



FEMA

November 18, 2022

Kevin Guthrie
State Coordinating Officer
Governor's Authorized Representative
Florida Division of Emergency Management
2555 Shumard Oak Blvd
Tallahassee, Florida 32311

Subject: Local Disaster Specific Guidance (LDSG) for Hurricane Ian

Dear Kevin Guthrie:

This letter provides further guidance for residential, non-demolition, and non-reconstruction debris removal of event-generated debris from along the public rights-of-way (ROW) that are located in a catastrophic or extensive-designated census tracts in accordance with my letter, dated October 26, 2022, as modified in subsequent letters on October 28th, October 30th, and November 2nd, and for any further pending expansions of the qualifying census tracks, for debris deposited there by apartment complexes, condominiums, and hotels/motels constructed for thirty (30) or fewer rooms/units.

Based on the severity of the event, the voluminous amounts of debris generated thereby, and in consideration of the guidance in the Public Assistance Program Policy Guide (2020) and related subsequent policy changes thereto, I am authorizing the following limited activities to designated areas cited above.

1. **Approved Limited Actions:** For incident-generated debris deposited along the ROW from an apartment building, condominium, or a hotel of 30 rooms or less, I am allowing for the curbside debris removal subject to the below limitations.
2. **Approved Period:** Curbside removal of event-generated residential debris from along the public ROW is approved for a continuous 14 consecutive calendar days period. This period is of the applicant's choosing but must fall between November 21, 2022, through December 23, 2022. No other periods are authorized or will be considered.
3. **Designated Approved Areas:** The limited curbside removal of the above-described event-generated debris from along the public ROW is limited to these locales:

Areas within the U.S. Census Tracts that were designated as catastrophic or extensive in my letters cited above already in your possession.

4. **Limitations on the operations:**

- No demolition of private residential, commercial residential, or any other type of property is authorized by this letter.
- Demolition debris and reconstruction debris is NOT authorized.
- Debris should be segregated as much as practicable to facilitate proper handling and separation.
- The removal of title personal property, such as vehicles, is not authorized.

The applicant must notify the State of Florida of its selected 14-day period prior to executing the debris removal. This removal is limited to the debris that can be collected mechanically (the boom-arm extension) from the public road. The State will provide a rolled-up roster to FEMA of the selected two-week periods once per week each Wednesday, that is November 23rd, November 30th, December 7th and December 14th, with a final report on December 23rd.

This approval specifically excludes all other structures including apartment complexes, condominiums and hotels/motels not located in a designated catastrophic or extensive census tract, and hotels/motels constructed to have more than thirty (30) rooms/units available regardless of location, light and heavy industrial structures and parks, large commercial/industrial areas, shopping malls and strips, big box stores, and/or similar structures.

No demolition of private residential or commercial property is authorized and demolition and construction debris removal are not approved for reimbursement under this guidance. This limited CPDR permission does not include any type of titled property removal.

Duplication of Benefits

The applicant should use its best efforts to work with commercial property owners to pursue and recover insurance proceeds and credit FEMA the Federal share of any insurance proceeds received as required under Section 312 of the Stafford Act (42 U.S.C. §5155).

Documentation

It is necessary to remind applicants that all debris removal activities that occur must be diligently and meticulously documented, to include photographs. For the Applicant to receive funding, FEMA must review documentation provided by the Applicant to determine eligibility and reasonable costs. As stated by FEMA on numerous occasions, the agency can only authorize funding when doing so serves the greater public interest. This letter does not guarantee reimbursement and the Applicant must demonstrate compliance with all federal and state requirements for reimbursement.

To formalize your request later, FEMA requires that specific locations where the work will take place and the dates as detailed above.

Environmental Considerations for Debris Removal

As this work is done to remove the debris caused by Hurricane Ian, please remain mindful of any environmentally sensitive areas and any historic properties affected and consult the appropriate state and federal authorities if you need assistance.

Federal Procurement

Any contracts entered into for debris removal must comply with the requirements of 2 C.F.R.

Kevin Guthrie
Hurricane Ian Debris Removal

§ 200.317 et seq. If there is a failure to comply with any required Federal, State, and local laws, regulations, and permits required for debris removal activities, FEMA funding will be jeopardized.

If any questions arise in providing the requested information and documentation, they can be forwarded to David Johnson (David.Johnson5@fema.dhs.gov) or my legal counsel, Stephen DeVita (Stephen.Devita@fema.dhs.gov).

Sincerely.

Thomas J. McCool
Federal Coordinating Officer/
Disaster Recovery Manager
FEMA-4673-DR-FL

Attachments: Letter dated October 26, 2022 and subsequent letters dated October 28, October 30 and November 2, 2022