DEALING WITH NATURAL DISASTERS

Here Comes The Flood (Of Legal Issues)

2019 Annual Meeting | ABA Forum on Construction Law
APRIL 24-27, 2019
The Diplomat Beach Resort | Hollywood, Florida
Plenary 5

Ernie Abbott

Mary Ellen Martinet

Dave Kurtz
Billion-Dollar Loss Events in the US 1980-2018 (CPI-adjusted)

Billion-Dollar Loss Events in the US 2000-2018 (CPI-Adjusted)

By the Disaster Type

Federal Disaster Declarations

Types of Declarations:
• Major Disaster Declarations (“DR”)
• Emergency Declarations (“EM”)
• Fire Management Assistance Grant (“FM”)

FEMA.Gov website for declaration information: https://www.fema.gov/disasters

Ref: 42 USC §§5170, 5191, 5187
Major Disaster Declarations

Disaster Assistance Programs:

• Public Assistance (PA) for State/Territorial/Tribal/Local Governments (STTLs) and for certain Private Nonprofits (PNPs)
   Emergency Assistance (direct and financial)
   Permanent Repair/Replacement (financial)

• Individual Assistance (IA) for individuals and households
   Financial assistance for temporary housing and for repair/replacement
   Direct Assistance for temporary housing assistance and Permanent Housing Construction

• Hazard Mitigation Assistance (HM) for STTLs & PNPs

Ref: 44 CFR Part 206
Emergency Declarations

Disaster Assistance Programs:

• Public Assistance (PA) for State/Territorial/Tribal/Local Governments and for certain Private Nonprofits
  - Emergency Assistance (direct and financial)

• Limited Individual Assistance (IA) for individuals and households
  - Financial assistance for temporary housing and for repair/replacement
  - Direct Assistance for temporary housing assistance and Permanent Housing Construction

Ref: 44 CFR Part 206
Fire Management Assistance Grant (FM)

Disaster Assistance Programs:

• Public Assistance (PA) for State/Territorial/Tribal/Local Governments:
  - Emergency Assistance
• Hazard Mitigation

Ref: 44 CFR Part 204
DEALING WITH NATURAL DISASTERS
Here Comes The Flood (Of Legal Issues)

2019 Annual Meeting | ABA Forum on Construction Law
APRIL 24-27, 2019
The Diplomat Beach Resort | Hollywood, Florida