

Congress of the United States

Washington, DC 20515

October 4, 2024

President Joe Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

In the wake of Hurricane Helene, we write to urge you to direct federal agencies to expedite state-requested resources and actions and to implement precedented emergency policy flexibilities to facilitate a seamless federal response. Specifically, we urge you to direct federal agencies to act on the following items:

Federal Emergency Management Agency (FEMA):

- Temporary Housing Assistance

On September 29, 2024, the Florida Division of Emergency Management (FDEM) requested FEMA to authorize Emergency Non-Congregate Sheltering, including in the form of Recreational Vehicles (RVs) and travel trailers in accordance with FEMA Policy 104-009-18, as well as in the form of Direct Housing Assistance in Individual Assistance-designated counties. On October 1, 2024, FDEM requested FEMA to authorize Transitional Sheltering Assistance (TSA) for survivors of Hurricane Helene, including to modify FEMA Policy 104-21-0008 to add Friends and Family and Damaged Dwelling categories to the list of eligible survivor locations for TSA. We urge you to approve these requests as quickly as possible.

Further, with respect to the swift delivery and deployment of FEMA temporary housing resources in impacted communities, we urge you to direct FEMA to authorize the use of travel trailers and manufactured homes in Special Flood Hazard Areas to ensure that housing unit recipients are able to stay on their properties while they rebuild permanent structures. Due to the nature of Florida's low elevation, FEMA's regulatory requirements with regard to temporary housing in flood zones significantly restricts federal housing assistance in the state. Enabling disaster survivors to remain on their properties following a disaster is crucial to the recovery process, as doing so reduces the need for survivors to commute from a remote location for the purposes of rebuilding and looking after their properties and affairs. There is a precedent for FEMA allowing this policy flexibility. Following Hurricane Ian, the provision of temporary housing resources was severely delayed due to FEMA regulations that prevented the placement of manufactured housing units and travel trailers in these flood zones. However, FEMA

ultimately authorized this flexibility following months of delays in temporary housing assistance.¹

- Issue Storm-Specific Guidance for Debris Removal, Demolition, and Disposal

In the wake of Major Disasters, FEMA may waive program requirements with respect to prior approval for debris removal, demolition, and waste disposal, and issue disaster-specific guidance to inform local communities on how they can remain in compliance with regulations and law while accounting for policy waivers in order to remain eligible for reimbursement. We have heard from local governments, in designated counties, that the issuance of storm-specific guidance for Hurricane Helene debris removal, demolition, and waste disposal would enable them to confidently remove hazardous debris in an expedited manner without having to risk failing to comply with regulation or law. We urge you to direct FEMA to issue storm-specific guidance for Hurricane Helene as quickly as possible.

- Ensure Sand Removal, Screening, and Placement is Eligible for Category A Debris Removal Public Assistance Reimbursement

Hurricane Helene washed tons of sand into the streets and rights-of-way of municipalities in designated counties along the Gulf Coast of Florida, impeding public transportation and evacuation routes. Sand is an irreplaceable material for Florida's outdoor economy, and composes the dunes and shorelines that protect infrastructure from storm surge, erosion and tidal flooding. The collection and removal of sand from streets and rights-of-way, screening of sand to remove debris, and placement of screened sand along shorelines is time-intensive and may be too costly for non-federal entities to expense themselves. We request you ensure the removal of sand debris, screening of sand for debris, and placement of sand on productive shorelines are eligible activities for FEMA reimbursement under Category A Public Assistance, just as it was following Hurricane Ian.

U.S. Army Corps of Engineers (USACE):

- Emergency Permitting Procedures

U.S. Army Corps of Engineers regulations allow the authorization of emergency permitting procedures to expedite emergency work and repair in emergency situations that may result in hazards to life, loss of property, or economic hardship.² The severe impacts of Hurricane Helene pose such hazards, as navigation channels along the Gulf Coast of Florida have been impeded by debris from damaged and destroyed structures and infrastructure. These channels must be cleared of hazards to promote safe navigation, and to enable recovery in remote coastal areas that require maritime access. Further, terrestrial infrastructure, including shoreline infrastructure, may require expedited permitting procedures to prevent economic hardship and hazards to public safety from possible future severe weather.

¹ <https://www.fema.gov/press-release/20230112/fema-announces-special-consideration-temporary-housing-units-special-flood>

² <https://www.ecfr.gov/current/title-33/chapter-II/part-325/section-325.2>

- Issue Flood Control and Coastal Emergencies (FCCE) Shoreline Easement Policy Memorandum

The failed Army Corps of Engineers policy implementation of Section 103 of the Water Resources Development Act (WRDA) 1986 (33 U.S.C. 2213) has caused many hurricane risk reduction projects in Florida, including several in Hurricane Helene's disaster areas, to become effectively defunct due to burdensome perpetual easement requirements. Pinellas County, which suffered more deaths than any other county in Florida due to Hurricane Helene, primarily from storm surge, is ground zero for this federal policy failure that has led to the erosion of shorelines and dunes that are proven to mitigate storm surge impacts. Section 361 of the Senate-passed *Water Resources Development Act of 2024* contains language that would give policy flexibility to local project sponsors receiving supplemental FCCE funds to construct emergency FCCE projects with less-than-permanent easements.³ We urge you to direct the USACE to issue a policy memorandum on an expedited basis to implement this policy, which passed the Senate unanimously, so that local project sponsors have certainty they will be able to secure less-than-permanent easements in anticipation of receiving FCCE funds from a possible forthcoming disaster supplemental. This policy would also enable local project sponsors to begin implementing hundreds of millions of dollars of supplemental FCCE funds appropriated in December 2022 that have been impeded by failed USACE policy implementation.

- Operation Blue Roof

Hurricane Helene made landfall with winds of 140 miles per hour and higher wind gusts. Due to the large size and fast forward movement of the hurricane, Helene projected strong winds over a large area, damaging roofs in the process. Operation Blue Roof is an emergency program of the Army Corps of Engineers, in consultation with FEMA, for the deployment of blue plastic tarps to protect damaged homes from future rain damage. Please consider activating Operation Blue Roof if FEMA, USACE, and partners assess sufficient need.

U.S. Department of Agriculture:

- Block Grant Authority for Agricultural Disaster Relief

The State of Florida has requested Agriculture Secretary Vilsack to designate an Agricultural Disaster for the state, a request we support. In addition to expediting an Agricultural Disaster designation, we urge you to recognize block grants to states as a valid method of disbursing supplemental disaster assistance to growers. We would also welcome your support for explicitly including this authority in a forthcoming disaster supplemental. Supplemental disaster assistance appropriated in December 2022 has been slow to reach growers, in part due to manpower constraints on the USDA's ability to process and administer disaster loss claims. Providing agricultural assistance via block grants to states allows state agencies to use their own employees as a force multiplier to process claims in an expedited manner, and disburse aid to agricultural producers more quickly.

³ <https://www.epw.senate.gov/public/index.cfm/2024/8/senate-passes-water-resources-development-act-of-2024-including-wins-for-delaware>

Thank you for your attention to these important matters. We look forward to working with you on behalf of Floridians.

Sincerely,



Marco Rubio
U.S. Senator



Rick Scott
U.S. Senator



W. Gregory Steube
Member of Congress



Anna Paulina Luna
Member of Congress



Laurel Lee
Member of Congress



Gus M. Bilirakis
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