



The House Committee on
**Transportation
& Infrastructure**

Rick Larsen, Democratic Leader

POST-DISASTER ASSISTANCE GUIDE

**California Severe Winter Storms, Flooding,
Landslides and Mudslides**

January 2023

Prepared by minority staff of the Committee on Transportation and Infrastructure

POST-DISASTER ASSISTANCE GUIDE

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Summary of Events

Governor Newsom submitted an Emergency Declaration (ED) to the President on January 8, 2023, which was subsequently approved, for atmospheric river systems events.¹ The Governor specifically requested support in the form of personnel, mass care support, mass shelter support, mass evacuation support, equipment and supplies. The Army Corps of Engineers has been asked to assist with debris flows from burn scars, levee failures and damage to roadways. The state's early response to this event included deploying flood fighting materials, sandbags, swift current water rescue, urban search and rescues, and opening shelters. A Major Disaster Declaration (MDD) was then approved on January 14, 2023. The declaration will expand assistance for emergency protective measures and debris removal and make it possible for individuals to apply for federal disaster relief. The MDD is expected to be amended to include more covered counties and public assistance categories once more damage assessments are completed.

- **Declaration Code:** FEMA-3591-EM-CA, FEMA-4683-DR
- **Incident Type:** Severe Winter Storms, Flooding, Landslides and Mudslides
- **ED Covered Counties:** Alameda, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Mono, Monterey, Napa, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Ventura, Yolo and Yuba.
 - **Approved Assistance:** Public Assistance (Category B)
 - **Incident Period:** January 8, 2023 and continuing
 - **Federal Cost Share:** 75 percent
- **MDD Covered Counties:** Merced, Monterey, Sacramento, San Joaquin, San Luis Obispo, Santa Barbara and Santa Cruz
 - **Approved Assistance:** Public Assistance (Category A & B), Individual Assistance
 - **Incident Period:** December 27, 2022 and continuing
 - **Federal Cost Share:** 100 percent for the first 60 days, 75 percent after 60 days
- **State Coordinator Officer for the Declaration:** Nancy Ward, Director of the Governor's office for Emergency Services
- **FEMA Region 9 Contact:** Casey De Shong, 510.612.8691, casey.deshong@fema.dhs.gov

¹ CA Governor Emergency Declaration Request. January 8, 2021. Available at: [CA Gov EM Request.Jan8.2023.pdf](#)

Federal Disaster Assistance

Federal Emergency Management Agency (FEMA) disaster assistance is triggered by an Emergency or Major Disaster Declaration (ED or MDD) request.² EDs and MDDs are requested by the Governor of the impacted state when a disaster has exceeded local and state governments' capacity to respond. The President is responsible for reviewing state requests and issuing an approval or denial for assistance. If the President denies assistance, the state has the right to appeal that decision. ED and MDD declarations are required to authorize all of FEMA's disaster assistance, disaster supplemental nutrition assistance, emergency farm loans and tax relief. An ED or MDD may not be required for the authorization of some other federal disaster assistance programs.

Assistance for States, Territorial and Local Governments

Public Assistance (PA)- 42 U.S.C. §§ 5170b, 5172, 5173, 5189f, 5192

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

- PA is FEMA's primary form of assistance to local and state governments. PA offers reimbursement for seven categories of work that can be broken down into either emergency or permanent work. Not all disasters are eligible for all categories of PA assistance. The disaster declaration notice issued by FEMA will include the categories of PA eligible for reimbursement. Emergency work provides reimbursement for debris removal and emergency protective measures that address immediate threats to life and property. Permanent work provides reimbursement for the repair, replacement or restoration of publicly owned facilities and some private non-profit organizations. The minimum federal cost share for PA is 75 percent of the cost of eligible assistance, but the President may authorize an increased federal cost share for catastrophic events.

Emergency Work: Must be completed within six months of the start of the incident period.

- Category A: Debris removal
- Category B: Emergency protective measures

Permanent Work: Must be completed within eighteen months of the start of the incident period.

- Category C: Roads and bridges

² CRS. Federal Disaster Assistance Response and Recovery Programs: Brief Summaries. July 9, 2015. Available at: [Federal Disaster Assistance Response and Recovery Programs: Brief Summaries \(unt.edu\)](#)

- Category D: Water control facilities
- Category E: Public buildings and equipment
- Category F: Public utilities
- Category G: Parks, recreational, and other facilities

Fire Management Assistance Grant (FMAG) Program - 42 U.S.C. §5187

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

- Grants for states and local governments to aid with mitigation, management and control of fires burning on publicly or privately owned forests or grasslands. The federal cost share for FMAGs is up to 75 percent.

Community Disaster Loans 42 U.S.C. § 5184

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

- Loans up to \$5 million for local governments with substantial loss of tax and other revenue.

Community Development Block Grant – Disaster Recovery (CDBG-DR)

Department of Housing and Urban Development

Committee of Jurisdiction: Financial Services

- Flexible grants awarded to support long-term recovery from MDDs, especially in low-income areas. CDBG-DR is not an authorized program. Therefore, Congress must provide a unique CDBG-DR appropriation for each disaster and the rules governing each appropriation are noticed in the Federal Register. Typically, only the most catastrophic disasters are granted CDBG-DR appropriations about eighteen months after the disaster period.

Assistance for Individuals and Families

Individual Assistance (IA) - 42 U.S.C. §5174

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

Application: [DisasterAssistance.gov](https://www.disasterassistance.gov) or 800.621.3362

- IA is FEMA’s most robust assistance program for individuals and families following an MDD. There are two forms of IA assistance—the Individuals and Households Program (IHP) and Other Needs Assistance (ONA). IHP offers eligible survivors with damaged or destroyed homes up to \$37,000. ONA addresses unmet needs of survivors including temporary housing, medical, dental, child care or other personal needs up to \$37,000.

IA assistance is only available to disaster survivors that have been denied a Small Business Administration (SBA) loan to cover personal recovery expenses.

Disaster Unemployment Assistance (DUA) - 42 U.S.C. §5177

Department of Labor

Committee of Jurisdiction: Transportation & Infrastructure

Application: [DisasterAssistance.gov](https://www.disasterassistance.gov) or 877.872.5627

- Provides benefits to qualifying employed or self-employed individuals that lost their job as a direct consequence of the disaster.

Dislocated Worker Program - 29 USC 2918

Department of Labor

Committee of Jurisdiction: Education & Workforce

Application: Distributed by qualifying states. Application for states available at:

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=341845>

- Funds training for individuals that lost their job as the result of the disaster and are unlikely to return to their previous job or industry.

Residential Small Business Administration (SBA) Disaster Loans - 42 U.S.C. §5121 et seq.

Small Business Administration

Committee of Jurisdiction: Small Business

Application: disasterloanassistance.sba.gov/ela or 800.659.2955

- Disaster assistance provided to individuals and households in the form of low interest loans. SBA loans can cover up to \$40,000 of personal property loss (i.e. furniture, clothing, automobiles) and up to \$200,000 of real property loss (i.e. home repair). Disaster survivors must apply for a SBA loan before they apply for FEMA IA.

Critical Needs Assistance - 42 U.S.C. §5174

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

Application: [DisasterAssistance.gov](https://www.disasterassistance.gov) or 877.872.5627

- A one-time, direct payment of up to \$700 for individuals and households with immediate or critical needs. Payments might be used for water, food, first aid, prescriptions, infant formula, diapers, consumable medical supplies, durable medical equipment, personal hygiene items and fuel for transportation.

Crisis Counseling - 42 U.S.C. §5183

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

Contact: 800.985.5990

- Provides grants for states after an emergency or major disaster declaration to offer crisis counseling services to address mental health problems caused or aggravated by the disaster. FEMA coordinates with the Substance Abuse and Mental Health Services Administration (SAMHSA) to administer this program.

Disaster Legal Services - 42 U.S.C. §5182

Federal Emergency Management Agency

Committee of Jurisdiction: Transportation & Infrastructure

Application: [DisasterAssistance.gov](https://www.disasterassistance.gov) or 800.621.3362

- Free legal assistance to qualifying individuals, which may include help with insurance claims, powers of attorney, new wills, and lost legal documents.

Disaster Supplemental Nutrition Assistance Program (D-SNAP) & 7 U.S.C. §51

Department of Agriculture

Committee of Jurisdiction: Agriculture

Application: Contact a state or local office via <https://www.fns.usda.gov/snap/state-directory> or 211

- Provides food assistance to low-income households with food loss or damage caused by a disaster. Survivors that qualify for D-SNAP may receive an Electronic Benefits Transfer card to purchase food at Food and Nutrition Service authorized retail stores.

National Flood Insurance Program - 42 U.S.C. §4001

Federal Emergency Management Agency

Committee of Jurisdiction: Financial Services

Application: [FloodSmart.gov/start](https://www.floodsmart.gov/start) or 877.336.2627

- Flood insurance payouts for enrolled property owners, renters and businesses.

Tax Relief - Title 26 U.S.C., including §§123, 139, 165, 402, 408, 1033, 6654, 7508A

Internal Revenue Service

Committee of Jurisdiction: Ways & Means

Information: 800.829.3676, Deduction form: [Form 4684](#)

- Tax relief provisions are available to individuals and businesses affected by federally declared disasters. Disaster survivors might be eligible for extra time to complete taxes or certain emergency-related deductions. Qualifying federal disaster relief payments made to individuals and households are tax exempt.

Assistance for Small Businesses & Nonprofits

Economic Injury Disaster Loans (EDIL) - 15 U.S.C. §636(b)

Small Business Administration

Committee of Jurisdiction: Small Business

Application: <https://www.irs.gov/pub/irs-pdf/f4684.pdf> or 800.659.2955

- Loans up to \$2 million for small businesses and nonprofits with economic injury as the result of the disaster.

Physical Disaster Loans - 15 U.S.C. §636(b)

Small Business Administration

Committee of Jurisdiction: Small Business

Application: <https://disasterloanassistance.sba.gov/ela/s/article/Business-Physical-Disaster-Loans> or 800.659.2955

- Loans up to \$2 million for businesses and nonprofits for uninsured physical damage and losses.

Emergency Disaster Loans for Farmers - 7 U.S.C. §1961

Department of Agriculture

Committee of Jurisdiction: Agriculture

Application: Submit a [FSA-20001](#) to local USDA Service Center or FSA County Office

- Low-interest loans for agricultural producers including farmers, ranchers and aquaculture producers to recover production and physical losses.

Schedule of Briefings

Not available at this time.

Constituent Resources

Disaster Survivors can learn about assistance they qualify for and apply for certain assistance at: DisasterAssistance.gov

FEMA's Smartphone Application: Allows users to receive real-time weather updates, send notifications to loved ones, locate emergency shelters, apply for individual assistance and check application status.

Additional Resources

[California Emergency Declaration Request](#)

[Stafford Act Declaration Process](#)

[Federal Disaster Assistance Response and Recovery Programs: Brief Summaries](#)

T&I Democratic Staff Contact

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