



**FEMA**

October 26, 2016

Mr. Kim Stenson, Director  
South Carolina Emergency Management Division  
2779 Fish Hatchery Road  
West Columbia, SC 29172

Town of Hilton Head Island  
Stephan G. Riley, Town Manager  
One Town Center Court  
Hilton Head Island, SC 29928

Reference: Hilton Head Island, Request for Approval of Private Property Debris Removal (PPDR) under FEMA-4286-DR-SC.

Dear Mr. Stenson and Mr. Riley:

This letter is in response to your letter of October 13, 2016, and the additional supporting documentation, received from the Town of Hilton Head Island on October 24, 2016, requesting Private Property Debris Removal (PPDR) from private roads and right-of-ways under FEMA's Public Assistance program for Hilton Head Island.

FEMA has reviewed the submitted Governor's Executive Order No 2016-39 Declaring a State of Emergency for South Carolina, the Proclamation of a Local State of Emergency by the Mayor of the Town of Hilton Head Island and the Hilton Head Island, South Carolina Ordinance §9-5-211. Subject to the terms and conditions as set out below, I approve private property debris removal (PPRD) under FEMA-4286-DR-SC from private roads and right-of-ways specifically requested by the Town of Hilton Head Island.

As the Governor has made clear in Executive Order No 2016-39, the debris generated by Hurricane Matthew created a state of emergency for South Carolina. The Town of Hilton Head Island has declared a Local State of Emergency and indicated that the resulting debris was deposited on streets, rights-of-ways, and on private property. In addition, the Town of Hilton Head Island submitted their local Ordinance §9-5-211 which clearly establishes its authority and responsibility to remove such debris from private roads and right-of-ways. (In satisfaction of 44 CFR 206.221(c); 44 CFR 206.223(a)(3); 44 CFR § 206.224(a) and 44 CFR 206 .225(a)(3)).

The Town of Hilton Head Island has submitted documentation on several private properties. The following defined properties are approved for PPDR on the private roads and right-of-ways:

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*Hilton Head Plantation; Indigo Run Plantation; Palmetto Dunes Resort; Palmetto Hall Plantation; Port Royal Plantation; Sea Pines Planation; Shipyard Planation; Spanish Wells; and Wexford Plantation.*

The following properties are approved for PPDR on the private roads and right-of-ways, pending the submission of additional documentation:

*Cedar Wells Apartments; Leamington Association; Long Cove Club Owner's Association; Sea Pines Resort; Squire Pope Mobile Home Park and Sylby Tub Apartments*

Confirmation that the additional documentation requirements have been met by the Infrastructure Branch Director for FEMA-4286-DR-SC will constitute approval for PPDR on these specifically listed private roads and right-of-ways. Any other areas where private property debris removal is in the public interest will be considered on a case-by-case basis. Any such request for PPDR must be submitted for consideration within 90 days of the date of this letter.

This approval is limited to the removal of debris from private roads and rights-of-way. My approval requires that the Town of Hilton Head Island provide a full and complete roster of all private property onto which it entered to remove debris under this authority as a mandatory inclusion with its project worksheet (PW). Additionally, to avoid any potential duplication of benefits under Section 312 of the Stafford Act (42 U.S.C. §5155), I further require the Town of Hilton Head Island to assist the federal government in recovering any insurance proceeds after a reasonable search of records and a reasonable effort to ascertain from the property owners any insurance proceeds that they may have been paid for such debris removal under this program.

Please note that the following items are not approved for private property debris removal under the Public Assistance Program:

1. Debris from vacant lots, forests, heavily wooded areas, unimproved property, and unused areas;
2. Debris on agricultural lands used for crops or livestock;
3. Concrete slabs or foundations-on-grade; and
4. Reconstruction debris consisting of materials used in the reconstruction of disaster-damaged improved property.

In addition, FEMA's Public Assistance Program generally prohibits removal of debris from commercial properties. FP-104-009-02, Public Assistance Program and Policy Guide, page 54 (Jan. 2016).

Please note that any contracts entered into for debris removal must comply with the requirements of 2 C.F.R. § 200.317 et seq. If there is a failure to comply with any required Federal, State and

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local laws, regulations and permits required for debris removal activities, FEMA funding will be jeopardized.

Finally, as you work to remove the debris caused by the October 2016, Hurricane Matthew, I trust you will remain mindful of any environmentally sensitive areas and any historic properties affected and consult the appropriate state and federal authorities if you need assistance.

Should you have any questions or require additional information, please contact Timothy Etson, Infrastructure Branch Director for FEMA-4286-DR-SC at (832) 851-4497.

Sincerely,



W. Michael Moore  
Federal Coordinating Officer  
Disaster Recovery Manager  
FEMA-4286-DR-SC