




# Federal Emergency Management Agency

Washington, D.C. 20472

1. **Date Signed:** September 24, 1998
2. **Response and Recovery Directorate Policy Number:** 9524.5
3. **Title:** Trees, Shrubs, and Other Plantings Associated with Facilities
4. **Purpose:** In accordance with the Directorate's revised publications numbering system, the publication number of the policy on trees, shrubs and other plantings has been changed from #4511.300 to #9524.5. I have reviewed the policy and determined that it remains the same.
5. **Review Date:** October 2000
6. **Signature:**

  
\_\_\_\_\_  
Lacy E. Suiter  
Executive Associate Director  
Response and Recovery Directorate

**Attachment:** Policy on Trees, Shrubs, and Other Plantings Associated with Facilities  
(November 25, 1997)

**Distribution:** Regional Directors, Regional and HQ Response and Recovery Division  
Directors



# Federal Emergency Management Agency

Washington, D.C. 20472

**DATE:** November 25, 1997

**Response and Recovery Directorate Policy No.** 4511.300

**SUBJECT:** *Trees, Shrubs, and Other Plantings Associated with Facilities*

**PURPOSE:** To define ineligible work related to trees, shrubs, and other plantings, except grass and sod, which may be associated with facilities eligible for repair and restoration.

**SCOPE AND AUDIENCE:** The policy defines ineligible work relative to trees, shrubs, and other plantings, except grass and sod, which may be associated with facilities eligible for repair and restoration. It is provided for FEMA staff involved in administering the public assistance program, State staff and potential subgrantees—which are local governments, State agencies, Indian tribes, Alaska Native Villages or eligible private non-profit groups.

**BACKGROUND:** This policy is intended to reduce the costs of Federal disaster assistance in a way that will not impact essential public services.

The treatment of trees and shrubs under the public assistance program was discussed by the FEMA Inspector General in *Inspection Report I-01. Unintended Consequences: The High Cost of Disaster Assistance for Park and Recreational Facilities (May 1996)*. The Inspector General recommended that tree and shrub replacement be excluded for "recreational facilities other than parks," and earlier in the report he noted that there is "no documented rationale" for extending eligibility to trees and shrubs in any areas other than parks. In fact, replacing trees, shrubs, and other plantings after disasters is not unusual for non-recreational areas, such as median strips in roadways and as landscaping for public buildings. We have found that the law and implementing regulations do not distinguish between a park and any other public building, structure or system; therefore, any revision to FEMA policy with respect to trees, shrubs, and other plantings must not only consider trees, shrubs, and other plantings in parks and other recreational facilities, but also landscaping connected with administrative buildings, utility sites, and other sites where trees, shrubs, and other plantings are an integral and maintained portion of the entire facility.

In response to the comments received on the draft policy, FEMA does not contest the importance of trees, shrubs, and other plantings, especially as a mitigation measure, but rather the validity for replacement under the Public Assistance Program. While FEMA acknowledges the economic and environmental benefits as well, it has been determined that not providing assistance to replace disaster-damaged trees, shrubs, and other plantings, will not impact essential public services.

**POLICY:** Trees, shrubs, and other plantings, except grass and sod, will no longer be eligible under Section 406 of Public Law 93-288, as amended (Repair, Restoration, and Replacement of Damaged Facilities), for all disaster declarations beginning with FEMA-1152-DR-WA. This policy applies equally to recreational and non-recreational areas and facilities. It applies to any measure taken with respect to trees, shrubs, and other plantings, except grass and sod—including but not limited to replacement, non-emergency removal for purposes of replacement, and remedial actions taken to abate disaster damage. Grass and sod will be eligible only when it is necessary to stabilize slopes and to minimize sediment runoff. Grass and sod will not be eligible for cosmetic purposes. This policy does not affect eligible debris removal and emergency measures that may be taken under Sections 403 and 407 of Public Law 93-288, as amended.

**KEY WORDS:** Trees, Shrubs, Other plantings, Facilities, Damaged facilities

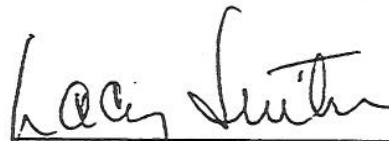
**SUPERSESSON:** This policy supercedes guidance on pages 68-69 of the *Public Assistance Guide (FEMA 286, September 1996)* and the November 22, 1995, policy letter in Section 4511.300 in the Public Assistance Policy Compendium.

**AUTHORITIES:** Section 406 of Public Law 93-288, as amended; 44 CFR Part 206, Subparts G and H.

**ORIGINATING OFFICE:** Infrastructure Support Division, Response and Recovery Directorate

**REVIEW DATE:** September 1999

**SIGNATURE:**



Lacy E. Suiter  
Executive Associate Director  
Response and Recovery Directorate

**DISTRIBUTION:** Regional Directors, Regional Response and Recovery Division Directors