



**Cal OES**

GOVERNOR'S OFFICE  
OF EMERGENCY SERVICES

**CDA A 2023-05**  
**2023 February – April**  
**Storms**  
**Applicants' Briefing**



San Diego Union Tribune/Hayne Palmour IV

# Authorities

- California Government Code,  
Chapter 7.5 Disaster Assistance Act
- California Code of Regulations,  
Title 19, Division 2, Chapter 6  
California Disaster Assistance Act

# Request for State Assistance



## Gubernatorial Authorization

- Issued by the Governor
- Emergency work and permanent work are eligible
- Cost share is 75% state and 25% local

# 2023 February - April Storms

(CDAA-2023-05)

## Incident Period:

February 21, 2023, through July 10, 2023

## Declared Areas:

City of Oceanside



News 10 San Diego courtesy of the City of Oceanside



# Governor's Proclamations of a State Of Emergency (SOE)

Date SOE Proclaimed	Counties listed on SOE	Link to SOE on <a href="http://www.Gov.ca.gov">www.Gov.ca.gov</a>
April 20, 2023	Contra Costa, Riverside, San Diego, and Yolo	<a href="#">042024 Storms SOE</a>

Search Proclamations on the Governor's Office website  
<https://www.gov.ca.gov/category/proclamations/>

# State Of Emergency (SOE) Termination



- **Applicants Must:**
  - Review the provisions and orders on the related SOEs
  - Determine **which provisions** are being used by their jurisdiction and **how long** they will need them for
  - Notify Cal OES what they determined
- Termination of SOEs will not jeopardize funding for approved Public Assistance projects



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# **CDAA Overview**

## **(Governor's Proclamation)**

# CDAA Application Process

- Applications due by **August 8, 2024**
- Can be turned in today, via e-mail to [DisasterRecovery@caloes.ca.gov](mailto:DisasterRecovery@caloes.ca.gov), or via USPS to:

Robert Larsen, Public Assistance Officer  
CA Governor's Office of Emergency Services  
3650 Schriever Avenue  
Mather, CA 95655  
**ATTN: CDAA-2023-05**

# CDAA Application Process (continued)

## Required Forms:

- Project Application Form (OES-PA-126)
- List of Projects (LOP) Form (OES-PA-95)
- Designation of Authorized Agent Form (OES-FPD-130)

\*For questions, contact Financial Processing Division (FPD) at:  
[RecoveryPayments@caloes.ca.gov](mailto:RecoveryPayments@caloes.ca.gov)

# Applicant Eligibility

- Cities
- Counties
- County Offices of Education
- Community College Districts
- School Districts
- Special Districts
- Certain private non-profit organizations may be reimbursed for essential community service activities, if requested by a State or local government
- State agencies and Tribal Governments are not eligible

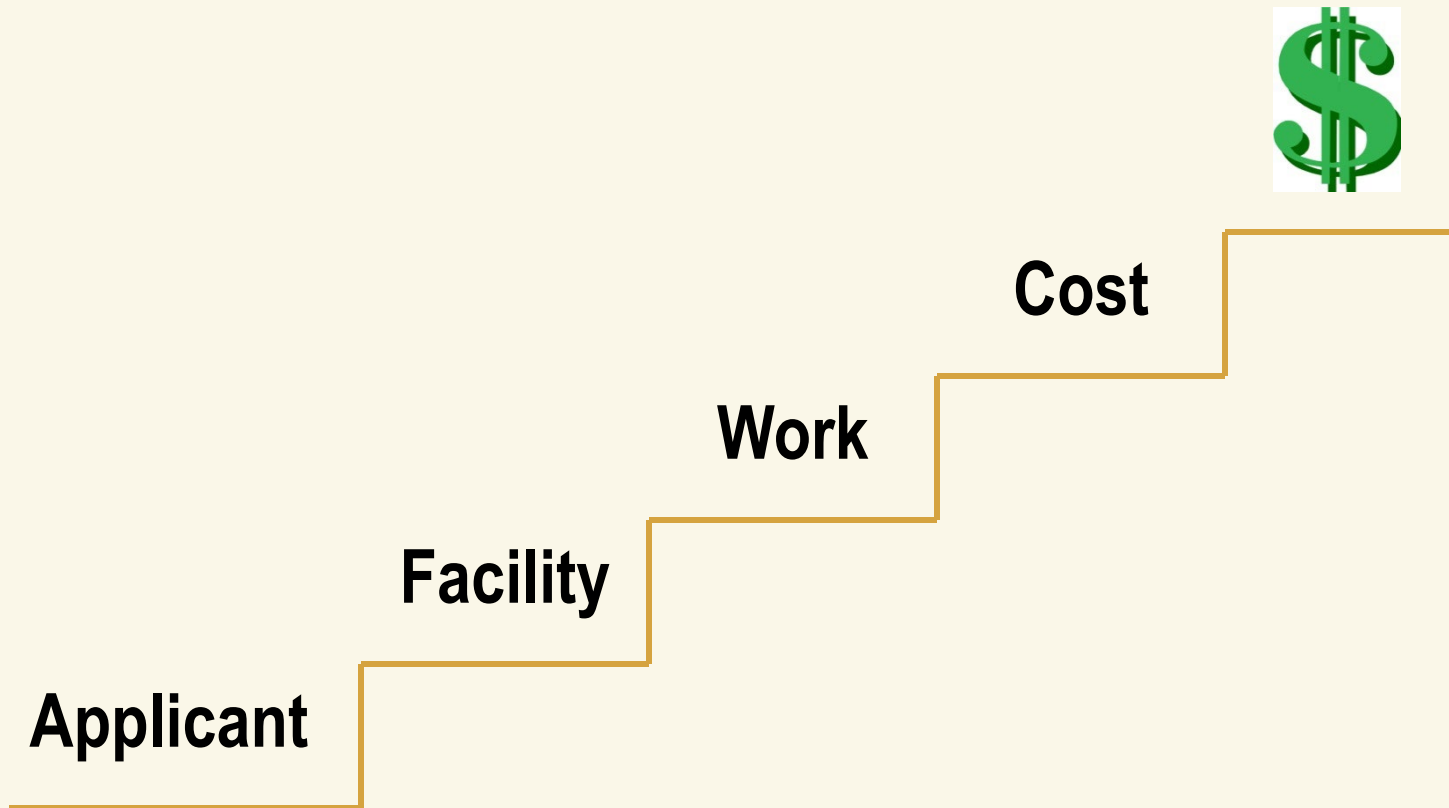


# CDAA Funding

The State shall make no allocation for any project application resulting in a State-share of less than two thousand five-hundred dollars (\$2,500), in accordance with Title 19 section 2970(e).



# Steps to Determining Eligibility



# Project Formulation

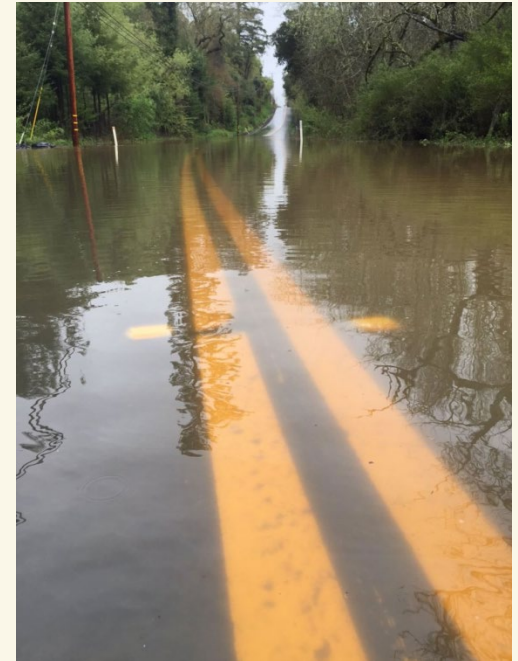
After forms are received by Cal OES:

- Kick-off Meeting (provide LOP prior to/during this meeting)
- On-Site Review of Project(s)
- Project Formulation



# Eligible Facility Criteria

- Buildings, systems, equipment, maintained natural features
- Legal responsibility of an eligible applicant
- Located in a designated disaster area
- In active use at the time of the disaster



# Categories/Types of Work

A – Debris Removal

B – Emergency Work

C – Roads and Bridges

D – Water Control Facilities

E – Buildings and Equipment

F – Utilities

G – Parks, Recreational, and Other



# Category A – Debris Removal

- Must:
  - eliminate threat to public health and safety
  - eliminate threat of significant damage to improved property
- Includes:
  - tree clearance
  - vegetative debris
  - building wreckage
  - mud/silt on public property (roads, natural streams, public rights-of-way)

\*Force Account Labor – Overtime Only

# Category A – Debris Removal

## Private Property Debris Removal

Debris Removal from Private Property shall be reimbursed only when an immediate threat to public health and safety exists and when authorized by the Director of Cal OES.

The Property Owner must:

- Remove all disaster-related debris from the property to the curb or public right-of-way
- Certify no insurance to cover debris removal
- Sign a statement giving the local agency the right of entry and absolving the local agency and the state of any liability relative to removal

# Damage Caused During Performance of Emergency Work

Typical recommendations for documentation of road damage:

- Pre-Disaster
  - Maintenance Records or Plans
  - Photos or other documentation of road condition
- Post-Disaster, but prior to recovery work (like debris removal)
  - Photos or video of proposed haul routes or heavily traversed routes
  - Other documents to establish condition of roads (Remaining useful life of the roadway, or the like)
- Post-Disaster, after recovery work has been completed
  - Photos or video showing specific damage or road degradation sites
  - Other documents to establish the current condition of the road
  - Estimated costs and methods of repair



# Category B – Emergency Work

- Includes:
  - Emergency protective measures
  - Mutual aid
  - Wide range of extraordinary measures, such as:
    - Evacuations
    - Sheltering
    - Sandbagging
    - Barricading
    - Bracing or shoring structures
    - Traffic control
    - Local Assistance Center
    - Emergency Operations Center

\*Force Account Labor – Overtime Only

# Donated Resources

(Categories A and B Only)

Unpaid services and resources provided to a local agency. The valuation will be calculated as:

- Volunteer labor valued at rates for similar work in applicant's organization or in same labor market
- Donated equipment/space at its fair rental rate
- Materials at fair market value at time of donation

# Category C – Roads & Bridges

- On-system (FHWA) roads may be ineligible
- Must conform with current codes
- Excludes routine maintenance



# Category D – Water Control Facilities

- Channels, canals, levees, and basins
- Restrictions on Flood Control Works
- Excludes USACE
- Excludes NRCS



# Category E – Buildings & Equipment

Includes:

- Structures
- Content and equipment
- Codes and standards



# Category F – Utilities

- Water treatment
- Power generation
- Communications
- Sewage treatment



# Category G – Parks, Rec & Other

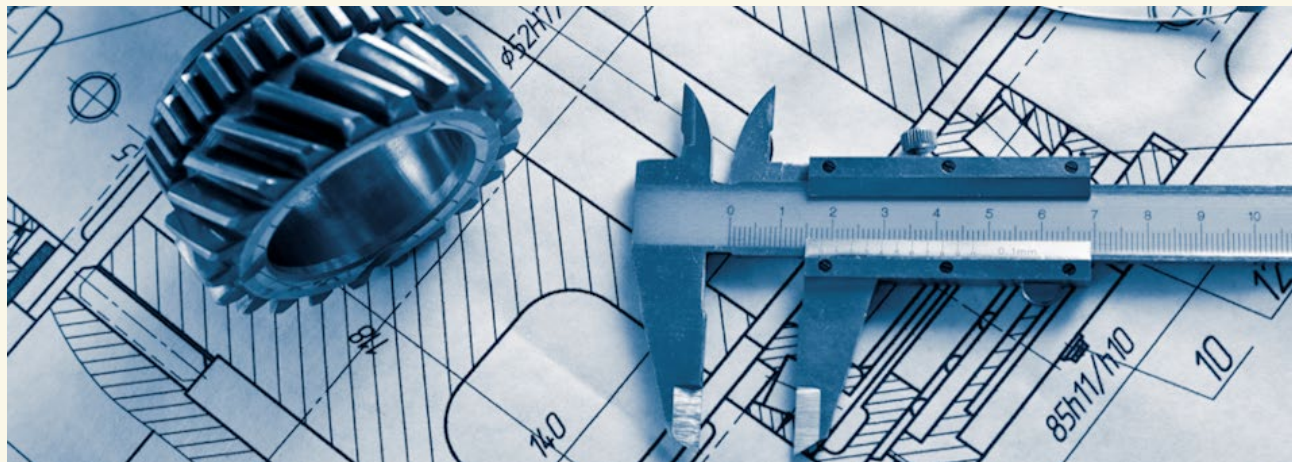
Must fall within the definition of an “*improved and maintained*” facility

- Docks and Harbors
- Public parks
- Golf courses
- Beaches
- Piers
- Airports
- Landfills



# Engineering

- Necessary to complete eligible work for construction projects
- Generally permanent work only
- Reimbursement is based on reasonable actual costs



# Codes and Standards

- Apply to the type of repair work
- Be appropriate to pre-disaster use
- Be formally adopted prior to the disaster



# Replacement or Relocation

- Subject to Director's approval
- Relocation when restoration at original location not feasible
- Betterments, increased capacity, or acquisition cost of land borne by Applicant
- Pre-disaster design and function
- Codes, standards, and specifications

# Trees, Shrubs, and/or Vegetation

- Generally, not eligible unless for engineered purpose:
  - Erosion control
  - Slope stabilization
  - Wind barriers



- Eligibility limited to minimum level necessary



# Hazard Mitigation

- Cost effective
- Substantially reduce risk of repetitive and/or future damage
- Show cause if mitigation measures not considered





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★  
Title 19 Mitigation

# CDAA Title 19 Hazard Mitigation

- Title 19 Hazard Mitigation eligibility requirements:
  - Only Category C-G permanent projects are eligible for Title 19 Hazard Mitigation measures
  - Title 19 mitigation measures are restricted to damaged infrastructure impacted by the disaster event and in conjunction with permanent work projects
  - No state hazard mitigation funding shall be applied to any emergency protective measure.

# CDAA Title 19 Hazard Mitigation

- Title 19: Public Safety
  - Documents the requirements for, and the benefits of, the CDAA program, including the utilization of hazard mitigation funding to harden infrastructure impacted by a natural hazard during the Public Assistance process
  - Hazard mitigation funding is documented in Title 19 Section 2965(c). Other Eligible Work.

# CDAA Title 19 - Hazard Mitigation

1. Eligible mitigation measures must be cost effective over the projected life of the facility for a specific facility hazard mitigation project, and substantially reduce the risk of repetitive and/or future damage, hardship, loss, or suffering resulting from a disaster or emergency.
2. Applicants with facilities subject to repetitive damage must show cause when hazard mitigation measures are not considered when repairing new disaster damage.
3. Applicants with facilities in high hazard zones... should examine hazard mitigation project possibilities when disaster repairs to these facilities are being considered.

# CDAA Title 19 - Hazard Mitigation

4. Cost effective measures are those that will not cost more than the anticipated value of the reduction in both direct damages and subsequent indirect negative impacts to the area if future disasters or emergencies occur.
  - i. Mitigation projects costing less than fifteen percent (15%) of the approved project repair, restoration, or replacement costs shall be considered cost effective.
  - ii. Mitigation projects above fifteen percent (15%) of the approved project cost may be considered cost effective if an acceptable benefit-cost analysis (BCA) has been performed.

# CDAA Title 19 Mitigation Examples

## Example 1

- Protect against erosion and scour around the discharge of a culvert. Extend the culvert discharge beyond the toe of embankment to mitigate erosion and scour. Use energy-dissipating riprap to mitigate scour.



# CDAA Hazard Mitigation Examples

## Example 2

- Install a new debris barrier or grate during the repair of a disaster impacted culvert to prevent possible debris flow blockage.



## Example 3

-Add culvert head wall and riprap to inflow to protect against erosion and scour

# CDAA Hazard Mitigation Examples

## Example 4

- Use of Gabion baskets for erosion control and stream bank replacement. Flexible, permeable, and durable.





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# **CDA A Eligibility Information**

# Statutory Timeline

TYPES OF WORK	TIME FROM DECLARATION
Emergency Work	6 Months
Permanent Work	18 Months

# Time Extensions for Extenuating Circumstances

- Time Extension Request Checklist:
  - Damage Survey Report (DSR) Number
  - Category of Work
  - Status or progress on permitting for project
  - Anticipated completion date
  - Percentage of work completed
  - Construction schedule (if a version request or environmental permitting is pending, how long would it take to complete the project assuming the desired scope of work is approved, and the permitting is complete)
  - Reason for the delay
  - Dates of previous time extensions

# Eligible Costs

- Reasonable and necessary
- Comply with standards of procurement
- Exclude credits
  - Insurance recoveries
  - Litigation recoveries
  - Other funding sources



# Eligible Costs (continued)

- Donated Resources  
(Categories A and B Only)
- Labor (Force Account)  
Categories A - B – Overtime only  
Categories C - G – Regular and Overtime
- Equipment
- Rental Equipment
- Materials
- Contract
- Engineering and Design Services



# Ineligible Costs



- Expenditures for:
  - Personal property
  - Normal or deferred maintenance
  - Betterment beyond current codes and standards or approved mitigation projects
  - Damages caused by negligence
  - Loss of revenue or income
  - Losses with legal means of recoupment
  - Legal services, fees, penalties, settlements
  - Rights-of-way, easements, land acquisition
  - Non-compliance with local, state, and federal environmental laws and regulations

# Force Account Documentation

- Who
- What
- When
- Where
- How long
- At what rate  
(including fringe benefits)





# Force Account Labor

- Work performed by applicant's employees, including temporary or paid volunteer employees
- Salaries and wages, including:
  - Actual pay
  - Shift differentials
  - Incentive pay
  - Fringe benefits



# Force Account Labor Summary Record

		<b>FORCE ACCOUNT LABOR SUMMARY RECORD</b>				 <b>Cal OES</b> <small>GOVERNOR'S OFFICE OF EMERGENCY SERVICES</small>	
<b>Applicant</b>		<b>GPS N</b>	<b>CDAА ID</b>	<b>DSR #</b>	<b>CDAА Disaster #</b>	<b>FEMA Disaster #</b>	
		GPS N					
<b>Location/Site</b>		<b>GPS W</b>	<b>FEMA ID</b>	<b>Category</b>	<b>Period Covering</b>		
		GPS W				to	
<b>Description of Work Performed:</b>							
<b>Name</b>	<b>Hours Worked Each Week</b>						
<b>Job Title</b>	<b>Week of</b>					<b>Total Hours</b>	
<b>Name</b>	<b>Reg.</b>						
<b>Job Title</b>	<b>O.T.</b>						
<b>Name</b>	<b>Reg.</b>						
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<b>This Page Force Account Labor Overtime</b>						\$ -	
<b>Other Pages Force Account Labor Regular Time</b>						\$ -	
<b>Other Pages Force Account Labor Overtime</b>						\$ -	
<b>Total Cost for Force Account Labor Regular Time</b>						\$ -	
<b>Total Cost for Force Account Labor Overtime</b>						\$ -	
<b>I CERTIFY THAT THE ABOVE INFORMATION WAS TRANSCRIBED FROM PAYROLL RECORDS, VENDOR INVOICES, OR OTHER DOCUMENTS THAT ARE AVAILABLE FOR AUDIT</b>							
Certified			Title			Date	

# Force Account Equipment

- Costs of applicant owned equipment
- Regular and overtime are eligible, standby time is not eligible
- Rate types used (State/Caltrans or Local)

## Includes:

- Cost of operation
- Insurance and depreciation
- Maintenance and fuel

# Force Account Equipment Summary Record

Applicant		GPS N	CDA A ID	DSR #	CDA A Disaster #	FEMA Disaster #						
Location/Site		GPS W	FEMA ID	Category	Period Covering							
		GPS W			to							
Description of Work Performed:												
Type of Equipment		Operator's Name	Hours Used Each Week						Costs			
Indicate size, capacity, horsepower, make, and model as appropriate	Equipment Code Number		Week of							Total Hours	Equip Rate	Total Cost
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# Force Account Materials

Costs of supplies:

- Purchased
- Taken from stock
- Used during the performance of eligible work





# Rental Equipment

Applicant must identify:

- What was done
- When
- Where
- How long
- What type of equipment was used
- Charges per project





# Contracts

- Reasonable / competitively bid
- Prevailing wage
- Comply with current procurement standards
- Not contingent on State funding
- Time and Materials Contracts should be avoided
- Payment bond required when expenditures exceed \$25,000



# Contract Work Summary Form

Applicant		GPS N	CDA A ID	DSR #	CDA A Disaster #	FEMA Disaster #
		GPS N				
Location/Site		GPS W	FEMA ID	Category	Covering	
		GPS W				to
Description of Work Performed:						
Dates Worked		Contractor	Billing/Invoice Number	Amount	Comments - Scope	
	to					
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GRAND TOTAL				\$	-	
I CERTIFY THAT THE ABOVE INFORMATION WAS TRANSCRIBED FROM PAYROLL RECORDS, VENDOR INVOICES, OR OTHER DOCUMENTS THAT ARE AVAILABLE FOR AUDIT						
Certified			Title		Date	

# CDAA Cost Summary Worksheets

The CDAA Cost Summary Worksheets shown in the previous slides are located on the Cal OES Website under the **Public Assistance Forms, Documents, and Reference Materials Page:**

[Cal OES Website – Forms Page](https://www.caloes.ca.gov/PADocs)

(<https://www.caloes.ca.gov/PADocs>)

(Expand the General Applicants' Briefing Documents section)



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# **Environmental and Historic Preservation (EHP) Compliance**

**CDAA-2023-05, 2023 February – April Storms**

# Questions?

**Patricia Nelson,**  
Environmental Officer,  
916-823-1945

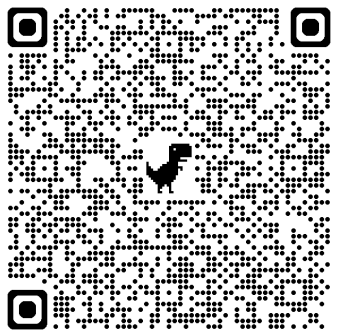
[patricia.nelson@caloes.ca.gov](mailto:patricia.nelson@caloes.ca.gov)

**Melissa Ronan,**  
CalOES EHP Liaison  
916-531-6554

[melissa.ronan@caloes.ca.gov](mailto:melissa.ronan@caloes.ca.gov)

[recoveryehp@caloes.ca.gov](mailto:recoveryehp@caloes.ca.gov)

- **Technical Resources: Environmental Directory and Fact Sheets**



[Cal OES website - Environmental-Historic Preservation webpage](https://www.caloes.ca.gov/ehp)

<https://www.caloes.ca.gov/ehp>

[Jurisdictions Map](http://tinyurl.com/ycbxth3w)

<http://tinyurl.com/ycbxth3w>



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A large, faint, light-colored silhouette of a bear is visible in the background of the slide, walking from left to right.

# CDAA Funding and Other information

# Administrative Allowance

- Applicant's cost for administering the grant
- Calculated at 10 percent of net eligible costs (State share 75 percent)
- Automatically added to obligation payment



# Payment Notification

- All funding disbursements issued on State Warrants
- State Warrants prepared and mailed by State Controller's Office
- Cal OES sends notification letter before State Warrant is issued

# Final Closeout Process

- Request filed by applicant within 60 days of completion of last project
- Site inspection by Cal OES
- Adjustment made to actual eligible costs
- Retention released
- Applicant invoiced for overpaid funds



# Project Accounting

- Segregate disaster related work from normal activities
- Actual costs and expenditures should be accumulated AS THEY OCCUR
- Keep all documentation...  
DETAILS,  
DETAILS,  
DETAILS



# Record Retention Requirement

- Keep records for three years from date of Cal OES Audit Waiver letter
- Beware of routine destruction cycles



# Fair Hearing Process (Appeal)

Two Levels:

- First Level to Cal OES Assistant Director of Recovery
- Second Level to Cal OES Director



# Other Federal Programs

Cal OES cost shares with the following:

- Natural Resources Conservation Service (NRCS), Emergency Watershed Protection Program
- Federal Highway Administration (FHWA), Emergency Relief Program



# NRCS Contact



Direct NRCS questions to:

Mr. Ernesto De La Riva  
State Conservation Engineer  
(530) 792-5680

[Ernesto.DeLaRiva@usda.gov](mailto:Ernesto.DeLaRiva@usda.gov)

# FHWA Contact

Direct FHWA ER Program questions to:

Mr. Bob Baca, PE

Emergency Relief Program Manager

Office of Federal Programs

Caltrans Division of Local Assistance

(279) 599-3199

[Bob.Baca@dot.ca.gov](mailto:Bob.Baca@dot.ca.gov)



# Questions

**CALIFORNIA GOVERNOR'S OFFICE OF  
EMERGENCY SERVICES RECOVERY TEAM**

**(916) 845-8200**

**[DisasterRecovery@caloes.ca.gov](mailto:DisasterRecovery@caloes.ca.gov)**

**ROBERT LARSEN, State Public Assistance Officer**

**(916) 600-3126**

**[Robert.Larsen@caloes.ca.gov](mailto:Robert.Larsen@caloes.ca.gov)**

# CDAA Application Required Forms

**Applications are due by: August 8, 2024**

- Project Application Form (OES-PA-126)
- List of Projects (LOP) Form (OES-PA-95)
- Designation of Authorized Agent Form (OES-FPD-130)

Download fillable forms: <https://www.caloes.ca.gov/PADocs>





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# Federal Hazard Mitigation Assistance Overview

# Contact HMA



General Inquiries

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[HMA@caloes.ca.gov](mailto:HMA@caloes.ca.gov)



Grant Information  
& Timelines

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[www.caloes.ca.gov/hmgrp](http://www.caloes.ca.gov/hmgrp)

# Thank You

