

FIRE MANAGEMENT ASSISTANCE GRANT PROGRAM

Final Rule

General

- The Fire Management Assistance Grant Program (FMAGP) is authorized under Section 420 of the Stafford Act, as amended by the Disaster Mitigation Act of 2000
- FMAGP allows for the “mitigation, management, and control” of fires burning on publicly or privately owned forest or grasslands which threaten such destruction as would constitute a major disaster
- FMAGP allows for the provision of assistance under Section 403, Essential Assistance of the Stafford Act (also considered to be Public Assistance Category B (Emergency Work))
- FMAGP allows State, Indian tribal, and local entities to apply to the Grantee for subgrants

Declaration Process

Declarations operate on a 24-hour real-time basis and are frequently conducted over the telephone and with written follow-up. The declarations process is as follows:

- Governor submits State request for a fire management assistance declaration to the Regional Director while the fire is burning uncontrolled;
- Regional Director gathers State’s information, calls upon the Principal Advisor for an assessment, and develops a Regional summary and recommendation to be forwarded to the Assistant Director, or designee;
- Assistant Director, or designee, approves or denies State’s request based on the following:
 - The conditions that existed at the time of State’s request;
 - Whether or not the fire or fire complex threatens such destruction as would constitute a major disaster.
- The final rule provides four criteria for the Assistant Director, or designee, to evaluate the threat posed by a fire or fire complex:
 - Threat to lives and improved property, including threats to critical facilities/infrastructure, and critical watershed areas;
 - Availability of State and local firefighting resources;
 - High fire danger conditions, as indicated by nationally accepted indices such as the National Fire Danger Ratings System;
 - Potential major economic impact.
- After rendering a determination, the Assistant Director, or designee notifies the Regional Director, who in turn notifies the State.

A State may appeal the denial of a request for declaration. This type of appeal is a one-time request for reconsideration. The Assistant Director will render the determination on the appeal, and any time extensions requested by the State to submit its appeal.

Eligibility

Eligible costs include:

- Costs for equipment and supplies (less insurance proceeds);
- Costs for emergency work (evacuations and sheltering, police barricading and traffic control);
- Costs for State emergency operations center (when used as a Unified Command Center);
- Costs for the pre-positioning of Federal, out-of State, and international resources for up to 21 days;
- Cost of personal comfort and safety items for firefighter health and safety;
- Costs for field camps and meals in lieu of per diem;
- Costs for mobilization and demobilization costs;
- Costs for the temporary repair of damage cause by firefighting activities;
- Costs for the mitigation, management, and control of declared fires burning on co-mingled Federal land, when such costs are not reimbursable by another Federal agency.

A State may also appeal any FEMA determination made on eligibility. This type of appeal is a two-level process. The Regional Director will render the determination on the first level appeal. The Assistant Director will render the determination on the second level appeal. The Assistant Director's determination will be the final administrative decision for FEMA.

Grants Management

Fire Cost Threshold

- Before we approve an initial grant award to the State under a FMAGP declaration, the State's grant application (SF 424) must demonstrate that total eligible costs for the declared fire meet or exceed either the individual fire cost threshold, which is applied to each and every fire, or the cumulative fire cost threshold, which recognizes numerous smaller fires burning throughout a State.
 - The individual fire cost threshold for a State is the greater of:
 - \$100,000, or
 - Five percent x \$1.07 x the State population
 - The cumulative fire cost threshold for a State is the greater of the following:
 - \$500,000; or
 - Three times the five percent x \$1.07 x the State population
- Under the cumulative fire cost threshold, assistance will only be provided for the declared fire responsible for meeting or exceeding the cumulative fire cost threshold and any future declared fires for that calendar year.

Cost Share

- 75 percent Federal cost share to be applied to all fire management assistance grants