

PUBLICATION

Hurricane Ian: Declaration Updates – Applying for FEMA Public Assistance

Authors: Wendy Huff Ellard, Michelle Faye Zaltsberg
October 18, 2022

It has now been two weeks since Hurricane Ian made its historic landfall on the west coast of Florida as a Category 4 hurricane, tying with several other storms as the fifth-strongest hurricane on record to make landfall in the contiguous United States. This massive storm moved across the State of Florida and ventured briefly back into the Atlantic Ocean before making a second landfall on the coast of South Carolina as a Category 1 hurricane. Emergency response efforts are continuing at this time, due in large part to the particularly difficult circumstances created for several Florida barrier islands, including the complete destruction of the causeway that previously provided access to Sanibel Island. State and federal officials continue to release information about the ongoing emergency response efforts and resources for recovery.

- **Major Disaster Declaration Issued for Florida.** On September 29, President Biden issued a [major disaster declaration](#) to expand the types of federal aid available to affected individuals, public entities, and eligible private nonprofit entities. As of the date of this Alert, there have been a total of [nine amendments to the initial declaration](#). According to information shared by FEMA, the following assistance is available.

Public Assistance Category A (Debris Removal)	Public Assistance Category B (Emergency Protective Measures)	Public Assistance Categories C–G	Individual Assistance
Brevard Charlotte Collier DeSoto Flagler Glades Hardee Hendry Highlands Hillsborough Indian River Lake Lee Manatee Monroe Okeechobee Orange Osceola Pinellas	All 67 Florida counties	Brevard Charlotte Collier DeSoto Flagler Glades Hardee Hendry Highlands Hillsborough Indian River Lake Lee Manatee Monroe Okeechobee Orange Osceola Polk	Brevard Charlotte Collier DeSoto Flagler Glades Hardee Hendry Highlands Hillsborough Lake Lee Manatee Monroe Okeechobee Orange Osceola Palm Beach Pasco

Polk Putnam Sarasota Seminole St. Johns Sumter Volusia		Putnam Sarasota Seminole St. Johns Sumter Volusia	Pinellas Polk Putnam Sarasota Seminole St. Johns Volusia
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It is possible that FEMA will expand the availability of individual and Public Assistance to additional counties. Generally, these decisions are made based on damage assessments provided to FEMA by the state in the first 30 days from the start of the incident period, which in this case is September 23 for Florida.

- Full Federal Cost Share for 60 Days.** With the [initial major disaster declaration](#) for Florida, the federal government committed to funding the full costs of eligible debris removal and emergency protective measures for a period of 30 days from the start of the incident period. On [October 7](#), the declaration was amended to extend the time period for 100% federal funding for debris removal and emergency protective measures, including direct federal assistance under Public Assistance, for an additional 30-day period. With this extension, eligible Public Assistance applicants in Florida can qualify for full federal funding of debris removal and emergency protective measures completed from the start of the incident period – September 23 – through November 22.
- Request for Public Assistance Deadline.** Eligible applicants for FEMA's Public Assistance Program in Florida must submit a Request for Public Assistance (RPA) by December 2, 2022, in [Grants Portal](#) to be reimbursed for eligible expenses related to Hurricane Ian. Any public entity and any private nonprofit entity that thinks it may be eligible for assistance under FEMA's programs should complete and file an RPA as quickly as possible. Doing so is not a commitment to pursue funding, but is a pre-condition to eligibility.
- Applicant Briefings and PDAT Training Are Available.** The Florida Division of Emergency Management is hosting a series of webinars for entities that intend to apply for Public Assistance. These webinars will cover the Public Assistance process, eligibility requirements, how to submit an RPA, and other topics. The webinar schedule is available [here](#). Also available are trainings from FEMA's Procurement Disasters Assistance Team, which will cover the rules applicable to procurements under Federal Grants at 2 C.F.R. § 200.317-327. The procurement training schedule is available [here](#).

For more information, please contact [Wendy Huff Ellard](#), [Michelle F. Zaltsberg](#), or any member of [Baker Donelson's Disaster Recovery and Government Services Team](#).