



NEWS Release

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FEMA APPROVED ASSISTANCE FOR REMOVAL OF DEBRIS FROM WATERS IN ARANSAS COUNTY

ROCKPORT, TX – Today the Federal Emergency Management Agency (**FEMA**) approved assistance for the removal of hazardous debris from waters in Aransas County deposited by Hurricane Harvey. This assistance is projected to start in early August and cost approximately \$22 million. This includes waters that may be considered privately-owned and submerged lands. Any privately-owned facilities along the coast which require demolition are the responsibility of the owner. The limited hazardous debris removal from the privately-owned, submerged land in seven (7) Aransas County areas include: Copano Cove; Holiday Beach; Islands of Rockport; Key Allegro; La Buena Vida; Neptune Harbor and City by the Sea. In addition, details regarding Aransas County Canals; Bahia Bay; Copano Ridge; Harbor Oaks; Palm Harbor are still being worked out with State and Federal Officials and may be approved soon.

In conversations with the Texas General Land Offices (GLO), Office of Chief Counsel, the GLO, agreed that Texas in general, and normally the GLO, has the legal responsibility for coastal waterways and the underlying submerged lands. However, the GLO noted that in certain areas, such as the seven named canals, although likely Texas public waters, these submerged lands remain private property and hence become the sole responsibility of the property owner. All other waterway areas remain the legal responsibility of the State.

Consequently, FEMA has now formally approved limited debris removal of Harvey-generated hazardous material that poses a threat to the general public's health and safety from the six named canals as well as Aransas County Waters. FEMA will support such limited debris removal so as to allow for a federal cost share reimbursement. This reimbursement will occur under the Stafford Act, 42 U.S.C. 5121 et seq., 44 CFR 206.222-206.225, and FEMA Public Assistance Program and Policy Guide FP 104-009-2, January 2018.

Under Section 403 of the Stafford Act, 42 U.S.C.517b(a)(3)(A) and 44 C.F.R. 206.224, FEMA possess the authority to Approve Aransas County's request for debris removal of hazardous debris on privately owned lands that threaten the general public's health and safety. To that end, FEMA will fund debris removal if it was associated with the event and not on or in these areas previous to the event. Some specific examples of eligible items that may be found in local waters include automobiles, trucks, motorcycles and similar vehicles; sunken and submerged vessels; large appliances such as washing machines, dryers, dish-washing machines, refrigerators, hot water heaters, and similar household appliances or commercial machine items of comparable cubic dimensions; sunken, submerged, and partially collapsed structures, decks, docks, balconies, and similar man-made structures. Lone timbers or other similar small building materials are not eligible.

FEMA will fund only the removal of storm generated hazardous debris that poses a threat to the health and safety of the general public. FEMA will not fund the removal of dredge, sand, silt, gravel,

concrete blocks, slabs, asphalt, sidewalks, or similar items. FEMA will not fund the removal of floating trash unless it is a barrel, drum or tank, or it is a container with a hazardous substance confirmed by the Texas Commission on Environmental Quality.

According to Judge C. H. Burt Mills, Aransas County, "We appreciate all the people that worked so diligently to state our case in front of state and federal agencies to explain why this critical step was needed for our community. We are a water based community. Safe access to our water way, and neighborhoods drives our tourism based economy and way of life. We are very pleased to have this favorable response from FEMA as our recovery continues to progress and move forward."

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