

## **PUBLIC NOTICE FEMA 4519-DR-OR**

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse eligible applicants for eligible costs to repair and/or replace facilities damaged by severe storms, flooding, landslides and mudslides occurring between February 5-9, 2020. This notice applies to the Public Assistance (PA), Individual Assistance (IA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207.

Under a major disaster declaration (FEMA 4519 DR-OR) signed by the President on April 3, 2020, the following counties and Tribe have been designated adversely affected by the disaster and eligible for PA funds: Umatilla, Union, Wallowa Counties; and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). For IA, Umatilla County and the CTUIR have been designated. Additional counties may be designated by program at a later date. All counties and Tribes in the State of Oregon are may be eligible for HMGP.

This public notice concerns activities that are located in or affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain. Such activities may adversely affect the floodplain or wetland or may result in continuing vulnerability to flood damage.

Presidential Executive Orders 11988 (Floodplain Management) and 11990 (Wetlands Protection) require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and evaluated for social, economic, historical, environmental, legal and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages. The public is invited to participate in the process of identifying alternatives and analyzing their impacts through this notification.

FEMA has determined that for certain types of public sector facilities there are normally no alternatives to restoration in the floodplain/wetland. These are facilities that meet all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50-percent of the cost to replace the entire facility, and is less than \$100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For routine activities, this will be the only public notice provided. Other activities and those involving facilities that do not meet the four criteria are required to undergo more detailed review, including study of alternate locations. Subsequent public notices regarding such projects will be published if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration before federal involvement. Even if the facility must undergo detailed review and analysis of alternate locations, FEMA will fund eligible restoration at the original location if the facility is functionally dependent on its floodplain location (e.g., bridges and piers), or the project facilitates an open space use (park amenities), or the facility is an integral part of a larger network that is impractical or uneconomical to relocate, such as a road, irrigation channels, or utilities. In such cases, FEMA must also examine the possible effects of not restoring the facility, minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. State of Oregon and local officials will confirm to FEMA that proposed actions comply with all applicable state and local floodplain management and wetland protection requirements.

FEMA intends to provide IA program financial assistance to individuals and families for their disaster-related damages. These actions may adversely affect a floodplain or wetland, or may result in continuing vulnerability to floods. These actions may include minor repair, restoration, or replacement housing; or repair of a private access or bridge. This will be the only public notice concerning these actions.

FEMA also intends to provide HMGP funding to the State of Oregon to mitigate future disaster damages. These projects may include construction of new facilities; modification of existing, undamaged facilities; relocation of facilities out of floodplains; demolition of structures; or other types of projects to mitigate future disaster damages. In the course of developing project proposals, subsequent public notices will be published if necessary, as more specific information becomes available.

As noted, this may be the only public notice regarding the above-described actions under the IA, PA, and HMGP programs. Interested persons may obtain information about these actions or a specific project, or comment on potential floodplain or wetland impacts by writing to the Federal Emergency Management Agency, 130 228<sup>th</sup> Street SW, Bothell, Washington 98021-9796 or by email to [FEMA-R10-EHP-Comments@fema.dhs.gov](mailto:FEMA-R10-EHP-Comments@fema.dhs.gov). Comments should be sent to Dolph Diemont, Federal Coordinating Officer, at the above address by close of business on May 22, 2020.