



**FEMA**

# DR-4569-CA Initial Notice

**Notice Date**

October 16, 2020

Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2020-0001]**

**California; Major Disaster and Related Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major disaster for the State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** The declaration was issued October 16, 2020.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated October 16, 2020, the President issued a major disaster declaration under the

authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the “Stafford Act”), as follows:

I have determined that the damage in certain areas of the State of California resulting from wildfires beginning on September 4, 2020, and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the “Stafford Act”). Therefore, I declare that such a major disaster exists in the State of California.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and emergency protective measures (Category B), including direct Federal assistance, under the Public Assistance program in the designated areas; Hazard Mitigation throughout the State, and any other forms of assistance under the Stafford Act that you deem appropriate subject to completion of Preliminary Damage Assessments (PDAs).

Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance, Hazard Mitigation, and Other Needs Assistance under section 408 will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Willie G. Nunn, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of California have been designated as adversely affected by this major disaster:

Fresno, Los Angeles, Madera, Mendocino, San Bernardino, San Diego, and Siskiyou Counties for Individual Assistance.

Fresno, Los Angeles, Madera, Mendocino, San Bernardino, San Diego, and Siskiyou Counties for emergency protective measures (Category B), including direct federal assistance, under the Public Assistance program.

All areas within the State of California are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Pete Gaynor,**

*Administrator,*

*Federal Emergency Management Agency.*

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# DR-4569-CA Amendment 001

**Notice Date**

October 22, 2020

Billing Code 9111-23-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**[Internal Agency Docket No. FEMA-4569-DR]**

**[Docket ID FEMA-2020-0001]**

**California; Amendment No. 1 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of California (FEMA-4569-DR), dated October 16, 2020, and related determinations.

**DATE:** This amendment was issued October 22, 2020.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster declaration for the State of California is hereby amended to include the following areas among

those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of October 16, 2020.

Napa, Shasta, and Sonoma Counties for Individual Assistance.

Napa, Shasta, and Sonoma Counties for emergency protective measures (Category B), including direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

/s/

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**Pete Gaynor,**

*Administrator,*

*Federal Emergency Management Agency.*

Last updated October 22, 2020

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# DR-4569-CA Initial Notice

**Notice Date**

October 31, 2020

The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to provide financial assistance to the State of California, local and Indian tribal governments, and private nonprofit organizations under major disaster declaration FEMA-4569-DR-CA. This notice applies to the Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207. This public notice concerns activities that may affect historic properties, activities that are located in or affect wetland areas and the 100-year floodplain, and may involve critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

## **I. Public Notice – Major Disaster Declaration FEMA-4569-DR-CA and Overview of Authorized Assistance**

The President declared a major disaster for the State of California on October 16, 2020 and amended on October 22, 2020, as a result of the wildfires that began on September 4, 2020 and are continuing, pursuant to his authority under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. § 5121 *et seq.*) (Stafford Act).

This declaration, numbered FEMA-4569-DR-CA, has authorized Individual Assistance for Fresno, Los Angeles, Madera, Mendocino, Napa, San Bernardino, San Diego, Shasta, Siskiyou, and Sonoma counties; and reimbursement through the Public Assistance Program, including direct federal assistance, for emergency work (Categories A-B) for Fresno, Los Angeles, Madera, Mendocino, Napa, San



Bernardino, San Diego, Shasta, Siskiyou, and Sonoma counties. The Hazard Mitigation Grant Program is available statewide. Additional counties may be designated at a later date.

Individual Assistance is authorized by Section 408 of the Stafford Act. FEMA may provide IA program funding for disaster-related emergency housing. These actions may adversely affect a floodplain/wetland, or may result in continuing vulnerability to floods. These actions may include repair, restoration or construction of housing or private bridges, purchase and placement of travel trailers or manufactured housing units, or repair of structures as minimum protective measures. This will be the only public notice concerning these actions.

The Public Assistance Program is authorized by Sections 403, 406, and 407 of the Stafford Act. FEMA may provide financial assistance under the Public Assistance Program for the State of California, local and Indian tribal governments, and private nonprofit organizations to perform debris removal and emergency protective measures.

The Hazard Mitigation Grant Program is authorized by Section 404 of the Stafford Act. Under the Hazard Mitigation Grant Program, FEMA may provide financial assistance for the State of California, local and Indian tribal governments, and private nonprofit organizations to implement mitigation measures to reduce the risk of life and property from future disasters during the recovery from the major disaster. In the course of developing project proposals, subsequent public notices will be published if necessary, as more specific information becomes available.

## **II. Public Notice – Financial Assistance for Activities that Affect Historic Properties or Located in or that Affect Wetlands Areas or Floodplains**

Some of the activities for which FEMA provides financial assistance under the Individual Assistance, Public Assistance, and Hazard Mitigation Grant Programs may affect historic properties, may be located in or affect wetland areas or the 100-year floodplain, and/or may involve critical actions within the 500-year floodplain. In those cases, FEMA must comply with Executive Order 11988, *Floodplain Management*; Executive Order 11990, *Protection of Wetlands*; the National Historic Preservation Act of 1966, Pub. L. No. 89-655 (1966) (codified as amended at 54 U.S.C. § 300101 *et seq.*) (NHPA); and the implementing regulations at 44 C.F.R. pt. 9 and 36 C.F.R. pt. 800. The executive orders, NHPA, and/or

regulations require FEMA to provide public notice for certain activities as part of approving the award of financial assistance for specific projects.

#### *A. Federal Actions in or Affecting Floodplains and Wetlands*

Executive Orders 11988 and 11990 require that all federal actions (including federal awards of financial assistance) in or affecting floodplains or wetlands be reviewed for alternatives to avoid adverse effects and incompatible developments in those areas. FEMA's regulations at 44 C.F.R. pt. 9 set forth the policy, procedure, and responsibilities for implementing the Executive Orders. As detailed in those regulations, FEMA will identify and evaluate practicable alternatives to carrying out a proposed action in the wetlands or floodplain and use social, economic, historical, environmental, legal, and safety factors when analyzing the practicability of the alternatives. Where there is no practicable alternative, FEMA will undertake a detailed review to determine what measures can be taken to minimize potential harm to lives and risk from flooding, the potential adverse impacts the action may have on others, and the potential adverse impact the action may have on floodplain and wetland values.

FEMA has determined that there are normally no practicable alternatives outside the floodplain or wetlands for repairs to certain damaged facilities and structures for which FEMA is providing financial assistance under the Public Assistance Program. Specifically, these are facilities that meet all of the following criteria:

1. The FEMA estimated cost of repairs is less than 50% of the estimated replacement cost of the entire facility and is less than \$100,000.
2. The facility is not located in a floodway or coastal high hazard area.
3. The facility has not sustained structural damage from flooding in a previous Stafford Act major disaster or emergency.
4. The facility has not sustained structural damage on which a flood insurance claim has been paid.
5. The restoration of the facility is not a critical action. A critical action means an action for which even a slight chance of flooding is too great.

For a facility meeting the above criteria, FEMA may provide financial assistance under the Public Assistance Program to restore the facility to its pre-disaster condition, in conformity with applicable codes and standards, and including hazard mitigation measures to reduce the effects of future flooding or other hazards. Hazard mitigation measures could include, for example, increasing the

size of a culvert to decrease the risk of future washouts. This is the only public notice that FEMA will provide before providing financial assistance for such restoration activities. Other restoration activities and those involving facilities that do not meet the criteria above must undergo more detailed review, including an evaluation of practicable alternatives. FEMA may publish subsequent public notices regarding such projects as necessary as more information becomes available.

### *B. Federal Actions Affecting Historic Properties*

Section 106 of the NHPA requires FEMA to consider the effects of its activities (known as undertakings) on any historic property and to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on such projects before the expenditure of any federal funds. An Individual Assistance, Public Assistance, or Hazard Mitigation Grant Program activity is an “undertaking” for the purposes of the NHPA, and a historic property is any property that is included in, or eligible for inclusion in, the National Register of Historic Places (NRHP). For historic properties that will not be adversely affected by FEMA’s undertaking, this will be the only public notice. FEMA may provide additional public notices if a proposed FEMA undertaking would adversely affect an historic property.

### **III. Further Information or Comment**

This will be the only public notice regarding the actions described above for which FEMA may provide financial assistance under the Individual Assistance, Public Assistance, and Hazard Mitigation Grant Programs. Interested persons may obtain information about these actions or a specific project by writing to the Federal Emergency Management Agency Region RIX Office, Regional Environmental Officer, Alessandro Amaglio, 1111 Broadway, Suite 1200, Oakland, CA 94607. All comments concerning this public notice must be submitted in writing to the Region RIX Office within 15 days of its publication.

Last updated November 2, 2020

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