

STATE OF ALASKA
ADMINISTRATIVE PLAN
CALENDAR YEAR 2021 &
DR-4585-AK, 2020 SEVERE STORMS, FLOODING,
LANDSLIDES AND MUDSLIDES
HAZARD MITIGATION GRANT PROGRAM
(PUBLIC LAW 93-288, SECTION 404)



STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Revised: April 01, 2021

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1. PURPOSE:

- 1.1. The purpose of this plan is to outline the management, fiscal, and administrative procedures the Division of Homeland Security and Emergency Management (DHS&EM) will follow to implement the provisions of the Robert T. Stafford Act, as amended 42 U.S.C 5121 et seq, September 1998 (Stafford Act) PL 93-288, 404, Hazard Mitigation activities.
- 1.2. This Administrative Plan for Hazard Mitigation Grant Funding will be incorporated into the State Emergency Operations Plan as a separate annex in accordance with (IAW) 44 CFR 206.437.

2. INTRODUCTION:

- 2.1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended 42 U.S.C 5121 et seq, September 1998 (Stafford Act) established the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP). This plan further fulfills the Stafford Act §404, the Disaster Mitigation Act of 2000 (DMA 2000), §201 and §322 (a-d) plan requirements. HMGP identifies pre-and post-disaster hazard mitigation strategies for activities that can be funded under the FEMA Hazard Mitigation Assistance (HMA) program guidelines. For a project to be eligible, the applicant must demonstrate the project is cost effective and substantially reduces the risk of future damage, hardship, loss, or suffering resulting from a major disaster.
- 2.2. The Post-Katrina Emergency Management Reform Act of 2006-10-03 Title VI — National Emergency Management attached to the Department of Homeland Security FY 2007 Appropriations Bill H.R. 5441 reestablished the maximum amount of HMGP funds typically available after a disaster as being 15 percent of federal disaster recovery costs, for disasters with costs under \$2 Billion. Up to 75 percent of the cost of the approved HMGP project shall be covered by federal contributions. The remaining 25 percent of the project's costs shall be covered by state or local matching funds, or contributions from other funding sources IAW the FEMA – State Agreement. HMGP funds cannot be used to match other federally funded grants; however specific federal grants, such as Community Development Block Grants (CDBG), may be used as matching funds for HMGP, assuming the proposed project meets CDBG program eligibility requirements.
- 2.3. The Disaster Recovery Reform Act of 2018 (DRRA, Division D of P.L.115-254) was enacted on October 5, 2018. DRRA is the most comprehensive reform of the Federal Emergency Management Agency's (FEMA's) disaster assistance programs since the passage of the Sandy Recovery Improvement Act of 2013 (SRIA, Division B of P.L. 113-2) and the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA, P.L. 109-295). DRRA focuses on improving pre-disaster planning and mitigation, response, and recovery, and increasing FEMA accountability. As such, it amends many sections of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, P.L. 93-288, as amended; 42 U.S.C. §5121 et seq.) and includes new standalone authorities.
- 2.4. FEMA HMGP guidance allows up to 5 percent of HMGP funds be allocated towards mitigation activities that may be difficult to evaluate against traditional benefit cost-effectiveness criteria. Some examples are warning systems, hazard mapping, Geographic Information System hardware and software, public awareness campaigns, unproved mitigation technologies or products, etc. This set-aside is known as the 5 Percent Initiative. In some instances, the state may request the 5 Percent Initiative to be raised to 10 percent.
- 2.5. FEMA Policy Guidance Letter EL-7, 9/19/96 authorizes an additional 5 percent in Initiative HMGP funds for Building Code Effectiveness Grading Scale (BCEGS) upgrades (see HMA page 112).

2.6. FEMA HMGP guidance also allows up to 7 percent of HMGP funds be allocated to developing hazard mitigation plans at the state, local, and tribal levels, per 44 CFR 201 and 206.430 through 206.440.

2.6.1. Section 404 mitigation funding cannot be used to fund any type of mitigation measure that is eligible under FEMA's Public Assistance (PA) program, Stafford Act §406 mitigation projects, or other federal programs, though it may be used to complement or enhance other hazard mitigation projects including §406 projects. Section 404 mitigation funds may be combined with other federal, state, local or private funding sources as appropriate to develop an un-duplicated comprehensive mitigation solution.

3. AUTHORITY:

3.1. State:

- 3.1.1. Alaska Disaster Act A.S. 26.23.010 – A.S. 26.23.220, A.S. 26.23.300
- 3.1.2. Any Executive Order of the Governor
- 3.1.3. Administrative Order 175
- 3.1.4. State of Alaska Hazard Mitigation Plan
- 3.1.5. FEMA/State Agreement
- 3.1.6. State Emergency Operations Plan

3.2. Federal:

- 3.2.1. Robert T. Stafford Disaster Relief and Emergency Assistance Act §404 (Public Law 93-288, as amended) and the Disaster Mitigation Act of 2000; §322
- 3.2.2. Public Law 103-181, Hazard Mitigation & Relocation Assistance Act of 1973
- 3.2.3. Public Law 93-234, Flood Disaster Protection Act of 1973
- 3.2.4. National Environmental Policy Act (NEPA)
- 3.2.5. National Historic Preservation Act (NHPA)
- 3.2.6. Sandy Recovery Improvement Act (SRIA) of 2013
- 3.2.7. Title 44 CFR Part 9, Protection of Wetlands
- 3.2.8. Title 44 CFR Part 9, Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands
- 3.2.9. Title 44 CFR Part 10, Environmental Considerations
- 3.2.10. Title 2 CFR Part 200, Office of Management and Budget (OMB) Uniform Guidance: Administrative Cost Principals, and Audit Requirements for Federal Funding: formally known as 44 CFR Part 13, OMB Circulars A-21, A-87, A-110 and A-122
- 3.2.11. Title 2 CFR Part 200, Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 3.2.12. Title 44 CFR Part 201, Mitigation Planning
- 3.2.13. Title 44 CFR Part 206, Subparts M and N, Federal Assistance Act for Disasters Declared on or After November 23, 1988
- 3.2.14. Executive Order (E.O.) 12612, Federalism
- 3.2.15. Executive Order (E.O.) 12699, Seismic Safety

- 3.2.16. Executive Order (E.O.) 12898, Environmental Justice
- 3.2.17. FEMA/State Agreement
- 3.2.18. Hazard Mitigation Assistance (HMA) Guidance and HMA Guidance Addendum (2/27/2015)
- 3.2.19. FEMA document “Hazard Mitigation Grant Program Guidelines for Acquisition and Relocation Projects”
- 3.2.20. FEMA document “New Recipients of Disaster Grants Guide (May 2019)
- 3.2.21. FEMA Policy 203-074-1 Minimum Design Standards for Hazard Mitigation Assistance Project in Special Flood Hazard Areas
- 3.2.22. Guidance for Applying ASCE 24 Engineering Standards to HMA Flood Retrofitting and Reconstruction Projects Cost Effectiveness Determinations for Acquisition, Elevation and Mitigation Reconstruction projects in special flood hazard areas (8/15/2013) Revised on 10/8/2013
- 3.2.23. Eligibility of Generator Purchases under the HMGP (11/15/2012)
- 3.2.24. HMA tool for identifying Duplication of Benefits (DOB) (10/20/2012)
- 3.2.25. Strategic Funds Management Initiative (6/11/2012)
- 3.2.26. Hazard Mitigation Assistance Cost Share Guide, May 2016

4. DEFINITIONS:

- 4.1. Alternate GAR / Alternate Governor’s Authorized Representative (AGAR): Performs as the Alternate Governor’s Authorized Representative (GAR) to represent the governor in all activities related to implementing Public Law 93-288 as amended and serves as the alternate grant administrator for all funds provided under the Hazard Mitigation Grant Program when the GAR is not available. The AGAR performs all duties and assumes all responsibilities of the GAR when the GAR is not available. These duties include providing technical advice and assistance to ensure that all potential sub-applicants are aware of assistance available and submitting documents necessary for grant award.
- 4.2. Applicant: Any state or eligible tribal or native government/organization, applying for assistance under the HMGP. An applicant is also referred to as a recipient (formerly “grantee”) upon receipt of Federal funds. In addition, private nonprofit (PNP) organizations may act as the sub-applicant for HMGP. PNP organizations or institutions that provide an essential government service are defined in 44 CFR 206.221(e). Each sub-application from a PNP must include either:
 - An effective ruling letter from the IRS granting tax exemption under Section 501(c), (d), or(e) of the Internal Revenue Code of 1954, as amended
 - State certification, under State law, of nonprofit status
- 4.3. Application (Project Application): A document submitted by the sub-applicant that describes in detail the scope of work, budget, timeline and other pertinent information required for evaluation of a proposed mitigation project as outlined in 44 CFR 206.436.
- 4.4. Benefit Cost Analysis (BCA): Methodology used to determine the cost effectiveness of a given project as required by the Stafford Act and in compliance with the HMA Guidance.
- 4.5. Building Resilient Infrastructures and Communities (BRIC): Building Resilient Infrastructure and Communities supports states, local communities, tribes and territories as they undertake hazard mitigation projects, reducing the risks they face from disasters and natural hazards. BRIC replaces and expands on the old FEMA pre-disaster hazard mitigation program to support communities

through capability- and capacity-building; encouraging and enabling innovation; promoting partnerships; enabling large projects; maintaining flexibility; and providing consistency.

- 4.6. Code of Federal Regulations (CFR): The Code of Federal Regulations (CFR) annual edition is the codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government. The CFR is produced by the Office of the Federal Register (OFR) and the Government Publishing Office by Title Number (ex. Title 44 CFR - Emergency Management and Assistance).
- 4.7. Direct and Indirect Management Costs: Direct Management costs are costs that can be calculated at the time of budget development. They are budgeted line items and do not influence the benefit cost analysis. Indirect costs are costs that cannot be quantified at the time of budget development but that can be tied to the specific project that they were submitted under. In all cases, payments are made on a reimbursement basis requiring invoices to prove the expenditure.
- 4.8. Division of Homeland Security and Emergency Management (DHS&EM): The state agency responsible for implementing the HMGP on behalf of the Governor.
- 4.9. EHP Review: A thorough analysis of a potential measure's impacts on the natural and built environments. This review is undertaken by FEMA to fulfill the requirements of NEPA and NHPA.
- 4.10. FEMA: The Federal Emergency Management Agency (FEMA) is an agency of the United States Department of Homeland Security. The agency's primary purpose is to coordinate the response to a disaster that has occurred in the United States and that overwhelms the resources of local and state authorities.
- 4.11. FEMA Policy 203-07401 Minimum Design Standards for Hazard Mitigation Assistance Projects in Flood Hazard Areas: FEMA requirement for use of ASCE 24-05, a standard developed by the American Society of Civil Engineers for safer construction in the special flood hazard area.
- 4.12. Federal Hazard Mitigation Officer (FHMO): The FEMA employee responsible for coordinating post disaster hazard mitigation activities with other government agencies at all levels.
- 4.13. FEMA/State Agreement: A formal legal document stating the understandings, commitments, and binding conditions for assistance applicable as a result of a disaster declared by the President.
- 4.14. Flood Insurance Rate Map (FIRM): An official map of a community on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. FIRM maps are a required component for flood projects.
- 4.15. Grant: An award of financial assistance. The federal share of HMGP equals 15 percent of the total cost of disaster assistance outlays for disasters with costs under \$2 billion. Grants of this type generally require a guaranteed non-federal match prior to disbursement, which may be done in increments.
- 4.16. Grantee (obsolete term – still found in many documents): The entity to whom a grant is awarded, and which is accountable for expending the funds provided. The “grantee”, now referred to as “recipient”, is the entire legal entity, even if only a particular component of the entity is designated in the grant award document. For the purposes of this plan, except as noted in 44 CFR 206.435, the state is the recipient.
- 4.17. Global Match: The pooling of non-Federal contributions to satisfy the 25 percent non-federal cost share requirement for the entire HMGP award. Leveraging CDBG-DR funds using global match to expedite award and reduce the financial and administrative burden on state and local governments.

- 4.18. Governor's Authorized Representative (GAR): Represents the governor in all activities related to implementing Public Law 93-288 as amended and serves as the grant administrator for all funds provided under the HMGP. The GAR's responsibilities include providing technical advice and assistance to potential sub-applicants and submitting those documents necessary for grant award.
- 4.19. Hazard Mitigation: For purposes of the HMGP, hazard mitigation is any cost-effective measure that will reduce the potential for damage from a natural disaster event, or any action taken to reduce or eliminate the risk to life and property from a disaster. Other definitions relative to other types of hazard risks, such as man-made (such as civil disorder or economic recession) or biologic (such as disease / pandemic) exist.
- 4.20. Hazard Mitigation Plan: Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended by §104 of the Disaster Mitigation Act of 2000 requires a State Hazard Mitigation Plan as a condition of receiving disaster assistance funds, excluding assistance provided pursuant to emergency provisions. To obtain federal assistance each state, local, and tribal government must prepare a hazard mitigation plan with sections that include: a description of the planning process; an assessment of natural hazard risks; a description and analysis of hazard management policies, programs, and capabilities; a list of mitigation goals, objectives, and strategies to reduce or eliminate vulnerability; and a method to implement, monitor, evaluate, maintain, and update the mitigation plan.
- 4.21. Hazard Mitigation Grant Program (HMGP): The program authorized under §404 of the Stafford Act, which provides funding for certain mitigation measures identified through the evaluation of hazards conducted under §322 of the Disaster Mitigation Act of 2000.
- 4.22. Hazard Mitigation Data Collection Team: Utilizing an enhanced data collection effort, facilities affected during a Presidential Disaster Declaration with mitigation potential will be cataloged by FEMA. This data collection will be accomplished through a review of the preliminary damage assessment (PDA), coordination and survey of state and local officials, and site visits by FEMA staff. The resulting product will be compiled in a report including photographs, maps, and available details organized by county and sub-organized by community with the intent to combine Section 404 Mitigation with Section 406 Mitigation efforts to build a more resilient community.
- 4.23. In Accordance With (IAW): An acronym used throughout the document to show compliance to a referenced authority.
- 4.24. Increased Cost of Compliance (ICC): National Flood Insurance Program (NFIP) policyholders are eligible for an Increased Cost of Compliance (ICC) claim benefit provided that certain eligibility criteria are satisfied. Compliance activities include elevation, flood-proofing, relocation, and demolition. The ICC benefit may be assigned by the policy holder when participating in an eligible HMGP measure.
- 4.25. Initiative Project: Money set aside for projects that do not have a validated means of calculating a BCA but that still have a mitigating effect (example: warning systems). Funding is limited to 5 percent of the total HMGP allocation. An additional 5 percent set-aside is available to address natural hazards that promote resilience through use of disaster-resistant building codes and practices.
- 4.26. Integrated Resource Information System (IRIS): The State of Alaska accounting system.

- 4.27. Intent to Apply: The initial request for §404 funding, to be submitted to FEMA by the state, within 15 days of the declaration. Standard Form 424 (SF-424) and accompanying assurance documents are used for this purpose. If the Governor asks for HMGP in the declaration request, this requirement is satisfied. Typically, the State of Alaska requests HMGP in the declaration request.
- 4.28. Local/Tribal Mitigation Plan: The FEMA approved plan outlining an entity's hazards, vulnerabilities, and proposed risk reduction measures required from local and tribal governments as a condition of receiving a project grant under the HMGP. A local or tribal mitigation plan may cover a single local government, tribe, or a specific special district; or it may include multiple jurisdictions all covered through the adoption of the local or tribal mitigation plan. These local or tribal plans are referred to as multi-jurisdictional hazard mitigation plans. Participants to multi-jurisdiction hazard mitigation plans share equally the responsibility for creating, maintaining, coordinating with other plans as appropriate, and implementing when possible, the hazard mitigation plan.
- 4.29. Lock-In: The amount of funds available to a recipient for a major disaster declaration, as FEMA determines in estimate at thirty days post-disaster and assures at 12 months. These dates only reflect a specific period for calculation. It is not meant to mean that the estimate will be delivered precisely on the thirty-first day or one year plus a day following a Major Disaster (in fact these estimates frequently take several weeks past the period of calculation before they are received by the state). They are, however, used to guarantee the recipient will have a reliable level of post-disaster funding necessary to implement the HMGP.
- 4.30. Management Cost: Management costs are defined as costs associated with the implementation of a project or, in the case of the Recipient, management of the disaster. Recipient management costs are capped at 10 percent of the HMGP ceiling with sub-recipient management being capped at 5 percent. In all cases, management costs are reimbursement costs requiring documentation to justify the expenditure.
- 4.31. Measure: Any mitigation action, project, or work proposed to reduce, or, where possible, eliminate, risk of future damage, hardship, loss or suffering from disasters.
- 4.32. National Flood Insurance Program (NFIP): The National Flood Insurance Program was created by the Congress of the United States through the National Flood Insurance Act of 1968. U.S. Congress has the twofold purposes of the NFIP to share the risk of flood losses through flood insurance and to reduce flood damages by restricting floodplain development. The program enables property owners in participating communities to purchase insurance protection, administered by the government, against losses from flooding, and requires flood insurance for all loans or lines of credit that are secured by existing buildings, manufactured homes, or buildings under construction, that are located in the Special Flood Hazard Area in a community that participates in the NFIP. U.S. Congress limits the availability of National Flood Insurance to communities that adopt adequate land use and control measures with effective enforcement provisions to reduce flood damages by restricting development in areas exposed to flooding.
- 4.33. National Emission Standards for Hazardous Air Pollutants (NESHAP): Standards set by the U.S. Environmental Protection Agency for air pollutants which may cause an increase in fatalities or serious, irreversible, or incapacitating illness. The removal of asbestos from structures during HMGP demolition and/or construction work is covered by these Standards.
- 4.34. National Environmental Policies Act of 1970 (NEPA): A federal policy which combines various laws and regulations issued by Congress and various Executive Agencies into a consolidated, comprehensive set of national policies affecting environmental quality and the enforcement of those policies. The Act also requires creation of the Council on Environmental Quality.

- 4.35. National Flood Insurance Reform Act and Disaster Assistance (NFIRDA): Requires recipients of federal disaster assistance, in special flood hazard areas, for flood damage to real and or personal property to purchase and maintain flood insurance coverage equal to the amount of financial assistance received or the maximum limit of coverage available through the NFIP (whichever is less) in order for the recipient to remain eligible for future federal flood disaster assistance).
- 4.36. National Flood Insurance Program Sanctioned Community: A community is sanctioned by the NFIP when it fails to perform the minimum requirements established for management and enforcement of its identified Special Flood Hazard Area. Sanction may include probation, suspension, and/or loss of Community Rating System (CRS) flood insurance discounts. A community that does not join or has withdrawn from the program is considered sanctioned – non-participating. No NFIP endorsed flood insurance policy may be issued to cover a structure in a sanctioned community and existing policies, if any, will not be renewed.
- 4.37. National Historic Preservation Act of 1966 (NHPA): The National Historic Preservation Act (Section 106) mandates federal agencies undergo a review process for all federally funded and permitted projects that will impact sites listed on, or eligible for listing on, the National Register of Historic Places. Specifically, it requires the federal agency to "take into account" the effect a project may have on historic properties. It allows interested parties an opportunity to comment on the potential impact projects may have on significant archaeological or historic sites.
- 4.38. Notice of Intent (NOI): A document notifying the recipient that a sub-recipient wishes to apply for hazard mitigation funding. The document will describe the type of hazard to be mitigated, the type of measure being considered, a summary of why the selected measure compared to other feasible measures or even no action is needed, an estimate of the measure's feasibility and cost effectiveness, and an estimate of cost. In some instances, the NOI may be designed as an Intent to Apply (ITA).
- 4.39. Pass-Through Funding: The percentage or amount of management costs that the recipient determines it will make available to sub-recipients is capped at 5 percent. This funding is not the same as project management funding which is a line item in the project budget. The sub-recipient will document sufficiently the expenditure and will cap those expenditures at no more than 5 percent of their overall budget for their project.
- 4.40. Post-FIRM: Construction or substantial improvement of an insurable structure under the National Flood Insurance Program (NFIP) that started on or after the effective date of the initial Flood Insurance Rate Map of the community or after December 23, 1974, whichever is later see 44 CFR 80.19.
- 4.41. Pre-FIRM: Construction or substantial improvement of an insurable structure under the National Flood Insurance Program (NFIP) that started before the effective date of the initial Flood Insurance Rate Map of the community.
- 4.42. Preliminary Damage Assessment (PDA): A survey to determine the magnitude and impact of damage caused by a disaster. The PDA is the basis for estimating total disaster related damage and evaluating the need to request a Presidential disaster declaration. The PDA is generally conducted jointly with FEMA, DHS&EM, and technical representatives from appropriate state agencies. The team also identifies immediate mitigation opportunities and issues to be addressed.
- 4.43. Project: Any mitigation measure, undertaking, or action proposed to reduce risk of future damage, hardship, loss, or suffering from disasters. The term "project" is used interchangeably with the term "measure".

- 4.44. Project Officer: An individual highly trained in mitigation that is the primary contact between the community's Project Manager and the State Hazard Mitigation Officer.
- 4.45. Program Specialist: An individual familiar with the technical aspects of hazard mitigation, floodplain management, and/or administrative law, but does not serve in a coordination / collaboration role. May include support, technology, and supervised administrative staff.
- 4.46. Private Non-Profit Organizations (PnP): Any non-government agency or entity that currently has: 1) an effective ruling from the Internal Revenue Service granting tax exemptions under §501, (d), or the Internal Revenue Code of 1954; and 2) Articles of Incorporation and by-laws filed with the State of Alaska.
- 4.47. Recipient: The entity to whom a grant is awarded, and which is accountable for expending the funds provided. The recipient is the entire legal entity, even if only a component of the entity is designated in the grant award document. For the purposes of this plan, except as noted in 44 CFR 206.435, the state is the recipient.
- 4.48. Regional Administrator (RA): The representative from FEMA Region X who is responsible for approving the State Hazard Mitigation Plan and the State's Administrative Plan for implementing the HMGP.
- 4.49. Secondary Residence: A property that is not the primary residence of a participant as evidenced by a state or federally issued identity card or driver's license. (example: summer cabin or a residence where the property owner does not live more than 6 months of the year).
- 4.50. State / FEMA Joint Field Office (JFO): A temporary facility opened and operated by representatives of the various state and federal entities directed to undertake disaster relief duties. Geographically wide-spread disasters may have established satellite field offices in order to coordinate services and activities closer to where they are needed. A smaller disaster may only have a virtual presence (field office) that may reside in existing emergency management or other agency facilities.
- 4.51. State Coordinating Officer (SCO): The state representative from DHS&EM who is responsible for coordinating post disaster hazard mitigation activities with FEMA and other government agencies at all levels. The SCO is the Incident Commander for purposes of the National Incident Command System.
- 4.52. State Hazard Mitigation Plan (SHMP): Must be approved by FEMA for states to be eligible to receive Stafford Act assistance, excluding emergency assistance. HMGP funding is based on 15 percent of the total estimated eligible federal disaster assistance, for disasters with recovery costs under \$2 billion. This plan demonstrates the state's goals, priorities, and commitment to reduce risks from natural hazards and serves as a guide for state and local decision makers as they commit resources to reducing the devastating effects of natural hazards.
- 4.53. State Hazard Mitigation Officer (SHMO): The representative of state government who is the primary point of contact in planning and implementing pre- and post-disaster mitigation programs and activities required under the Stafford Act.
- 4.54. State Hazard Mitigation Advisory Committee (SHMAC): An interagency team of personnel comprised of appropriate DHS&EM staff and technical experts from other state, local, tribal, and federal agencies, all with decision making authority or contact with their agency decision makers. The SHMAC is chaired by the SHMO. The purpose of the SHMAC is to review, prioritize, and recommend selection of HMGP projects submitted by eligible applicants. Committee members will also assist with developing and reviewing the SHMP and provide consultation on state level mitigation activities.

- 4.55. Strategic Funds Management Initiative: An initiative started by FEMA to enable communities to develop applications. Communities wishing to apply for this funding must request it of the recipient at the same time as they submit their NOI / ITA.
- 4.56. Sub-grant: An award of financial assistance under a grant by the recipient to an eligible sub-recipient.
- 4.57. Sub-recipient: The government or other legal entity to which a subgrant is awarded and which is accountable to the recipient for the use of the funds provided. Sub-recipients can be a state agency, local government, private non-profit organization, Alaska Native Village, or organization (not Alaska Native Corporations with ownership vested in private individuals) as outlined in 44 CFR 206.434.
- 4.58. Sub-Recipient Monitoring: The act of examining the sub-recipient of the grant for performance and financial adherence to the grant agreement. sub-recipient monitoring involves ensuring that the Scope of Work is being done in a timely fashion, that sufficient financial controls are established and adhered to and that the timeline is being followed to ensure timely completion of the project. The sub-recipient monitoring is the responsibility of the recipient. It may be done either in person or remotely. FEMA may, at their discretion, request to accompany the Recipient or sub-recipient to ensure monitoring is being done properly.
- 4.59. 5 Percent Initiative Project: Money set aside for projects that do not have a validated means of calculating a BCA but that still have a mitigating effect (example: flood warning systems). Funding is limited to 5 percent of the total HMGP allocation and is deducted from the total allocation as if it were a standard project. The additional 5 percent set-aside is available to address all hazards and to promote resilience using disaster-resistant building codes and practices.
- 4.60. 7 Percent Planning Project: Money set aside strictly for planning initiatives. Funding is limited to 7 percent of the total HMGP allocation and is deducted from the total allocation as if it were a standard project.
- 4.61. Supplement: An amendment to the hazard mitigation application to add or modify one or more mitigation measures.

5. **DECLARATION PROCESS:**

- 5.1. Following a major disaster event, the Governor may seek federal assistance by requesting a Presidential Major Disaster Declaration or and Emergency Management Declaration when the recovery is expected to be beyond state and local capabilities and resources. A Presidential Major Disaster Declaration (DR) applies to specific impacted jurisdictions in the state, usually not designated below the Borough or Tribe levels. A Presidential Emergency Management Declaration (EM) provides federal technical assistance and limited financial assistance and may be issued in advance of a DR or may be all that is needed to stabilize the incident. Wildfires occurring on lands not federally owned may be also be eligible for federal technical and financial assistance under the Fire Management Assistance Grant (FMAG).
- 5.2. Both DR and FMAG Declarations can result in a HMGP award (EM is excluded). The Governor's request for federal assistance must specify that the HMGP is requested. Additionally, the Governor may request Hazard Mitigation Technical Assistance; which would provide resources to inform the public about hazard mitigation and minimization techniques, assist in floodplain management requirements, conduct hazard performance analysis and building science expertise, and grant specialists. When requested and approved, the HMGP is authorized for statewide eligibility. A FEMA approved State Standard (or Enhanced) Hazard Mitigation Plan is required to be in force at the time of declaration.

- 5.3. The Administrator of the U.S. Small Business Administration and the Secretaries of the U.S. Department of Homeland Security, U.S. Department of Agriculture, U.S. Department of Health and Human Services, and U.S. Department of Commerce, and the Attorney General also have authority to designate disasters and emergencies for incidents within their purview. While these declarations do not result in an award of HMGP financial assistance, some of the grants / loans provided under these declarations may authorize a portion of the grant / loan as a match to the HMGP or allow use of funds to undertake mitigation measures directly.
- 5.4. The state must provide a Letter of Intent within 15 days after the disaster declaration that tells FEMA whether the state will participate in HMGP. If the Governor asks for HMGP in the declaration request, this requirement is satisfied. The 15-day Letter of Intent deadline may be extended should the Regional Administrator determine the extension, submitted in writing, is justified.

6. ORGANIZATION AND STAFFING:

- 6.1. The organizational structure for administrating the HMGP will be flexible and capable of expansion and contraction as the need dictates depending upon the severity of the disaster.
- 6.2. For the purpose of this plan, the Executive Department of the State of Alaska shall consist of the following positions:
 - Governor
 - Governor's Chief of Staff
 - Governor's Authorized Representative (GAR): Generally, the GAR is the Director, Alaska Division of Homeland Security and Emergency Management
 - Alternate GAR (AGAR). There may be more than one AGAR simultaneously
 - Commissioner, Alaska Department of Administration
 - Attorney General, Alaska Department of Law
 - Other senior officials as may be needed due to the disaster's type, scope, and severity.
- 6.2.1. The position of GAR is not static and serves at the will and pleasure of the governor. The GAR may alternate during a declared disaster or from disaster to disaster. The GAR represents the Governor in all matters related to implementation of the Robert T. Stafford Disaster Relief and Emergency Management Act of 1988, as amended (P.L. 93-288).
- 6.2.2. The number of individuals appointed to the position of AGAR is at the Governor's discretion. The position of AGAR is likewise not static, and the number of appointments may increase, decrease, or be terminated completely at the discretion of the Governor.
- 6.2.3. Other Executive Department officials and Constitutional Office Holders shall have authority over the officials responsible for implementing the HMGP as their authorities in State Statutes require.
- 6.2.4. In HMGP matters of law (except routine legal actions such as real property acquisition), the Alaska Attorney General may designate an individual or group of people to manage the interest of the state. The Alaska Attorney General may also authorize outside legal counsel if such services are needed. The cost for any legal services required to implement or manage the HMGP shall be reimbursable from the disaster's HMGP State Management Cost award up to the funding limits available.

6.3. For the purpose of this plan, the Division of Homeland Security and Emergency Management shall consist of the following positions:

- 6.3.1. Director: The Director is responsible for all FEMA program implementation of all forms of mitigation in the State of Alaska and the day-to-day management of the Division's activities.
- 6.3.2. Plans and Preparedness Program Manager: The Plans and Preparedness Program Manager is responsible for the Division's oversight of the Hazard Mitigation Section.
- 6.3.3. State Hazard Mitigation Officer (SHMO): Responsible for the implementation of mitigation initiatives and financial management on the project level. The SHMO is also responsible for the day-to-day management of project officers and the mitigation planner. It is the responsibility of the SHMO to ensure all federal, state and local laws and procedures are followed and all required reporting to FEMA is done. The SHMO is further responsible for implementation and monitoring of any global match initiatives.
- 6.3.4. State Project Officer (PO): Responsible for providing technical assistance to local communities and other assistance as necessary to support the mission of the SHMO. The PO is also responsible for community correspondence required for successful project completion and documentation. Lastly, the PO is responsible for monitoring all global match work to ensure the work complies with both HMGP and the global match funding source requirements.
- 6.3.5. State Mitigation Planner: Responsible for ensuring that all mitigation planning requirements are met to include the State Mitigation Plan (322 Plan) and the Local Mitigation Plans. The planner provides planning assistance to support the mission of the SHMO.
- 6.3.6. Project Specialists (temporary or contract as necessary) approved for assignment to the disaster by the Director DHS&EM. All contracts for temporary staff must go through the Division of Purchasing to ensure compliance with state procurement procedures. The determination of the need for contract assistance is the sole responsibility of the Director, DHS&EM. Contracts written must specify, at a minimum: the scope of work, a timeline and amounts specified for the contract.
- 6.3.7. State NFIP Coordinator: The State NFIP Coordinator is responsible for ensuring that new construction or substantial improvements in the identified flood hazard areas are done in compliance with federal, state and local laws and FEMA policy and that technical assistance and training is provided to communities participating in the NFIP. This position is organized within the Alaska Department of Community & Economic Development. During the period of disaster recovery when the State / FEMA Joint Field Office is in operation, the State NFIP Coordinator may join the DHS&EM staff and work under the Direction of the GAR or State Coordinating Officer.

6.4. For the purpose of this plan, local officials and staff shall consist of the following positions:

- 6.4.1. Community Official: A member of the Legislative Body responsible for the administration of laws, ordinances, and other governmental functions within a specific jurisdictional or tribal boundary. The official may be elected or appointed, usually to a term established in time. In some instances, the jurisdiction or tribe may designate an individual as its Chief Elected (or Appointed) Official, in which case he or she has superior authority among subordinates.

- 6.4.2. Project Development Team: Individuals qualified to assess and select the most appropriate mitigation measures to include in the HMGP application, using the areas of interest as defined in the local mitigation plan, requirements and priorities outlined in the Notice of Intent letter, distributed to local units of government, following a Presidential Disaster Declaration. The team should include an individual, or individuals, qualified to complete the Hazard Mitigation Grant Program Application.
- 6.4.3. Sub-applicant's Authorized Agent: The individual authorized to act on behalf of the community applying for an HMGP project. The sub-applicant's Authorized Agent has the responsibility to ensure the successful completion of the project and make financial commitments on behalf of the community.
- 6.4.4. Project Manager: A qualified individual who will oversee the HMGP project, maintain necessary records and files, act as liaison with the local unit of government, the State Hazard Mitigation Officer, project participants, contractors and other professionals and involved parties.
- 6.4.5. Such clerical and support staff as available and necessary to complete the HMGP project.

7. RESPONSIBILITIES:

7.1. The FEMA Regional Administrator, or their designee(s) is responsible for:

- 7.1.1. Overseeing all pre- and post-disaster FEMA hazard mitigation program and activities.
- 7.1.2. Gathering information about the size, scope, and severity of the disaster, as well as the status of past and current hazard mitigation undertakings, and preparing a report that transitions this information from the Regional Response Coordination Center (RRCC) to the Hazard Mitigation Branch staff deployed to the State / FEMA Joint Field Office.
- 7.1.3. Coordinate with the state to ensure the State Hazard Mitigation Plan is current and relevant to the hazard(s) responsible for the DR or FMAG.
- 7.1.4. Appointing a Federal Hazard Mitigation Officer for each Presidential Major Disaster Declaration to manage and monitor hazard mitigation programs and activities.
- 7.1.5. Developing of a written mitigation strategy that outlines the goals and objectives of the joint hazard mitigation mission.
- 7.1.6. Coordinating with the state to deploy a NFIP Flood Insurance and/or Floodplain Management (FM&I) Group. This Group may be requested to collect data useful for the formulation of HMGP projects and monitor Increased Cost of Compliance (ICC) claims.
- 7.1.7. FEMA Headquarters may, at its sole discretion, deploy Flood Insurance Specialists and General Flood Insurance Adjusters in order to service NFIP policyholders. In larger flood events FEMA may also open and operate a Flood Response Office (FRO). While these individuals and facilities operate outside of the JFO's authority, they are required to coordinate with the leadership of the disaster relief operation on the status of NFIP claims and their resolution. The FEMA Regional Administrator will ensure that coordination and cooperation take place.
- 7.1.8. Coordinating with the state to deploy a Hazard Performance Analysis (HPA) Group. This Group may collect scientific and other technical information useful to determining the effectiveness of past and proposed HMGP projects.

- 7.1.9. Coordinating with the state to deploy a Community Education & Outreach (CEO) Group. This Group may support the formulation of HMGP projects by participating in informational meeting and events and coordinating with the FEMA External Affairs Section on mitigation messaging.
- 7.1.10. Coordinating with the state to deploy a Grants and Planning (G&P) Group. This Group may assist local units of general government and Tribal Entities with developing new hazard mitigation plans and/or updating plans that are expired or are within 180 days of expiring. This Group may also assist the state with formulation of HMGP project proposals.
- 7.1.11. Assisting the state in setting priorities for the use of HMGP funds in the aftermath of a Presidentially Declared Major Disaster event.
- 7.1.12. Assisting the state in setting priorities for the use of HMGP funds awarded IAW FEMA's HMGP Post-Fire Policy.
- 7.1.13. Assisting the state and, if requested by the state, provide written HMGP funding estimates IAW established timelines, to include at a minimum, one Initial Estimate approximately thirty (30) days following the DR and a second estimate on or near the one-year anniversary of the date of declaration. More frequent estimates may be provided by mutual agreement.
- 7.1.14. Providing written HMGP funding estimate and submittal requirements for the Post-Fire HMGP award when one or more qualifying FMAG events occurred in the prior year.
- 7.1.15. Assisting the state with the identification of appropriate projects.
- 7.1.16. Reviewing and evaluating project sub-applications or project summaries submitted by the state for a determination of eligibility.
- 7.1.17. Assisting the state with project formulation, specifically environmental, planning and floodplain management considerations and project cost effectiveness.
- 7.1.18. Providing technical information from appropriate experts as necessary.
- 7.1.19. Notifying the state in writing of application decisions.
- 7.1.20. Coordinating with the Regional Environmental Officer (REO) to prepare environmental decision documents based on information submitted by the sub-applicant and the state.
- 7.1.21. Obtaining project clearances from the State Historic Preservation Office.
- 7.1.22. Approving or denying sub-applications submitted by the state for funding.
- 7.1.23. Approving or denying changes in scope, budget changes greater than 10 percent of an approved cost line item, or period of performance of any approved HMGP project.
- 7.1.24. Assuring that the state is complying with all federal laws, regulations and guidance.
- 7.1.25. Conducting periodic review of the state's hazard mitigation activities and programs to ensure that the state is adequately prepared to meet their responsibilities.
- 7.1.26. Monitoring the state as necessary to ensure compliance with any non-federal cost match agreements, to include Global Match if instituted.
- 7.1.27. Performing programmatic and financial audits as required by federal regulations.
- 7.1.28. Acting on deficiencies when necessary, including recovery of funds or denial of future funds, if mitigation commitments are not fulfilled.

- 7.2. The State Hazard Mitigation Officer, or their designee(s), is responsible for:
- 7.2.1. Administering §404 HMGP mitigation as defined in this plan. All applications for §404 funding will be processed through DHS&EM.
 - 7.2.2. All emergency management mitigation activities for the state and pursues compliance with Stafford Act §322 as amended by §104 DMA 2000 planning requirements.
 - 7.2.3. For each Presidential Disaster Declaration where Alaska has an existing applicable SHMP, review and revise the SHMP as a means of validating earlier concerns and priorities to reflect changes that have resulted from the current disaster or in mitigation technologies, strategies, or policies.
 - 7.2.4. Assigning state personnel to work with Preliminary Damage Assessment (PDA) teams on tasks requiring special expertise or knowledge concerning §322, §404 and/or §406 activities as well as other state hazard mitigation programs. The SHMO may request personnel from other state agencies, per Alaska Statute 26.23.010, to augment the PDA teams.
 - 7.2.5. The SHMO shall submit a staffing plan for the JFO within five (5) days of the opening of the JFO (IAW 44 CFR 206.437). If no initial staffing plan is submitted within the first 5 days, the initial staffing plan consists of the GAR or AGAR and the SHMO. The staffing plan for this disaster is included as (HMGP Staffing Plan, Appendix 11.1).
 - 7.2.6. Determining priorities for HMGP funding in compliance with 44 CFR 206.435. The state may seek assistance from the FEMA Regional Administrator, or designee, to accomplish this task.
 - 7.2.7. Delivering to FEMA Region X the State §404 Administrative Plan within 180 days of the date of the disaster declaration or FMAG Notice of Funding Opportunity with a request for approval by the FEMA Regional Administrator.
 - 7.2.8. Updating the State §404 Administrative Plan, and a State §322 Standard All-Hazard Mitigation Plan and submitting these documents as often as may be required for approval by the FEMA Regional Administrator.
 - 7.2.9. Assisting subordinate local governmental entities to ensure their plans are current and assist with plans that are expired. FEMA may augment this assistance.
 - 7.2.10. Assisting local and tribal governmental entities with project formulation, specifically; technical aspects of the proposed undertaking: environmental, historical, and floodplain management considerations; and project cost effectiveness. Although the state does not make engineering, architectural, environmental, or historic preservation determinations, it will ensure all necessary documents (photos, designs and drawings, coordination letters, Environmental Assessments (EA), Environmental Impact Statements (EIS), permits, and any other relevant surveys or documents) will become part of the Project Application itself.
 - 7.2.11. Conducting a preliminary review and evaluation of submitted Project Applications or project summaries based on the state's knowledge of HMGP project eligibility and funding priorities. FEMA may be invited to participate in the preliminary review and evaluation, in which case the activity shall be described as a Joint Review with both entities providing input and analysis.
 - 7.2.12. Notifying sub-applicants in writing of Project Application preliminary decisions and, if appropriate, request additional information or clarification before submitting the sub-application for formal review.

- 7.2.13. Coordinating a formal Project Application review and evaluation with members of the State Hazard Mitigation Advisory Council (SHMAC) and recording the decisions of the Council and presenting a summary of the proceeding to the GAR and/or AGAR for final approval.
 - 7.2.14. Submitting the state's HMGP application IAW 44CFR 206.436 as well as all local HMGP applications and funding requests for the purpose of identifying new projects to the FEMA Region X Administrator within 12 months of the date of disaster declaration or as provided in an extension under 44 CFR 206.436(e).
 - 7.2.15. DHS&EM shall be the recipient to which funds are awarded and will be accountable for those funds. The state, as the recipient, has primary responsibility for project management and accountability of funds as indicated in 2 CFR 200 and 206 and for ensuring that all program and administrative requirements are met as indicated in 2 CFR 200 and 206 and the HMA Unified Guidance as applicable to HMGP projects.
 - 7.2.16. Submitting HMGP projects in FEMA's National Emergency Management Information System (NEMIS), or in the alternative, the FEMA approved replacement to NEMIS if available.
 - 7.2.17. Reviewing and tracking projects in NEMIS (or replacement program).
 - 7.2.18. Reviewing and tracking Management Costs requirements IAW DRRRA Section 1205.
 - 7.2.19. Reviewing and monitoring Strategic Funds Management.
 - 7.2.20. Participating in Global Match opportunities and fulfilling requirements of the program if implemented.
 - 7.2.21. Coordinating with the DHS&EM Administrative Section to submit requests for drawdown of federal and state funds in accordance to the FEMA Region X and State of Alaska financial policies.
 - 7.2.22. Ensuring that applicants and sub-recipients adhere to all program and administrative requirements including 2 CFR 200 and 44 CFR (various parts).
 - 7.2.23. Providing technical assistance to project sub-applicants as needed.
 - 7.2.24. Ensuring that Quarterly Reports, Financial Activity Reports, and any Change-of-Scope, Change-of-Budget, or Change-of-Timeline request(s) are submitted by sub-applicants and forwarded to FEMA in a timely and accurate manner.
 - 7.2.25. Conducting site visits (as necessary).
 - 7.2.26. Providing project closeout guidance and documentation to sub-recipients.
 - 7.2.27. Undertaking project closeouts and reporting same to FEMA Region X.
- 7.3. Local officials are responsible for:
- 7.3.1. The Chief Executive Officer or Senior-Elected Official of an organization or governmental entity who qualifies for public assistance and possible mitigation grants will approve an individual to represent that entity in all §404, §406, and §322 matters.
 - 7.3.2. A local unit of general government is the sub-recipient to which HMGP funds are awarded and shall be accountable for the use of these funds.
 - 7.3.3. An Alaska Native Tribal entity may be a HMGP sub-recipient or may elect to apply directly to FEMA as a Recipient of disaster assistance.

- 7.3.4. Ensuring a FEMA signed grant award is established prior to the start of any work or expenditure of funds unless pre-award costs are specified in the application and obligating award document. Work started or funds expended outside the signed grant award performance period may be determined ineligible and the responsibility of the sub-applicant.
- 7.3.5. Compliance with HMGP requirements, grants management procedures in 2 CFR 200 and 44 CFR, the Grant Agreement, FY 2015 Hazard Mitigation Assistance (HMA) Unified Guidance and applicable federal, state and local laws and standards.
- 7.3.6. Accounting for the appropriate use of grant funds awarded.
- 7.3.7. Ensuring that any non-expendable property obtained using federal HMGP funds is properly safeguarded and returned in satisfactory condition when no longer needed or at the project's close-out.
- 7.3.8. Preparing and distributing financial reports to all appropriate parties as required by the Single Audit Act.
- 7.3.9. Procuring contractors and other goods and/or services for the completion of approved projects in accordance with standard procurement procedures, provided they are compliant with applicable federal law and the standards found in the 2 CFR 200.
- 7.3.10. Should the sub-recipient lack the capacity to manage the day-to-day operation of the HMGP project, a qualified entity may be retained to manage the project with any project management funds being accounted for as a line item in the project budget.
- 7.3.11. Indirect costs (known as management costs) will be reimbursed and tracked by the state on an actual cost basis requiring receipts to justify such payments. In accordance with state ethics law, a community employee cannot be paid either project management or management costs while also being paid by the community for their day-to-day work. This is considered as "double dipping".
- 7.3.12. Conducting site visits and reporting project progress quarterly or at any time when the requirements of the project differ from the approved scope-of-work, budget, or period of performance.
- 7.3.13. Understanding Hazard Mitigation Cost Share Guide for Applicants, Sub-Applicants and FEMA (5/2016).
- 7.3.14. Fulfilling Global Match requirements (if authorized in advance by DHS&EM):
 - a. Any project contributing towards the program cost-share must comply with all requirements of the Housing and Urban Development (HUD) funding restrictions for use of Community Development Block Grants (CDBG), if CDBG funds were used as a funding source for the global match project.
 - b. Any project contributing towards the program cost-share must comply with all requirements of the Hazard Mitigation Grant Program (HMGP) funding restrictions for use of HMGP.
 - c. Any project contributing towards the program cost-share will provide the same closeout documentation for the match project(s) as with regular federally funded projects.
 - d. Any project contributing towards the program cost-share will document and submit to DHS&EM any cost overruns or underruns.

- e. Any project contributing towards the program cost-share will document and submit to DHS&EM any changes to the Scope of Work (SOW).
 - f. The applicant will commit to completion of the match project. If, for any reason, the match project is not completed or is otherwise rendered ineligible, the applicant retains responsibility for the non-federal share if it wishes to continue with the grant. Failure to meet this commitment may result in the disallowance of all or part of otherwise allowable federal share costs.
- 7.3.15. Maintenance of all HMGP project records and documents for a period of not less than three years after the completion of the project as required by 2 CFR 200. Although not required, the state recommends permanent retention of these records.
- 7.3.16. Conducting grant closeout IAW 2 CFR 200 to include a narrative summary of the completed measure, as-built pictures and drawings (if appropriate), and a statement about whether the completed measure will be included in the local hazard mitigation plan update.

8. DIRECTION AND CONTROL:

8.1. State: Identifying and Notifying Potential Sub-Applicants

- 8.1.1. The SHMO will establish a state mitigation point of contact for the disaster. The SHMO will ensure that this information is shared with officials engaged in the state's disaster relief effort.
- 8.1.2. The SHMO will provide the FHMO with the state mitigation point of contact information. The FHMO will provide this information to officials engaged in the federal disaster relief effort.
- 8.1.3. At the discretion of the SHMO and FHMO, the Federal External Affairs Officer (FEAO) will distribute a joint State/FEMA media release describing the program. The media release will include federal and state points of contact and information regarding any scheduled HMGP briefings.
- 8.1.4. Potential §404 and §406 mitigation applicants will be identified through a joint PDA or from other credible source(s) that the community was/is being impacted by the Declared Disaster. While the entire state is eligible to apply for HMGP funded mitigation measures, the initial notification will focus on disaster impacted areas only.
- 8.1.5. Applicant briefings conducted with the PA and/or IA programs, through media and public information channels, via social media, or other methods determined appropriate by the state will be conducted in cooperation with those other entities and distribution routes. Applicant eligibility, as described below, may be determined during these briefings.
- 8.1.6. The SHMO and FHMO or their representatives, will announce, advertise, and conduct HMGP Applicant Briefings as needed in areas convenient to potential applicants. The briefings will include: a description of the program, the mitigation priorities for the current disaster, application information and forms, an explanation of the submittal-review-award process and schedule, and a point of contact for additional information and assistance.
- 8.1.7. The SHMO may coordinate with the SPAO to introduce the concepts of hazard mitigation and advise potential HMGP sub-applicants during the PA Applicant's Briefing.

- 8.1.8. Potential sub-applicants not previously notified during PDA Briefings or Applicant Briefings will be advised of application prospects and procedures using the internet, email messages, or by letter.
- 8.1.9. Sub-applicants will be notified of any eligibility or non-eligibility determinations made by FEMA or DHS&EM in writing.

8.2. Sub-Applicant (or Sub-Applicant's Authorized Agent):

- 8.2.1. A sub-applicant Chief Elected Official is required to designate an agent who will be the sub-applicant's point of contact for all matters pertaining to its HMGP application for federal assistance (DHS&EM Form 30-5). If no agent is appointed, the Chief Elected Official of the eligible organization will be designated as the sub-applicant's Authorized Agent.
- 8.2.2. The following Sub-Applicants are eligible to apply for §404 HMGP funds:
 - a. State and local governments
 - b. Private non-profit (PNP) organizations or institutions that own or operate a non-profit facility as defined in 44 CFR 206.221 (e)
 - c. Alaska Native Villages or organizations, but not Alaska Native Corporations with ownership vested in private individuals
- 8.2.3. DHS&EM does not differentiate on the grounds of race, color, or national origin.
- 8.2.4. DHS&EM will not tolerate discrimination against any individual or group of individuals by potential HMGP sub-applicants or their representatives IAW Federal Anti-Discrimination Laws.
- 8.2.5. Only those sub-applicants that fulfill the requirements of 8.3.1. and comply with the anti-discrimination policies of the U.S. Government and the State of Alaska are eligible to receive HMGP funding.

8.3. Project Eligibility:

- 8.3.1. Project eligibility criteria are addressed in the DHS&EM HMGP Applications (HMGP Project Application, Appendix 11.2 and HMGP Planning Application, Appendix 11.3). Eligible activities include:
 - a. Local, Tribal and Multi-Jurisdictional All-Hazard Mitigation Plan Development.
 - b. State Management Costs (SMC) are eligible under 44 CFR, 207. Costs of state personnel (regular time only) assigned to administer HMGP in the Joint Field Office (JFO) may be eligible when approved by the FEMA RA. The request for funding SMC will be included in the FEMA / State Agreement. The state shall submit a preliminary Staffing Plan for the JFO within five (5) days of the opening of the office IAW 44 CFR 206.437 and 206.439(b)(2) SMC funds are in addition to the HMGP project ceiling.
 - c. Projects that conform to the SHMP and the sub-applicant's Hazard Mitigation Plan if applicable.
 - d. Projects that have a direct beneficial impact upon the designated disaster area, whether the project is in the disaster designated area or not, IAW 44 CFR 206.434 (b)(2).

- e. Projects that conform to 44 CFR 9, Flood Plain Management and Protection of Wetlands; and 44 CFR 10, Environmental Considerations. FEMA and state floodplain and environmental program managers will review these projects as applicable.
- f. Projects that include work in Special Flood Hazard Areas or are expected to have an impact on such areas are only eligible in a community participating in, and in good standing with, the National Flood Insurance Program.
- g. Projects that solve a problem independently or constitute a functional portion of a solution if there is assurance that the complete project will be completed.
- h. Projects that are cost effective and/or substantially reduce the risk of future damage, as follows:
 - 1. They address a problem that has been repetitive or that pose a significant risk to life and property if left unresolved.
 - 2. Contributes, to the extent practicable, to a permanent or long-term solution to the problem it is intended to address, rather than temporary or short term “fixes”. In any case, the project should, at a minimum, be demonstrated to have a useful life equal to in excess of the calculated recurrence interval of the hazard risk proposed for mitigation. This information will be used to calculate the proposal’s benefit / cost ratio.
 - 3. The value of future damage reduction (including the discount rate used to calculate inflation) exceeds the cost of the project.
 - 4. FEMA approved pre-calculated benefits for mitigation measures will be accepted. A list of projects eligible to use the pre-calculated benefit is included in the FEMA HMA Guidance (February 27, 2015).
- i. Every effort should be made to determine the cost effectiveness of HMGP projects. But where the effectiveness ratio is difficult to determine, the project may be considered under the HMGP Initiative option. If the project is submitted as an initiative request, it must be clearly identified as a 5 percent (or 10 percent if authorized) initiative project and a BCA narrative must accompany the proposal that provides the community’s thesis on why the proposed mitigation measure is expected to be cost-effective.
- j. Projects that provide the most practical, effective, and environmentally sound solution after considering a range of options for mitigation.
 - 1. Projects that contribute to a long-term solution that integrates hazard mitigation principles with existing programs and overall community planning.
 - 2. Projects that consider the long-term effects of the areas and entities they protect and feature manageable future maintenance and modification requirements.
 - 3. Projects involving any facility for which assistance was provided as a result of a previous major disaster will only be eligible if all insurance required by FEMA as a condition of previous assistance has been obtained and maintained. The deductible amount, or damages in excess of the NFIP limits, or for flood damaged items not covered by standard NFIP policy will be eligible.

8.4. Additional State HMGP Requirements:

8.4.1. HMGP projects shall, in addition to existing federal, state and/or local laws, regulations, and policies, meet the following program administration requirements:

- a. Have the support of the local unit of government and of the community
- b. Meet applicable federal, state and local permit and building code requirements
- c. Have, and enforce, an approved Floodplain Ordinance for work located in or having an impact in/on FEMA identified Special Flood Hazard Areas
- d. Discourage inappropriate development in the floodplain or other identified high hazard areas
- e. Addresses the problems of floodway encroachment, repetitively and substantially damaged structures or facilities, and structures or facilities at imminent risk of destruction by a hazard. Specifically, the state's areas of interest are:
 - o Reduction in damage to structures or facilities located in the identified floodway
 - o Reduction in damage to repetitive loss structures or facilities. Projects addressing FEMA identified Repetitive Loss Structures list and Severe Repetitive Loss list, provided they are either pre-FIRM structures or facilities or compliant post-FIRM structures will be given priority
 - o Reduction in damage to structures or facilities considered substantially damaged in a single event when such facility or structure is also located in a FEMA identified Special Flood Hazard Area
 - o Reduction in damages to structures and facilities considered severe repetitive loss
 - o Reduction in damages to structures and facilities located in areas of special risk as identified by qualified and competent entities following an assessment of the area by same and with their findings reported in accordance with professional standards
- f. Other eligible projects as described in 44 CFR 206.434 (d)(2) to include:
 - o Stream Capacity Restoration Activities
 - o Integrating Sea Level Rise in Mitigation
 - o Landslide Property Acquisition
 - o Post-Wildfire Mitigation
 - o Eligible Pilot Projects
- g. Post-FIRM structures, when no evidence of proper permitting or an error on the FIRM can be shown, will only be considered for acquisition/demolition projects and the homeowner or local government will be required to provide the 25% non-federal share of the total cost of the project and all other costs associated with the application and acquisition. Such costs will be deducted from the total award. This would be a policy change. Need to get approval.
- h. Stream restoration / retention ponds / storm water management flood risk reduction measures will be considered on a case by case basis in accordance with FEMA's Flood Risk Reduction Measures Policy FP 204-078-112-1.

8.5. Ineligible Projects:

- 8.5.1. Projects proposed for a mitigation measure by an entity that does not possess a FEMA approved hazard mitigation plan IAW 44 CFR 206 or 207 will not be considered eligible. However, in extraordinary circumstances the sub-applicant may provide evidence to the state of said circumstance and the effect(s) of not pursuing the proposed mitigation measure for consideration. If the state agrees with the rationale provided, the state will forward to Extraordinary Circumstance Request to FEMA for a decision.
- 8.5.2. Projects proposed for a mitigation measure that result from of deliberate negligence or deferred maintenance by the sub-applicant will not be considered eligible.
- 8.5.3. Projects proposed for a mitigation measure that is a result of the sub-applicant's decision to pursue an Alternate Project in lieu of repair or replacement assistance offered under the Public Assistance Program will not be considered eligible.
- 8.5.4. Projects proposed for a mitigation measure that duplicates past or present measures to address the same problem will not be considered eligible. This prohibition does not apply to a past mitigation measure that, after implementation, fails to provide a required level of protection equal to the protection level expected thought to be adequate at the time of implementation. (An example might be a structure in a Special Flood Hazard Area is elevated above the known Base Flood Elevation (BFE) in the past using HMGP money and then the FIRM is updated and the BFE is now higher than the elevated structure's finished first floor).
- 8.5.5. Any project outlined in FEMA's Hazard Mitigation Assistance Guidance (February 27, 2015, page 42-44) as an ineligible Activity will be similarly ineligible under the state's administration of the HMGP.
- 8.5.6. Any project outlined in FEMA's Hazard Mitigation Assistance Guidance (February 27, 2015, page 38) as an ineligible Stand-Alone Activity will be similarly ineligible under the state's administration of the HMGP.
- 8.5.7. Any planning-related project or activity outlined in FEMA's Hazard Mitigation Assistance Guidance (February 27, 2015, page 40) as an ineligible Stand-Alone Activity will be similarly ineligible under the state's administration of the HMGP.
- 8.5.8. Any project submitted by a sub-applicant who has been identified as ineligible to receive state and/or federal funds by the State Treasurer will not be considered eligible.

8.6. Environmental Review:

- 8.6.1. Sub-applicants must indicate any potential environmental issues needing consideration in their HMGP Project Application.
- 8.6.2. Coordination of environmental and historic preservation (EHP) review and conditions should be initiated at the sub-grantee level whenever possible. This will allow for a quicker and more comprehensive review by FEMA's EHP representatives.
- 8.6.3. DHS&EM does not have the capability to perform National Environmental Policy Act (NEPA) level reviews. FEMA Region X, or their designee, will conduct the required federal EHP reviews. Therefore, any data, analysis, or required conditions known to be connected to the proposed HMGP project will be forward to FEMA for their consideration.
- 8.6.4. No project shall commence prior to the NEPA review and appropriate approval(s). All projects considered for funding under the HMGP must meet minimum NEPA requirements, which are included in the HMGP Project Application. The sub-applicant is encouraged to work with the SHMO and the FEMA Regional Environmental Officer to obtain and provide

a reasonable level of environmental detail that is dependent on the type and location of the proposed mitigation project.

- 8.6.5. If a HMGP proposed project begins work before it has undergone NEPA review and determination (when such review and determination is necessary), the proposed mitigation measure will be ineligible for funding. In some extraordinary situations, such as when public safety is at risk, emergency measures may be taken without jeopardizing the project's eligibility so long as the measures are only implemented to the extent needed to safety stabilize the situation. Sub-applicants are expected to notify the SHMO if situations where emergency measures may be used and HMGP is also being considered.
 - 8.6.6. FEMA is responsible for making the final NEPA determination and approval recommendation for all projects, IAW federal guidelines. Projects may receive conditional approval and may require incremental reporting and review before subsequent project related tasks may move forward. DHS&EM is responsible for ensuring that these conditions, if applicable, are met. Documentation to prove these conditions were met may be required before the project will be closed.
 - 8.6.7. FEMA will determine reasonable timeframes for conducting NEPA reviews. Turn-around time for a NEPA review is based on project complexity, project scope, existing workloads, local capacity, or other priorities. FEMA will ensure that reviews are conducted in the shortest time possible. This will likely be done on a project-by-project basis.
- 8.7. Project Identification:
- 8.7.1. Potential HMGP projects are most effective when they have been conceived in a pre-disaster environment. Such deliberation allows for research and discussion of the project's goal(s) and the measures planned to achieve them. These projects should be outlined in general terms within the applicant's and sub-applicant's Hazard Mitigation Plans.
 - 8.7.2. Acknowledging that some potential projects will not be recognized until after the disaster has occurred, the SHMO will brief PDA Teams on what information to collect, including trends, any repetitive problem areas, and any circumstance that team members believe would be relevant to the disaster's mitigation efforts.
 - 8.7.3. The SHMO will review PDA Team reports to closely scrutinize them for possible §404 and §406 mitigation opportunities.
 - 8.7.4. The SHMO will review the SHMP and applicable Local, Tribal and Multi-Jurisdictional Plans to identify potential projects that may qualify for mitigation grant funds.
 - 8.7.5. The Public Assistance Damage Assessment Teams (PADAT) will be briefed to consider potential mitigation projects and include them in their scoping meetings as potential §406 mitigation projects. The meeting notes from the scoping meeting will be reviewed by the SHMO & FHMO for additional §404 and §406 potential. If appropriate, a Public Assistance Hazard Mitigation Proposal (HMP) will be created to develop and tract the potential mitigation measure.
 - 8.7.6. The SHMO will review the PADAT reports and recommend identifying potential mitigation grant projects to include FMA, BRIC, or other agency or organization mitigation grants.

8.8. Application Procedures:

- 8.8.1. A “Statement of Intent” to participate in HMGP will be forwarded to FEMA by the GAR or AGAR within 15 days of the disaster declaration date unless the HMGP was specifically requested in the Governor’s request and approved in the President’s Declaration. If an extension is needed, it will be coordinated with FEMA Region X prior to the 60-day deadline. The request for an extension will include a new timeline.
- 8.8.2. The SHMO is responsible for ensuring that prioritized HMGP applications are submitted to the DHS&EM Director for review and that the HMGP sub-applications are finalized prior to submission to FEMA. The SHMO will assist applicants with developing projects and completing comprehensive applications during community visits and hazard area inspections as needed. The SHMO, State Coordinating Officer (SCO), GAR, or AGAR, based on available funding, may request FEMA provide technical assistance to assist with soliciting and preparing HMGP applications and completing Benefit Cost Analyses (BCA) of the projects.
- 8.8.3. Comprehensive “Project” and “Planning” sub-applications are included as Appendix 11.2 HMGP Project Application and Appendix 11.3 HMGP Planning Application. The appropriate application must be completed for each proposed activity prior to the SHMO submitting them to the DHS&EM Director. The DHS&EM Director will validate and finalize the priority of activities for final approval.
- 8.8.4. The completed applications will be submitted to FEMA for funding upon approval by the DHS&EM Director. The applications include, but are not limited to:
 - Project Criteria
 - Project Consistency with State Mitigation Goals and Priorities
 - Signature of Authorized Agent
 - Applicant Data
 - Historical Damage Information
 - Problem Statement – What effect(s) is the hazard having in the area
 - Damage Cost Estimates
 - Primary Project Scope of Work
 - Alternative Project Descriptions
 - Estimated Budget of the Selected Mitigation Measure
 - Project Eligibility Issues
 - Project Benefit Cost Analysis Using FEMA Approved Methodology / Software
 - Environmental Information
 - Required Information / Back-up Documentation for the Project
 - Checklist of Attachments
 - Maintenance Agreement
 - Work Schedules and Timelines
- 8.8.5. The SHMO will convene and chair the SHMAC before DHS&EM receives the FEMA 12-month lock-in estimate for the disaster. The committee is comprised of appropriate DHS&EM staff and technical experts from other state or federal agencies. They will review all HMGP activity submittals for eligibility and completeness. Based on the committee’s prioritized recommendations, the SHMO will make any final adjustments before presenting them to the DHS&EM Director for approval, refining priority, or further guidance.

- 8.8.6. Sub-applicants are required to have a FEMA-approved, locally adopted Local, Tribal or Multi-Jurisdictional All-Hazard Mitigation Plan to comply with Disaster Mitigation Act of 2000 §322 and 44 CFR 201.6(a) or 201.7 criteria as a condition of applying for mitigation grant assistance. Local communities without a FEMA approved and locally adopted plan may only apply for planning project assistance unless coordinating with DHS&EM to support a letter. Private Nonprofits (PNPs) are not required to have a FEMA-approved mitigation plan to receive HMGP funding.
- 8.8.7. Each local plan must complement the SHMP, include Hazard Vulnerability Analyses and Risk Assessments, document community involvement, be adopted by the community or tribal government, and be approved by FEMA. Eligible private non-profits (PNPs) must participate within the local government's mitigation plan where the PNP is located, or if more appropriate, through creating an annex to the SHMP. PNPs must coordinate with the local jurisdictions in which PNP infrastructure are located; regardless of the jurisdiction having a FEMA approved All-Hazard Mitigation Plan. DHS&EM Mitigation Staff will provide technical assistance as needed.

8.9. Project Selection:

- 8.9.1. The SHMO will convene a board of SHMAC members to evaluate and prioritize all eligible HMGP project submittals. The SHMAC Board members are nominated from various agencies and organizations and selected based on their ability to contribute meaningful assistance and/or advice to the Hazard Mitigation Branch.
- 8.9.2. Post Fire project submittal will be ranked according to the criteria set forth in FEMA Policy: Hazard Mitigation Grant Program – Post Fire Policy #207-088-2.
 - a. Post Fire projects will be prioritized in the following manner:
 - Activities that benefit the declared jurisdiction, with wildfire hazard mitigation projects such as defensible space measures, ignition resistant construction, hazardous fuels reduction, erosion control measures, slope failure prevention measures, or flash flood reduction measures
 - Activities unrelated to wildfire hazard mitigation, such as generally allowable HMGP projects within the declared jurisdiction or burned tribal lands
 - Activities related to wildfire hazard mitigation, such as generally allowable HMGP projects, outside of the declared jurisdiction
 - Activities unrelated to wildfire hazard mitigation, such as generally allowable HMGP projects outside of the jurisdiction
 - b. For projects outside of the declared or burned area(s), the Recipient or Subrecipient must explain in the project application why the funding will not be used in the declared or burned area(s).
- 8.9.3. Because funding is typically insufficient to select all valid HMGP proposals, projects will be ranked by the SHMAC according to the criteria set forth in 44 CFR 206.435 (b) and state priorities.
- 8.9.4. The SHMO will identify potential “fast track” projects and present them to the DHS&EM Director for consideration. The DHS&EM Director determines each project’s priority and has final approval authority. The DHS&EM Director may circumvent the normal project selection process by choosing to prioritize and accelerate projects when determined to be in the state’s best interest. In the alternative, the DHS&EM Director may ask the SHMAC to decide if the proposal warrants “fast track” consideration and, if so, where to rank the proposal.

- 8.9.5. Measures that, if not taken, will have a detrimental impact on the applicant, such as potential loss of life, loss of essential services, damage to critical facilities, economic hardships, or social dislocation/stress in the community.
 - 8.9.6. Projects for developing local all-hazard mitigation plans to comply with DMA 2000 initiatives. If a community does not have a community adopted FEMA approved plan, they will not be eligible for HMGP funding unless an extraordinary circumstance waiver is approved.
 - 8.9.7. Measures that best fit the SHMP and an overall plan for development and / or hazard mitigation in the community, disaster area, or state.
 - 8.9.8. Measures that have the greatest potential impact on reducing future disaster losses.
 - 8.9.9. Measures that are designed to accomplish multiple objectives, including damage reduction, environmental enhancement, and economic recovery.
- 8.10. Project Compliance:
- 8.10.1. The SHMO will also consider the local capacity and capability to successfully complete a project on the part of the sub-applicant. Sub-applicants with a poor history of compliance, success, or audit delinquencies, through the HMGP Grant Award, will be offered a Memorandum of Agreement (MOA) with conditions for project management or on behalf of assistance. Additionally, a project manager or contractor may be a requirement as a condition of the HMGP Grant Award.
- 8.11. Project Management:
- 8.11.1. As the recipient, DHS&EM has primary responsibility for project management and accountability of funds as prescribed in 2 CFR 200 and in the funding section below.
 - 8.11.2. The GAR or AGAR is responsible for ensuring that the sub-recipients meet all program and administrative requirements.
 - 8.11.3. DHS&EM may place special conditions or restrictions on grants to “high risk” sub-recipients, as defined in 2 CFR 200.93. DHS&EM will notify the sub-recipient subject to these conditions in writing of the nature of the conditions, the reason(s) for imposing them, what action must be taken before the conditions will be removed, the time period in which this must be accomplished, and the method of requesting reconsideration of the conditions.
 - 8.11.4. Should the sub-recipient decline the special conditions, restrictions or fail to meet the terms of the HMGP Grant Award, the sub-recipient will be required to reimburse any funds expended and may jeopardize future DHS&EM grant funding.
 - 8.11.5. The SHMO reviews and approves all requests for reimbursement and advances from the applicant before forwarding them to the Division of Administrative Services (DAS) financial management staff for audit to prevent duplication of payment and to ensure payment eligibility. Any questions regarding eligibility or duplication of payment are returned to the SHMO for clarification. Final approval for payment is made by the GAR or AGAR. DAS financial management staff then processes payment, disburses funding, and returns the request for payment and financial transaction reports (showing payment processed) to the SHMO. The DAS financial management staff conducts a periodic reconciliation of IRIS with the National Emergency Management Information System (NEMIS), FEMA’s disaster management system.

- 8.11.6. The sub-recipient shall submit a Project Quarterly Report (DHS&EM Form 30-60) provided in (Appendix 11.4. HMGP Sub-Recipient's Handbook, Page 11) to the GAR or AGAR indicating the status and projected completion date for the project. Any problems affecting the completion date, scope of work, or project cost which could result in noncompliance with the approved grant conditions will be included in the report.
- 8.11.7. The SHMO shall submit a quarterly progress report to FEMA indicating the status and projected completion date for each grant awarded. Any problems affecting the completion date, scope of work or project costs which could result in noncompliance with the approved grant conditions will be included in the report.
- 8.11.8. Sub-recipients normally have up to 36 months from the measure's approval and funding date to complete the project, or 12 months for a plan. DHS&EM and FEMA Region X must approve any deviation from this schedule. DHS&EM will monitor compliance with the period of performance on all grants through the submitted quarterly reports, routine project management communications with sub-recipients and site monitoring visits.
- 8.11.9. The sub-recipient will submit project cost overruns, with complete justification, to the GAR or AGAR for approval. Cost overruns which can be met without additional federal funds, or which can be met by offsetting cost under runs on other projects, need not be submitted to FEMA for approval, if the full scope of work on all affected projects can still be met.
- 8.11.10. For cost overruns which exceed federal obligated funds and require additional federal funds, the GAR or AGAR shall evaluate each cost overrun and shall submit a request with a recommendation to the RA for a determination. The applicant's justification for additional funding and other pertinent material shall accompany the request. The RA shall notify the GAR or AGAR in writing of the determination and process a supplement, if necessary. In no case will the federal cost for HMGP exceed either the 75 percent federal share or 15 percent of the estimated aggregate amount of grants identified in the Stafford Act.
- 8.11.11. Payment to the state for claims under §404 will be as provided in 44 CFR 206.439 (d).
- 8.11.12. Any provision under the HMGP Grant Award or its application to any person or if circumstances are held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the HMGP Grant Award which can be given effect without the invalid provision.
- 8.11.13. While DHS&EM undertakes to assist the sub-applicant with the project by providing grant funds pursuant to the HMGP Grant Award, Memorandum of Agreement (MOA), or on behalf of the payment system, the project itself remains the sole responsibility of the applicant. DHS&EM undertakes no responsibility to the sub-applicant, or to any third party, other than as is expressly set out in the HMGP Grant Award. The responsibility for the design, development, construction, implementation, operation and maintenance of the project, as those phases are applicable to this project, is solely that of the sub-applicant, as is responsibility for any claim or suit of any nature by any third party related in any way to the project.
- 8.11.14. The sub-applicant shall defend at its own cost any and all claims or suits at law or in equity which may be brought against the sub-applicant in connection with the project. The sub-applicant shall not look to DHS&EM, the state or federal agency, or to any of their employees or agents, for any performance, assistance, or any payment or indemnity, including but not limited to cost of defense and/or attorney's fees, in connection with any

claim or lawsuit brought by any third party related in any HMGP project submission, design, development, construction, implementation, operation and/or maintenance.

8.12. Technical Assistance:

8.12.1. Technical assistance may be given by FEMA and / or DHS&EM to assist either the recipient and/or sub-recipient. Technical assistance may include data collection, project development and management, engineering and/or floodplain management, and benefit/cost determinations. Requests for technical assistance should be forwarded to the respective agency (FEMA or DHS&EM, as appropriate). Requests should be in writing, but alternative methods may be acceptable, as appropriate.

8.13. Financial Management (Funding):

8.13.1. Total approved project costs are split with a 75 percent federal share and a 25 percent non-federal share. Any additional program costs are not eligible and are the responsibility of the sub-recipient. However, in some instances cost overruns may be funded on a case-by-case basis, using the procedures described below in Section 8.14.22.

8.13.2. The State of Alaska may, at its sole discretion, contribute all or a part of the required non-federal cost share. In cases where in-kind or Global Match contributions are included, the state's contribution will be equal to the remaining non-federal share balance.

8.13.3. HMGP funds obligated by FEMA are identified in the Payment Management System and are available for drawdowns as the state has reimbursed each jurisdiction. Additionally, a Public Assistance Administrative Plan will be produced and approved with each disaster according to DHS&EM and FEMA requirements. A reference copy of the Annual Public Assistance Administrative Plan is available at DHS&EM.

8.13.4. DHS&EM as the recipient and sub-recipients who are awarded sub-grants must set-up separate accounts to facilitate tracking HMGP funds generated by different disasters.

8.13.5. All payments to a sub-recipient go through a review and approval process within DHS&EM. The SHMO will review the requests supporting documentation and the applicant file to validate payments before approving them.

8.13.6. The payment will be routed through the DHS&EM Program Support Section for audit, the Plans and Preparedness Program Manager for review, and to the GAR or AGAR for final payment approval.

8.13.7. Sub-recipients will use local standard operating procedures when procuring services or goods. Qualified state agencies will follow State Procurement Guidelines.

8.13.8. Obligating federal funds for specific mitigation projects will be accomplished as those projects are approved by FEMA. DHS&EM as the recipient and sub-applicants as sub-recipients will not make any award or permit any contract to any party which is debarred, suspended, excluded or ineligible to receive funds in accordance with 2 CFR 200.213. DHS&EM will ensure that a review is conducted to identify contracts are not awarded to any party which is debarred or suspended or is otherwise excluded from participation in federal programs under Executive Order 12549, "Debarment and Suspension". This review will be conducted during the analysis of the required procurement method report and contract documents provided by all sub-recipients for contracted services utilized on HMGP grants.

- 8.13.9. A sub-recipient may request a funding advance by completing the Request for Funds Form 30-03 (Appendices 11.4. HMGP Sub-Recipient’s Handbook, Page 10). The completed form must be typewritten and submitted to the state for approval and processing. DHS&EM will not accept handwritten requests. Faxed documents must be followed-up with a mailed original. Advance funds must be expended towards the approved scope of the project within 30 days of receipt, or they must be refunded to the state. The sub-recipient must provide supporting documentation for all project expenditures for which advance funds are used prior to receiving subsequent funding. Accruing interest on advance funds is not authorized, and any accrued interest must be returned to the state and subsequently to FEMA.
- 8.13.10. Advances are limited to increments of 30 percent of the total project cost. Additional funding may be advanced as the sub-recipient provides documentation to substantiate expenditures. Each subsequent request may not exceed 30 percent of the estimated total project cost. Total advances may not exceed 75 percent of the estimated project cost.
- 8.13.11. Incrementation and final payments will not be paid until advance funding, if any is reconciled, the project is complete, and all receipts and documentation are received by DHS&EM.
- 8.13.12. Reimbursement of funds: A sub-recipient may request a reimbursement of funds by completing the Request for Funds DHS&EM Form 30-03 (Appendices 11.4. HMGP Sub-Recipient’s Handbook, Page 10). The sub-recipient must provide documentation that shows actual expenditures made supporting grant project activities and/or supporting functions described in the approved scope of work for the project. The request will be processed for payment once it is validated for authorized expenditures.
- 8.13.13. If the request is denied, the GAR or AGAR will inform the sub-recipient in writing within thirty (30) days of the date of the request with an explanation for the denial. If approved, the request will be transmitted to the DAS financial management staff for processing per established accounting procedures.
- 8.13.14. Disbursement of funds will be as expeditious as possible to minimize the time between the grant award and actual disbursement. The state prefers to use Electronic Funds Transfers (EFT) whenever feasible to the sub-recipient. Payments will be made by “Warrant” (check) only upon request by the sub-recipient.
- 8.13.15. DAS financial management staff will draw the funds through Smart Link or Payment Management System (newer disasters). The funds will only be drawn as DHS&EM incurs expenditures on the approved project. DHS&EM will request that FEMA de-obligate unexpended funds at the closeout of each project, once all project expenditures are paid.
- 8.13.16. State “Warrants” are good for six months from date of issue. Under normal circumstances, the state would keep warrants that have reached the Statute of Limitations (SOL) on the books for 18 months and then send them to “Unclaimed Properties” at:

Department of Revenue Division of Treasury Unclaimed Property Section P.O. Box 110405 Juneau, AK 99811-0405	or	Department of Revenue Division of Treasury Unclaimed Property Section Willoughby Ave., 11 th Floor Juneau AK 99811-0405
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- 8.13.17.If the warrant expires before the expiration of the performance period of the disaster and the sub-recipient submits an affidavit that the:
- Warrant was lost
 - Warrant was stolen
 - Warrant was fraudulently cashed or
 - Applicant was unable to cash the warrant because they were:
 - 1) Medically incapable of cashing the check and there is no one with a power of attorney that can act in the applicant's behalf.
 - 2) Outside the U.S.A. during the entire time the warrant was valid and could not find an institution willing to cash it.
- 8.13.18.The sub-recipient can then request that the warrant be reissued. State warrants can be reissued indefinitely by contacting the Unclaimed Properties Section at the addresses above.
- 8.13.19.In the event the sub-recipient fails to expend funds in accordance with state law and or the provisions of the agreement, DHS&EM reserves the right to recapture funds in an amount equivalent to the extent of noncompliance. Such right of recapture shall exist for a period not to exceed three years following agreement termination. Repayment by the sub-recipient of funds under this recapture provision shall occur within 30 days of demand. In the event DHS&EM is required to institute legal proceeding to enforce the recapture provision, DHS&EM shall be entitled to its costs thereof, including reasonable attorney's fees.
- 8.13.20.Sub-recipients are permitted to re-budget within the approved direct cost budget to meet unanticipated requirements and may make limited program changes to the approved project, per 2 CFR 200.308. However, all changes of the budget exceeding 10 percent of any approved cost line item, scope of work, timeline, and program activities must be coordinated with DHS&EM.
- 8.13.21.Final payments will not be paid until the project is complete and all receipts and documentation are received by DHS&EM. The sub-recipient's claim and supporting documents for reimbursement must be submitted within 60 working days of the completion of the project.
- 8.13.22.Sub-recipients may request in writing and extension of the final claim deadline. The SHMO can grant an extension of up to 30 days. Longer delays and second extension requests will require coordination with FEMA Region X.
- 8.13.23.All payments to a sub-recipient go through a review and approval process within DHS&EM. Prior to project closeout, sub-recipient's must reconcile their programmatic and management costs expenditures with actual financial activity. If funds remain after project completion, the remaining funds, and any interest accrued in excess of \$100 annually must be returned to the state and ultimately to FEMA before the project can be closed.
- 8.13.24.Sub-recipient for Acquisition/Relocation Projects must provide copies of all documentation obtained from financing the home including contracts between the sub-recipient and homeowners, vendors, and suppliers. The sub-recipient must provide a written report explaining what happened with each home, funds expended, and any information concerning project progress.
- 8.13.25.Expenditures made or obligations incurred following the grants performance period ending date or the closeout of the disaster shall not be eligible.

8.14. Management of Cost Overruns and Underruns:

8.14.1. Should there be a cost overrun in a project budget line item, the sub-Recipient may request approval of additional funds be used from another line item within the same project. By providing justification such as invoices, activity reports, progress reports and the like for evaluation by the State Hazard Mitigation Officer (SHMO).

8.14.2. The SHMO will make all decisions regarding cost overruns

- a. The SHMO will evaluate each cost overrun and, if justified and additional funds are available in another line item in the same budget, approve an amount not to exceed 10% of the original budgeted line item. The state will notify FEMA Region X of all overruns and / or project re-scopes prior to approving any additional funds to cover cost overruns.
- b. Cost overrun notifications must be accompanied by a new BCA if appropriate.
- c. Anticipated or known overruns will be reported to FEMA on the quarterly report in the quarter that the overrun becomes known and any approved changes in funding will be reflected in the report financial section.
- d. Cost overruns request must be accompanied by justification and other pertinent material. The report shall include the following:
 - Statement of the problem or circumstance responsible for the cost overrun
 - Estimate of additional cost to include
 - Original schedule and completion date
 - New projected schedule and completion date
- e. The SHMO will keep track of all potential and actual project cost underruns. Whenever a cost underrun results in a de-obligation of funds the SHMO will examine if there is an allowed reuse of the de-obligated funds. Since HMGP projects are ranked during SHMAC deliberations, the ranked projects are also likely to be the most effective at meeting the state's mitigation goals. Therefore, priority for de-obligated funds shall be to cover cost overruns in HMGP projects already approved under the same disaster. Should funds remain after all cost overrun requests have been satisfied, the SHMO may request funding of projects listed on the State's Alternate Project List (included in the GAR or AGAR letter nominating SHMAC ranked projects for funding).
- f. Sub-recipients are forbidden from using funds from different HMGP projects under their control to cover cost overruns. Split-funding and commingling of funds is not allowed and would be a violation of US Law. If a sub-recipient's HMGP project is complete and there is an anticipated cost underrun, the completed project will be closed IAW the state's closeout procedure and FEMA will be notified any to de-obligate any unused funds. Only in this way will the state then be able to request obligation of additional funds to cover project cost overruns.

8.15. Reviewing and tracking projects in NEMIS as follows:

8.15.1. The NEMIS financial system will be used to ensure that the final breakdown in funding for the HMGP results in a federal share that does not exceed 75 percent.

8.15.2. Projects will only be entered into NEMIS once the non-federal cost match has been approved.

- 8.15.3. Projects that propose use of federal HMGP funds will be entered into NEMIS in rank order by DHS&EM with FEMA assistance as requested (up to the total number of SHMAC ranked HMGP approvable projects with those exceeding the 100 percent funding estimate being designated as “Alternate Projects”).
 - 8.15.4. Federally funded projects for which the approved cash match is not identified (in-kind contributions, force account, Global Match, etc.) cannot exceed 75 percent federal share. At no time will the running total cost of projects exceed 75 percent federal share.
 - 8.15.5. Federally funded projects and match projects will be listed in the NEMIS Funding Estimate 'Project Global Match' tab in the appropriate disaster mitigation program.
 - 8.15.6. HMGP projects will be reconciled and closed in NEMIS as part of project and disaster close-out procedures.
- 8.16. Reviewing and Tracking Management Costs (IAW DRRRA Section 1205):
- 8.16.1. Recipient Administrative Allowance: The state, as the Recipient, will be reimbursed a combined total Recipient Administrative Allowance, sub-recipient Admin Fee and State Management Cost rolled into one single State Management Cost (SMC) project as a flat rate capped at 10% of HMGP paid incrementally with a final payment made upon the HMGP close-out IAW 44 CFR 207.
 - 8.16.2. The state will request the maximum available management costs allowance to off-set its direct administrative and in-direct programmatic costs relating to its administration of the HMGP. The present maximum authorized Recipient amount is 10 percent of the total HMGP. These funds do not require a non-federal cost share and are in addition to the HMGP estimated funding ceiling.
 - 8.16.3. Costs of state personnel assigned to administer HMGP in the State / FEMA Joint Field Office may be eligible Management Costs. Post JFO costs are also eligible if approved in advance. (44 CFR 206.439(b)). Additionally, contract costs, equipment and office supplies and communication costs used in the JFO for the HMGP may be reimbursed.
 - 8.16.4. The state’s management costs request shall be entered as Project #001 in NEMIS.
 - 8.16.5. The state will develop and keep up-to-date worksheets necessary to track its management costs and report same on a quarterly basis to FEMA.
 - 8.16.6. The state will credit its accounts as appropriate any management costs reimbursement it draws down from the federal government.
 - 8.16.7. The state will close its management costs project (#001) once all sub-projects have also been closed according to FEMA’s closeout procedure.
 - 8.16.8. The state will advise HMGP sub-applicants of the availability of management costs. This will include providing sub-applicants with the state’s written procedure for requesting and documenting management costs, a letter for the sub-applicant to sign and return that shows the decision to accept or decline management costs, and a blank worksheet for estimating the management cost by category.
 - a. The present maximum authorized sub-recipient amount is 5 percent of the estimated project total cost. These funds do not require a non-federal cost share and are in addition to the HMGP estimated funding ceiling.
 - b. The state will add the sub-recipient’s information to the matching project folders (electronic and paper) and NEMIS projects submitted by the sub-applicant.

- c. The state will monitor sub-recipient management costs and arrange reimbursement either annually or at the sub-grant's closeout. No management costs funds will be advanced.
- d. The sub-recipient's final reimbursement will be adjusted to match the sub-recipient's actual management costs expenditures not to exceed 5 percent of the final project cost.
- e. Any HMGP management cost award equal or in excess of \$25,000 will be controlled IAW FEMA's Strategic Funds Management requirements.

8.17. Strategic Funds Management:

- 8.17.1. FEMA requires HMGP Recipients and sub-recipients to manage federal financial awards equal to or in excess of \$1 Million Dollars IAW the Budget Control Act of 2011.
- 8.17.2. Projects that require an approved source of funding (full obligation of funds) under the State's procurement process in order to enter procurement or contacting do not required the use of Strategic Funds Management. The sub-applicant must notify the state that this condition exists, and that the exemption is requested.
- 8.17.3. Projects for which most or all the funds will be disbursed within six months of approval are exempt from Strategic Funds Management requirements. The sub-applicant must provide a schedule of activities and expected disbursements that shows the six-month period of performance is reasonable and not overly hasty.
- 8.17.4. The sub-recipient will prepare a proposed obligation schedule that shows estimated dates and amounts of project disbursements.
- 8.17.5. The sub-recipient will ensure that there is adequate consistency between the estimated obligation schedule and the major work tasks outlined in the project's Period of Performance proposal. If there is a significant difference, that difference must be explained and approved (i.e. when supplies and equipment is ordered at the beginning of a project to achieve economy of scale savings, etc.).
- 8.17.6. The state will develop a Strategic Funds Management monitoring procedure that ensures that needed funds are requested before they are needed, that the funds have been disbursed to the sub-recipient once received, and that the sub-recipient has safeguarded those funds upon receipt until their final disbursement.
- 8.17.7. The state will coordinate with FEMA Region X and FEMA Headquarters to ensure that the proposed obligation schedule and state's method for Strategic Funds Management monitoring is approved.
- 8.17.8. The sub-recipient will request from the state initial and incremental obligation of funds not less than sixty days before they are needed.
- 8.17.9. The state will request initial and incremental obligation of funds not less than thirty days before they are needed and disburse the approved funds before the date they will be needed.
- 8.17.10. Use of funds managed under the approved Strategic Funds Management policy shall be coordinated with FEMA's Spend Plan procedure during the thirty days between request for the funds and their obligation.
- 8.17.11. Progress on projects managed under the approved Strategic Funds Management will be documented quarterly between the sub-recipient, state and FEMA Region X.

8.18. Global Match Requirements:

- 8.18.1. The state may decide to forego Global Match, or partially or fully implement the program. The responsibility for a Global Match decision rests with the SHMO and may be based on information and advice provided by many mitigation stakeholders.
- 8.18.2. The Global Match decision will be made before the state submits sub-applicant HMGP project application to FEMA. The state's initial project for State Management Costs (SMC) is exempted from this deadline.
- 8.18.3. Any non-federal, unduplicated, project costs contributing toward the HMGP non-federal cost-share must be of a project type eligible under HMGP regular funding.
- 8.18.4. Any project contributing towards the HMGP cost-share must meet all program requirements, including all eligibility criteria and compliance with all applicable federal and state laws and regulations.
- 8.18.5. No project costs may be counted towards the HMGP non-federal cost-share if they were incurred or paid before the date of Declaration of the applicable disaster.
- 8.18.6. Any project contributing towards the HMGP cost-share must comply with the same Period of Performance requirements as HMGP projects.
- 8.18.7. Use of global match cannot result in a federal cost share exceeding 7 percent of the HMGP estimate for Planning Initiative projects.
- 8.18.8. Use of global match cannot result in a federal cost share exceeding 5 percent (or if authorized by FEMA 10 percent) of the HMGP estimate for discretionary projects.
- 8.18.9. Use of global match cannot result in a federal cost share exceeding \$150,000 for direct construction costs of any individual structure mitigated under the Mitigation Reconstruction.
- 8.18.10. Any project contributing towards the program cost-share must meet matching or cost sharing rules as specified in 2 CFR 200.306.
- 8.18.11. The state will not credit contributions made by other federal entities made in direct response to a disaster which also require a non-federal match. "Coordinated Match" requires careful monitoring to avoid duplication of program requirements.

8.19. Federal Financial Reports:

- 8.19.1. The Recipient will submit a quarterly Federal Financial Report (FFR) (SF 425) to the FEMA Region X office 30 days after the end of the first federal quarter following the Initial grant award. Financial reports will be submitted quarterly thereafter for state administered disaster assistance programs authorized by the Stafford Act. Reports are due January 30, April 30, July 30, and October 30.
- 8.19.2. The sub-recipient will submit a quarterly financial report (Federal Cash Transaction Report) to DHS&EM 20 days after the end of the first federal quarter following the initial grant award. Financial reports will be submitted quarterly thereafter for state administered disaster assistance programs authorized by the Stafford Act. Reports are due January 20, April 20, July 20, and October 20.

8.19.3. This report will consist of the following at a minimum:

- Total authorized for the project
- Total expenditures to date
- Total payments received to date
- Total advances received
- Total project funds remaining

8.19.4. Receipt of HMGP funding is a contractual agreement between the recipient and sub-recipient. As the Recipient, DHS&EM requires that quarterly and annual fiscal status reports be completed as a condition of receiving these funds. Project funding can be suspended, or reimbursement sought if the required reports are not received as indicated above.

8.19.5. Project Documentation Record Retention 2 CFR 200.333. The recipient and sub-recipient are required to keep complete records of all work including (i.e. receipts, checks, job orders, contracts, equipment, equipment usage documentation and payroll information in paper, electronic or microfiche formats) funded under the HMGP.

8.19.6. Except as noted below, FEMA requires that the recipient and sub-recipient records must be retained for three years from the date of the last expenditure report or if waived, the date the report would have been due. However, the State of Alaska recommends that HMGP records be retained permanently. This includes support documentation of all soft match dollars, such as force account labor and use of existing inventory.

8.20. Equipment Management:

8.20.1. 2 CFR 200.313 is very explicit concerning equipment management responsibilities. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000. The recipient and sub-recipients will use, manage, and dispose of equipment acquired under this grant IAW state laws and procedures. Additionally, the recipient and sub-recipients will use the equipment for the project for which it is acquired for as long as needed. Once the original need is terminated, the equipment can be used for other activities supported by the federal government.

8.20.2. All equipment acquired with grant funding will be maintained on inventory following State of Alaska Procurement guidelines to include serial number, property identification tag, location, cost, and other tracking data. Physical inventory will be conducted annually and reconciled with property records every two years. Maintenance will be performed to ensure the equipment remains in functional order until disposition and appropriate records will be kept current in the DHS&EM logistics office.

8.20.3. Equipment will be disposed of following state disposition regulations and as delineated in 2 CFR 200.313.

8.21. Facilities and Real Property:

8.21.1. DHS&EM makes no claim to any capital facilities or real property improved or constructed with funds under any HMGP Grant Agreement, and by a grant of funds does not and will not acquire any ownership interest or title to such property of the sub-recipient. The sub-recipient shall assume all liabilities arising from the ownership and operation of the project and agrees to hold DHS&EM and the State of Alaska harmless from all causes of action arising from the ownership and operation of the project.

- 8.21.2. Every two years the state will contact the communities that have purchased land with HMGP monies and have them verify in writing that the land requirements (open space, public ownership, etc.) are being adhered to.
- 8.22. Appeal – State Decision(s):
- 8.22.1. An eligible sub-applicant or sub-recipient may appeal any previously made determination related to an application for federal assistance to, or through, the recipient (DHS&EM) depending on which entity has the power to grant relief to the petitioner.
 - 8.22.2. Appeals must be submitted in writing to the GAR or AGAR at DHS&EM, within 60 days of receipt of notice of decision of which is the basis for the appeal.
 - 8.22.3. The SHMO, or their designee, will provide guidance or technical assistance with writing an appeal if needed.
 - 8.22.4. The written appeal must contain a rationale for overturning the previous decision and should include any additional information and supporting documentation to warrant reconsideration. Any appeal based on Law may include legal opinions, Statutes, Codes, Regulations, and/or Constitutions. The citation used should be able to be found in an electronic or print publication source.
 - 8.22.5. DHS&EM will review and decide appeals from a sub-applicant or sub-recipient, within 60 days of receipt.
 - 8.22.6. Is there a second-tier appeal process authorized by the state? If so, it should be outlined here.
 - 8.22.7. All appeals must be resolved by the GAR or his representative prior to the grant closeout period.
- 8.23. Appeal - FEMA Decision(s):
- 8.23.1. Eligible sub-applicants or sub-recipients are designated as appellants for this level of appeal. Appellants may appeal any previously made FEMA determination related to an application for federal assistance through the Recipient to FEMA.
 - 8.23.2. The FEMA Region X Administrator (IAW 44 CFR 206.440) is the appellee in such matters. The Appellee will only receive and decide upon matters submitted to FEMA through the state.
 - 8.23.3. Sub-applicants whose projects are not selected may only appeal to FEMA if the appellant charges that the state failed to discharge its duties consistent with the laws, regulations and /or policies of the United States. All appeals regarding the merit-based selection or denial of a project shall rest with DHS&EM as those decisions are not made or regulated by FEMA.
 - 8.23.4. This appeal must be made in writing to the GAR or AGAR within 60 days of receipt of notice by FEMA of decision which is the basis for the appeal.
 - 8.23.5. DHS&EM will review and evaluate the appeal then submit to the FEMA Regional Administrator (RA) the documentation for the Appellant’s position, sighting specific discrepancies or disputed provisions in federal law, regulation, or policy.
 - 8.23.6. After the FEMA RA receives the appeal, an initial response must be received within 90 days. That response may take the form of a determination or a request for additional information from the Appellant. After receipt of the additional information, FEMA has an additional 90 days to provide its determination.

- 8.23.7. If the appeal is denied by the FEMA RA, the appeal may be elevated to the FEMA Assistant Administrator, Mitigation. The same time limits for submission and response apply to the second appeal.
- 8.23.8. The Assistant Administrator shall decide on the appeal within 90 days from receipt of all related information. In most cases, the Assistant Administrator's decision will be considered final.

8.24. Records and Reports:

- 8.24.1. The sub-recipient will submit a Project Quarterly Report, (DHS&EM Form 30-60) (Appendices 11.4. HMGP Sub-Recipient's Handbook, Page 11), to the state which will serve as the basis for the state reporting on the status of all open projects to FEMA. The report will contain the status of open projects as prescribed by 2 CFR 200.328 and 44 CFR 206.438(C). The progress report will be submitted to DHS&EM within twenty (20) days after the end of the first federal quarter following the initial grant award and shall be submitted each quarter thereafter for state administered disaster assistance programs authorized by the Stafford Act. Reports are due to DHS&EM January 20, April 20, July 20, and October 20.
- 8.24.2. The state will submit quarterly progress reports to FEMA detailing the status of open projects as required by 2 CFR 200.327 and 44 CFR 206.438(C). Quarterly progress reports are due on January 30, April 30, July 30, and October 30.
- 8.24.3. All projects are subject to state and federal audit or examinations as long as the records are retained (2 CFR 200.336: Access to Records). However, recipients and sub-recipients are not required to permit public access to their records unless required by federal, state, or local law.
- 8.24.4. Quarterly reports are records governed under U.S. Law and are due to DHS&EM not later than the 20th day of the month following the end of each federal quarter. DHS&EM will submit the collected quarterly reports to FEMA not later than the 30th day of the month following the end of each federal quarter. If the sub-recipient has not submitted the reports in a timely manner, DHS&EM will contact the sub-recipient providing a reminder of their reporting duties. If no report for the prior quarter is received before the end of the next quarter, the grant may be terminated, and recoupment of all reimbursed expenditures may be sought.
- 8.24.5. If litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three years period, the records must be retained until completion of the action and resolution of all issues arising from the action or an additional three years whichever is longer.
- 8.24.6. Personally Identifiable Information (PII): Information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc. The Hazard Mitigation Program as administered by the State of Alaska has no need to collect PII. If program staff come in contact with PII it is to be handled and controlled in accordance with Alaska Statute 45.48-Personal Information Protection Act and 2 CFR 220.79.
- 8.24.7. The recipient and sub-recipients are required to retain real estate transaction and property tracking records indefinitely.

- 8.24.8. To avoid duplicate recordkeeping, awarding agencies may make special arrangements with recipients and sub-recipients to retain any records which are continuously needed for joint use.
- 8.24.9. Records for income transactions after grant or subgrant support will be retained for three years starting from the end of the recipient's fiscal year in which the income is earned.
- 8.24.10. Alternate forms of documentation such as microfilming, photocopying, or similar methods may be substituted for the original records.
- 8.24.11. The state may make random audits, checks, or inspections to determine that records are retained and available as required.

8.25. Audits:

- 8.25.1. The state and each sub-recipient that expends \$750,000 or more during the non-federal entity's fiscal year in federal awards must have a single or program-specific audit conducted for that year in accordance with 2 CFR 200.501.
- 8.25.2. The state and sub-recipients are responsible for obtaining audits IAW 2 CFR 329, the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507), and revised 2 CFR 200 Subpart F 200.500-507, Audits of States, Local Governments, and Non-Profit Organizations. This requirement applies to all §404 HMGP measures.
- 8.25.3. The GAR or AGAR may request an audit for funds disbursed to a sub-Recipient at any time. The audit results will be submitted to the FEMA RA for resolution, if necessary, based on the FEMA-State Agreement.
- 8.25.4. The audit will determine whether the sub-recipient has met the requirements outlined in this plan and expended HMGP funds IAW 2 CFR 200 Subpart F 200.500-507. If non-compliance is determined, the SHMO will ensure that appropriate corrective action is taken within six months of audit completion.
- 8.25.5. The state will retain a copy of the audit performed on Section 404 projects, in case requested by FEMA or outside auditors.
- 8.25.6. The recipient and any sub-recipient meeting the audit requirements are advised to retain records and supporting documentation for a minimum of three years after closeout of the disaster.
- 8.25.7. DHS&EM uses audit finding and recommendations to evaluate sub-recipient risk which ultimately impacts the nature, timing, and extent of the project monitoring. Some of the items specifically analyzed are:
 - Program / Project Complexity
 - Historical Issues
 - Amount of Award
 - Staffing Changes
 - Quarterly Reports
- a. Sub-recipients deemed to be at-risk for project related compliance and/or reporting problems will be advised of any additional conditions placed on the sub-grant and/or monitoring plan.
- 8.25.8. Federal Audits:
 - a. The state will comply with Uniform Administrative Requirements under 2 CFR 200 - revised Single Audit Act of 1984, P.L. 98-502. The terms 2 CFR 200 and Uniform Guidance can be used interchangeably.

- b. The state will retain all backup documentation including but not limited to:
 - Invoices and reimbursement requests
 - Proof of funds transmitted / paid
 - Real property project records (deeds, titles, easements, etc.) will be maintained in the sub-recipient files and will be made available to the auditor upon request. However, a verification record will be maintained in the state's project files
 - Professional records and reports (may be electronically stored)
 - Records to support management costs claimed including, but not limited to eligibility, payroll data, procurement procedures, contracts, invoices, and explanation of activities performed
- c. The sub-recipient will maintain complete records of all work and claims for direct administrative costs to support the eligibility of costs, including but not limited to, receipts, checks, job orders, contracts, equipment usage, payroll information, and any other documentation that will be required by an audit.
- d. This information will be stored and made available for state or FEMA auditors to review.
- e. A copy of the audit of the sub-recipient will be forwarded to DHS&EM for their review and potential action.

8.25.9. State Audits:

- a. The State Auditor has developed and maintains a program that assures state audits are performed in a timely and systematic manner as required. Additionally, the state may conduct a monitoring audit which may review and rely federal audits and/or other documents, including sub-recipient quarterly reports, to determine if HMGP funds have been used in compliance with laws, regulations and policies governing such funds. If after a review of the audits, adverse findings exist, the state will take appropriate corrective action and report that action to FEMA.
 - The state may request that a specific disaster audit be performed on projects of any size
 - Should there appear to be deficiencies in the management of accounting for federal or state funds, a review may be requested
 - Should there appear to be any violations of law, the state may refer the matter to the appropriate law enforcement authorities
- b. Sub-recipient is required to provide DHS&EM a copy of the Single Audit Act report for each federal fiscal year in which the HMGP grant triggers the requirement.
- c. Even though a Single Audit is performed, grant recipients also are subject to additional audits by the FEMA Office of Inspector General and state auditors for items not covered by the Single Audit.

8.26. Close-out Procedures:

8.26.1. Project Closeout:

- a. The SHMO reserves the right to inspect all projects for compliance at any time and FEMA may also conduct an inspection of any project at any time.
- b. If the sub-recipient does not address instances of non-compliance, DHS&EM will withhold any additional federal funding for that project until the Sub-Recipient is compliant. DHS&EM will also withhold the approval of any additional projects for that sub-recipient until the instances of non-compliance are resolved.

- c. Compliance will be enforced in accordance with 2CFR 200.207 and 2 CFR 200.338.
 - d. All monitoring documents are maintained in a centralized location on the DHS&EM computer network and hardcopies are maintained in the Hazard Mitigation Section's office. Electronic records are generally maintained in the DHS&EM computer network permanently. However, if circumstances require hardcopy records to be converted to electronic storage, these records will be matched with the DHS&EM network copy and when deemed identical a copy will be placed in the State Archives.
 - e. The sub-recipient will notify the SHMO when a project is ready to be closed. It is recognized that, based upon performance period deadlines or non-performance of the grant, the SHMO may unilaterally suggest project closure to FEMA.
 - f. There should be agreement between the state and the sub-recipient that the project is ready to be closed. Should either not agree, the SHMO may need to request an extension of the project's Period of Performance, in writing to FEMA Region X, outlining the request's justification and estimating the amount of additional time needed to resolve the issue(s).
 - g. Projects with the ability to be virtually or desk-top inspected will be closed in that manner by mutual agreement between the sub-recipient, recipient and FEMA. Examples might include HM plan updates, small dollar projects, and projects in locations difficult and/or expensive to reach.
 - h. The sub-recipient, the state (recipient) and FEMA will coordinate to make sure that any funds advanced through the program balance with funds expended by the recipient and sub-recipient. If there is disagreement between the advanced or expended funds and the grant amount, FEMA and the recipient will take steps to reconcile and adjust final project expenditures and adjust the Recipient Management Costs as necessary.
 - i. If inspection and review of sub-recipient support documentation reveals problems in work performance and/or documentation of such work, the SHMO shall work with the sub-recipient to correct the deficiencies before program closure.
 - j. Once DHS&EM has concluded all steps necessary for project closeout, it will issue a closing report. If the sub-recipient had noted issues, this report may include a Continuous Improvement Plan (CIP) to assist the sub-recipient in understanding the HMGP and positioning them for better grant outcomes in the future.
 - k. Upon completion of the final inspection and reconciliation, if needed, the SHMO, or designee, will submit certification of the project to the GAR or AGAR. The GAR or AGAR will forward final inspection documents to the FEMA RA to close the project.
- 8.26.2. Global match closeout requirements shall follow the same requirements as HMGP regular projects with the same documentation and procedures.
- 8.26.3. The GAR or AGAR will submit a final report to FEMA when all sub-grants have been closed. The report will include a certification that all funds have been expended in accordance with the FEMA-State Agreement, a listing of all projects and total expenditures, and a final request for reimbursement or de-obligation of funds.
- 8.26.4. Program Closeout: When all projects under a single disaster are closed, the entire program is ready for closure. The steps that comprise program closeout are as follows:
- a. Any mission assignments and professional / technical assistance contracts will be closed out

- b. There will be agreement between FEMA and the recipient on the final claim amount and concurrence date. The recipient will submit a concurrence letter and sign FEMA Form 425
- c. The HMGP will be closed in program and financial systems. FEMA and the State Hazard Mitigation Officer are responsible for ensuring that federal and state records are retained and available in the event of an audit
- d. The state will retain HMGP paper records for a minimum of 3 years from the date of program closure. These records should be converted into an electronic format for ease of storage and retrieval and placed into the State Archives, after which the paper copies will be unavailable

8.27. Recurring Real and Tangible Property Reporting:

8.27.1. In order to comply with reporting requirements under 2 CFR 200.329, non-federal entities must submit a Real Property Status Report (SF-429) through DHS&EM to FEMA on a bi-annual or multi-year frequency depending on the type of project and the appropriate program guidance:

- Bi-annually for real property acquired or improved for the provision of a temporary facility (safe room, Tsunami vertical evacuation refuge, etc.)
- Once every five years during the Project Useful Life for all other projects, as specified by the program office (FEMA, HUD, etc.) or required by program regulations

8.27.2. Annually, non-federal entities are to submit a Tangible Personal Property Report (SF-428) through DHS&EM to FEMA for non-expendable equipment valued at \$5,000 or more purchased with HMGP funds. This includes both non-expendable and expendable equipment and supplies purchased with HMGP funds and held in storage for future use.

9. DEVELOPMENT AND MAINTENANCE:

- 9.1. The §404 Administrative Plan will be reviewed and updated annually, or within 180-days following a Presidential Major Disaster Declaration, to ensure that it is current with current policies and procedures.
- 9.2. This plan may be submitted provisionally before the 180-day deadline in the event the state decides to pursue immediate needs or advance assistance projects. In the event of provisional submission, the updated plan will be submitted concurrently with the first expedited project.
- 9.3. Revisions of this plan will be forwarded to the FEMA Region X RA for approval.

10. ENHANCED PLAN AND PROGRAM ADMINISTRATION BY STATES (PAS):

- 10.1. The State of Alaska does not possess an Enhanced State Hazard Mitigation as described in 44 CFR 201.
- 10.2. The State of Alaska does not participate in the Program Administration by States (PAS) pilot.
- 10.3. The resources required to participate in either of these program enhancements are not available to the Hazard Mitigation Section. Therefore, based on this analysis, the state does not seek to change its current status at this time.

11. Appendices:

11.1. HMGP Staffing Plan

11.2. HMGP Project Application

11.3. HMGP Planning Application

11.4. HMGP Sub-recipient's Handbook

11.5. HMGP Management Cost – Standard Operating Procedure