



FEMA

MAY 29 2007

MEMORANDUM FOR: FEMA Regional Administrators
Regions I - X

ATTENTION: Response and Recovery Division Directors

FROM: David Garratt
Acting Assistant Administrator
Disaster Assistance Directorate

SUBJECT: Clarification of Disaster Assistance Fact Sheet 9580.102,
Permanent Relocation

On May 11, 2007, the Public Assistance Branch at the Mississippi Transitional Recovery Office (TRO) requested clarification of Disaster Assistance Fact Sheet 9580.102, Permanent Relocation, dated November 11, 2006. The TRO indicated there were at least three applicants requesting funding to relocate schools from one location within the Advisory Base Flood Elevation (ABFE) zone to another location within the ABFE zone. The reason cited was that there was no available land within the school district(s) outside the ABFE zone suitable to construct a new school facility that would serve the student body and meet the needs of the local community. Instead, the applicants propose to relocate to a higher ground elevation within the ABFE zone and elevate the facility in accordance with NFIP regulations. The intent of the proposed relocations is to move the facilities further away from the hazard and reduce the cost to elevate the facilities.

Under 44 CFR § 206.226 (g), in order to be considered for permanent relocation, the destroyed facility (i.e. eligible for replacement under the Public Assistance Program) must be subject to past and future repetitive heavy damage; the overall project, including all costs, must be cost effective; and approval must not be barred by other provisions of 44 CFR. Disaster Assistance Fact Sheet 9580.102, Permanent Relocation, states in question 2 that "FEMA may provide funding to an applicant to acquire land outside of a hazardous area." This statement was not intended to prevent permanent relocation when relocating outside the flood hazard area is not feasible. The regulations at 44 CFR § 206.226 (g) do not prohibit relocation within a hazard area, so long as the relocation is shown to lessen future damages and is cost effective. In these situations, a benefit cost analysis using the full data module must be conducted to evaluate the cost effectiveness of the project. Projects that are not cost effective may be considered for eligibility as an improved project.

Should you have any questions please contact Ann Piesen at extension 3925, or at ann.piesen@dhs.gov.