the threat of future damages
- North Dakota operates their own State-run Public Assistance Program
  - Most, if not all contact will be with a State employee

# When is Public Assistance Available?

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- Incident or Event
  - Flood
  - Severe Storm
- 14 out of the last 15 incidents of events have been classified as a flood or severe storm system

# When is Public Assistance Available?

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- Preliminary Damage Assessment (PDA)
- When a State, Local, Territorial, or Tribal (SLTT) government determines that an incident may exceed the SLTT capabilities to respond, it requests a joint Preliminary Damage Assessment
- Per Capita State Threshold \$1,042,516.00
- Minimum County Thresholds also exist

# When is Public Assistance Available?

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- Preliminary Damage Assessment
  - The State conducts a damage assessment with the support of Counties or and other type of SLTT
  - Using the State's guidance, points of contact for the Counties will request support documentation from townships
- State's Guidance – Site Tracker

# When is Public Assistance Available?

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- Required Documentation from Townships for a PDA
  - Photos of Damages
  - Damage Assessments and Descriptions of Damages
    - Descriptions must be quantifiable L x W x D
      - Surface gravel washed from road area 500' x 20' x 2"
  - Estimates
    - Material Cost Sheets (Costs for all possible materials you may use. The cost should include the material, delivery and placement)

# When is Public Assistance Available?

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- States submit PDA to FEMA for their review
- FEMA validates costs, damages and estimates
- Once validated, FEMA submits request to the President
- Usually takes 60 days from the incident period to Presidential declaration

# Event is Declared: What Next?

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- A Program Delivery Manager will be assigned to your County
- A Recovery Scoping Meeting (RSM) will be scheduled with your County and PDMG
- Highly recommend all Townships attend the RSM
- From the RSM you will have 60 days to identify your damages



# Event is Declared: What Next?

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Public Assistance Funding is always based on pre-disaster size, capacity and function of the facility. Facilities can only be repaired to their original pre-disaster condition/design unless townships participate in Hazard Mitigation.

# What is Eligible? Facility

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- Eligible Facilities
  - Roads
  - Culverts
  - Bridges
  - Lift Stations
  - Water control facilities
  - Buildings
  - Systems such as mechanical, electrical, plumbing or components of a facility in which they operate
- Non-Eligible Facilities
  - Unimproved property; hillsides, slopes, forest or natural channels
    - Exception can be made for stabilization if it threatens public safety
  - Land used for agricultural purposes

# What is Eligible? Facility

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- Eligible Facilities Must meet 6 criteria
  1. Be a result of the declared incident
  2. Be within Designated Area
  3. Be the legal responsibility of the applicant requesting assistance
  4. Be publicly owned improved structure
  5. Be a maintained structure
  6. Be in use at the time of the event

# What is Eligible? Work

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- Work completed must demonstrate that damages were caused directly by the declared incident. FEMA does not provide PA funding for repair of damage caused by
  - Deterioration
  - Deferred maintenance
  - Failures to take measure to protect a facility from further damage
  - Negligence
- When necessary to validate completed work, the applicant may be required to provide
  - Documentation supporting pre-disaster condition of the facility
  - Photos of damages are required

# What do Townships need to Supply?

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- Site Tracker - A comprehensive list of your damages
  - Must include the following
    - Site Name
    - Township Name
    - Category of work
    - GPS locations
    - Description of the damage that is quantifiable
    - Estimated Cost
    - Percentage of work completed

# Site Tracker

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Applicant Name	Site Name	County/City or Township	Category	Start Latitude	Start Longitude	Stop Latitude	Stop Longitude	Culvert GPS	Description of Damage or Work	Estimated Cost	% of Work Completed
Ransom County	RmCob01	Coburn	C	46.57101	-97.63218	46.57295	-97.63218	NA	Surface Gravel washed from road area 191' x 15' x 2". Road bed eroded over area 150' x 14' x 4".	\$ 450.00	100%
Ransom County	Ranso01	County	C	46.58956	-97.25158	46.58489	-97.25158	46.58489, -97.25100	40LF x 36" CMP eroded, washed out and was damaged beyond repair. Area around culvert eroded over 10' x 30' x 6'.	\$ 2,000.00	0%
Ransom County	Ranso02	County	B	46.44204	-97.68445	46.44204	-97.68445	NA	Force Account labor monitored flooded roadways, placed road closed signs, detour signs, road underwater signs, and placed sandbags throughout Ransom County.	\$ 14,251.25	100%
Ransom County	Ranso03	County	A	46.07154	-97.82892	46.07154	-97.82892	NA	Contractor and two Force Account employees worked from 5/8/2018-5/10/2018 to remove 80 CY of vegetative debris. Debris was taken to the Valley City landfill. GPS location of landfill - 46.54231, -98.02226.	\$ 4,578.55	100%
Ransom County	RmCob02	Coburn	C	46.25502	-97.52548	46.25186	-97.52548	46.25186, -97.52401	40LF x 36" CMP eroded, washed out and was damaged beyond repair. Area around culvert eroded over 10' x 30' x 6'.	\$ 3,500.00	100%
Ransom County	RmCob03	Coburn	C	47.59863	-97.02563	47.59845	-97.02563	NA	Surface Gravel washed from road area 250 x 20' x 2".	\$ 350.00	0%

# What do Townships need to Supply? Two Types of Work: Work Completed and Work to be Completed

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- For work completed sites (100% of all work completed)
  - Invoices for work completed
  - Permits for work completed such as, but not limited too:
    - Borrow compliance forms: NDDOT or State Historical Preservation Office
    - USACE permits
    - NDDOH permits
    - Flood plain manager approval
  - Photos of all damages
  - Damage Descriptions: Surface gravel washed from road area 500' x 20' x 2"
  - Debris disposal location
  - Maps of your sites
  - Maintenance Records

# What do Townships need to Supply? Two Types of Work: Work Completed and Work to be Completed

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- For work to be complete sites (99% and less work completed)
  - Photos of all damages
  - Damage Descriptions: Surface gravel washed from road area 500' x 20' x 2"
  - Material Cost Sheets
  - Contractor or Engineer's estimates of repair
  - Maps of your sites
  - Maintenance Records



# What do Townships need to Supply? Culverts

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- Upsizing or downsizing the diameter of a culvert is not eligible without a Hydrology study that supports the upsizing or downsizing
- Culverts must be damaged or failed for a hydrology study to be eligible
- **Culverts that failed to due age and rust are not eligible**

# Description of Damage or Work

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## Description of Damage or Work:

- Below are some examples of incomplete and complete DDDs:
  - **Incomplete** – Gravel wash 100' x 18'
  - **Complete** – Gravel washed from road over area 100' x 18' x 2"
  - **Incomplete** – Culvert washed out
  - **Complete** – 40 LF of 36" CMP eroded around and was displaced without damage
  - **Incomplete** – Emergency Protective Measures, sandbagging
  - **Complete** – Township Officers monitored flooded roadways, placed road closed signs, detour signs, road underwater signs, and placed sandbags throughout their township
  - **Incomplete** – Debris Removal
  - **Complete** - Contractor worked from 5/8/2018-5/10/2018 to remove 80 CY of vegetative debris. Debris was taken to the Valley City landfill. GPS location of landfill - 46.54231, -98.02226.
- **Sites that are identified as work completed must contain a damage description that allows enough area to fit the cubic yards placed at a site**

## Material Cost Sheet

**Cost Listed below includes: Material Cost, Delivery and Placement.**

Surface gravel	\$		/CY
Pit Run Gravel	\$		/CY
Embankment Material (Clay)	\$		/CY
Field Rock	\$		/CY
Rip Rap	\$		/CY
Filter Fabric	\$		/SF
CMP/RCP/HCEP: (Specify & Size)	\$		/LF
CMP/RCP/HCEP: (Specify & Size)	\$		/LF
CMP/RCP/HCEP: (Specify & Size)	\$		/LF
Other: (Specify)	\$		/
Other: (Specify)	\$		/
Other: (Specify)	\$		/

Must include cost at the source to determine the **In-Place Cost**. Contractor quote may be used and attached to this sheet.

This form is being used to establish material costs. *I certify that the cost indicated is supported with actual cost documentation.*

Applicant:	Township	Disaster #
Applicant Agent:	Signature:	Date:
Reviewed by Program Delivery Manager:	Signature:	Date:

Form as of: 2020-05-21

# Estimating Costs: Material Cost Sheet

**GERMAN DIRECTORY**  
CODE: AG

T-136-N R-70-W

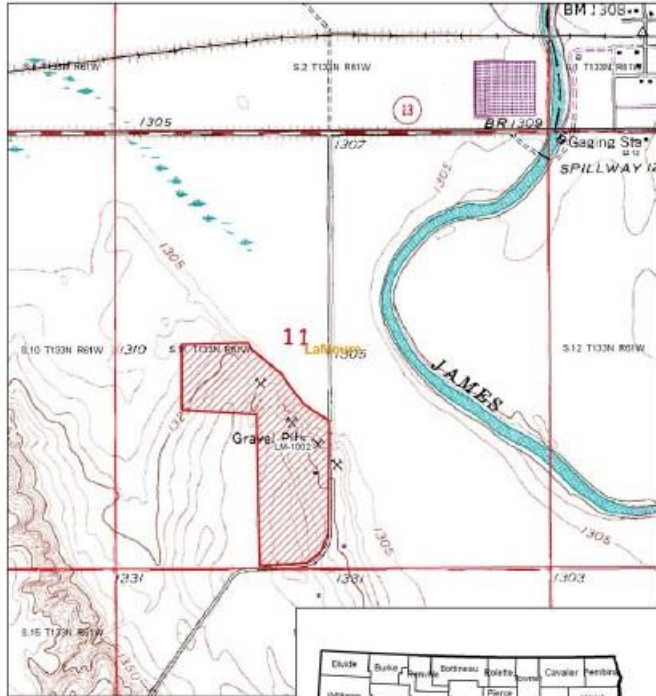
64TH ST SE 42ND AVE SE	65TH ST SE 43RD AVE SE	66TH ST SE 44TH AVE SE	67TH ST SE 45TH AVE SE	68TH ST SE 46TH AVE SE	69TH ST SE 47TH AVE SE
6	5	4 * HERTZ * SPITZER	3 * RAMONA KIRSCHENMANN	2	1
7	8 * STEVEN KERSHAW	9 <b>LN Ger01</b>	10 * CURTIS KARRER	11	12 * J. MONTE WENTZ
18	17	16	15	14 * IMJEC * SPITZER	13
19 * * JEHJ MILLER WAYNE MILLER	20 <b>LN Ger03</b>	21	22	23	24 * DANIEL DAHL
30 * JEFFREY DEWALL	29 <b>LN Ger04</b>	28 * GALEN OPP	27	26 * -ENRY BERGER	25
31	32	33	34	35	36
64TH ST SE	65TH ST SE	66TH ST SE	67TH ST SE	68TH ST SE	69TH ST SE

AZ	AH	AD	AG	AR	AW	AF
AB	AC	AE	AI	AG	AL	AJ
IB	IA	AX	AN	AM	AV	AO
AP	AI	AP	AV	AR	AT	AX

GERMAN DIRECTORY  
10 LINDEN ST SE BOX 6000 TULSA OKLAHOMA 74106

Required Documentation:  
Maps  
Use the Directory map not the Plat map as we must have streets and avenues on the map.

# NDDOT Material Source Certificate of Approval



**LM-1002**



Pit Name:

SW S. 11 T. 133 N, R 61 W

County: LaMoure

Conditions:

46.34535 -98.31711

This location is approved for use, provided all avoidance areas shown on the map are avoided, and any Conditions listed above are complied with. NDDOT advises that all applicants (contractors or their representatives) may be subject to meeting certain legal responsibilities pursuant to one or more of the following authorities administered by the USFWS: Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 et seq.); Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.); and Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250). It is unclear at this time what effects, if any, material source activities may have on plants, fish, and/or wildlife species protected by the above-mentioned Acts. It is the responsibility of the applicants and/or any individual conducting activities at any approved site to fulfill the requirements of these Acts.

This approval does not imply landowner permission to acquire material at this location. An agreement with the landowner is still necessary. The contractor will be responsible for any impacts to wetlands, including permitting those impacts and mitigating the loss of the wetlands. As with all projects, if cultural artifacts and/or features (e.g., stone tools, fire hearths, stone circles, burials) are encountered, provisions outlined in Section 107.04 of the Standard Specifications for Road and Bridge Construction shall be followed.

If you have any questions regarding material sources please email [materialsourc@nd.gov](mailto:materialsourc@nd.gov)

# NDDOT Material Source

**Emergency Material Borrow Location Compliance Form  
(return to SHPO)**

Whenever possible we strongly encourage the use of previously approved existing borrow locations.

Name Christy Dick mail: \_\_\_\_\_  
 e-Entity: \_\_\_\_\_ Office phone \_\_\_\_\_  
 Address: \_\_\_\_\_ Cell phone \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ FAX \_\_\_\_\_

Date: 9/20/19 NDSHPO Ref.: 19-6177 FEDERAL AGENCY (IF APPLICABLE) FEMA  
 SHPO APPROVAL DENOTES COMPLIANCE ONLY WITH CULTURAL RESOURCE REQUIREMENTS. APPLICANT MUST ALSO COMPLY WITH ALL OTHER ENVIRONMENTAL LAWS, e.g., CLEAN WATER, ESA, WETLANDS, F&W EASEMENT REQUIREMENTS.

<b>Borrow Source 1.</b>	
Legal Location: County <u>Barnes</u>	
T <u>136</u> N; R <u>58</u> W; Sec. <u>12</u>	
Quarter Section: <u>QQ</u> <u>QQ</u> <u>SW</u> <u>Q</u>	
Latitude/Longitude _____	
Existing pit? Y / N _____	
Previously Surveyed Borrow Location? Y / N _____	
Previous Emergency Borrow Location? Y / N _____	
Previous NDSHPO Ref.: <u>11-1606</u>	N 46.60195° W -97.92159
<b>Borrow Source 2.</b>	
Legal Location: County <u>Ransom</u> T _____	
<u>134</u> N; R <u>58</u> W; Sec. <u>2</u>	
Quarter Section: <u>QQ</u> <u>QQ</u> <u>SW</u> <u>Q</u>	
Latitude/Longitude _____	
Existing pit? Y / N _____	
Previously Surveyed Borrow Location? Y / N _____	
Previous Emergency Borrow Location? Y / N _____	
Previous NDSHPO Ref.: <u>11-1606</u>	N 46.44217° W -97.95089

**SHPO Compliance Determination of Effect:**  
 If consulted by a federal agency, we concur with a "No Historic Properties Affected" determination provided the project is of the nature stated and it takes place in the location stated and depicted in the project documentation

Cultural Resources Survey Needed \_\_\_\_\_ Avoidance-DO NOT USE \_\_\_\_\_  
 Date: 9/20/19

Disclaimer: This approval is for current year emergency projects in North Dakota only. It does not constitute approval for ND Department of Transportation/Federal Highway Administration (NDDOT/FHWA) projects. Any pits used for emergency projects that also are to be used for NDDOT/FHWA projects must be approved by the NDDOT Environmental & Transportation Services Division and must have a NDDOT Certificate of Approval for use on the NDDOT/FHWA project. This review is for cultural resources only and does not constitute review or approval for reimbursement by any state or federal agency.

# Emergency Material Borrow Compliance Form (SHPO)

19-6177

R Enterprises, Inc.  
 11104 88th St SE  
 Oakes, ND 58474

### Invoice

Date	Invoice #
8/1/2019	1210

<b>Bill To</b>
Bear Creek Township c/o Wendy Johnson 11174 88th St SE Oakes, ND 58474

<b>Ship To</b>
Bear Creek Township c/o Wendy Johnson 11174 88th St SE Oakes, ND 58474

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt		8/1/2019			
Quantity	Item Code	Description			Price Each	Amount
44	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #18			14.51	638.44
0	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #19 *Incomplete*			14.51	0.00
44	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #20			14.51	638.44
66	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #21			14.51	957.66
66	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #22			14.51	957.66
216	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #23			14.51	3,134.16
44	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #24			14.51	638.44
50	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #25			14.51	725.50
433	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #26			14.51	6,282.83
25	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #27			14.51	362.75
33	Bear Creek	Class 5 Crushed Gravel (yds) - Bear Creek Township - 2019 FEMA Site #28			14.51	478.83
<b>Total</b>						\$26,872.52

<b>Phone #</b>
(701) 710-0116

<b>E-mail</b>
prfarm@drtol.net

Moving Forward:  
 Required  
 Documentation –  
 Contractor Invoices  
 Category C

Dakota Improvement, Inc  
 PO Box 409  
 Oakes, ND 58474

### Invoice

Date	Invoice #
6/1/2019	34963

Bill To
Bear Creek Township c/o Wendy Johnson 11174 88th St SE Oakes, ND 58474

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
12	Pit Run Gravel 5-13 FEMA SITE #20 culverts removed and replaced damaged culverts by Charlie	4.15	49.80T
	Haul	21.00	21.00T
1	Backhoe 5-13 dig in culvert	75.00	75.00
1	Labor install culvert	35.00	35.00
2	Backhoe 5-15 dig in culvert	75.00	150.00
2	Labor install culvert	35.00	70.00
14	Labor 5-21 culvert and approach work (4 guys)(at Ernie's)	35.00	490.00
1	Truck haul dirt for approach	85.00	85.00
4	Backhoe install culvert	75.00	300.00
	Material culvert and bands	3,011.16	3,011.16
2	Skidsteer install culvert	45.00	90.00
<b>Total</b>			<b>\$4,380.50</b>

Moving Forward:  
 Required  
 Documentation –  
 Contractor Invoices  
 Category C



# 406 Hazard Mitigation

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- 406 Mitigation measures must be cost-effective
- FEMA considers mitigation measures to be cost effective if any of the following criteria are met:
  - The cost of the mitigation measure does not exceed 15 percent of the total eligible repair cost
  - The mitigation measure is specifically listed in Appendix J: Cost-Effective Hazard Mitigation Measures (Can be found in the PAPPG) and costs does not exceed 100 percent of the total eligible repair cost
  - The Recipient or Applicant demonstrates through an acceptable benefit-cost analysis methodology that the measure is cost-effective
- 406 Hazard Mitigation Examples:
  - Installing Rip Rap
  - Upsizing culverts with an appropriate H&H study
  - Geotextile Separation Fabric
  - CMP end sections, headwalls and wingwalls

# Procurement

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- Applicants must comply with Federal procurement standards as a condition of receiving PA funding for contract costs for eligible work
- Must comply with the most stringent policy between Federal, State and Local procurement procedures
- See P. 30, Section G – P. 33 of the Public Assistance Program and Policy;
- You are responsible for seeking the lowest possible price at all times

# Record Retention – Small Projects

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- Record Keeping - Work Completed and Work to be Completed Projects
  - Copies of invoices must be kept to show that the SOW has been completed; and or
  - Copies of Force Account records to show that the SOW has been completed
  - Keep copies of proof of payments to your contractors
    - Cancelled Checks
    - Warrants
  - Permitting records must be retained for environmental compliance
  - Procurement records
  - Records of any insurance proceeds

# Important Dates

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- **Work Completion Dates**

- Once work on a project is 100% complete, the Applicant must submit documentation for the project within 90 days of the Recovery Scoping Meeting or within 90 days of the work completion date, whichever is later, regardless of whether the project has been obligated. FEMA makes its eligibility determination and processes the project based on the documentation received within the 90-day deadline.

# Grants.des.nd.gov

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- [Public Assistance - grants.des.nd.gov](https://grants.des.nd.gov)
- Material Cost Sheet
- Site Tracker
- Site Tracker Guidance
- Township Handout
- Site Inspection Video - [NDDDES Site Inspection Video - YouTube](#)
- Current Applicant Briefing Video - [Applicant Briefing DR 4613 - YouTube](#)
- FEMA PA Program and Policy Guide

# Contacts

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- North Dakota Department of Emergency Services (NDDDES) Division of Homeland Security
  - Debbie LaCombe – Interim Director of Homeland Security
  - Justin P. Messner – Disaster Recover Chief [jmessner@nd.gov](mailto:jmessner@nd.gov)
  - Brent Kahl – Public Assistance Officer – 701-328-8186 [bmkahl@nd.gov](mailto:bmkahl@nd.gov)
  - Allan Hartmann – Task Force Lead – 701-328-8269 [AllanHartmann@nd.gov](mailto:AllanHartmann@nd.gov)
  - Gerald Miller – Task Force Lead – 701-328-8279 [glmiller@nd.gov](mailto:glmiller@nd.gov)
- NDDDES Mailing Address
  - PO Box 5511
  - Bismarck, ND 58506-5511
  - Phone: 701.328.8100
  - Fax: 701.328.8181
  - Email: [nddes@nd.gov](mailto:nddes@nd.gov)