

U.S. Department of Homeland Security
Louisiana Transitional Recovery Office
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New Orleans, LA 70114
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FEMA

April 26, 2007

Colonel Thomas Kirkpatrick
State Coordinating Officer
State of Louisiana
415 North 15th Street
Baton Rouge, LA 70802

Re: Floodplain Management Ordinances

Dear Colonel Kirkpatrick:

I am writing to notify you of recent policy guidance and clarification we have received on the subject of floodplain management ordinances from David Garratt, Acting Assistant Director of FEMA's Disaster Recovery Assistance Directorate. The guidance addresses eligibility of costs which Public Assistance (PA) applicants incur to comply with local floodplain management ordinances in the course of repairing disaster-damaged structures. The guidance applies in the context of the response to Hurricane Katrina and Rita. A summary is provided below:

A substantially damaged facility is one which has been determined pursuant to local floodplain management ordinances to require flood-proofing or elevation to the Base Flood Elevation (BFE) or the Advisory BFE (ABFE) as a result of the disaster-related damage. An applicant may receive a letter of substantial damage from the local floodplain code enforcement official on official letterhead. Once received, the State should forward the letter along with the calculation documentation to me at the FEMA Louisiana Transitional Recovery Office. FEMA will determine whether flood-proofing or elevation is the most cost-effective measure. The additional cost of either flood-proofing or elevation will be added to the repair cost of the facility as determined by the PA 50% rule. If the repair cost then exceeds the cost of a replacement facility, the cost of the facility will be capped at the cost of the replacement.

Please ensure that this guidance contained in these documents is distributed to PA applicants throughout Louisiana. The State should notify the PA applicants with respect to substantially-damaged facilities that local officials must provide documentation in support of their determination so the documentation can be reviewed by the State and FEMA.

Please do not hesitate to contact me if you have any questions about this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stark", written over a white background.

Jim Stark
Director
Louisiana Transitional Recovery Office

cc: Gil Jamieson, Associate Deputy Administrator, GCRO