



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI EMERGENCY MANAGEMENT AGENCY

STEPHEN C. McCRANEY
EXECUTIVE DIRECTOR

April 22, 2021

Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Dear Mr. Reso:

**SUBJECT: FEMA-4576-DR-MS –DIAMONDHEAD, CITY OF, FIPS# 045-19100-00
Ref. Project# 172669, Debris Removal, Cat A
Determination for Debris Removal**

Enclosed is a letter from FEMA regarding the disapproval of the City of Diamondhead's Request for Disaster Debris Removal from Commercial Properties, Reference Project# 172669. FEMA indicates that this request is denied because the City of Diamondhead did not obtain FEMA pre-approval prior to removing the debris from commercial property as required by FEMA policy; therefore, the City's request is denied.

Please review the attached determination letter very carefully. In accordance with Title 44 Code of Federal Regulations §206.206, you have the right to appeal this decision. The appeal must contain documentation supporting your position and include a statement regarding the amount of funds in dispute. The appeal should also cite the applicable provision of the Federal law, regulation and/or policy with which you believe FEMA's determination is inconsistent. The appeal will be processed through the Mississippi Emergency Management Agency who will then forward your appeal to FEMA for consideration.

If you desire to submit such an appeal, this appeal should be submitted, in writing, **within 60 days of the date of FEMA's enclosed Letter**, or by approximately **June 20, 2021**, to the following address:

Mr. Stephen C. McCraney, Executive Director
Mississippi Emergency Management Agency
P.O. Box 5644
Pearl, MS 39288-5644
Attention: John M. "Mike" Siler, Office of Public Assistance

If you have additional questions concerning this matter or would like to discuss any of the above, please contact me at 601-933-6886.

Sincerely,



John M. "Mike" Siler
Director, Office of Public Assistance

Attachments:
Enclosed MEMO

U.S. Department of Homeland Security
Federal Emergency Management Agency
FEMA Joint Field Office
FEMA-3550-EM-MS
FEMA-4538-DR-MS
FEMA-4576-DR-MS
220 Popp's Ferry Road
Biloxi, MS 39531



FEMA

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RECEIVED
By Dawn Spears at 10:49 am, Apr 22, 2021

John M. "Mike" Siler
Public Assistance Office Director
Post Office Box 5644
Pearl, MS 39288-5644

Attn: Michael Reso
City Manager, Diamondhead, MS
5000 Diamondhead Circle
Diamondhead, MS 39525

Re: Disapproval of City of Diamondhead's Request for Disaster Debris Removal from Commercial Properties

Dear Mr. Siler and Mr. Reso:

This letter is in response to your March 31, 2021 letter requesting the removal of disaster debris from commercial property in the City of Diamondhead (City). For the reasons stated below, the request is denied.

The *Public Assistance Program and Policy Guide* (PAPPG) (v.4), p. 109 (2020), states as follows:

Removal of debris from commercial properties, such as industrial parks, golf courses, cemeteries, apartments, condominiums, and trailer parks is generally ineligible because commercial enterprises are expected to retain insurance that covers debris removal. In very limited, extraordinary circumstances, FEMA may provide an exception. In such cases, the Applicant must meet the requirements of Chapter 7:I.E.1. Approval Process and FEMA must approve the work prior to the Applicant removing the debris.

According to Mr. Siler's March 31, 2021 letter, a City representative of Diamondhead acknowledged that the debris has already been removed. As the City of Diamondhead did not obtain FEMA pre-approval prior to removing the debris from commercial property as required by FEMA policy, the City's request is denied.

Notice of Right to Appeal:

The Applicant may appeal this determination to the Regional Administrator, pursuant to Title 44 of the Code of Federal Regulations § 206.206, Appeals. If the Applicant elects to file an appeal, the

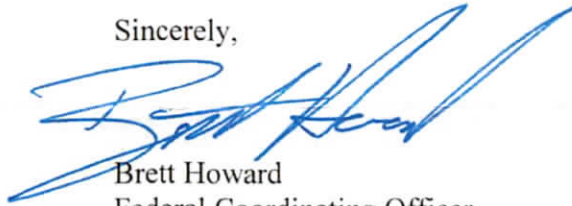
FEMA-4576-DR-MS – Disapproval of City of Diamondhead’s Request for Disaster Debris Removal from Commercial Properties

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appeal must: 1) contain documented justification supporting the Applicant’s position, 2) specify the monetary figure in dispute, and 3) cite the provisions in federal law, regulation, or policy with which the Applicant believes the initial action was inconsistent. The Applicant must submit the written appeal to the Recipient, Mississippi Emergency Management Agency (MEMA), within 60 days of its receipt of this determination. The Recipient’s transmittal of that appeal, with recommendation, is required to be submitted to our office within 60 days of the receipt of the Applicant’s letter. If you have any questions, please contact the MEMA, Andy Hood, at ahood@mema.ms.gov

Sincerely,



Brett Howard
Federal Coordinating Officer
FEMA-4576-DR-MS