



# STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

## DEBRIS REMOVAL FROM PRIVATE PROPERTY

Pursuant to the Federal Emergency Management Agency's (FEMA) Consolidated Public Assistance Debris Removal Guidance Memorandum, there are policy changes to the Private Property Debris Removal (PPDR) eligibility determination process.

Debris removal from private property (PPDR) is the responsibility of the property owner and is usually ineligible under the PA Program.

In limited circumstances, based on the severity of the impact of an incident and whether debris on private property is so widespread that it threatens public health and safety or the economic recovery of the community, FEMA may determine that debris removal from private property is eligible under the PA Program.

In such cases, FEMA works with the State, Local, Tribal, and Territorial (SLTT) governments to designate specific areas where debris removal from private property, including private waterways, is eligible. The debris removal must be in the public interest, not merely benefiting an individual or a limited group of individuals.

**PPDR ELIGIBILITY DETERMINATION PROCESS:** Applicants are **not required** to obtain pre-approval from FEMA before beginning Private Property Debris Removal (PPDR) on privately-owned roads, privately-owned non-commercial, or commercial property. However, **applicants are encouraged** to request preliminary approval where circumstances allow. Regardless, the applicant must notify FEMA that PPDR is being conducted and identify the type of property on which the PPDR is being conducted so FEMA can ensure notifications are made to the necessary components.

## DEBRIS REMOVAL FROM PRIVATE RESIDENTIAL PROPERTY

Debris removal from residential property is usually not in the public interest because the debris does not typically present an immediate health and safety threat to the general public.

If the incident generates debris quantities and/or types of debris on residential property that is so widespread or of such magnitude that it creates an immediate threat to public health and safety, debris removal may be in the public interest. To determine if removal of debris from private residential property is in the public interest, FEMA will consider:

- Whether the debris is located in open areas accessible to the public (e.g., in a yard with no fence barrier next to a public sidewalk), located in maintained areas, or creating a health and safety hazard (such as a rodent infestation):



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- Volume of debris;
- Height of debris;
- Number of houses and blocks with large volumes of debris; and
- Amount of the public population affected.

Although the approval from FEMA is not required, Applicants should consider obtaining approval from FEMA prior to starting work.

## **PRIVATE PROPERTY DEBRIS REMOVAL APPROVAL PROCESS**

The Applicant must submit a notice of intent to FEMA identifying the specific properties or areas of properties where private property debris removal activities will occur. The Applicant does not need to wait for FEMA approval to start work. However, for the Applicant to receive PA funding, FEMA must determine that the PPDR work at each property is eligible.

FEMA only provides PA funding for PPDR if the Applicant demonstrates all of the following with sufficient documentation.

FEMA accepts a written statement from an authorized Applicant official that:

- Certifies the Applicant has legal authority and responsibility to remove debris from private property;
- Cites all applicable sources of authority (law, ordinance, code, contract, etc.); and
- Indemnifies the United States for any claim arising from the debris removal.

The Applicant must demonstrate that the PPDR was in the public interest. This includes:

- The basis for the determination that removing the debris from the private property locations requested was in the public interest. The determination must be made by the State, Territorial, Tribal, county, or municipal government's public health authority or other public entity that has legal authority to make a determination that disaster-generated debris on private property constitutes an immediate threat to life, public health, or safety, or to the economic recovery of the community at large.
- The established, specific legal requirements for declaring the existence of a threat to public health and safety.



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FEMA evaluates the submission to determine if it concurs that PPDR is in the public interest and provides a written response specifying any properties or area of properties for which it approves funding for debris removal.

*More information on Private Property Debris Removal (PPDR) can be found in the FEMA Consolidated Public Assistance Debris Removal Guidance Memo (October 10, 2024), Memo attachment, and Public Assistance Program and Policy Guide v4 (Page 108) Chapter 7, I.G.1.*

**If you have any questions or concerns, please contact [Recoverydebris@em.myflorida.com](mailto:Recoverydebris@em.myflorida.com)**