FEDERAL PROGRAMS OFFERING FLOODPLAIN MANAGEMENT ALTERNATIVES

THE WHITE HOUSE

WASHINGTON

November 1993

In the aftermath of the Great Flood of 1993, the immediate focus of the Federal Government is on flood recovery activities and Administration support for decisionmaking at the State and local levels. This booklet was prepared to provide this support. It provides information on Federal programs that can support alternate strategies supplementing the traditional focus on repair and restoration of damaged levees within the disaster area.

I encourage you to give this document the widest possible circulation at all Federal, State, and local levels within the flooded areas of the Midwest.

We welcome your comments at any time regarding this booklet, especially new and updated information. Please address your correspondence to the Office of Management and Budget, 725 17th Street, NW., Room 8026, Washington, D.C. 20503, Attention: Mr. Bruce Long (Fax 202-395-4652).

Sincerely,

Kathleen A. McGinty
Deputy Assistant and
Director, White House
Office on Environmental
Policy

T.J. Glauthier
Associate Director
Natural Resources,
Energy, and Science
Office of Management and Budget

Attachment

FLOODPLAIN MANAGEMENT BOOKLET
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FEDERAL PROGRAMS OFFERING FLOODPLAIN MANAGEMENT ALTERNATIVES

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Divider Title: PREFACE

FEDERAL PROGRAMS OFFERING FLOODPLAIN MANAGEMENT ALTERNATIVES

Preface

What follows is a compilation of broad strategies and specific Federal programs that could form the basis for an integrated, alternative Federal response to the Midwest flood. These programs have been selected for priority identification in this way because they offer the following characteristics: there is available funding, the assistance is administratively relatively easy to access, and the program delivery is timely, flexible, and effective.

Each strategy could be selected by a local cooperator based on its particular circumstances. Once selected, the strategy could be carried out through a combination of programs administered by one or more Federal agencies. Implementation of these programs in a coordinated way through a plan developed by the local cooperator would reduce flood losses, the mental, physical, and economic toll on towns and farms that have suffered repeated damage, long-term costs to society, and help restore lost or impaired environmental resources.

A matrix is provided to illustrate how various Federal programs can be combined to support these strategies. Following the matrix is a more complete discussion of the three strategies and summaries of the programs to include their objectives, eligibility, cost-sharing requirements, available funding, and other important information.

This pamphlet was prepared by the Office of Management and Budget, within the Executive Office of the President, in cooperation with the various Federal agencies represented in the packages that follow. We welcome your comments regarding this booklet, to include updated information, at any time. Please address your correspondence to Office of Management and Budget, 725 17th Street, N.W., Room 8026, Washington, D.C. 20503, ATTN: Mr. Bruce Long (fax 202-395-4652).

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Divider Title: PROGRAM SUMMARIES

FEDERAL PROGRAMS THAT SUPPORT

WETLAND RESTORATION

ALTERNATIVE FEDERAL PROGRAMS FOR THE RESTORATION OF WETLANDS

On August 24, 1993, the Clinton Administration proposed a new policy framework for the protection of wetlands. The importance of this new policy was summarized in the policy statement as follows: "The Nation's wetlands perform many functions that are important to society, such as improving water quality, recharging groundwater, providing natural flood control, and supporting a wide variety of fish, wildlife and plants. The economic importance of wetlands to commercial fisheries and recreational uses is also enormous."

The policy statement also placed the importance of wetlands in the context of lessons learned from the Great Flood of 93: "Many scientists have concluded that past manipulation of the rivers in the Midwest has contributed to the current level of devastation by separating the river channels from their natural floodplains and eliminating millions of acres of additional flood storage capacity. Wetlands within the floodplain and higher in the watershed reduce floods by absorbing rain, snow melt, and floodwaters and releasing it slowly, thereby reducing the severity of downstream flooding."

For these reasons, it is important that we seize the opportunity provided by this great flood to restore wetlands lost to agriculture and other forms of development.

Among the hardest hit by the flood were farmers. Many lost at least one year's crop. The land itself may have been ravaged by flood waters causing some land to have expensive restoration costs. The Administration will consider offering farmers, where eligible and where it makes sense economically and environmentally, an opportunity to recover at least a portion of their losses and, at the same time, make a contribution to the natural environment and reduced flooding. The following programs can contribute to the restoration of wetland values by the actual manipulation of land contours, plantings, and routing of water flows. Programs for the acquisition of land or easements on which the wetlands will be placed are described in the next section.

The Administration requested, and Congress provided, language in the emergency supplemental that may provide $15 million in SCS funds* that would otherwise be used for flood restoration including levee repair to be used instead for wetland restoration in those cases where the cost of levee repair plus land reclamation exceeds the value of the land. This flexibility exists not only for cropland protected by SCS levees, but also for cropland behind Corps of Engineers levees.

* This is a policy guidance estimate. Most of these funds would be used for purchase of easements as described in the next section. Some, however, would be used for wetland restoration.

This is not the only program that can be used for wetlands restoration activities. Additional programs are listed below and described in more detail in the accompanying program descriptions.

State Wetland Program Development

- EPA's "Wetland Protection -- State Development Grants (Funding available -- $10 million)

- EPA's "Clean Water Section 319 (nonpoint source) Grants" (Funding available -- $81.7 million)

Wetland Restoration Funding

- Department of the Interior's Fish and Wildlife Service "Partners for Wildlife" program (Funding available -- $3.3 million), the "North American Wetlands Conservation Fund" (Funding available -- $2 million)

- Department of Agriculture, ASCS, Wetlands Reserve Program (Funding available - $67 million)

- (Land acquisition and easement programs to support wetland restoration are described in the following section.)

Wetland Restoration Technical Assistance

- Army Corps of Engineers Section 22 "Planning Assistance to States" Program (Funding available - $3 million Corps-wide)

If you need further information, an agency point of contact is listed in the program summaries. Agency representatives at the nearest DFO should also be able to provide information.

FEDERAL PROGRAMS THAT SUPPORT EASEMENTS OR ACQUISITION

ALTERNATIVE FEDERAL PROGRAMS FOR RURAL LAND EASEMENTS AND ACQUISITION

In the past farmers have had two choices when farming land that was susceptible to flooding. They could sell their crops in good years and collect crop insurance and/or disaster payments in bad, or they could seek protection in the form of levees, channels, or other structures. Similar decisions were faced by other rural landowners using flood prone lands for production of fruits, timber, or other products.

Neither alternative was ideal either from the landowner's perspective or the government's. The landowner never knew what level of payment he or she would receive from the government when damage was incurred or a crop lost. The government often paid many times as the levee required repair and crops were repeatedly lost. Even if there was no levee, payments would still be made by the government for each lost crop.

The Great Flood of '93 destroyed great stretches of levees and thousands of acres of crops, pasture, and woodland. The question facing landowners and the government today is whether to simply repeat the pattern of past floods by making disaster payments and rebuilding the levees, or whether to embark on a new course of action that will give the landowners some measure of security by making payments for future flood damages and, at the same time, reduce long-term costs to the Federal government.

The alternatives listed below are among those that would support the latter course of action by providing for the purchase of long-term flood or conservation easements or the outright acquisition of property for alternative uses.

Easements

- The Department of Agriculture Stabilization and Conservation Service's "Wetlands Reserve Program (Funding available -- $67 million), Soil Conservation Service's "Emergency Wetlands Reserve" program (Funding available -- $15 million), to a lesser extent, conservation authority for FmHA debt restructuring and acquired inventory property (Funding available -- None required)

Acquisition

- Department of Agriculture's FmHA "Transfer of Inventory Real Property (Funding available -- None required)

If you need further information, an agency point of contact is listed in the program summaries. Agency representatives at the nearest DFO should also be able to provide information.

FEDERAL PROGRAMS THAT SUPPORT

FLOOD PROOFING, RELOCATION, OR ELEVATION OF STRUCTURES

ALTERNATIVE FEDERAL PROGRAMS FOR FLOOD PROOFING, RELOCATION, AND ELEVATION

Thousands of structures were damaged by the Great Flood of '93, many beyond repair. Some owners will choose to rebuild in place. To the extent that their decision does not entail future Federal damage payments, they should be free to do so. However, from a budget and wise land-use perspective, it may be preferable to modify the structure to reduce or eliminate the flood threat.

This modification may entail relocation outside the floodplain; the structure may actually be moved or the existing structure destroyed and a new one built or purchased to replace its function. Elevation or flood proofing are also viable options in some cases.

The setting in which these actions take place can be as varied as isolated farm structures, commercial facilities, or entire urbanized areas including homes, schools, fire houses, water and waste treatment plants, and hospitals.

There are a number of Federal programs that can assist in the implementation of a decision to relocate. These range from technical assistance in the planning of the action, to actual financial assistance in the form of grants or loans.

However, in order to affect such an action, it may be necessary to utilize more than one program since each was created to serve a specific purpose. Accessing technical assistance in order to prepare a plan and organize local support is an important first step. The various agencies will certainly try to facilitate the coordination of the various programs, but it will not necessarily be easy or quick.

Flood Plain Management Technical Assistance

- FEMA's "Technical Assistance for Implementing Hazard Mitigation" program (Funding available -- based on scope of work)
- Army Corps of Engineers Section 22 "Planning Assistance to States" program (Funding available -- $3 million), and the Section 206 "Flood Plain Management Services Program" (Funding available -- $7.6 million)
- Department of the Interior's National Park Service "Rivers and Trails Conservation Program" (Funding available -- $6.8 million)

Property Acquisition and Relocation Assistance

- FEMA's "Hazard Mitigation Grant Program" (Funding available -- $27.5 million) and the Section 1362 "Flooded

Property Purchase Program" (Funding available -- $4.7 million)

- Department of the Interior's National Park Service "Federal Land Transfer; Federal Lands-to-Parks (Funding available -- $.3 million)

- SBA's "Physical Disaster Loans and Economic Injury Disaster Loans" (Funding available -- $465 million)

- Department of Commerce's "Flood Relief Program" (Funding available -- $200 million)

- EPA's "Capitalization Grants for State Revolving Funds" (Funding available -- $1.2 billion)

If you need further information, an agency point of contact is listed in the program summaries. Agency representatives at the nearest DFO should also be able to provide information.

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Divider Title: MATRIX OF PROGRAMS

MATRIX OF ALTERNATIVE
WATERSHED PROGRAMS

ALTERNATIVE WATERSHED PROGRAMS

Agency/Specific Programs	Restore Wetlands	Rural Land Easements/ Acquisitions	Relocations/ Floodproofing/ Elevation
Agriculture - ASCS			
Wetlands Reserve Program	X	X	
Agriculture - SCS			
Emergency Watershed Protection Emergency Wetland Reserve Program	X	X	
Watershed Protection and Flood Prevention Watershed Protection and Flood Prevention Program (Section 3)	X	X	X
Cooperative River Basin Program (Section 6)	X	X	X
Agriculture - FHA			
Debt Cancellation Conservation Easements		X	
Transfers of Inventory Farm Properties to Federal and State Agencies for Conservation Purposes	X	X	
Commerce - EDA			
Flood Relief Program			X
Corps of Engineers			
Section 1135 Program (Environmental Restoration)	X		
Section 22 Program (Planning Assistance to States Program)	X		X
Section 206 Program (Flood Plain Management Services Program)			X

ALTERNATIVE WATERSHED PROGRAMS

Agency/Specific Programs	Restore Wetlands	Rural Land Easements/ Acquisitions	Relocations/ Floodproofing/ Elevation
DOI - USFWS			
Partners for Wildlife	X		
N. A. Wetland Conservation Fund	X	X	
DOI - USNPS			
Rivers and Trails Conservation Program			X
Federal Land Transfer; Federal Land-to-Parks Program			X
EPA			
Capitalization Grants for State Revolving Funds			X
Clean Water Act Section 319 Grants	X		
Wetlands Protection - State Development Grants	X		
FEMA			
Hazard Mitigation Grant Program	X	X	X
Section 1362 Flooded Property Purchase Program		X	X
Technical Assistance for Implementing Hazard Mitigation Programs	X	X	X
HUD			
Section 108 Loan Guarantee Program			X
HOME Program			X
Community Development Block Grant Program			X

ALTERNATIVE WATERSHED PROGRAMS

Agency/Specific Programs	Restore Wetlands	Rural Land Easements/ Acquisitions	Relocations/ Floodproofing/ Elevation
SBA			
Physical Disaster Loans and Economic Injury Disaster Loans	X		X

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Divider Title: AGRICULTURE - ASCS

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of Agriculture

Agency: Agricultural Stabilization and Conservation Service

Program Name: Wetlands Reserve Program

Agency Point of Contact:

Lisa Manning	Illinois	(217)492-4670
Bill Hawks/Ron Manthei	Iowa	(515)254-1540
Roger Lemons	Kansas	(913)539-3534
Greg Anderson	Minnesota	(612)290-3650
Gerald Hrdina	Missouri	(314)876-0932
Roger Hessman	Nebraska	(402)437-5277
Robert Mullenbach	North Dakota	(701)239-5258
Ron Larson	South Dakota	(605)353-1840
Susan Butler	Wisconsin	(608)264-5311

Program Function: Provides owners of eligible land an opportunity to offer an easement for purchase by the Secretary of Agriculture and to receive cost-share assistance to restore wetlands.

Applicability: This program is administered by the Agricultural Stabilization and Conservation Service (ASCS) with technical assistance from the Soil Conservation Service (SCS) on wetland designs. To participate in WRP, the land owner must submit an intention to enter into the program. SCS, in consultation with the U.S. Fish and Wildlife Service, will determine land eligibility and develop a wetland reserve plan of operation for the acres that are eligible, and are selected through a bidding process.

Form of Assistance: Financial and technical assistance to restore wetlands.

Program Target: Private landowners.

Total Funding: $67 million.

Eligibility Requirement(s): One-year ownership and be cropped one of the last five years; farmed wetlands, and prior converted wetlands.

Cost-Sharing Requirement(s): Federal government will provide not less than 75 percent cost-share for restoration, plus lump sum payment for easement.

Repayment Requirement(s): None.

Application Procedure(s): Landowner must submit an intention to enter into the program through ASCS field office. ASCS will select properties bid into the WRP based on securing the greatest environmental benefit per Federal dollar available.

Application Time Line: None announced.

Programmatic/Funding Constraint(s): None.

Other Comments: None.

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Divider Title: AGRICULTURE - SCS

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: The Department of Agriculture

Agency: Soil Conservation Service

Program Name: Emergency Wetland Reserve Program

Agency Point Of Contact:

Lyle W. Asell	Iowa	(515)284-4260
Gary N. Parker	Illinois	(217)398-5271
Delbert E. Prophet	Kansas	(913)823-4568
Jon V. DeGroot	Minnesota	(612)290-3677
Michael D. Wells	Missouri	(314)876-0900
Kenneth E. Noonan	Nebraska	(402)437-5302
Ronald D. Sando	North Dakota	(701)250-4441
E. Leroy Holtsclaw	South Dakota	(605)353-1783
Robert W. Martin	Wisconsin	(608)264-5578

Program Function: Emergency Wetland Reserve Program (EWRP) provides funds through the Emergency Watershed Protection Program to convert certain cropland to wetlands in response to the devastating losses as a result of the Midwest Flood of 1993.

Applicability: To purchase easements from persons owning cropland who voluntarily agree to restore farmed, converted, or potential wetlands. The easements will permanently prohibit use of the subject land for cropland. The easements will be purchased to promote wetland values such as hydrology and vegetation, and protect the functions and values of wetlands for wildlife habitat, water quality improvement, flood water retention, floodway enhancement, environmental education, and other values determined appropriate by SCS.

The EWRP will be available to producers only in Illinois, Iowa, Kansas, Minnestoa, Missouri, Nebraska, South Dakota, and Wisconsin.

Form of Assistance: Purchase of easements. Financial and technical assistance to rehabilitate enrolled land.

Program Target: Private landowners.

Total Funding: Emergency Supplemental: $15 million.

Eligibility Requirement(s): Eligible person: Must be the owner of the eligible property for at least the previous 12 months. Eligible land: (1) land was inundated by the Midwest Flood of 1993; (2) is wetland farmed under natural conditions, a farmed wetland, cropland converted prior to December 22, 1985, or potential wetlands which are cropland; and (3) is likely to have its wetland value restored with minimal costs.

Cost Sharing Requirement(s): For rehabilitation of the enrolled land, 75-100 percent of the actual cost of establishing or installing the practices specified in the Wetland Reserve Plan of Operation.

Repayment Requirements(s): None.

Application Procedures(s): A person seeking to enroll land in the EWRP must apply for enrollment on an approved SCS form. The application to participate must be filed with the local SCS field office during an announced period for such submissions. The application must be signed by all owners of the property or their duly authorized representative. The person submitting an application to participate shall not be obligated to accept an SCS offer to purchase an easement if one is forthcoming.

Application Time Line: Announced period.

Programmatic/Funding Constraint(s): None.

Other Comments: None.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: The Department of Agriculture

Agency: Soil Conservation Service

Program Name: Watershed Protection and Flood Prevention
Section 3 (1), (2), Public Law 83-566

Agency Point Of Contact:

Lyle W. Asell	Iowa	(515)284-4260
Gary N. Parker	Illinois	(217)398-5271
Delbert E. Prophet	Kansas	(913)823-4568
Jon V. DeGroot	Minnesota	(612)290-3677
Michael D. Wells	Missouri	(314)876-0900
Kenneth E. Noonan	Nebraska	(402)437-5302
Ronald D. Sando	North Dakota	(701)250-4441
E. Leroy Holtsclaw	South Dakota	(605)353-1783
Robert W. Martin	Wisconsin	(608)264-5578

Program Function: The short-term objectives of the Watershed Protection and Flood Prevention Program, authorized by Public Law 83-566 are to provide technical assistance in planning works of improvement to protect, develop, and utilize the land and water resources in small watersheds under 250,000 acres in size.

Applicability: The Watershed Protection and Flood Prevention Act defines its purposes to be watershed protection, flood prevention, and agricultural and nonagricultural water management. Conservation land treatment, structural, and nonstructural measures are used to address these purposes. Application of conservation land treatment measures to upstream watersheds is the main feature that separates this program from others. Non-structural measures will be preferred. The program emphasizes planning through interdisciplinary teams which include the sponsors, other agencies, and environmental groups in all stages of plan development.

Form of Assistance: Technical assistance to state and local governments for planning watershed projects.

Program Target: Local organizations representing the people living in small watersheds.

Total Funding: IA-$0.244 mil; IL-$0.12 mil; KS-$0.2 mil; MN-$0.17 mil; MO-$0.3 mil; NE-$0.285 mil; ND-$0.125 mil; SD-$0.1 mil; WI-$0.1 mil.

Eligibility Requirement(s): Watershed projects must address one or more of the purposes authorized by Public Law 83-566 to solve problems and needs that are beyond the capability of individual landowners. Projects must be sponsored by entities legally organized under State law, or any Indian tribe or tribal organization, having authority to carry out, operate, and maintain works of improvement. For plans that incorporate structural or nonstructural measures, sponsors must have the power of eminent domain and the authority to levy taxes or use other adequate funding sources to finance their share of the project cost and all operation, maintenance, and replacement costs of works of improvement.

Cost Sharing Requirements(s): Variable, depending on nature of the project.

Repayment Requirements(s): For loans, interest rates are near Treasury rates and may be repaid up to 30 years (loans are made through Farmers Home Administration).

Application Procedure(s): Sponsors must follow State-developed procedures for coordination of proposed Federal financial assistance and must notify the State's Single Point of Contact for Federal Assistance of their intent to apply for assistance under Public Law 83-566. The original and one copy should be sent to the designated State agency and one copy to the State's Single Point of Contact for Federal Assistance. An application must be approved by the designated State agency.

Application Time Line: None.

Programmatic/Funding Constraint(s): A watershed or subwatershed area may not exceed 250,000 acres. No structure providing more 12,500 acre-feet of floodwater detention capacity or more than 25,000 acre-feet of total capacity may be included in a plan. Each project must contain benefits directly related to rural communities, including agricultural related enterprises, that account for at least 20 percent of the total benefits of the project. Project sponsors must be willing to carry out all phases of project installation, operation, and maintenance and have the financial ability for meeting their full responsibilities with relation to the project. Funds must be available for project installation.

Other Comments: None.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: The Department of Agriculture

Agency: Soil Conservation Service

Program Name: Cooperative River Basin Program, Section 6, Public Law 83-566

Agency Point Of Contact:

Lyle W. Asell	Iowa	(515)284-4260
Gary N. Parker	Illinois	(217)398-5271
Delbert E. Prophet	Kansas	(913)823-4568
Jon V. DeGroot	Minnesota	(612)290-3677
Michael D. Wells	Missouri	(314)876-0900
Kenneth E. Noonan	Nebraska	(402)437-5302
Ronald D. Sando	North Dakota	(701)250-4441
E. Leroy Holtsclaw	South Dakota	(605)353-1783
Robert W. Martin	Wisconsin	(608)264-5578

Program Function: Cooperative River Basin studies are for appraising water and related land resources and formulating alternative plans for conservation use and development. Generally, studies are of limited scope and short duration to provide specific information needed for planning.

Applicability: Cooperative River Basin studies deal with specific needs of the requesting agency and are to be consistent with the mission and the responsibilities of the U.S. Department of Agriculture. Plans may include management and land treatment measures, nonstructural measures, structural measures or combinations thereof that would meeting existing and projected needs and objectives.

Form of Assistance: Technical assistance to Federal, regional, State and local governments who have the responsibility for planning and developing water and related land resources.

Program Target: Federal, regional, State and local governments.

Total Funding: IA-$0.325 mil; IL-$0.125 mil; KS-$0.2 mil; MN-$0.34 mil; MO-$0.38 mil; NE-$0.25 mil; ND-$0.1 mil; SD-$0.12 mil; WI-$0.195 mil.

Eligibility Requirement(s): Applicant must be an entity of Federal, regional, State, or local government.

Cost Sharing Requirement(s): None.

Repayment Requirements(s): None.

Application Procedures(s): Formal written request from appropriate entity of government to SCS State Conservationist.

Application Time Line: None.

Programmatic/Funding Constraint(s): Funding must be available for studies.

Other Comments: None.

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Divider Title: AGRICULTURE – FmHA

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of Agriculture

Agency: Farmers Home Administration

Program Name: Debt Cancellation Conservation Easements

Agency Point of Contact:

James P. Fortner	National Office	(202)720-1976
Wallace D. Furrow	Illinois	(217)398-5235
Ellen Huntoon	Iowa	(515)284-4663
William M. Kirk	Kansas	(913)271-2700
Lou Anne Kling	Minnesota	(612)290-3842
Gary L. Fisch	Missouri	(314)876-0976
Stanley E. Foster	Nebraska	(402)437-5551
Charles F. Mertens	North Dakota	(701)250-4781
Dallas Tonsager	South Dakota	(605)353-1430
Bryce E. Luchterhand	Wisconsin	(715)345-7600

Program Function: To reduce the debt of delinquent and non-delinquent borrowers in exchange for conservation easements placed on environmentally sensitive real property that secures FmHA loans.

Applicability: FmHA borrowers with Farmer Programs loans which are secured by real property.

Form of Assistance: FmHA can forgive debt in exchange for conservation easements on environmentally sensitive portions of a borrower's property. A conservation easement may be obtained for a period of not less than 50 years. A perpetual easement will usually be recommended.

Program Target: Individual land owners.

Total Funding: Since the authority required to establish debt cancellation conservation easements already exists in FmHA's statute, no additional funds are needed. The amount credited to an FmHA borrower will be applied on their loan(s) as an extra payment in order of lien priority on the security.

Eligibility Requirement(s): Both current and delinquent FmHA borrowers are eligible to participate in the debt restructuring conservation easement program. The borrowers must have loans secured by real estate. The easements can be established for conservation, recreational, and wildlife purposes on farm property that is wetland, wildlife habitat, upland, or highly erodible land. Non-program borrowers are not eligible to participate in this program.

Cost-Sharing Requirement(s): None.

Repayment Requirement(s): Except as necessary to meet the requirements stated in the easement, the landowner is not obligated to take any action or to incur any expense related to the maintenance or restoration of the easement area. In the event of violations of terms and conditions of the easement, the enforcement or management authorities may utilize such administrative, civil, or criminal remedies as may be available under applicable law. The landowner may be liable for the costs of enforcing the terms and conditions of the easement including litigation expenses, and repair or restoration of the easement area.

Application Procedure(s): Interested borrowers should contact their local FmHA County Office. The County Supervisor will assist the borrower in the application process. The County Supervisor will determine whether or not the borrower is eligible to receive an easement. If there is some reason that the easement cannot be granted, then the borrower will notified of the adverse action and given appeal rights. If there are any prior or junior lienholders, their consent to the terms of the easement must be obtained in writing by the borrower. If it is not possible to obtain the lienholders' consent, the easement will be denied and the borrower so informed. The borrower will have no appeal rights for an FmHA denial on this basis. A professional survey of the easement's boundaries will be required and will be provided for by FmHA.

Application Time Line: The estimated time from application to the completion of the easement process is 60-90 days. The length of time which is required to perform functions such as appraisals, surveys, and title opinions will have a direct impact on the time required to complete the easement process.

Programmatic/Funding Constraints: None.

Other Comments: Exchanging conservation easements for debt reduction could provide an economical mechanism to establishing floodplain and watershed protection measures that will reduce damage caused by similar flood events in the future. Establishment of conservation easements may be viewed as economically and environmentally preferable to repairing flood-damaged farm lands. Therefore, before disaster assistance funds are expended on repair of damaged farmland that secures FmHA loans, the landowner should be apprised of the opportunity to reduce their FmHA debt in exchange for conservation easements.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAM

Department: United States Department of Agriculture

Agency: Farmers Home Administration

Program Name: Transfers of Inventory Farm Properties to Federal and State Agencies for Conservation Purposes

Agency Point of Contact:

National Office	James P. Fortner	(202) 720-1976
Illinois	Wallace D. Furrow	(217) 398-5335
Iowa	Ellen Huntoon	(515) 284-4663
Kansas	William M. Kirk	(913) 271-2700
Minnesota	Lou Anne Kling	(612) 290-3842
Missouri	Gary L. Fisch	(314) 876-0976
Nebraska	Stanley F. Foster	(402) 437-5551
North Dakota	Charles F. Mertens	(701) 250-4781
South Dakota	Dallas Tonsager	(605) 353-1430
Wisconsin	Bryce E. Luchterhand	(715) 345-7600

Program Function: The Consolidated Farm and Rural Development Act (Con Act) authorizes the Farmers Home Administration (FmHA) to transfer certain inventory farm properties to Federal and State agencies for conservation purposes.

Applicability: FmHA inventory farm property located in affected areas which meet the criteria for transfer.

Form of Assistance: FmHA can transfer inventory farm properties which contain wetlands or other environmentally sensitive resources such as an endangered species.

Program Target: Federal agencies may also request that properties be transferred to them for conservation purposes.

Total Funding: Since FmHA already has these farm properties in its inventory, no funds would be needed. The properties would simply be deeded in fee simple title to the requesting agency.

Eligibility Requirement(s): The transfer must be for conservation purposes. The property must have marginal value for agricultural production, be classified as environmentally sensitive, or be of special management importance. Properties containing important resources such as wetlands, floodplains, riparian zones, historical sites, or endangered species may qualify for transfers. Also, inventory farm properties that are inholding, lie adjacent to, or occur in proximity to, Federally or State-owned lands may qualify.

Cost Sharing Requirement(s): None.

Repayment Requirement(s): None.

Application Procedure(s): Interested Federal and State agencies should contact the appropriate FmHA State Director. Request must contain justification for the transfer request. The FmHA State Director will then submit the request to FmHA National Office to request approval. If approved, a quitclaim deed would then be issued to the requesting agency.

Application Time Line: The estimated time from application to the completion of the transfer process is 2-6 months. The actual length of time may vary based on the amount of time necessary to obtain items such as appraisals.

Programmatic/Funding Constraints:

Other Comments: The transfer of FmHA inventory properties to Federal and State agencies for conservation purposes could assist in the restoration of wetland and floodplain areas in order to lessen the severity of future flooding. Also, FmHA requires wetland easements to be placed on inventory property before offered for sale.

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Divider Title: COMMERCE

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: U.S. Department of Commerce

Agency: Economic Development Administration (EDA)

Program Name: Flood Relief Program

Agency Point of Contact:

Alfred L. Casals	Illinois	(217)492-4224
Jack D. Price	Wisconsin	(715)834-4079
John B. Arnold, III	Minnesota	(218)720-5326
John Zender	Kansas	(303)844-4902
Warren A. Albertson	Nebraska South Dakota	(605)224-8280
Forrest E. Koch	Missouri	(314)539-2321
Robert Cecil	Iowa	(515)284-4746
Cornelius P. Grant	North Dakota	(701)250-4321

Program Function: Make grant awards to assist communities, industries, and firms adversely impacted by the Midwest floods and other disasters to assist in the long-term economic recovery of the affected area.

Applicability: EDA's recovery strategy is directed toward (1) initially providing disaster flood coordinator grants to help organize and mobilize the local response capabilities and to assist in the preparation of recovery strategies, (2) awarding economic recovery strategy grants to help local communities develop a comprehensive recovery plan and follow-on implementation projects, and (3) awarding implementation project grants. EDA anticipates a broad array of implementation project proposals and will give priority to those proposals which have greatest impact to enhance the commercial/industrial base of the affected area. EDA will also consider grant awards to respond to emergency infrastructure needs in advance of a final economic recovery strategy for the area; these grant awards would respond to unmet needs for public infrastructure improvements or alternative projects that are not adequately addressed by FEMA or other Federal agencies.

Form of Assistance: Grants for economic recovery planning, technical assistance, and construction of infrastructure.

Program Target: State, sub-State planning areas, local governments to help mitigate the dislocation to the economic base of the area.

Total Funding: $200 million.

Eligibility Requirements: States, units of local government, and certain non-profit organizations (i.e., community organizations) are eligible recipients; private for-profit entities are not eligible for EDA grants. Special economic adjustment grant funds may be redistributed as subgrants to other entities; they may not be redistributed (except as loans) to for-profit entities.

Cost-Sharing Requirements:

-- Economic adjustment grants - 75 percent Federal/25 percent Local Match
-- Technical assistance grants - 75 percent Federal/25 percent Local Match
-- Public Works direct grants - 80 percent Federal/20 percent Local Match

Repayment Requirements(s): None.

Application Procedures(s): Following a review of project proposals, EDA will invite entities whose projects are selected for consideration to submit applications; the Application will include a Form SF-424, as approved by OMB Control No. 0348-0043.

Application Time Line:

-- Planning and technical assistance grants - 60 days
-- Economic adjustment grants (non-construction) - 60 days
-- Economic adjustment grants (construction) - 120 days
-- Public Works construction grants - 120 days
(from receipt of application by EDA)

Programmatic/Funding Constraints(s): Emergency Supplemental Program funds are available to EDA through September 30, 1995.

Other Comments: Through the mechanism of the Inter-agency Task Force for Flood Disaster Assistance, EDA will coordinate with other agencies at the program level and at headquarters to expedite efforts to eliminate program duplication. EDA will continue to coordinate program activity with other agencies within Commerce through existing mechanisms already in place.

Additional information is available in the Federal Register dated Monday, January 11, 1993 (pp. 3800-3813), copy of cover sheet attached.

federal register

Monday
January 11, 1993

Part IV

Department of Commerce

Economic Development Administration

Economic Development Assistance Programs; Appropriations, 1993; Notice of Funds Availability

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Divider Title: CORPS OF ENGINEERS

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of Defense

Agency: U.S. Army Corps of Engineers

Program Name: Section 1135 of the 1986 Water Resources Development Act, as amended

Agency Point Of Contact:

Dudley Hanson	Rock Island District, COE	(309)788-6361
Louis Kowalski	St. Paul District, COE	(612)220-0307
Owen Dutt	St. Louis District, COE	(314)331-8451
Mike Bart	Kansas City District, COE	(816)426-3671
Ken Cooper	Omaha District, COE	(402)221-7267

Program Function: To modify the structures or operations of water resource projects constructed by the Corps of Engineers (Corps) for the purpose of habitat restoration.

Applicability: This program can be used to restore historic wetlands in the flood area, provided the work involves modification of a water resources project constructed by the Corps. Examples of the types of projects which may be considered include installation of gated culverts in Corps levees, opening oxbows cutoff by Corps levees or navigation features, or realignment of a levee to allow areas between the levee and the channel to revert to historic floodplain habitat.

Form of Assistance: The Corps will carry out the study and implement the project in conjunction with a non-Federal sponsor.

Program Target: State or local governments which operate and maintain Corps constructed projects.

Eligibility Requirement(s): Non-Federal sponsor required.

Total Funding: $8.5 million.

Cost-Sharing Requirement(s): The non-Federal share of the cost is 25 percent of the study and implementation, which includes any necessary lands, easements, rights-of-way, relocation, and/or disposal areas. Work-in-kind is not credited. The non-Federal sponsor is also responsible for 100 percent of the incremental operation and maintenance costs.

Repayment Requirement(s): None.

Application Procedure(s): Potential project sponsors may contact the appropriate Corps district office to discuss S. 1135 opportunities. There is no application procedure. If the project appears eligible, the Corps district office would provide preliminary information through Corps channels for review and approval of funding for report preparation. At that time, or shortly thereafter, a letter of intent indicating that the sponsor understands the process and cost-sharing requirements would be required prior to carrying out the feasibility study. Upon completion, the feasibility report would be submitted to Washington for review and implementation approval. Prior to construction, the non-Federal sponsor and the Corps would sign a Local Cooperation Agreement, (a contract) which specifies the funding and other requirements necessary for the project. The non-Federal sponsor would assume responsibility for the operation and maintenance of the completed Section 1135 project.

Application Time Line: Depending on the size and complexity of the project modification, the initial studies may take as long as 2 years, preparation of a final design may take an additional year and 1 or 2 years may be required for construction. The Corps is initiating a streamlined procedure to expedite Section 1135 projects in the Midwest flood area. The goal is to begin construction within one year of initiation of the feasibility study. Potential projects are currently being identified.

Programmatic/Funding Constraint(s): Section 1135 projects are normally limited to $5 million per modification. The program limit is $25 million in annual appropriations.

Other Comments: Levee districts and other public agencies with taxing authority normally serve as project sponsors. Private interests may qualify if there will be no requirement for future operation and maintenance of the Section 1135 modification. Large national nonprofit environmental organizations, such as Ducks Unlimited or the Nature Conservancy, also qualify as sponsors.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of Defense

Agency: U.S. Army Corps of Engineers

Program Name: Section 22 of the 1974 Water Resources Development Act, as amended (Planning Assistance to States Program)

Point of Contact:

Dudley Hanson	Rock Island District, COE	(309)788-6361
Louis Kowalski	St. Paul District, COE	(612)220-0307
Owen Dutt	St. Louis District, COE	(314)331-8451
Mike Bart	Kansas City District, COE	(816)426-3671
Ken Cooper	Omaha District, COE	(402)221-7267

Program Function: Provides for technical assistance to States and Federally recognized Indian tribes in the preparation of plans for the development, utilization, and conservation of water and related land resources.

Applicability: This program uses the Corps of Engineers (Corps) water resources expertise to support the states and Indian tribes in their comprehensive planning for the development, utilization, and conservation of water and related land resources. Typical activities studied under this Program are flood control, water supply, water conservation, water quality, hydropower, erosion, navigation, and methodologies to evaluate wetlands or other resources.

Form of Assistance: Cost-shared studies with a non-Federal sponsor.

Program Target: State and local governments and Federally recognized Indian tribes.

Total Funding: $3 million.

Eligibility Requirement(s): None.

Cost-Sharing Requirement(s): The non-Federal share of the costs shall be approximately 50 percent. In-kind services are not authorized.

Repayment Requirements(s): None.

Application Procedure(s): Each fiscal year, States and Indian tribes coordinate with the appropriate Corps Divisions and Districts to develop a priority listing of studies.

Application Time Line: Studies are funded based on the priority list for each State or Indian tribe, within the limits of available appropriations and subject to the Federal funding limitation and execution of a cost-sharing agreement. Depending on complexity, studies could be completed within several months or up to a year or more.

Programmatic/Funding Constraint(s): Federal participation limited to $300,000 per State or Indian tribe, per year, and further constrained by available appropriations.

Other Comments: None.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of Defense

Agency: U.S. Army Corps of Engineers

Program Name: Section 206 of the 1960 Flood Control Act, as amended (Flood Plain Management Services Program)

Agency Point Of Contact:

Dudley Hanson	Rock Island District, COE	(309)788-6361
Louis Kowalski	St. Paul District, COE	(612)220-0307
Owen Dutt	St. Louis District, COE	(314)331-8451
Mike Bart	Kansas City District, COE	(816)426-3671
Ken Cooper	Omaha District, COE	(402)221-7267

Program Function: Provides for the furnishing of flood plain information and technical assistance to States, counties, and cities for prudent use of land subject to flooding from streams, lakes, and oceans.

Applicability: This program uses the Corps of Engineers (Corps) water resources expertise to provide information and studies on flood related problems to appropriate state and local governments. Examples include: developing and interpreting flood and flood plain data such as flood hazard mapping; providing a broad assessment of the impact of structural and nonstructural flood damage reduction measures; providing technical assistance on flood proofing systems and techniques; and assessing the possible impacts of land use changes on the physical, socio-economic and environmental conditions of the flood plain.

Form of Assistance: Technical assistance to State and local governments.

Program Target: Individuals, businesses, State and local governments.

Total Funding: $7.6 million (Corps-wide).

Eligibility Requirement(s): Technical assistance and planning guidance is provided upon request, to State and local governments, other Federal agencies, and private persons, within the limits of available appropriations.

Cost Sharing Requirement(s): Section 206, as amended, provides for technical assistance and planning guidance to State and local governments without charge. Costs for implementation of any proposed measures is 100 percent non-Federal. The Corps must recover approximately 100 percent of the cost of services provided to other Federal agencies and private persons.

Repayment Requirements(s): None.

Application Procedure(s): Written requests for services should be sent directly to the appropriate Corps representatives noted above.

Application Time Line: Requests are generally honored on a first-come-first-served basis, within the limits of available appropriations. Requests for available data could be provided within a few days of receipt of a request. More detailed investigations, which include development of new data or evaluation of existing data, could require from a week up to several months to complete.

Programmatic/Funding Constraint(s): Funds are allocated based on projected needs and capabilities. Funding of Section 206 technical assistance for the five Districts averaged $185,000 for FY 1993. Section 206 efforts are not a substitute for other Corps Planning programs. Program managers are instructed to evaluate requests for applicability to other Corps programs prior to initiation of work.

Other Comments: None.

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Divider Title: INTERIOR – F&WLS

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of the Interior

Agency: U.S. Fish and Wildlife Service

Program Name: Partners for Wildlife

Agency Point of Contact:

Tom Groutage	Illinois	(618)997-5491
Jim Munson	Iowa	(515)994-2415
Dave Wiseman	Kansas	(316)392-5553
Lance Kuester	Minnesota	(612)253-4682
Jerry Brabander	Missouri	(314)876-1911
Kenny Dinan	Nebraska	(308)382-6468
Kevin Willis	North Dakota	(701)250-4418
Carl Madsen	South Dakota	(605)697-2500
Eldon McLaury	Wisconsin	(608)264-5469

Program Function: Provides financial and technical assistance to private landowners interested in restoring wetlands and riparian habitats on their land. The program uses a non-acquisition approach to voluntary habitat restoration on private lands.

Applicability: Landowners in the watershed receive, on a voluntary request basis, technical and financial assistance to restore as many of the 21,000,000 acres of drained wetlands in the watershed as possible, as well as provide assistance in restoring floodplain habitats.

Form of Assistance: Grants and Technical Assistance.

Program Target: Individual land owners, businesses, local government.

Total Funding: $3.3 million in the Midwest.

Eligibility Requirement(s): Landowners enter into a binding agreement with the U.S. Fish and Wildlife Service to restore and protect the site. At a minimum, agreements are for 10 years, however, landowners with intentions to protect the area perpetually are given higher priority for funding. The program is targeted at restoring wetlands and riparian (streamside), and instream habitats.

Cost-Sharing Requirement(s): The cost sharing is negotiated. The U.S. Fish and Wildlife Service can cost share with the Agricultural Stabilization and Conservation Service, State Agencies, Conservation Organizations, etc., on the same landowner's expenditures can be minimized.

Repayment Requirement(s): If the landowner decides to return the restoration site to its prior agricultural use prior to the expiration of the cooperative agreement, the landowner must refund contribution to the project.

Application Procedure(s): Contact the State Coordinator, who arranges for a site visit and plan development (often working closely with the local Soil Conservation Service representative). Landowner then applies for cost sharing. If approved, landowner implements restoration plan. Service verifies project completion and then issues a check to the landowner for the agreed-upon cost sharing.

Application Time Line: All projects submitted early in the fiscal year (which runs from October 1 - September 30) stand a better chance at receiving funding than projects submitted late in the year. Financing generally available in less than 6 months when application is approved.

Programmatic/Funding Constraints: Funding is single-year funding.

Other Comments: In the disaster States, the Partners for Wildlife Program has assisted almost 2,000 landowners in projects that have restored over 65,000 acres of small wetlands.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of the Interior

Agency: U.S. Fish and Wildlife Service

Program Name: North American Wetland Conservation Fund

Agency Point Of Contact:

Jim Leach	USFWS	(612)725-3313
Bob Streeter	USFWS	(703)358-1784

Program Function: Provides Federal cost-share funding to stimulate public-private partnerships to protect, restore, and manage a diversity of wetland habitat for migratory birds and other wildlife. Also helps maintain the proper distribution and abundance of migratory birds. The program provides matching grants for protection and restoration of wetland ecosystems in the United States, Canada, and Mexico.

Applicability: Program emphasizes public/private partnerships to protect and restore wetland habitats.

Form of Assistance: Grants.

Program Target: Individuals, businesses, State and local governments.

Total Funding: $2 million in the mid-west.

Eligibility Requirement(s): Any agency, group, or individual involved in the acquisition, restoration, enhancement, and management of wetland ecosystems and other habitat for migratory birds and other fish and wildlife.

Cost-Sharing Requirement(s): At least 1:1 match of non-Federal dollars.

Repayment Requirement(s): None.

Application Procedure(s): Submit grant application to the North American Waterfowl and Wetlands Office, 4401 N. Fairfax Drive, Room 110, Arlington, VA.

Application Time Line: U.S. Grant proposals are due April 15 and August 15.

Programmatic/Funding Constraint(s): There are many more worthy project proposals than can be funded.

Other Comments: None.

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Divider Title: INTERIOR - NPS

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of the Interior

Agency: National Park Service

Program Name: Rivers and Trails Conservation Program

Agency Point Of Contact:

Chris Brown	National Office	(202)343-3758
David Gluen	Mid-West Regional Office	(402)221-3481

Program Function: Program provides National Park Service staff assistance to communities for river and trail corridor planning and open space preservation efforts. Program personnel are acknowledged experts in facilitating cooperative planning efforts; projects are all based on substantial involvement of varied community interests.

Applicability: Initiate consulting relationship with interested communities to help them identify non-structural options and set goals. Targeted NPS assistance with grassroots planning can help communities make informed choices, based upon consensus, about future growth and development that will help avoid future flood losses.

Form of Assistance: Staff consultants and technical assistance. No grants are available.

Program Target: State and local governments and not-for-profit groups.

Total Funding: $6.8 million.

Eligibility Requirement(s): State-Local and public-private partnerships are required.

Cost-Sharing Requirement(s): Variable, usually in-kind services. No grant funds are available.

Repayment Requirement(s): None. No grants are made.

Application Procedure(s): Contact the National Office or NPS Mid-west Regional Office. Formal application is prepared with NPS assistance after consultation.

Application Time Line: Applications must be submitted by July 1, 1994. Approved projects begin after October 1.

Programmatic/Funding Constraint(s): General limit of 2 to 3 work months per project.

Other Comments: None.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Department: Department of the Interior

Agency: National Park Service

Program Name: Federal Land Transfer; Federal Lands-to-Parks Program

Agency Point of Contact:

Wendy Ormont	National Office	(202)343-3759
John Kelly	N. Atlantic Regional Office	(617)223-5190

Program Function: To encourage the establishment of public park and recreation opportunities. To identify, assess, and transfer available surplus Federal real property for acquisition for State and local parks and recreation, such as open space, and to advise disposing agencies of local resource conservation interests. Maintain oversight on transferred lands to ensure continued public safety, access, and use for parks and recreation.

Form of Assistance: Technical assistance/surplus Federal real property.

Program Target: State and local governments.

Total Funding: $298,000

Eligibility Requirement(s): Applicant must be State or local government. Properties must be made available by the General Services Administration.

Cost Sharing Requirement(s): Varies; possible contribution of land transfer expenses.

Repayment Requirement(s): None.

Application Procedure(s): Contact regional office noted above or the General Services Administration (GSA) - see below.

Application Time Line: Within 20 days from date of surplus property notice from GSA; other properties - no timeline.

Programmatic/Funding Constraint(s): Transfers can only be made to public government agencies.

Other Comments: Information on property availability may be obtained from the General Services Administration Region 7 office, fort worth, Texas (Phone 817-334-2331) or the General Administration Region 1 office, Boston, Mass. (phone 617-835-5700).

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Divider Title: EPA

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: Environmental Protection Agency

Program Name: Capitalization Grants for State Revolving Funds (State Revolving Fund)

Agency Point of Contact:

Rosalie Minor	Iowa, Kansas Missouri, Nebraska	(913)551-7437
Gene Wojcik	Illinois, Minnesota Wisconsin	(312)886-0174
Jack Rychecky	North/South Dakota	(303)293-1551

Program Function: Build or relocate wastewater treatment plants.

Applicability: There are no statutory prohibitions against using State Revolving Funds to repair, replace, or relocate wastewater treatment plants damaged by the flood. This only applies to waste water treatment systems and cannot apply to public drinking water or other utilities.

Form of Assistance: Loan.

Program Target: Local governments.

Total Funding: $1.2 billion.

Eligibility Requirement(s): Only applies to municipal entities.

Cost-Sharing Requirement(s): None. Local municipalities receive loans and make payments to the State Revolving Fund.

Repayment Requirement(s): 100 percent plus interest (below market rate).

Application Procedure(s): Every State is different, but each State has a designated SRF agency. The municipality applies to that agency.

Application Time Line: 30- to 60-day accelerated timeline is feasible.

Programmatic/Funding Constraint(s): Legislation only allows these funds to be used for wastewater treatment facilities and certain nonpoint source activities.

Other Comments: None.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: Environmental Protection Agency

Program Name: Clean Water Act Section 319 Grants

Agency Point of Contact:

Julie Elfving	Iowa, Kansas Missouri, Nebraska	(913)551-7475
Tom Davenport	Illinois, Minnesota Wisconsin	(312)886-0209
David Rathke	North/South Dakota	(303)293-1449

Program Function: Funds are awarded to the States to implement the nonpoint source programs pursuant to Section 319(h) of the Clean Water Act.

Applicability: These grants can be used for funding watershed resource restoration activities which include wetlands and other aquatic habitat.

Form of Assistance: Grants.

Program Target: State agencies.

Total Funding: $81.7 million requested in FY 1994 budget.

Eligibility Requirement(s): Approved State nonpoint source management requirement.

Cost-Sharing Requirement(s): 40 percent State match.

Repayment Requirement(s): None.

Application Procedure(s): States apply annually to EPA Regional Office.

Application Time Line: States are to submit final applications on March 1; decision are made by May 1.

Programmatic/Funding Constraint(s): Funding goes to all States; dollars per State are limited.

Other Comments: Only certain restoration activities are fundable: those that control nonpoint pollution and that are within the scope of approved State nonpoint programs, e.g., relocation of structures would not be fundable; wetland restoration would be fundable.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: Environmental Protection Agency

Program Name: Wetlands Protection - State Development Grants

Agency Point of Contact:

Diane Hershberger	Iowa, Kansas Missouri, Nebraska	(913)551-7573
Sue Elson	Illinois, Minnesota Wisconsin	(312)886-6115
Gene Reetz	North/South Dakota	(303)293-1568

Program Function: To support development and enhancement of State and Tribal wetland protection programs.

Applicability: Projects must clearly demonstrate a direct link to increasing a State's ability to protect wetland resources.

Form of Assistance: Grants.

Program Target: States and Federally recognized Indian Tribes

Total Funding: $10 million requested in FY 1994 budget.

Eligibility Requirement(s): State agencies with wetlands related programs and Federally recognized Indian Tribes.

Cost-Sharing Requirement(s): Sponsor required to provide 25 percent of total cost.

Repayment Requirement(s): None.

Application Procedure(s): Application forms can be requested from and submitted to the appropriate EPA Regional office. December 17, 1993 is the deadline for applications.

Application Time Line: 4 months.

Programmatic/Funding Constraint(s): (1) Funds must be used to develop new or refine existing State wetland protection programs, (2) only State agencies and Federally recognized Indian Tribes are eligible, and (3) some funds can be passed through by State to other entities, but State must have a major role in the project.

Other Comments: Funds can be used for identification of but not purchase of flood easements, and cannot be used for relocation of farm or urban structures or to support construction activities.

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Divider Title: FEMA

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Divider Title: FEMA

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: Federal Emergency Management Agency

Program Name: Hazard Mitigation Grant Program (HMGP)

Agency Point Of Contact:

Illinois	Bill Powers (FEMA)	(309) 797-9887
	Jan Horton (State)	(217) 782-9486
Iowa	Paul White (FEMA)	(515) 280-8219
	Jodi Broida (FEMA)	(816) 283-7029
	Chris Finch (State)	(515) 281-3231
Kansas	Roger Benson (FEMA)	(913) 274-3000
	Jodi Broida (FEMA)	(816) 283-7029
	Marv Henry (State)	(913) 266-1411
Minnesota	Larry Sanders (FEMA)	(312) 408-5556
	John Kerr (State)	(612) 296-0481
Missouri	John Carlton (FEMA)	(314) 739-2239
	Jodi Broida (FEMA)	(816) 283-7029
	Dale Schmutzler (State)	(314) 526-9579
Nebraska	Roger Benson (FEMA)	(913) 274-3000
	Jodi Broida (FEMA)	(816) 283-7029
	Ralph Medina (State)	(402) 473-1410
North Dakota	Sherryl Zahn (FEMA)	(303) 235-4894
	Lonie Hoffer (State)	(701) 224-3326
South Dakota	Sherryl Zahn (FEMA)	(303) 235-4894
	John Nelson (State)	(605) 773-3231
Wisconsin	Terry Murphy Rosen (FEMA)	(312) 408-5595
	Diane Kleibaer (State)	(608) 266-5626

Program Function: Provide 50/50 matching funds through States, to local communities, for projects that will effectively reduce a State or community's vulnerability to natural hazards.

Applicability: Designed to provide a source of funding to States and municipalities for mitigation measures identified after a disaster. The HMGP can be used to fund projects to protect either public or private property. Types of eligible projects include acquisition and relocation of structures to prevent future damage.

Forms of Assistance: Grants.

Program Target: State and local governments and certain private non-profit organizations or institutions and Native American Nations.

Total Funding: Funds available for the Hazard Mitigation Grant Program are:

STATE	DISASTER #	HMGP ESTIMATE AS OF 9/24/93
Illinois	DR 997	$ 3,058,400
Iowa	DR 996	3,200,000
Kansas	DR 1000	4,200,000
Minnesota	DR 993	2,073,000
Missouri	DR 995	9,000,000
Nebraska	DR 998	3,251,000
North Dakota	DR 1001	784,800
South Dakota	DR 999	890,200
Wisconsin	DR 994	1,043,000
TOTALS		$ 27,500,400

Eligibility Requirement(s): Projects must be cost-effective, must meet Federal environmental requirements, and must be consistent with the overall State Hazard Mitigation Plan.

Cost Sharing Requirement(s): 50/50 cost-sharing with the Federal government.

Repayment Requirement(s): None.

Application Procedure(s): Contact FEMA or State Hazard Mitigation Officers.

Application Time Line: State notifies FEMA of intent to participate in the program within 60 days of disaster declaration. All HMGP applications must be submitted no later than 90 days after FEMA's approval of the State Hazard Mitigation Plan, or 270 days after the declaration date.

Programmatic/Funding Constraint(s): Projects must be consistent with FEMA's regulations for the HMGP as found at 44 CFR Part 206, Subpart N. Additional guidance for State and local applicants has been developed and is available from FEMA Headquarters Regional Offices. Several policy memorandum regarding issues raised during the recent series of disasters in the Midwest have been sent to our field staff, and will be incorporated into the HMGP guidance material. For acquisition and relocation projects, the community in which the property is located must agree to accept title to the property and restrict on the property deed any use of the property other than open space for public use.

Other Comments: HMGP funding is allocated on a State-by-State basis depending on the extent of damage. The program is managed by the State, who establishes priorities for funding individual projects. See attached table for the initial HMGP estimates for the nine Midwest States. Potential applicants and projects do not necessarily have to be located within the disaster area, but to be eligible for funding, a project must benefit the disaster area.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: Federal Emergency Management Agency

Program Name: Section 1362 Flooded Property Purchase Program

Agency Point Of Contact:

Norbert Schwartz	Illinois Minnesota Wisconsin	(312) 408-5552
Eric Jenkins	Iowa Kansas Missouri Nebraska	(816) 283-7021
Douglas Gore	North Dakota South Dakota	(303) 235-4830

Program Function: To purchase previously flood-damaged property located in flood risk areas and provide property owners the opportunity to relocate to nonflood-prone areas. To protect property owners against potential losses; reduce future costs due to flood damages; and provide incentive to flood prone communities to restore flood plain values, protect the environment, and provide recreational and open space resources.

Applicability: After a flood, representatives from the community and FEMA determine if the community wishes to participate in the Section 1362 program. If so, a "Community Agreement" is adopted in which the community agrees to accept title to purchased property and manage it for open space or non-development purposes. Once a Community Agreement has been adopted, eligible property owners have two options: sell the land and the buildings to FEMA for transfer to the community, or sell the land and retain ownership of the buildings by moving them to another location.

Form of Assistance: Sale, exchange, or donation of property and goods.

Program Target: Individuals, businesses, and local governments.

Total Funding: Annual appropriation of approximately $4.7 million to be spent Nationwide within 2 fiscal years.

Eligibility Requirement(s): In every case, the property owner must have a flood insurance policy in force when the damage occurs; at least one of the following criteria must be met:
1) the currently damaged structure must have been damaged by at least three previous floods over a 5-year period, with an average damage of 25 percent or more of the value of the structure;

2) a single flood has damaged the structure 50 percent or more of its value or beyond repair of its preflood condition; and 3) any single event has left the structure damaged and irreparable, either due to local ordinance limitations or significantly increased building costs.

Cost-Sharing Requirement(s): None.

Repayment Requirement(s): None.

Application Procedure(s): FEMA regional offices will provide forms and technical assistance to the local communities upon request.

Application Time Line: Should be submitted immediately after the flood.

Programmatic/Funding Constraint(s): The communities must be compliant with the National Flood Insurance Program requirements. Moreover, all property acquisitions must be cost effective and must meet Federal environmental requirements.

Other Comments: The community in which the property is located must agree to accept title to the property and agree to maintain it as open space for public use. Acquisition costs include pre-flood fair market value less flood insurance claim payments.

The funding for the Section 1362 program is provided through a reimbursement to the Emergency Management Planning and Assistance from the National Flood Insurance Fund. As authorized by the 1990 Omnibus Budget Reconciliation Act, all costs for the Section 1362 program activities will be borne by flood insurance policyholders.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: Federal Emergency Management Agency

Program Name: Technical Assistance for Implementing Hazard Mitigation Programs

Agency Point Of Contact:

State Hazard Mitigation Officer

Program Function: Technical assistance to States and municipalities directly or through a contract with a local university, regional planning commission, or similar entity with expertise in planning and community development for the purpose of developing and recommending alternative strategies for disaster recovery measures that will reduce or eliminate damages from future hazards.

Applicability: Available in all nine States. Contracts are already available in Iowa and Illinois, and under development in Missouri.

Form of Assistance: Technical assistance.

Program Target: State and local governments.

Total Funding: Disaster Relief Fund. Amount to be based on scope of work.

Eligibility Requirement(s): None.

Cost-Sharing Requirement(s): None.

Repayment Requirement(s): None.

Application Procedure(s): State should contact Federal Coordinating Officer/FEMA Hazard Mitigation Officer. Community should contact State Hazard Mitigation Officer.

Application Time Line: None.

Programmatic/Funding Constraint(s): None.

Other Comments: None.

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Divider Title: HUD

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: U.S. Department of Housing and Urban Development

Program Name: Section 108 Loan Guarantee Program

Names of Contacts:

See list given under the Community Development Block Grant (CDBG) program information.

Name and Function of Program: Section 108 Loan Guarantee Program - Loan Guarantees to Public Entities for community and economic development.

Funding Levels and Predicted Accomplishments: For States affected by the floods, loan guarantee assistance is available in FY 1994 for States for use in nonentitlement communities and for use by entitlement communities. Amount for Midwest not determinable. This will depend on demand.

Projected Funding and Accomplishments:

FY 1994 - $2 billion (total available Nationwide)

Section 108 loan guarantees can be used to finance:

- acquisition of real property, relocation of property, homeowners, and businesses;
- rehabilitation of publicly owned real property, including repair and reconstruction of levees, and renovation or reconstruction of public utilities (e.g., water and sewer systems);
- housing rehabilitation, including elevation of properties; and
- economic development.

Program Time Line: Communities can apply for assistance at any time.

Processing time averages 21-45 days from date of submission to HUD Field Office.

Waivers which apply to the CDBG program could also apply to the Section 108 program. See the section on the CDBG Program.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: U.S. Department of Housing and Urban Development

Program Name: HOME

Names of Contacts:

See list given under the Community Development Block Grant (CDBG) program information.

Name and Function of Program: The HOME Program provides formula grants to states and larger cities and urban counties for permanent housing for low-income persons. Funds can be used for acquisition, new construction, rehabilitation, and tenant-based rental assistance. Funds can assist renters and homeowners.

Funding Levels and Predicted Accomplishments: FY 1993 and FY 1993 supplemental HOME allocations were made available within the past few months. In addition, some of the FY 1992 funds allocated may still be available in some jurisdictions.

Projected Funding and Accomplishments: Damage estimates cannot be finally determined until the flood waters recede. Further, some of the losses will be covered by insurance. Therefore, there is no way at this time to estimate the funding needed beyond the amounts already made available.

Program Time Line: FY 1992, FY 1993, and the $50 million 1993 disaster supplemental funds can be used immediately. The HOME statute requires that they be committed to specific projects within 2 years of receipt.

For regular HOME funds to be used in the disaster areas, HUD will reduce matching requirements, will waive the requirements that units meet housing quality standards, and will reduce the waiting period for release of funds under environmental review procedures by 15 days. HUD will also be as flexible as possible in responding to additional waivers requested by jurisdictions.

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: U. S. Department of Housing and Urban Development

Program Name: Community Development Block Grant (CDBG) Program

Program Function: The Community Development Block Grant (CDBG) program annually allocates funds to metropolitan cities and urban counties and to States for use in nonentitlement areas which do not receive entitlement grants. The program allocates funds in accordance with a statutory formula. All activities funded by CDBG must meet one of the program's three broad national objectives: benefit to low and moderate income persons, elimination of slums and blight, or to meet urgent community development needs.

Current Funding Levels and Predicted Accomplishments: A supplemental appropriation of $200 million was made available for the Midwest flooding. Of this amount, $75 million was distributed to grantees in August 1993. Most State and local governments have established priorities for the use of these funds for land acquisition, housing replacement or repair, matching other Federal programs, and restoring businesses and public facilities.

At the beginning of Fiscal Year (FY) 1993, the Department allocated over $3.9 billion dollars Nationwide for the CDBG program. In accordance with the statutory formula, seventy percent of the funds were allocated to metropolitan cities and urban counties. Thirty percent of the formula funds were allocated to States (for distribution in nonentitlement areas). The Department has no FY 1993 or prior regular CDBG funding currently available for disaster-related efforts.

The eight States comprising the Midwest flood disaster area received $188,433,000 in regular CDBG program funds in FY 1993 for distribution to nonentitled areas as follows:

State	$ (in 000's)
Iowa	$ 28,536
South Dakota	7,604
Illinois	38,643
Missouri	28,817
Nebraska	13,721
Wisconsin	29,462
Minnesota	22,516
Kansas	19,134

All of the States and the vast majority of entitlement communities have already committed FY 1993 funds for the specific purposes and projects outlined in the final statement. In many States which distribute the funds through a competitive process, grant awards to localities have already been publicly announced and grant agreements have been signed.

Both entitlement communities and States have the option of reprogramming or diverting available CDBG funds if they so desire, subject to an expedited amendment process which includes citizen review and comment. They may also use any program income on hand or expected to be received in the near future.

Program Time-line: ($200 Million)

a) When can program be utilized (beginning period and closure):

$75 million in initial CDBG funds has been made available immediately for immediate recovery needs and long-term revitalization planning from the $200 million supplemental appropriation. The remainder of the CDBG funds would also be made available on the basis of final damage estimates, as soon as affected communities prepare and submit a strategic recovery plan for the coordinated community and economic revitalization of the affected areas. This plan would be developed by each State or entitlement community in coordination with HUD staff. It would include a plan for coordinating all Federal, State, and local resources made available to the affected State or community for its recovery efforts. It would also include a strategic plan for coordinating and using Federal resources with those of the State, the locality, and the private and nonprofit sectors. This plan would be developed in consultation with the Federal agencies participating in the flood recovery effort. It would be submitted to HUD as part of the normally required Final Statement and its submission would trigger availability of the balance of the CDBG funds.

The strategic plan must identify the uses the grantee expects to make of the CDBG funds, or in the case of a State, the method it will use to distribute the funds. An entitlement community will be required to certify that its planned use of CDBG funds has been determined in consultation with the various classes of intended beneficiaries of CDBG assistance, including at a minimum, homeowners, owners of multi-family projects, business owners, developers, and residents of flood-damaged neighborhoods. A State will be required to certify that it has developed its distribution method in consultation with affected nonentitled communities.

In addition to the normal certifications grantees must provide under the regular CDBG program, grantees will certify that, prior to using any of these funds for purposes other than planning, it will have provided opportunity for citizen review and comment on the proposed uses (or for States the proposed distribution) of the funds. For this purpose, grantees will be authorized to select one of the following forms of citizen review:

- hold a public hearing to allow citizens (or local governments, for States) to nominate projects and activities to be assisted with the supplemental CDBG funds;

- hold a public hearing at which the grantee will announce its proposed uses of the supplemental CDBG funds, and allow citizens (or local governments, for States) to express their views on such proposed uses and nominate other uses; or

- prepare a description of the proposed uses of the supplemental CDBG funds, publish the description of proposed uses throughout the areas within the community (or the State) that were affected by the disaster, and provide opportunity for citizens (or for States, local governments) to comment on such proposed uses.

Use of Regular CDBG Funds: (FY 1993 and prior years' funds already allocated to grantees)

Reprogramming Funds: Grantees may reprogram funds from grants already made under the regular CDBG program to be used for disaster recovery, if they so desire. When such funds would be proposed to be used for responding to emergency situations, grantees would still be required to amend the applicable final statement, but could do so by employing an expedited process for citizen review and comment.

Waiver of Rules: HUD will quickly respond to requests for waiver of any requirements of the regulations that are not statutory and that would be a substantial impediment to the grantee's recovery objectives. Waivers would be granted as necessary to authorize the following:

- shorten the current program year to permit receipt of FY 1993 or 1994 funds sooner than currently scheduled;

- allow the grantee to amend its certification to extend the length of time within which the low/mod income (70 percent) spending requirement must be met (for a period not to exceed 3 years); and

- extend the deadline for submittal of the annual performance report when the disaster delays its completion.

b) Time needed to process an application and disburse benefits in the most specific terms (#days):

HUD will prepare a grant agreement reflecting the allocated amount, identifying the waivers granted, and containing certain grantee certifications and submit it to the grantee within 30 days of the date funds are apportioned to HUD from OMB. Upon receipt of the executed agreement by the HUD Field Office (due within 30 days of the date HUD signs the grant agreement), the HUD Field Offices will need approximately 5 days to review and approve final statements and notify the grantee that the balance of funds have been added to the CDBG line of credit.

c) Are there regulatory or other changes required to make the program function more expeditiously for this effort, and describe them?

The Department is proposing to use the authority in the legislation to grant the following waivers of normal CDBG requirements:

Waive the usual restrictions on the use of CDBG funds for the new construction or reconstruction or housing;

Waive the restriction on the use of funds for the repair or reconstruction of buildings for the general conduct of government;

Waive the statutory cap on the amount of the grant that may be used for public services, and instead apply a cap of 25 percent for this purpose;

While grantees will be required to use the funds only for activities that meet one of the CDBG national objectives, waive the requirement that at least 70 percent of the funds must be used to meet the national objective of benefit to low- and moderate-income persons;

Waive the usual requirement with respect to complying with environmental reviews that the local public comment period and the HUD/State 15-day waiting period run sequentially, thereby allowing them to run it parallel;

Waive the restriction on the use of CDBG funds to reimburse local funds used to pay for costs incurred after notification that a grant will be awarded to the State or community but prior to the award of the grant; and

Waive the requirement that State grantees must match the amount of CDBG funds used for the administration of the CDBG program.

In addition to these general waivers, a grantee may request that HUD waive any other applicable requirement of the program. Any such request must be accompanied by an explanation as to why the requested waiver is justified by the need to spend the supplemental funds to meet needs for which they were appropriated.

Agency Contacts:

HUD can allocate and award the supplemental CDBG funds and provide the necessary administrative support for the short-term tasks of program start-up by diverting staff from current responsibilities both in Headquarters and the Field.

Washington, DC	John Simmons Deputy Director Office of Block Grant Assistance Washington, DC 20410 (202) 708-3587
Illinois	Jim Barnes (Community Planning and Development) 77 West Jackson Boulevard Chicago, IL 60604 (312) 353-2977
Wisconsin	Lana Vacha (Community Planning and Development) 310 West Wisconsin Avenue Milwaukee, WI 53203 (414) 297-3355
Minnesota	Alan Joles (Community Planning and Development) 220 Second Street, South Minneapolis, MN 55401 (612) 370-3068
Kansas	Elmer C. Binford, Acting PA Kansas City Regional Office 400 State Avenue Kansas City, KS 66101 (913) 236-2162 (913) 236-2169 (Fax)
Iowa	William H. McNarney, Manager Des Monies Field Office 210 Walnut, Room 239 Des Monies, IA 50309 (515) 284-4512 (515) 284-4743
Nebraska	Joe Jones, Deputy Manager Omaha Field Office 10909-Mill Valley Road Executive Tower Centre Omaha, NE 68154 (402) 492-3101 (402) 492-3150 (Fax)

Missouri	Sandra Freeman, Environmental Officer St. Louis Field Office 1222 Spruce Street S. Louis, MO 63103 (314) 539-6528 (314) 539-6575 (Fax)
Colorado	Ron Bailey, Coordinator Denver Regional Office 1405 Curtis Street Denver, CO 80202 (303) 844-4959 (303) 844-3407 (Fax)
South Dakota	Don Olsen, Coordinator West 49th Street Sioux Falls, SD 57105 (605) 330-4223 (605) 330-4465 (Fax)
North Dakota	Keith Elliott, Coordinator 657 Second Avenue, Room 366 Fargo, ND 58108 (701) 239-5136 (701) 239-5249 (Fax)

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Divider Title: SBA

SHORT-TERM
ENVIRONMENTAL FLOOD RECOVERY
ALTERNATIVE AGENCY PROGRAMS

Agency: U.S. Small Business Administration

Program Name: Physical Disaster Loans and Economic Injury Disaster Loans

Agency Point of Contact: SBA disaster loan representatives are in the Disaster Field Office (DFO) in every State.

Program Function: Federal disaster loans to nonfarm, private sector owners of disaster damaged property for uninsured losses, including homeowners and renters, businesses of all sizes, and nonprofit organizations.

Applicability: Primary form of Federal assistance for disaster damage to nonfarm, private property to help the owners fund repair or replacement of uninsured or otherwise uncompensated losses. Wetlands restoration: SBA disaster loan funds could be used by a property owner to restore any property including wetlands damaged by flooding. Flood easements: The SBA disaster loan program is not suitable for addressing this goal directly, but loans used to assist funding relocation out of a flood hazard area can be an important part of reducing risks of future flood losses. Relocation of farm structures: By law, agricultural enterprises are not eligible for SBA disaster assistance; farmers may seek similar assistance from USDA. Relocation of urban structures: Owners of nonfarm, flood damaged properties may use SBA disaster loan funds to help fund acquisition of a replacement property at a different site. In cases of forced relocation (where a building permit to repair the damaged property will not be issued) or substantial damage (as defined by FEMA/NFIP) in a special flood hazard area, the damaged property may be treated as a total loss, making the property owner eligible for full replacement value. Thus, the most acute cases are eligible for a loan to build or purchase a replacement property (in the case of substantially damaged units, the relocation property must be outside a special flood hazard area). This assistance is available to all nongovernmental, nonfarm property owners.

Form of Assistance: Loan, generally with an interest rate of 4 percent and terms up to 30 years, depending on borrowers ability to repay. By law, borrowers able to use their own resources to meet disaster needs without hardship (generally on about 2-3 percent of applicants) have a higher interest rate, generally 8 percent, and such businesses are limited by law to a term of 3 years. Prior liens may be refinanced, within certain limits.

Program Target: Individuals (homeowners and renters), businesses (of all sizes), and nonprofit organizations. This covers the entire private sector, except for agricultural enterprises (similar assistance is available from USDA programs).

Total Funding: As of October 1, 1993, about $465 million in disaster loan funds will be available.

Eligibility Requirement: Include all property owners except governmental units and agricultural enterprises, including homeowners, renters, businesses of all sizes, and nonprofit organizations. Applicant must have suffered the disaster loss, that is, owned the damaged property. Eligibility is limited to uninsured or otherwise uncompensated losses. Applicants must have ability to repay loans. Full collateral is not required, but applicants must pledge any available collateral.

Cost-Sharing Requirement: None.

Repayment Requirement: All loans must be repaid. Applicants must be able to make loan payments from current income or cash flow from operations. The law offers low interest rates, long terms, refinancing of prior liens, and other tools to make the loan assistance affordable to many disaster victims who could not otherwise afford to pay for the disaster recovery. Terms of each loan are established by SBA in accordance with each borrowers' needs and ability to repay.

Application Procedure: Applicant must complete SBA disaster loan application, available from SBA representatives at all DFO's. SBA representatives are available to assist in completing the application and to answer questions.

Application Time Line: SBA processes most disaster business loan applications in 1 to 3 weeks from receipt by SBA, and most disaster home loan applications within about 1 week. Timing of loan closing is determined by each borrower. Disbursement of loan funds is similar to a construction loan and is in increments as the borrower completes repairs. Duration of reconstruction projects varies widely as a function of the complexity of each project.

Programmatic/Funding Constraints: By law, disaster loans to businesses and nonprofit organizations are limited to $1.5 million, and SBA has authority to waive that statutory maximum for businesses which are major sources of employment. Disaster loans to homeowners are limited to $100,000 for real estate, $20,000 for personal property, $100,000 for refinancing of prior liens, and $24,000 for additional mitigation devices not required by code. Governmental entities are not eligible.

Other Comments: Some levees are privately owned by businesses or nonprofit organizations. Governmental entities are not eligible for SBA assistance; private entities established by governmental units may be eligible. Potentially, some private owners of levees may seek SBA disaster loan assistance.

In addition to loans for physical disaster damage, small businesses located in the declared disaster area which have suffered adverse effects of the flood are also eligible for SBA economic injury disaster assistance. Economic injury disaster loans are working capital loans to help a small business meet necessary obligations during the period adversely affected by a disaster. A business need not have sustained property damage to qualify for economic injury assistance; decreased revenues caused by a disaster and resulting in insufficient cash flow to meet all ongoing obligations is a common form of eligible economic injury. These loans are at 4 percent with terms up to 30 years.