

## **CDBG-DR BUYOUT PROGRAM GLOSSARY**

### **Acquisition of property and Structure Demolition**

The acquisition of an existing at-risk structure and, typically, the underlying land, and conversion of the land to open space through the demolition of the structure. The property must be deed-restricted in perpetuity to open space uses to restore and/or conserve the natural floodplain functions.

### **Administration Costs**

Any indirect costs, administrative expenses, and any other expenses not directly chargeable to a specific project that are reasonably incurred by a Grantee or sub-grantee in administering and managing a grant or sub-grant award. It must be a project line item and detailed in text. PEMA's administrative costs may not exceed \$115,000. All costs incurred by subrecipient are considered project delivery costs and therefore local governments do not receive any funding to cover administration costs.

### **Applicant**

A state agency, local government, or eligible private nonprofit organization, Native American tribe, or authorized tribal organization submitting an application to the Governor's Authorized Representative (GAR) for assistance under the PA CDBG-DR Buyout Program. An applicant becomes a subrecipient upon receipt of financial assistance.

### **Application**

The initial request for Section 404 funding as outlined in 44 CFR 206.436.

### **Building**

A structure with two or more outside rigid walls and a fully secured roof that is affixed to a permanent site; a manufactured home or a travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. "Building" does not mean a gas or liquid storage tank or a recreational vehicle, park trailer, or other similar vehicle.

### **Clean-site certification**

A certification from the appropriate government agency indicating that a site which was subject to a remedial, removal, response or corrective action under Federal or State law is clean from hazardous materials.

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

Funding provided to states and local jurisdictions by the U.S. Department of Housing and Urban Development to assist with recovery from Presidentially-declared disasters; the use of which is governed by the Housing and Community Development Act of 1974 and waivers and alternative requirements published in the Federal Register for each disaster.

### **Construction Date**

Date the home was constructed. Use the date the original structure was built. Date additions/out buildings separately.

### **Declaration**

Announcement of a Presidential determination that a natural catastrophe or other occasion or instance has occurred which requires federal assistance to supplement commonwealth and local efforts and resources to alleviate the damage, loss, hardship, or suffering caused thereby.

### **Disaster Recovery Grant Reporting System (DRGR)**

HUD system used by CDBG-DR grantees to drawdown funds and report program income. In addition, each grantee is required to submit an Action Plan in DRGR describing the process that will be used to determine the areas of greatest need; the distribution and eligible uses of funds; a program budget; and

the expected outcomes and benefits to low-, moderate-, and middle- income families. Once an Action Plan is approved and the program launched, grantees begin submitting Quarterly Performance Reports (QPRs), which contain information about the uses of funds, activity types, demographics of households benefitted, budgets and locations of activities. QPRs are submitted via DRGR, and the data can then be used by HUD staff to review funded activities, prepare reports to Congress and other interested parties, and monitor program compliance.

### **Duplication of Benefits**

The use of federal disaster-related funds when assistance from another source has been or will be received, or is reasonably available for the same purpose resulting in an amount that exceeds the total need for that purpose. Further guidance clarifying duplication of benefits is contained in FR-5582-N-01, November 16, 2011. Funds not under the control of the property owner are excluded from duplication of benefit calculations.

### **Dwelling**

A building designed for use as a residence for no more than four families or a single-family unit in building under a condominium form of ownership.

### **Easement**

A non-possessing interest held by an entity such as a unit of local government, state, county or utility in the land of another whereby the entity is accorded partial use of such land for a specific purpose. An easement restricts but does not abridge the rights of the fee owner to the use and enjoyment of the land. Easements may be given for surface rights, subsurface rights or overhead rights. For example, the unit of local government may use an easement to obtain rights to construct a storm drain through someone's property. The easement would give the entity the right to perform maintenance of the facility and would restrict the property owner from placing structures over the facility. The easement would allow the owner to continue to plant grass or otherwise use the property, while saving the unit of local government the costs of having to outright purchase the property.

### **Elevation**

One of the most common mitigation methods is to elevate a flood-prone structure so that the first floor elevation is above a desired design flood elevation (DFE). When the property falls within a FEMA-designated Special Flood Hazard Area, the DFE is commonly established by the Base Flood Elevation (BFE), which is determined from the FEMA Flood Insurance Study. The DFE will always be the BFE or higher. Additional height above the BFE is known as freeboard. The goal of these projects is to elevate all living or occupied space above the level of all but the most severe flood events. This can be accomplished by a number of methods, including elevating the entire structure on the existing foundation, constructing a new structural foundation, or abandoning living space below the DFE and replacing it with new construction at a higher elevation. Although many of these methods can vary significantly in approach, the general information required for a complete grant application is fairly similar.

### **Emergency**

Any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

### **Facility**

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.

### **Flood**

Any time two or more normally dry residential or commercial lots are inundated by water.

### **Flood Insurance Rate Map (FIRM)**

A FIRM is a FEMA map that shows areas that have the highest probability for flooding and shows designated Flood Zones and special Flood Hazard Areas. These maps are used to determine if flood

insurance is required and what its cost will be to the buyer. Flood risk information presented on FIRMs is based on historic, meteorological, hydrologic, and hydraulic data, as well as open-space conditions, flood control works, and development. To prepare FIRMs that illustrate the extent of flood hazard in a flood prone community, FEMA conducts engineering studies referred to as Flood Insurance Studies (FISs). Using information gathered in these studies, FEMA engineers and cartographers delineate Special Flood Hazard Areas (SFHAs) on FIRMs. SFHAs are those areas subject to inundation by a flood that has a 1-percent or greater chance of being equaled or exceeded during any given year. This type of flood is referred to as a base flood. A base flood has a 26-percent chance of occurring during a 30-year period ... the length of many mortgages. The base flood is a regulatory standard used by Federal agencies, and most states, to administer floodplain management programs, and is also used by the National Flood Insurance Program (NFIP) as the basis for insurance requirements nationwide. More detailed information about FIRMs can be found at [www.fema.gov/hazard/map/firm.shtm](http://www.fema.gov/hazard/map/firm.shtm) or order maps at 1-877-FEMA MAP.

### **Floodplain**

Any land area that FEMA has determined has at least a 1-percent chance in any given year of being inundated by floodwaters from any source.

### **Floodplain Administrator (FPA)**

Local community officials charged with enforcing NFIP regulations that regulate development in the floodplain.

### **Floodplain Management**

In order for a community to offer flood insurance through the NFIP, the community is required to enforce certain minimum regulations on development in the floodplain. This management of the floodplain is done to ensure that flooding problems do not increase and to work towards the reduction in the risk of flooding. This work is performed by the local communities' Floodplain Administrator. Floodplain management consists of an overall program of corrective and preventive measures for reducing flood damage, through such measures as emergency preparedness plans, flood control works, and floodplain management regulations.

### **Floodway**

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities regulate development in these floodways to ensure that there are no increases in upstream flood elevations. These lands have the strictest regulations on them because they must be reserved in order to pass the 100-year flood without cumulatively increasing the water surface elevation more than one foot, because it is the area that is needed to move the 1% flood downstream and out of the homes or businesses that it may have flooded. The floodway also includes all land necessary to convey a ten-year flood without structural improvements. Private development may not encroach into floodway limits without construction of a FEMA approved flood control facility that is to be maintained by a public agency and without first obtaining a Conditional Letter of Map Revision (CLOMR).

### **Flood Insurance Studies (FIS)**

A study done by engineers to determine the level of risk citizens in a certain area have with respect to the dangers of flooding. The end result of a FIS is flood insurance rate maps that are used to determine the cost and requirements for the purchase of flood insurance. Flood hazard areas are determined using statistical analyses of records of river-flow, storm tides, and rainfall; information obtained through consultation with the community; floodplain topographic surveys; and hydrologic and hydraulic analyses. The FIS covers those areas subject to flooding from rivers and streams, along coastal areas and lake shores, or shallow flooding areas. Actual copies of FISs can be ordered from FEMA's Map Services Center. The results of the Flood Insurance Study that define flood risk areas for each community are available in a technical document that provides information used for floodplain management. This is known as the Flood Insurance Study Report. Regulatory floodways and other floodplain management information may be shown on a separate flood map known as a Flood Boundary and Floodway Map (FBFM). If the FBFM for the FIS is available, it is distributed with the Flood Insurance Study report.

**Force Account**

A local government's own labor forces and equipment.

**Grant**

An award of financial assistance which can be to an individual beneficiary (homeowner, tenant, business owner) or to a local municipality or non-profit to address disaster damage and support recovery efforts. HUD CDBG-DR funds may also be used as the "local or state match" for other federal funds from FEMA, Federal Highway Administration (FHWA), Environment Protection Agency (EPA), etc.

**Governor's Authorized Representative**

The person empowered by the Governor of the Commonwealth of PA to execute on behalf of the Commonwealth of PA all necessary documents for disaster assistance.

**Hazard Mitigation**

Any action taken to reduce or eliminate the long-term risk to human life and property from natural or technological hazards.

**HUD – Commonwealth Grant Agreement**

A formal legal document between HUD and the Commonwealth of PA stating the understandings, commitments, and binding conditions for assistance applicable as the result of the major disaster or emergency declared by the President.

**Improved Property**

A structure, facility, or item of equipment which was built, constructed, or manufactured. Land used for agricultural purposes is not improved property.

**Increased Cost of Compliance (ICC)**

ICC coverage provides payment to help cover the cost of mitigation activities that will reduce the risk of future flood damage to a building. When a building covered by a Standard Flood Insurance Policy suffers a flood loss and is declared to be substantially or repetitively damaged, ICC will pay up to \$30,000 to bring the building into compliance with state or community floodplain management laws or ordinances. Usually this means elevating or relocating the building so that it is above the BFE. Non-residential structures may also be flood-proofed. ICC coverage applies solely to buildings and only covers the cost of the compliance measures undertaken.

**Independent Cost Estimate (ICE)**

Required by 2 CFR Part 200 prior to procuring goods and services, including construction/demolition services. It is a cost estimate secured in advance of the bid to provide a benchmark for assessing the cost-reasonableness of bids. It can be produced by a municipal engineer, third party contractor (not participating in bid process) or generally accepted software (e.g. RS Means).

**Letter of Intent (LOI)/Preapplication**

A standard form, combining the statement (CDBFG-DR Form 0) of an applicant's interest in participating in the CDBG-DR program. Form 0 is used to initially screen potential projects for eligibility under the CDBG-DR Buyout Program. (Note: References to applicable forms can be found in each section, and a complete set of required forms can be found in the Appendix to this document.)

**Local Unit of Government**

Any county, city, borough, township, or other political subdivision within the Commonwealth of Pennsylvania.

**Major Disaster**

Any natural catastrophe (hurricane, tornado, storm high water, wind driven water, tidal wave, tsunami, seiche, earthquake, volcanic eruption, landslide, mudslide, snowstorm, fire, or drought) or, regardless of cause, any fire, flood, or explosion in any part of the United States which, in the determination of the

President, causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused by the disaster.

### **Manufactured (Mobile) Home**

A structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities.

### **Match Funds**

Funds provided to a State or local government through a Federal grant where the authorizing statute for that grant explicitly allows the funds to be used as cost share for other Federal grants.

### **Measure**

Any mitigation measure, project, or action proposed to reduce the risk of future damage, hardship, loss, or suffering from disasters. The term “measure” is used interchangeably with the term “project” in this plan.

### **NEPA – National Environmental Policy Act (PL 91-190)**

The National Environmental Policy Act (NEPA) was passed by Congress in 1970 and established a national policy for the protection and maintenance of the environment by providing a process which all federal agencies must follow. Congress recognized the profound impact that federal actions of the preceding decades were having, and saw the need to declare a federal policy through this act to allow the federal government to maintain and create conditions under which man and nature could exist in productive harmony.

### **National Flood Insurance Program (NFIP)**

The program of flood insurance coverage and floodplain management administered under the National Flood Insurance Act of 1968, as amended, to include Biggert-Waters Flood Insurance Reform Act of 2012, the Flood Disaster Protection Act of 1973 and applicable federal regulations promulgated in Title 44 of the Code of Federal Regulations, Subchapter B.

### **Natural Disaster**

Any natural catastrophe, including hurricane, tornado, storm high water, wind-driven water, tidal wave, tsunami, seiche, earthquake, volcanic eruption, landslide, mudslide, snowstorm, fire, or drought.

### **Non-Federal Funds**

Financial resources provided by sources other than the Federal Government.

### **Non-Residential Structure**

Includes, but is not limited to: small business concerns, places of worship, schools, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, hotels and motels with normal room rentals for less than 6 months' duration, and nursing homes.

### **Open Space**

The acquired property in an acquisition project which is maintained for a use that is compatible with open space, recreational or wetlands management practices in perpetuity in order to restore and/or conserve the natural floodplain functions. Because Federal law requires properties acquired with CDBG-DR funds to be maintained as open space in perpetuity and are deed restricted, subrecipients are responsible for oversight in ensuring and enforcing proper land use, and for coordinating with DCED and HUD on any future land use or property disposition issues.

### **Open Space Maintenance Agreement Certification**

Forms signed by the local government pursuant to which the local government accepts responsibility for all future maintenance of the deed restricted open space and agrees to maintain the acquired property as open space and to report the property status every three years to PEMA as required by Federal law.

**Open Space Requirement**

The requirement that property acquired for demolition, or property from which a structure is relocated must be dedicated to and maintained as open space in perpetuity.

**Period of Performance (POP)**

The period of time during which the subrecipient and PEMA is expected to complete the grant activities and to incur and expend approved funds.

**Post-Disaster Code Enforcement**

Projects designed to support the post-disaster rebuilding effort by ensuring that sufficient expertise is on hand to ensure appropriate codes and standards, including NFIP local ordinance requirements, are utilized and enforced.

**Pre-Flood Market Value**

The value of the structure the day before the flood, as appraised by a state certified appraiser.

**Private Nonprofit Facility**

Any private nonprofit educational, utility, emergency, medical/custodial care facility, including a facility for the aged or disabled, any other facility providing essential governmental type services to the general public, and such facilities on Indian reservations. [See Section 105 of the Housing and Community Development Act of 1974].

**Private Nonprofit Organization**

Any non-governmental agency or entity that currently has:

1. An effective ruling letter from the United States Internal Revenue Service, granting tax exemption under section 501(c), (d) or (e) of the Internal Revenue Code of 1954; or,
2. Satisfactory evidence from the state that the non-revenue producing organization or entity is a nonprofit organization doing business under state law.

**Project**

The same as “measure” for the purposes of this plan and used interchangeably with it.

**Project Status Database**

A consolidated electronic database containing key information regarding CDBG-DR applications.

**Public Facility**

Any of the following facilities owned or operated by the commonwealth or local government: any flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, watershed development, or airport facility; any non-federal street, road, or highway; any other public building, structure, or system, including those used for educational, recreational, or cultural purposes; any park.

**Recipient**

The government to which a grant is awarded and which is accountable for use of the funds provided. The recipient is the entire legal entity even if only a particular component of the entity is designated in the grant award document. For purposes of this manual, the commonwealth is the recipient.

**Retrofitting of Existing Buildings**

Modifications to the structural elements of a building to reduce or eliminate the risk of future damage and to protect inhabitants. The structural elements of a building that are essential to protect in order to prevent

damage include foundations, load-bearing walls, beams, columns, structural floors and roofs, and the connections between these elements.

### **Riverine Flooding**

Flooding that is the result of creeks and bayous leaving their banks as a result of a heavy rainfall. This is the flooding that is mapped on the Flood Insurance Rate Maps.

### **Runoff**

Run off is the surface water from rainfall not absorbed by the ground that flows in to the local drainage system, and ultimately, streams. The amount of runoff generated is generally a function of the amount of rainfall, the permeability of the soils, ground cover and the amount of land development. Many other factors can also influence the amount of runoff including the size of the watershed, the sequence of storms within the watershed (are soils already saturated from previous rainfall?), evapo-transpiration, and terrain type.

### **Special Flood Hazard Area (SFHA)**

A darkly shaded area on a FIRM or Flood Hazard Boundary Map (FHBM). The SFHA is defined as the land in the floodplain within a community subject to a 1-percent or greater chance of flooding in any given year. An area having special flood, mudflow, or flood-related erosion hazards, and shown on a Flood Hazard Boundary Map or a FIRM as Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE, or V.

### **Specifications and Contract Document**

The document prepared by the Project Engineer in the Design Engineering Section which includes a complete description of the hazardous materials remediation, demolition, site clearance, and site reclamation, including contractual obligations of the unit of local government and Contractor as well as the estimated time, costs, and methods and materials to be used, and contains the general provisions, the special provisions, the detailed specifications and any drawings (plans) relevant to the demolition and site reclamation project. The document must also include an Independent Cost Estimate (ICE) of the specified project. This document (without ICE) is used by contractors interested in bidding on the project to determine their probable cost of demolition, by the inspectors to police and control the project and by the surveyors to place the survey control needed to complete site reclamation.

### **Standards**

Codes, specifications, or standards for the construction of facilities, to include legal requirements for additional features. Such standards may be different for new construction and repair work.

### **Structure Location Map**

A legible (a copy on which all landmarks can be easily distinguished) FIRM map which identifies and locates all structure(s) as accurately as possible.

### **Sub-Grant**

An award of financial assistance under a grant by a grantee to an eligible sub-grantee.

### **Subrecipient**

The government or other legal entity to which a sub-grant is awarded and which is accountable to the recipient for the use of the funds provided. Subrecipients can be a commonwealth agency, local government, private nonprofit organization, or Native American Tribe. An applicant becomes a subrecipient upon receipt of financial assistance.

### **Substantial Damage**

"Substantial damage" means damage of any origin (i.e., water, floating debris, fire resulting from a flood, etc.) sustained by a structure from the specific event (i.e., flooding) when the cost of restoring the building to its pre-event condition would equal or exceed 50 percent of the market value of the building (not

including the value of the land) before the damage occurred. Substantial damage is determined regardless of the actual repair work performed.

Residential Damage Calculation Form the form used by the municipality (not the homeowner) to calculate the damage to a structure as a result of the specific event (i.e. flooding). A municipal officer or qualified person contracted by the municipality should sign the "Residential Damage Calculation Form"

### **Title Search**

A search of public records to determine the condition of title to real property.

### **Type of Structure**

Accurate description of the major component used in the construction of the structure. Exterior materials may be wood (may be covered with aluminum siding but is still considered wood) or masonry (usually brick or cement block). Other materials may also be utilized but must be accurately described. Number of Stories describes the number of ABOVE GROUND stories of the structure. If the home is a one story, two story, three story, split level or tri-level home, please note the style of construction. Finally, is there a basement (Yes or No), and is the basement a finished basement (i.e. living area, game room, etc.), or just a storage and utilities area.

### **Watershed**

(1) An area that, because of topographic slope, contributes water to a specified surface water drainage system, such as a stream or river. (2) All lands enclosed by a continuous hydrologic drainage divide and lying upslope from a specified point on a stream; a region or area bounded peripherally by a water parting and draining ultimately to a particular water course or body of water.

### **Wetlands**

Wetlands are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (U.S. ACE 1987). Wetlands generally include (1) swamps, marshes, bogs, and similar areas; (2) lands that are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface of the land and is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following attributes: (1) at least periodically, the land predominantly supports hydrophytes (plants dependent on saturated soils or a water medium); (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.