

## Exercise #1 - Eligibility

This exercise is designed to test your understanding of the concepts of eligibility that govern the Public Assistance program. Two disaster scenarios are provided in the following pages.



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**Time Allowed** You have 20 minutes to review the scenarios and prepare your responses. After the group completes the exercise, you will have 10 minutes to review the results.

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**Exercise Questions** Read the scenarios in the following pages and:

*(applies to scenarios 1 and 2)*

- List the work elements as either eligible or ineligible.
- List Categories.
- State your reasoning.

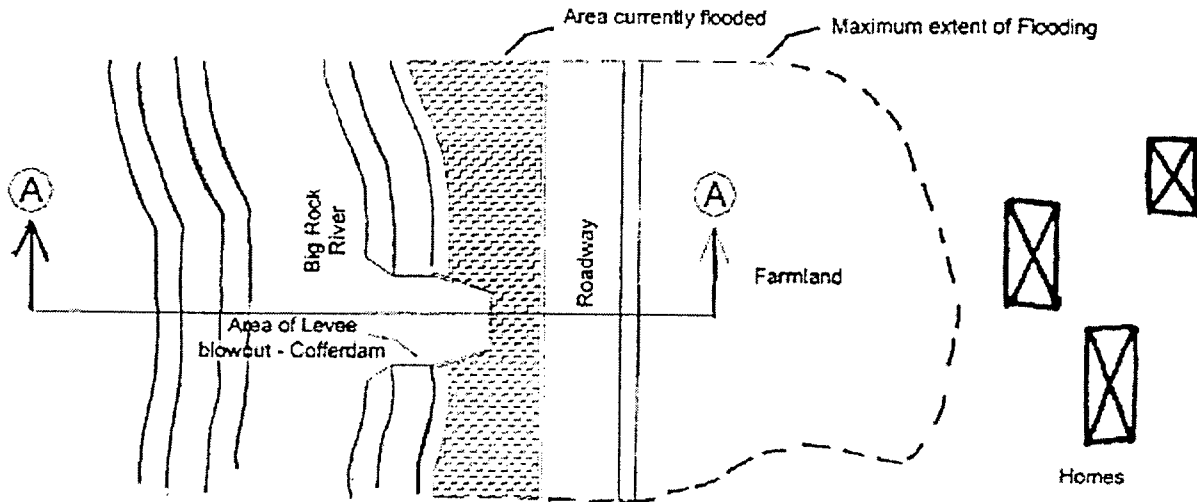
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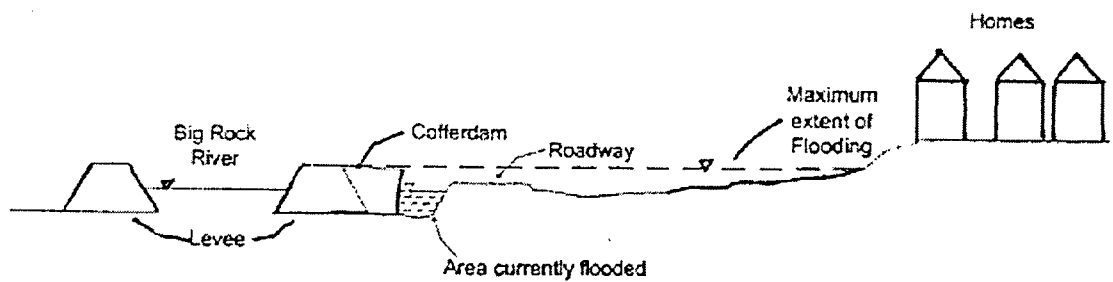


# Exercise #1 - Eligibility, Continued

## Scenario #1: Big Rock River Levee - Sketch



**PARTIAL PLAN**  
NOT TO SCALE



**SECTION A-A**  
NOT TO SCALE

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## Exercise #1 – Eligibility Group Exercise [Answer]

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Scenario #1: **Big Rock River Levee**

- **Construction of the cofferdam is eligible in accordance with Section 403 of the Stafford Act and 44 CFR 206.225 as it is eliminating the immediate flood threat to area homes. (Refer to PA Guide, pp. B-24, C-22)**
- **Pumping of water between the levee and the roadway to reopen the county road is eligible in accordance with Section 406 of the Stafford Act and 44 CFR 206.226 as it will facilitate repair at the county road. (Refer to PA Guide, pp. B-29, C-23)**
- **De-watering of the area behind the levee, which is all farmland, is not eligible because there is not an immediate threat to public lives, health, or safety, or to improved property. Nor does the farmland represent an eligible facility for permanent restoration. (Refer to 44 CFR 206.221(d) – PA Guide, p. C-18)**
- **Although the levee’s primary purpose is to provide flood control for a 10-year event, it does not meet the USACE definition of a flood control work. In accordance with FEMA’s policy on flood control works, restoration of the levee to its pre-disaster condition is eligible for public assistance. (Refer to Policy Digest, pp. 47, 60; FEMA RR Policy #9524.3)**

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## Exercise #1 – Eligibility Group Exercise [Answer], Continued

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Scenario #2: **Manheim Creek Bridge**

- Replacement of the pavement is eligible per Section 406 of the Stafford Act and 44 CFR 206.226 as such work will facilitate repair of disaster damage. (Refer to the PA Guide, pp. B-29, C-21, C-23).
- In accordance with 44 CFR 206.223, inspection of decking and replacement of planks and decking is not eligible because the damage was not caused by the disaster. (Refer to the PA Guide, pp. 23, 41, C-21; Policy Digest, p. 37)
- Excavation of sloughed material and placement of lean concrete in scour holes are eligible per Section 406 of the Stafford Act and 44 CFR 206.226 as such work will facilitate repair of disaster damage. (Refer to the PA Guide, B-29, C-21, C-23)
- In accordance with Section 406 of the Stafford Act, construction of concrete cutoff walls, are not eligible, because they did not exist prior to the disaster. However, cutoff wall construction may be eligible as a hazard mitigation measure. (Refer to the Stafford Act, Section 406, 44 CFR 206.201(f) and 44 CFR 206.226© - PA Guide, pp. B-29, C-4 and C-24)
- In accordance with Section 406 of the Stafford Act, the placement of riprap is not eligible because it did not exist prior to the disaster. However, it may be eligible as a hazard mitigation measure. (Refer to the Stafford Act, Section 406, 44 CFR 206.201(f) and 44 CFR 206.226 (c) - PA Guide, pp. B-29, C-4 and C-24)

According to the “50 Percent Rule” (44 CFR 206.226 (d)), if the repair cost exceeds 50 percent of the replacement cost, then the replacement cost of the bridge is eligible. However, the repair cost must be based on the eligible repair of disaster-damaged components only. The applicant’s current repair estimate should be revised to ensure that only eligible repair costs are included. If the revised repair cost equals or exceeds 50 percent of the replacement cost, then the replacement cost of the reinforced concrete structure would be eligible. If the revised repair cost is less than 50 percent of the replacement cost, the applicant may either repair the structure or request an improved project to replace the structure. The improved project funding would not exceed the cost to repair the existing structure to its pre-disaster design. (Refer to PA Guide, pp. 28-31, C-25: Policy Digest, p.96)

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