

PUBLIC NOTICE
MAJOR DISASTER DECLARATION
FEMA-4665-DR-MO

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to provide financial assistance to the State of Missouri local and Tribal governments, and private nonprofit organizations under major disaster declaration FEMA-4665-DR-MO. FEMA is also giving public notice that, in some cases, it may provide financial assistance for activities that may affect historic properties, may be located in or affect wetland areas or the 100-year floodplain, and/or may involve critical actions within the 500-year floodplain.

The President declared this major disaster for the State of Missouri on August 8, 2022, as a result of severe storms and flooding that occurred on from July 25 to July 28, 2022. This notice applies to the Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, *as amended* (Stafford Act), and codified at 42 U.S.C. §§ 5121-5207.

Under major disaster declaration FEMA-4665-DR-MO, the following counties have been designated as eligible for assistance under the IA Program: St. Charles and St. Louis Counties, and the Independent City of St. Louis. The following counties have been designated adversely affected by the disaster and have been designated as eligible for assistance under the PA Program: Montgomery, St. Charles, and St. Louis Counties, and the Independent City of St. Louis. Additional counties may be designated at a later date. All counties in the State of Missouri are eligible for HMGP.

The PA Grant Program is authorized by Sections 403, 406, 407, and 428 of the Stafford Act. FEMA may provide financial assistance under the PA Grant Program for state agencies, local and tribal governments, and private nonprofit organizations to perform debris removal, emergency protective measures, and permanent restoration of facilities damaged or destroyed by the incident. In the case of permanent restoration of damaged or destroyed facilities, FEMA may provide financial assistance for the restoration for facilities to their pre-disaster condition, in conformity with the latest published editions of relevant consensus-based codes, specifications, and standards, and including hazard mitigation measures to reduce the effects of future flooding or other hazards. A “facility” is any publicly or privately owned building, works, system, or equipment, built or manufactured, or an improved and maintained natural feature. Land used for agricultural purposes is not a facility.

The Hazard Mitigation Grant Program is authorized by Section 404 of the Stafford Act. Under this Program, FEMA may provide financial assistance for state agencies, local and tribal governments, and private nonprofit organizations to take mitigation measures to reduce the risk of life and property from future disasters during the recovery from the major disaster.

This notice concerns activities that may affect historic properties; traditional cultural properties; activities that are located in, or affect, wetland areas or the 100-year floodplain; and critical actions within the 500-year floodplain. Such activities may adversely affect historic properties, traditional cultural properties, floodplains or wetlands, or may result in continuing vulnerability to flood or other damage.

Presidential Executive Orders 11988 and 11990 require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate facilities outside of the floodplain or wetlands, as well as be evaluated for social, economic, historical, environmental, legal, and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damage. The public is invited to participate in the process of identifying alternatives and analyzing their impacts through this notification.

FEMA has determined that for certain types of facilities, there are normally no alternatives to the restoration/repair of that facility within the floodplain/wetland. These are facilities that meet all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50 percent of the cost to replace the entire facility, and is less than \$100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For activities that meet these four criteria, this will be the only notice provided. Other activities, and those involving facilities that do not meet the four criteria noted above, are required to undergo a more detailed review, including the study of alternate locations. Subsequent public notices regarding such projects will be published, if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration before federal involvement. Even if the facility must undergo detailed review and analysis of alternate locations, FEMA will fund eligible restoration at the original location if: the facility is functionally dependent on its location within the floodplain (e.g., bridges and piers); the project facilitates an open-space use; or the facility is an integral part of a larger network that is impractical or uneconomical to relocate, such as a road. In such cases, FEMA must also examine the possible effects of not restoring the facility, explore opportunities to minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. The State of Missouri and local officials will confirm to FEMA that proposed actions comply with all applicable state and local floodplain management and wetland protection requirements.

Presidential Executive Order 12898, *Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, directs each federal agency to avoid

disproportionate and high adverse human health or environmental effects to low-income and minority populations. FEMA aims to identify low income and minority communities at the onset of a declared event to gain better understanding of how response and recovery efforts, including mitigation may impact such groups and communities. Additionally, once low income and minority communities have been identified, FEMA aims to minimize any potential adverse impacts to those communities through encouraging alternative selection of response and recovery actions including HMGP projects.

FEMA also intends to provide HMGP funding to the State of Missouri to mitigate future disaster damage. HMGP projects may include construction of new facilities; modification of existing, undamaged facilities; relocation of facilities out of floodplain/wetland; demolition of structures; or other types of projects to mitigate future disaster damage. In the course of developing project proposals, subsequent public notices may be published as more specific information becomes available, if necessary.

The National Historic Preservation Act requires that federal agencies take into account the effects of their undertakings on historic properties. Those actions or activities affecting buildings, structures, districts, or objects 50 years or older, or that affect archeological sites or undisturbed ground will require further review to determine if the property is eligible for listing in the National Register of Historic Places (Register).

If the property is determined to be eligible for the Register, and FEMA's undertaking will adversely affect it, FEMA may provide additional notices if necessary. For historic properties not adversely affected by FEMA's undertaking, this will be the only notice.

As noted, this may be the only notice regarding the above-described actions under the IA, PA, and HMGP programs. Interested persons may obtain information about these actions or a specific project by writing to Kate Stojavljevic, Regional Environmental Officer, Federal Emergency Management Agency, Region 7, 11224 Holmes Road, Kansas City, MO 64131 or by emailing kate.stojavljevic@fema.dhs.gov. Comments should be sent in writing within 15 days of the date of this notice.