

Major Disaster Declaration Received for December 2023 Flooding

March 04, 2024



President Joseph Biden has signed a Major Public Assistance disaster declaration, DR4762, for seven Vermont counties to assist communities in recovering costs for the repair of public infrastructure damaged by severe storms and flooding on December 18-19, 2023. **The declaration covers Essex, Lamoille, Orange, Orleans, Rutland, Windham, and Windsor counties.**

Municipalities in the declared counties now qualify for **75% reimbursement of recovery costs** arising from the storm under the Federal Emergency Management Agency [Public Assistance Program](#) (PA). Eligible costs include debris removal, road and public building repairs, staff overtime responding to and cleaning up after the storm, and contractor assistance. *This program is not for individual homeowners or business owners.*

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When Are the Applicant Briefings?

Applicant briefings will be held virtually and in person. Municipalities have four opportunities to participate.

1. Thursday, March 7, 2024 at 9 AM, Waterbury TEAMS MEETING ONLINE

[Click here to join the meeting](#) | Meeting ID: 237 796 951 483 | Passcode: azuSu6 |
[Download Teams](#) or [Join on the web](#)

Or call in (audio only) | [+1 802-828-7667,,473547261#](#) United States, Montpelier | Phone
Conference ID: 473 547 261#

2. Monday, March 11, 2024 at 9 AM, St. Johnsbury TEAMS MEETING ONLINE - Northeast Kingdom

[Click here to join the meeting](#) | Meeting ID: 237 149 706 133 | Passcode: HEAZ4z |
[Download Teams](#) or [Join on the web](#)

Or call in (audio only) | [+1 802-828-7667,,458200749#](#) United States, Montpelier | Phone
Conference ID: 458 200 749#

3. Wednesday, March 13, 2024 at 10:30 AM, White River Junction IN PERSON at the VTRANS District 4 Garage, 224 Beswick Drive, White River Junction. Located up the road behind McDonalds, past DMV, large garage on the left.

4. Thursday, March 14, 2024 at 10:30 AM, Mendon IN PERSON at the VTRANS District 3 Office, 61 Valley View Suite #2, Mendon.

How Does My Municipality Submit a Public Assistance Application?

Access the FEMA Public Assistance grant portal at <https://grantee.fema.gov/> and **log into your municipality's current FEMA account**. Select **DR4762** to connect to the December 2023 flood event. If your municipality does not have an account, please create one. Do not create a duplicate account for your municipality!

If your municipality is new to the FEMA Grants Portal, FEMA's [Applicant Quick Guide Grants Portal Account and RPA \(Mar 28 2020\)](#) can be helpful.

You can submit a request for Public Assistance ahead of the briefings. Wait patiently. FEMA will only be in touch **after** you are an **applicant in the FEMA Grants Portal** and **after you have attended an applicant's briefing**.

You do not need to wait for an insurance determination before filing your FEMA Public Assistance request. You **do** need to track which costs each entity covers to avoid duplication of benefit and potential payback of FEMA funds.

Vermont Emergency Management suggested that municipalities consider Streamlined projects to avoid upfront documentation requirements. Ask your FEMA representative about Streamlined projects.

What Does the Disaster Declaration Cover?

For this event, FEMA Public Assistance covers debris removal and damages to facilities owned and maintained by the applicant. A **facility** must be a public building, public works system, public equipment, or natural feature. Staff overtime responding to and cleaning up after the storm and contractor assistance both are eligible. If you have a road project currently approved under a different grant source, that project is not FEMA eligible.

You must have at least \$3,900 in costs to be eligible for any FEMA reimbursement. Include everything you can think of in your damage assessments, even if you think FEMA won't cover it. It is much easier to drop things from an application than it is to add them later. Also include "iffy" projects. They will not jeopardize other projects and might get funded.

You can make permanent repairs now. Make all repairs following proper procurement and meeting your State Codes and Road Standards. Don't forget to obtain permits if any are required.

What Documentation is Needed for My Reimbursement Request?

FEMA requires a breakdown of project costs by site, including GPS location (start and stop), materials, labor, equipment, and contracted services. Your community will be responsible for providing information to document that its facilities, work, and costs are eligible based on the applicable laws, regulations, and policies. At a minimum, FEMA usually requires the "who, what, when, where, why, and how much" for each item claimed.

Damaged facility documentation requirements:

1. Break costs down per road site!
2. Must be the municipality's legal responsibility to make the repairs.
3. ANR permits and Army Corps permits must be in place when working in/around water. Reach out to your ANR River Engineer ASAP to obtain these and ensure that you are complying with State General Stream Alteration standards for any in-stream repairs. [ANR Stream Alterations Request](#) and [Army Corps Permit](#).
4. Road maintenance records.
5. Labor timecards with **hours worked, pay rates, fringe calculations**, and a copy of the municipality's **pay policy**.
6. Contractor **RFPs and bids** as well as the municipality's **procurement policy**.
7. Quantities of materials used and invoices for costs or load tickets (gravel, culverts), by site.
8. Equipment and operator hours, by site.

9. Photos (before and after repairs) with GPS start/stop locations to show damage.

Do We Need to Bid Contractor Work?

During the immediate emergency response, you may use existing contracts and arrangements, provided they are cost-reasonable and short-term.

For major permanent repairs, you must procure contractors competitively.

- Any contract that will be over \$250,000 for permanent repairs must be put out for full and open competition.
- Contracts below \$250,000 will need to follow your local procurement policy, typically contacting at least three contractors and posting to the [Vermont Bid Registry](#). Document your procurement effort.

You also can procure help to conduct the administrative portion of the PA process. This is crucial if you are short-staffed. Administrative costs are 100% reimbursable, but they are capped at 5% of the total cost of all your projects.

What Should I Know about Debris Removal?

PA funds are available to eligible applicants in declared counties for debris clearance, removal, and disposal operations. Public Assistance debris can include downed trees, sand, building wreckage, and damaged property. To be eligible for FEMA funding, the debris removal work must:

- eliminate immediate threats to human lives, public health, and safety.
- eliminate immediate threats of significant damage to improved public property; and/or
- ensure economic recovery of the affected areas to the benefit of the community-at-large.

Debris must be collected from within the public right of way only (on public property or in the public right of way). Some guidelines include:

- Before picking up debris, photograph where debris was picked up and where it was placed (disposal area). Photographs are REQUIRED! **Use GPS points.**
- Include all labor and equipment costs.
- If you hire a contractor to pick up debris (it must be cost reasonable and procured), you must have a debris monitor who ensures the contractor is picking up and hauling what your invoice from them says. A monitor can be a current town employee or a hired contractor.

Where Can I Learn More about FEMA Public Assistance?

For more information on the FEMA PA process, please visit [Process of Public Assistance Grants | FEMA.gov](#) and/or [Public Assistance | Vermont Emergency Management](#).

VLCT created Flood Recovery resources for the July 2023 flood event. This information may be helpful:

- [FEMA PA Compliant Contracts](#)
- [FEMA PA Quick Tips for Municipalities](#)
- [FEMA Public Assistance Program](#)
- [State of Emergency Legal FAQs](#)
- [FEMA Public Assistance FAQs](#)
- [FHWA Emergency Relief Program for Federal-aid Highways](#)

How Do I Submit a PACIF Insurance Claim?

PACIF members: please report all flood claims as soon as possible through PACIF's [Report a Claim](#) webpage. The sooner PACIF's claims representatives get involved, the more effectively we can apply our resources and the more quickly the claim can be processed. Claims must be damage sustained to insured buildings, contents, and automobiles.