
NAVIGATING FEMA'S REQUIREMENTS FOR REIMBURSEMENT OF DAMAGES TO ENGINEERED BEACHES

Bob Glassen

FEMA Beach Task Force Leader



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Information Needed For A Beach Project

- What is the Project Called?
- When Was the Project “Established”?
- Where is the Project?
30.239722, -89.424444 (Not UTM)
- Is the Applicant, Facility, Work and Cost Eligible?
- Will the Work Meet EHP Requirements?



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Public Assistance Eligibility

2018 Public Assistance Program and Policy Guide

(FEMA PAPPG Version 3.1)



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Public Assistance Eligibility



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Applicant Eligibility

- The Beach Must Be Owned By or Be The Responsibility of an Eligible Applicant

But sometimes there are problems...

- An Interlocal Agreement
- Other Legal Documents



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Facility Eligibility

- It Must Be Designed

“The beach was constructed by the placement of imported sand—of proper grain size—to a designed elevation, width, and slope” PAPPG, p. 126

- Design Documents / As-Builts (PE-Stamped and Signed)
- Typical Design Profile
- Sand Source(s) / Sediment Analysis QC Documents



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Facility Eligibility (2)

- It Must Be Maintained on a Regular Schedule

“The Applicant has established and adhered to a maintenance program involving periodic renourishment with imported sand to preserve the original design.”

PAPPG, p. 126

- “Maintenance Program”
- Sand Source(s)
- Evidence of Periodic Renourishment



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Facility Eligibility (4)

- *“Placement of sand under the following circumstances does **not** meet this requirement:”*
 - Emergency nourishment
 - As-Needed nourishment
 - Partial renourishments or “hot-spot” nourishments
 - Renourishment using material from a channel maintenance project



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Work Eligibility

- The amount of sand eligible for replacement is limited to the amount lost as a result of the incident.
 - Pre and post storm profiles that extend at least to the seaward edge of the sub-aqueous nearshore zone (closure depth)
 - The total loss is adjusted for background erosion



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Work Eligibility (2)

- Work must be the legal responsibility of the applicant at the time of the incident.
 - For projects under construction, FEMA will evaluate the contract
 - Force Majeure
 - Transfer of Legal Responsibility



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Cost Eligibility

- Factors to Consider
 - These are “Large Projects”
 - Will the work be done as a stand alone project or together with a scheduled major renourishment project?
 - Will it include work from more than one disaster?



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Cost Eligibility (2)

- To be Eligible, Costs Must be:
 - Adequately Documented
 - Not for Work Prohibited Under Laws or Regulations
 - Reasonable



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Reasonable Cost

“A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the Applicant makes the decision to incur the cost.” PAPPG, p. 22



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Cost Eligibility (3)

- FEMA Uses the Applicant's Cost Estimate if:
 - Prepared by a licensed PE or other estimating professional
 - Cost corresponds to the damage
 - Level of detail is sufficient to validate that all components correspond with the agreed-upon SOW
 - Reasonable (Includes the cost basis for the estimate)



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Environmental & Historic Preservation

- Project Must be in Compliance with Federal, State and Local Regulations
 - Copies of Latest or Last COE and / or State Permits
 - Projected Dates of Construction
 - In or Near a CBRS Unit?



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Sand Sources

- Upland Sand Sources
- Offshore Sand Sources
 - Latitude / Longitude
 - State Historic Preservation Officer (SHPO) Letter
 - Sediment Quality Information



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Environmental & Historic Preservation

- Post-Project Information
 - Actual Dates of Construction
 - Statement of Compliance with All Permit Conditions
 - Turtle Monitoring Results



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Documents FEMA Always Needs*

- Design / As-Builts for the First and Last Projects
- Sand Source(s) / Location
- Sediment Grain Size Analyses
- Records of Periodic Renourishment
- Pre and Post Storm Profiles
- Analysis of Pre and Post Storm Profiles Adjusted for Background Erosion
- Engineer's Cost Estimate
- Environmental Permits for the Last Project

*As a minimum



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Questions?

Bob Glassen
406 465 5704

robert.glassen@fema.dhs.gov



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