

Flood Damage Repair Reimbursement Tips for Township Roads and Bridges

by Kelly Bengtson, Bridge and Pavement Engineer
ND Local Technical Assistance Program
NDSU Upper Great Plains Transportation Institute



Example of a road that was completely submerged in water for an extended time. Debris needs to be cleaned up and re-graveled. (credit: North Dakota Department of Emergency Services)

Once again, many county and township roads were under water as a result of this spring's runoff event. The large volumes of snow from the past winter finally melted in late March and early April and filled up drainage areas that were already saturated from the extremely wet fall of 2019.

Financial relief for roadway damage due to flooding may be available if it falls within a disaster declaration. Generally, the higher-volume county roads and bridges are covered by Emergency Relief (ER) and the lower volume county and the township roads are covered by the Federal Emergency Management Agency (FEMA).

The NDDOT is the contact for Federal Aid roads (FA), and more information can be found in the NDDOT ER Manual https://www.dot.nd.gov/divisions/localgov/docs/d_dir/ER-Manual.pdf. The Federal Aid site threshold is \$5,000 per site.

FEMA provides assistance for all other local roads. The information below provides an overview of the FEMA process.

Recently, Emmons and Dickey counties were added to the fall 2019 Presidential disaster declaration. Those counties joined Barnes, Eddy, Foster, Grand Forks, Griggs, Kidder, LaMoure, Logan, Mountrail, Nelson, Sargent, Sheridan, Stutsman, Traill, Walsh and Wells counties in FEMA disaster DR4475. At this time, 16 counties have reported impacts from the spring 2020 flood event. However, a Presidential disaster designation for those impacts has not been declared. It appears that chances are good that a declaration will be issued for this most recent event which resulted in water levels higher than those experienced last year in many parts of the state.

Being approved as an applicant and then signing up officially for the disaster and reimbursement of costs, are just the first steps. According to Jerry Miller, who is with the North Dakota Emergency Services Department, "You should check with your COUNTY EMERGENCY SERVICES OFFICE before you begin any work to be sure your township is on the eligible list of applicants. They will bring you up to date with any changes requiring documentation on the event. Costs are typically reimbursed at a rate of 75% federal, 10% state and 15% local."

There are three primary categories that townships can use to recover costs from flooding:

- A – for debris removal,
- B – for emergency work (barricading or closing roads), and
- C – for road or bridge damages.

Four additional categories include:

- D – water control facilities (legal drainage ditches),
- E – Public Buildings/Equipment,
- F – Utilities, and
- G – Parks and recreational facilities.



Example of a Category C claim with road embankment washed out completely but culvert may be salvaged. (credit: North Dakota Department of Emergency Services)

In North Dakota, townships are a sub-applicant under their county for a disaster application. Under the fall 2019 flood event, the minimum damage amount for eligibility in a flood category is \$3,300. However, because townships are sub-applicants, their sites can be combined to meet or exceed this amount,

According to the ND Department of Emergency Services (<https://www.des.nd.gov/>) in Bismarck, FEMA (<https://www.fema.gov/disaster/4475>) was administering a pilot program that allowed reimbursement for township or county employees to clear debris on regular (non-overtime) time. However, unless that program is extended, debris cleanup by local governments will only be reimbursed for employees working overtime.

All debris should be stockpiled in the road right of way, **OUTSIDE OF THE FLOODPLAIN**, measured by the cubic yard, and have longitude/latitude for the beginning and ending points of the segment the debris was collected from. Be aware that cell phone apps for GPS coordinates may be based on cell tower locations and not on satellite mapping locations. The ND Department of Emergency Services & FEMA wants satellite mapping locations. Before stockpiling, collecting and burning the piles, take digital pictures (with your phone or camera) of the debris before, during, and after, and document the location with a site number and a map. A burning permit must be obtained before piles are burned and the remaining unburned piles should be hauled to an approved landfill or stored offsite on township or county property.



Typical stockpile of flood debris consisting of crop residue and tree branches.
(credit: Kittson County Highway Department)

Once all your debris documentation and costs are summarized, submit this information to your county to start the reimbursement process for category A. Make sure you have your GPS coordinates, pictures and a map of the piles! Debris typically consists of crop residue, vegetation and trees. Hazardous material including propane tanks, chemical containers, fuel tanks, etc. should be reported and separated as soon as possible.

After the debris is cleared. Roads and bridges should be thoroughly inspected for damages from flooding. High water usually results in high current or velocity which can cause scouring around bridge abutments and pilings. These strong currents can also wash out and collapse culverts and road

embankments. These damages fall under category C. Again, the minimum damage for eligibility is \$3,300, but sites can be combined to meet this threshold within the township boundaries or with other townships within the county. Repairs shall be only to return the road, bridge or culvert to pre-disaster conditions. This means that the repair work shall not include a wider road, thicker gravel surfacing or a larger culvert that was in service before this flood event. Any improvements must first be approved by FEMA under a 404 or 406 mitigation proposal. Do not begin any repairs until you have taken pictures of the damage, collected GPS coordinates and documented the damage with a description. Develop a map with all of your damage sites and bring it to your county office. Each site should be numbered and pictures of each site should be coordinated with the site number.

Your township should also have a written policy on procurement for purchasing materials and hiring contractors to insure there is a competitive process assure taxpayers have the lowest-cost opportunity to have the infrastructure repaired. And finally, only roads that are graded above natural ground elevations are eligible for repair reimbursement. Be careful with culvert damages and replacements; make sure the work is eligible and that you have the proper permits before you start any repairs.



Example of gravel surfacing washed away, take pictures for site documentation before grass grows through it.
(credit: North Dakota Department of Emergency Services)

Repairs can be done on a work-completed basis or a work-to-be-completed basis. Work completed costs and documents can be submitted to the county which, in turn, will submit these costs to the state for approval and reimbursement. Costs must be itemized to include material costs, labor, and equipment. A list of equipment used should also be provided. Work to be completed is an estimated cost for a site or combined sites which encumbers funding for this work. The funds are then paid out after the work is completed, reviewed, and approved. A complete review of the DR 4475 Applicant Briefing Packet Guide is available by scrolling down to it at this link: <http://grants.des.nd.gov/site/PA.cfm>

I hope this helps you understand the process. Good luck and feel free to call me 701-866-3840 or reach out via email at Kelly.bengtson@ndsu.edu if you have any questions. I would be glad to help!

