



LMS TIMES



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Special points of interest:

- Director's Corner
- Hazard Mitigation Grant Program
- Community Rating System
- Section 406 of the Stafford Act

The LMS Times is a quarterly publication that seeks to provide residents of the Palm Beach County community with key information in the areas of mitigation and public safety. If you have stories that would benefit the community, please contact us. We want YOU involved. Send articles to: gvilchez@pbcgov.org

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Director's Corner



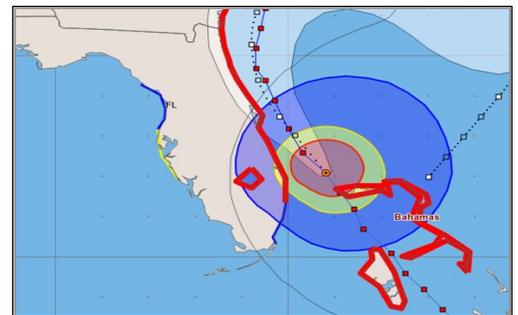
By Bill Johnson, RN, CEM, Director, PBCDEM

Winter is here and so is the end of the 2016 Hurricane Season, which ended on November 30th. In looking back, we can say that we had a close call with Hurricane Matthew, the 13th named storm. Matthew was a very powerful, long-lived and deadly tropical cyclone. On October 7, Matthew passed through the outer coast of Palm Beach County (PBC), coming within 63 miles of West Palm Beach as a Category 3 hurricane. This storm morphed several times from Category 5 to Category 3 in its track towards South Florida.

We definitely “dodged a bullet” with Matthew. Thirteen (13) general population shelters were opened, along with one special needs shelter, and one pet-friendly shelter. Ultimately, 7,560 evacuees were sheltered during the passing of Matthew. Approximately 85,000 customers and 30 traffic signals were reported to lose power; most power was restored within 24 hours. After conducting extensive comprehensive damage assessments throughout the county, estimated damage estimates were reported to be \$7.7 million.

They say that “every cloud has a silver lining,” and I can say that our silver lining comes in the form of Public Assistance (PA) and Hazard Mitigation Grant Program (HMGP) Tier 1 and 2 funds from Matthew. This is where projects ranked in the Palm Beach County Local Mitigation Strategy (LMS) Project Prioritized List

(PPL) come into play. Projects ranked and selected by LMS programs from the counties are eligible to receive HMGP funding. So, what are you waiting for? If you have a project in the PBC PPL, this is the opportune moment to submit your application(s) for those projects to the State. As such, pay close attention to the guidelines and processes of submitting project applications and feel free to contact your local and state LMS coordinators, should you have any questions regarding the submission process.



Hurricane Matthew (Category 4) as it moves parallel to West Palm Beach on Thursday, October 6, 2016, 11 PM (EDT).

As we end 2016, I applaud everyone's efforts in working tirelessly in helping PBC become accredited in the Emergency Management Accreditation Program (EMAP) on October 14, 2016. This accreditation is the highest honor in the EM field, which recognizes 64 industry standards in leadership, program delivery, resources, communication to agencies, and commitment in partnership to maintain a safer and resilient community to all hazards. Accreditation is valid for 5 years.

I wish everyone a safe and healthy 2017. Be safe and well.

Hazard Mitigation Grant Program

Do you know about the Hazard Mitigation Grant Program?

By **Gustavo Vilchez**,
LMS Coordinator

The Hazard Mitigation Grant Program (HMGP) is authorized by Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93 -288 as amended). The purpose of the HMGP is to help communities implement hazard mitigation measures following a Presidential major disaster declaration. Hazard mitigation is any action taken to reduce or eliminate long term risk to people and property from natural hazards. The Federal Emergency Management Agency (FEMA) expands this definition in the HMGP funding process to include that hazard mitigation is an action intended to reduce repetitive losses from future natural disasters. In this context, "repetitive" refers to similar types of losses caused by a recurring natural hazard. The term "losses" refers to expenditures for the repair or replacement of public and private property, and for the relief of personal loss or other hardship.

HMGP funds are **not** reserved for post-disaster projects that need repair or for the reconstruction of damaged property. They are also **not** provided to start new construction. These funds are provided to projects that have been vetted by the local and state jurisdictions according to statutes and established processes from the LMS, which supports the state's mitigation strategy.

The disbursement of HMGP funds supports the concept that mitigation planning is a key process used to breaking the cycle of disaster damage, reconstruction, and repeated damage. This is why HMGP funds

are provided following a Presidential major disaster declaration, so that those projects intended to reduce future damages from identified hazards are conducted hand-in-hand with recovery efforts.

The objectives of the HMGP Hazard Mitigation Grant Program are as follow:

1. To prevent future losses of lives and damage to property due to disasters;
2. To implement state or local hazard mitigation plans;
3. To enable mitigation measures to be implemented during immediate recovery from a disaster; and
4. To provide funding for previously identified mitigation measures that benefit the disaster area.



Before and after—Project Implementation

Who is eligible to receive HMGP funds?

1. State and local governments;
2. Certain private non-profit organizations or institutions (e.g., hospitals, schools, community-based organizations); and
3. Indian tribes or authorized tribal organizations and Alaska Native villages or organizations.



Breaking the Cycle of Disaster & Rebuilding

What type of projects can be funded under the HMGP?

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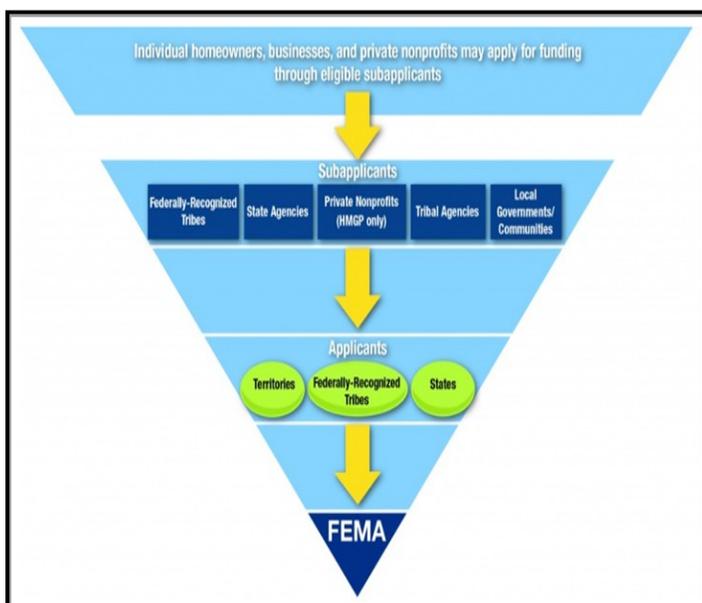
1. Acquisition and relocation of structures from hazard-prone areas;
2. Retrofitting, such as flood proofing to protect structures from future damage;
3. Elevation of structures or utilities;
4. Structural hazard control, such as debris basins, floodwalls, rip rap; or wetland restoration;
5. Storm and infrastructure protective measures; and
6. Yes! Projects intended to protect property from Sea Level Rise are also accepted.

State will be requesting to review the PPL and will accept project applications based on the ranking in the PPL. The State’s Administrative Plan governs how projects are selected for funding. Projects are then submitted to FEMA who ultimately determines approval.

What is the deadline for applying for HMGP funds?

A Notice of Funding Availability (NOFA) is published and from then, project applications are processed. The NOFA usually provides a 90-day period for applicants to submit project applications. However, you can still submit your project early, if you have it ready.

All projects must be approved and obligated within 2 years of the disaster declaration. Make sure to contact your local LMS Coordinator to stay informed of the disbursement, process, and tracking of HMGP projects.



The flowchart explains the process individual homeowners, businesses, sub-applicants, and applicants must go through to apply for HMGP funds with FEMA.

How much money is available in the HMGP?

FEMA can fund up to 75% of the eligible costs of each project. The state or local match is 25 % and does not need to be cash: in-kind services or materials may be used. For each disaster, total HMGP funding is 7.5 % of the federal funds spent on the Public and Individual Assistance programs (minus administrative expenses).

How do I apply?

In Palm Beach County, your project must first be evaluated, scored, and ranked in the LMS Project Prioritized List (PPL). When HMGP funds become available after a Presidential disaster declaration, the

Upcoming LMS Working Group Meetings

The LMS Steering Committee meetings will no longer be held an hour prior to the Working Group meetings. Future meetings are TBD by the group.

The LMS Working Group will meet at 9:00 a.m. on the following dates:

- March 8, 2017, City of Boynton Beach
- June 14, 2017, City of Greenacres
- September 13, 2017, City of West Palm Beach
- December 13, 2017, Town of Jupiter

**LMS Tip of the Month:
Documenting the Status of Projects in the
Project Prioritized List (PPL)**

It is required for the LMS plan update that the PPL indicates the status of projects, whether completed, deleted, or deferred. This shows mitigation progress within the community over the past five (5) years and maintains a record of initiatives over the years. To assist in the update maintain an accurate record throughout the five year period. Also, consider keeping notes as to why a project was deleted or deferred. Not only will this assist with your update it will also provide the LMS working group with additional information when scoring future projects or when developing future plan goals.

The Community Rating System and the Local Mitigation Strategy

The National Flood Insurance Program's (NFIP) Community Rating System (CRS) recognizes floodplain management and outreach activities performed by communities that exceed the NFIP minimum standards. The CRS is a voluntary program, which recognizes these efforts by reducing the cost of flood insurance premiums from 5% to 45% for flood insurance policies commensurate with the amount of floodplain planning that a community provides. The CRS recognizes 19 creditable activities organized under four categories: Public Information, Mapping and Regulations, Flood Damage Reduction, and Warning and Response.

By **Gustavo Vilchez,**
LMS Coordinator



Communities can choose to undertake any or all of these activities. Based on the number of credit points received for each activity, a community is ranked in one of ten (10) CRS *classes* with Class 1 requiring the most credit points and giving the largest premium reduction. Class 10 provides no discounts on flood insurance policies because the community just meets minimum NFIP standards.

Most communities regularly implement activities that will earn credit under the CRS. Additionally, in Florida, communities are automatically awarded CRS credit points for various activities due to the Florida Building Code, water quality, local drainage protection regulations, and additional credits based on water management district requirements.

Communities may move between classes dependent upon their floodplain planning and management programs. According to the FEMA Community Status Book Report of Florida, there are 33 municipalities in Palm Beach County that are participating in the NFIP, in addition to Unincorporated Palm Beach County.

The Florida Division of Emergency Management (FDEM) has moved forward with the Florida CRS Initiative, designed to assist participating and non-participating communities to better their CRS rating and/or enlist as many eligible non-participating communities. Currently, the CRS is the only means for residents to receive a flood insurance premium reduction.

The State Floodplain Management Program promotes the CRS initiative and ensures sound land use development in floodplain areas in order to promote the health and safety of the public, minimize loss of life, and reduce economic losses caused by flood damages. The program serves as the State Coordinating Agency of the NFIP to work with Florida's municipalities and counties to administer their local flood damage reduction regulations.

The State of Florida has over 18.8 million residents, and 80% of them live or conduct business along or near its coastline. A significant portion of the remaining residents live and conduct business near many of the state's rivers and other inland floodplains. These residents and businesses are concerned about protecting their lives and property from future flooding. This is evidenced by the fact that 97 percent of all Florida communities participate in the National Flood Insurance Program. As of September 23, 2011, there are over 2 million flood insurance policies in Florida which represents roughly 37 percent of total policies in effect nationwide. These policies equate to more than \$469.5 billion dollars of insurance coverage. Since 1978, Floridians have received more than \$3.6 billion in flood insurance claim payments. While flood insurance does not stop the damage, it does provide owners with financial resources to help recover from flooding.

Unincorporated PBC has a floodplain management program that is rated as a Class 5. This classification signifies that people in unincorporated PBC are eligible for a reduction savings on their flood insurance of 25%. According to 2016 statistics, there are 71,181 flood insurance policies in unincorporated PBC. These 71,181 flood insurance policies account for over \$19 billion

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Continued from page 4 (\$19,371,366,700.00) of insurance in force. The current premiums for the unincorporated amount are over \$26 million (\$26,496,511.00). The current Class 5 discount amounts to just over \$4 million (\$4,289,636.00).

The \$4 million in savings is a result of the activities that several PBC department's and division's efforts have made to alleviate the pain and suffering one experiences when the most common disaster outside of fire strikes their home or community. This is more than six times the likelihood of a fire which is the most common disaster affecting a dwelling.

The Palm Beach County LMS serves as the Floodplain Management Plan (FMP) for municipalities that do not have such plan. Municipalities integrated the LMS as their representing plan through formal resolutions of adopting the plan as the guiding document to implement strategies that identify, assess, plan for, and

integrate local mitigation actions. PBC's LMS program activities overlap and are inextricably inter-linked with the activities of the CRS program.

The PBC Local Mitigation Strategy and the PBC Community Rating System are programs that have inherently served the municipal community, met federal and state guidelines, and served as best practices standards. The mutual compliments in these programs lie in the strategies implemented by mitigation coordinators, flood plain managers, and storm water engineers, just to name a few. These representatives frequently meet, plan, and integrate tasks within joint efforts to comply with federal and state guidelines, and to gain rating points that benefit the community in obtaining low-cost insurance.

To find out more about the CRS program, contact Brian Hanley (CRS Coordinator) at bhanley@pbcgov.org.

Hazard Mitigation Funding Under Section 406 of the Stafford Act

Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288 as amended), commonly known as the Stafford Act, provides FEMA the authority to provide discretionary funding for additional hazard mitigation measures to be included in the restoration of eligible facilities that have sustained damage from a presidentially declared disaster. Title 44 Code of Federal Regulations (CFR) §206.226 Restoration of Damaged Facilities contains a provision for the consideration of funding additional measures that will enhance a facility's ability to resist similar damages in future disasters.

**By Gustavo Vilchez,
LMS Coordinator**

Congress recognized that during the repair of damaged components of facilities there would be a unique opportunity to prevent recurrence of similar damage from future or similar disasters. Such measures are in addition to any recovery measures undertaken to comply with applicable codes and standards, although such compliance, itself, could be considered a form of mitigation.

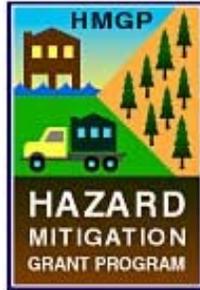
What is the difference between Section 404 and Section 406 of the Stafford Act?

Section 406 hazard mitigation funding applies to parts of the facility that were actually damaged by the disaster and the mitigation measure provides protection from subsequent disasters. The mitigation work must be cost effective and be reasonably performed as part of the work or measure which will reduce the potential for damage to a facility from a disaster. This type of work falls under the auspices of the Public Assistance (PA) Grant program whose objective is to provide funding to state, tribal, local governments and certain types of private non-profit organizations, under a presidentially declared disaster, to quickly respond to and recover from the disaster. Section 406 hazard mitigation funding is included in the scope of work (SOW) of PA projects, and proposals of



mitigation measures must be approved by FEMA prior to the start of the project. If a facility has Section 406 hazard mitigation funding included in the approved SOW and the subgrantee wishes to restore the facility to its pre-disaster condition without the hazard mitigation measures, then the subgrantee must request a change of SOW prior to the completion of the project.

Section 404 of the Stafford Act covers the appropriation of funding under the Hazard Mitigation Grant Program (HMGP) to accept projects of undamaged facilities and measures not directly related to the damaged elements for which restoration work on a facility is performed. The process to obtain funding from the HMGP is a timely one that abides by state and local hazard mitigation plans, and projects must be approved by the State Hazard Mitigation Officer.



Sometimes, a combination of Section 406 and 404 funding may be appropriated, where Section 406 hazard mitigation is used to provide protection to the parts of the facility that were damaged and Section 404 hazard mitigation funding is used to provide protection to the undamaged parts of the facility. In these instances, the application for Section 404 hazard mitigation funding must be submitted in a timely manner, usually considered as Tier 1 and 2 funding processes, after a Notice of Funding Availability (NOFA) has been issued by FEMA. Only FEMA is authorized to

interpret and implement the Stafford Act's regulations. Accordingly, only FEMA has the authority to determine which hazard mitigation measures it will fund. State and local building officials or agencies are not authorized to determine the amount of hazard mitigation funding FEMA will contribute to a project.

The following potential mitigation measures under Section 406 are determined to be cost-effective. These projects:

- Do not exceed 100% of project cost,
- Are appropriate to the disaster damage,
- Will prevent future similar damage,
- Are directly related to the eligible damaged elements,
- Do not increase risks or cause adverse effects to the property or elsewhere,
- Are technically feasible for the hazard and location, and
- Otherwise meet requirements stipulated in this policy, including environmental, historic, and mitigation planning considerations.

Make sure to report mitigation measures to your local mitigation or public assistance coordinator! All mitigation measures support the LMS and prevent the duplication of projects, as well as any danger of de-obligating funds. Contact your PA or LMS coordinator if you have questions regarding Section 406.

New Projects Included in the LMS Project Prioritized List (PPL):

Project #11-Miller Rd. Storm Water Improvement Project-Palm Springs. This project ranked #2 in the PPL on May 23, 2016.

Completed or Removed Projects from the PPL:

Project #11-A008-Radio Communications Tower-Palm Beach Gardens.

This project was completed through the use of Police Impact Funds. The project substantially mitigates and reduces the high vulnerability of communication failure due to hurricanes (especially major hurricanes) to consolidated dispatch operations in Palm Beach Gardens and northern municipalities of Jupiter, Jupiter Inlet Colony, North Palm Beach, and Juno Beach.

The LMS Working Group at Work at Lantana's Town Hall

