

Unified Public Assistance Project Decision Team
Eligibility Decision
Decision Date: May 22, 2009

Dispute #: 56
Subgrantee: City of Gramercy
DR: 1603/1607
PW(s): 16158
Project: Water Intake Protection

Description of Dispute

Determine if 406 mitigation is eligible for design and construction of 5-pile fender pile arrangement to protect water intake structure.

Unified PAPDT Decision

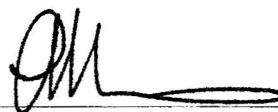
The applicant has appealed the determination in accordance with FEMA's appeal process described in Title 44 C.F.R. §206.206. Accordingly, no determination will be made by the Unified PAPDT.

The PAPDT notes the primary eligibility dispute is related to the design of the 5-pile (fender pile) arrangement as a proposed 406 mitigation measure. The current FEMA determination, in part, is that 406 mitigation measures must be related to eligible disaster-related damages and reduce future, similar damages. The applicant asserts that both the pre-existing protective pile and intake structure itself were damaged, and that the fender pile proposal will serve as a 406 mitigation measure since its function is to protect the water intake system.

The PAPDT will ensure the applicant's position is brought forward to the appropriate officials responsible for the appeal determination under Title 44 C.F.R. §206.206.



Charles R. Axton
FEMA Lead
Unified PA Project Decision Team



Mark DeBosier
Acting Assistant Deputy Director
Disaster Recovery

- Concur
- Non-Concur