



FEMA PUBLIC ASSISTANCE - CATEGORY C

A GRANTCITY FIELD BRIEF

BROKEN ROADS & BROKEN PROMISES

When Rural Communities Fight for Federal Assistance

Why FEMA's documentation standards leave rural and under-resourced communities fighting for the Public Assistance they're owed — and the **causation case** that wins the funding back.



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INTRODUCTION

WHEN THE ROAD TO RECOVERY CRUMBLES

In early 2023, a rural farming county in California's Central Valley watched its backroads buckle under severe flooding. Pavement that had been perfectly passable a week earlier sat cracked and sagging once the waters receded.

Farmers, school-bus drivers, and emergency crews all knew those roads had been fine before the storm. Yet when the county applied for FEMA Public Assistance (PA) to repair a collapsed rural road, it hit a wall. FEMA denied the funding — there wasn't enough proof the disaster, as opposed to ordinary wear and tear, caused the damage.

The catch? FEMA wanted dated "before" photos showing the lane had no major cracks prior to the flood — a near-impossible ask for a remote country road no one had reason to photograph in its intact state. The episode captures a widening disconnect between FEMA's documentation rules and the reality on rural roads after a disaster.



A serviceable farm-to-market road in California's Central Valley, undermined overnight — and a denial letter the morning after.

THE CATCH-22

Prove the road was pristine before the storm — using dated photographs no rural county ever had reason to take.

FEMA'S ELIGIBILITY GAUNTLET: RULES VS. REALITY

FEMA's PA program runs on strict rules meant to ensure federal dollars pay only for damage **directly caused by a disaster** — not pre-existing defects or deferred maintenance. In principle, that's sound stewardship. In practice, proving direct causation can feel like an evidentiary gauntlet, especially for under-resourced communities.

FEMA guidance requires applicants to demonstrate the reported damage was caused by the incident and not the result of deterioration or deferred maintenance. When damage resembles something that accrues over time — potholes, "alligator" cracking — FEMA's default is **ineligible**, on the logic that such damage is rarely caused by a single event. The burden lands squarely on the applicant: prove the road was in good condition before, and prove the disaster is what broke it. Absent compelling evidence, the answer is usually no — leaving rural officials feeling guilty until proven innocent.

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THE FEMA RULE	THE RURAL REALITY
Damage must be proven disaster-caused, not deferred maintenance.	No asset-management system or dated baselines exist to prove prior condition.
"Alligator" cracking is presumed long-term — ineligible by default.	A flood-saturated base fails days later under the first heavy load.
Each damage site is evaluated in isolation.	Dozens of roads fail in the same window — a disaster signature, not coincidence.

GUILTY UNTIL PROVEN INNOCENT

When the default presumption is neglect, the applicant carries an evidentiary burden built for jurisdictions with archives they were never funded to keep.

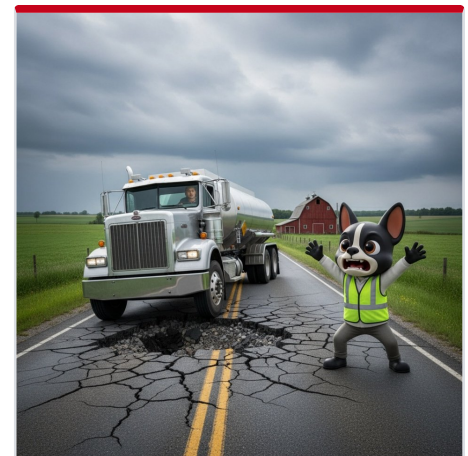
THE DOCUMENTATION TRAP

THE IMPOSSIBLE "BEFORE" PHOTO STANDARD

FEMA's documentation expectations lean on pre- and post-disaster photos or video to establish road condition. Reasonable for a monitored urban arterial; unrealistic for low-traffic rural roads that are rarely photographed except by chance.

In the Central Valley case, officials were asked to produce dated, pre-disaster images proving the flooded roads were defect-free. The county had none. It offered **maintenance logs, sworn staff statements, and an engineering report** confirming flood-related pavement failure — and FEMA remained unconvinced, defaulting to long-term neglect in the absence of photographs. The request was denied.

FEMA policy doesn't explicitly mandate photos, but in practice clear visual proof is what carries the day; without it, damage gets attributed to pre-existing conditions. Small rural governments rarely have the resources to routinely record every culvert and country lane — so when disaster strikes, they begin at a documentation disadvantage even when local knowledge plainly points to disaster-induced damage.



Low-traffic routes are rarely photographed — until the day a loaded truck proves the base is gone.

THE CORE DISCONNECT

FEMA encourages proactive visual documentation. Small rural governments lack the staff and budget to produce it. The gap between the two becomes the denial.



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WHERE POLICY COLLIDES WITH REALITY

Rural America's roads operate under a very different reality than urban infrastructure. Two contrasts make the gap concrete.

MILES VS. RECORDS

Rural areas carry roughly **68% of America's road miles**, yet rural county road departments run on thin budgets with minimal asset-management systems. A big city keeps condition surveys and inspection archives. A small county highway crew "knows by heart" which roads were graded or patched last — but holds no formal records unless something notable happened. The absence of a glossy pre-disaster condition report doesn't mean the road was neglected; it usually means the community lacks the recordkeeping larger jurisdictions take for granted.

68%

OF U.S. ROAD MILES ARE RURAL

~5%PA MANAGEMENT-COST CAP
(CATEGORY Z)**\$0**TYPICAL BASELINE-IMAGERY BUDGET
PER LANE

HIDDEN DAMAGE IS REAL

In floods, the worst damage is often subsurface. Floodwater saturates and weakens the road base — turning the soil or gravel beneath the asphalt to soup. The surface looks intact when the water recedes, so everyone assumes it survived. Then a loaded fire truck or farm tractor crosses, and the surface cracks, sinks, or collapses — sometimes days or weeks later. To local engineers it's obviously flood failure; to a FEMA inspector arriving later, it reads as ordinary wear.

1**FLOOD SATURATES THE BASE**

Water turns the soil and gravel beneath the asphalt to soup, hollowing out structural support.

2**SURFACE LOOKS INTACT**

Once water recedes the pavement appears fine — everyone assumes the road survived.

3**FIRST HEAVY LOAD → COLLAPSE**

A fire truck or tractor crosses days later; the surface cracks, ruts, or fails outright.

PA review tends to evaluate each segment in isolation, missing the bigger signal: dozens of roads across the flooded footprint failing in the same window. That pattern tells a story a single segment can't.

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CASE FILE · THE BASELINE PROBLEM

HURRICANE ZETA — MISSISSIPPI, 2020

A coastal Mississippi city found that hundreds of wooden pilings beneath its harbor piers had been structurally compromised by the storm.

Above the waterline most pilings still looked okay, but acoustic testing showed internal loss of material below. FEMA agreed to fund replacement of the **37 visibly broken or leaning pilings** — and not a penny for the remaining ~1,300, because no pre-storm test data proved those weren't already deteriorated.

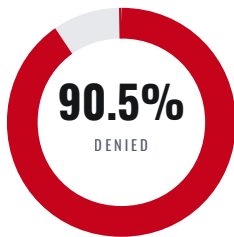
On appeal, FEMA's board found the city "has no baseline" for each piling's pre-storm condition and thus "failed to establish that Hurricane Zeta, as opposed to the cumulative effect of age and past events, caused the alleged failure of 90.5% of the pilings."



Above the waterline the pilings looked fine. Below it, acoustic testing told a different story.

BY THE NUMBERS

FEMA SECOND APPEAL · HARBOR PILINGS



- 37 pilings funded — the visibly broken or leaning ones
- ~1,300 compromised pilings denied for lack of a pre-storm baseline
- 90.5% of failures attributed to age, not the hurricane
- City left to replace the vast majority **at its own expense**

Same logic, different setting: if you can't prove your infrastructure was pristine beforehand, FEMA may cover only the visibly broken pieces — even when a catastrophe sits below the surface.

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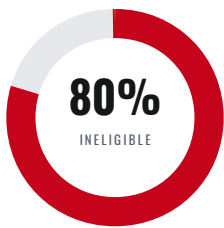
A WIDESPREAD PATTERN — U.S. VIRGIN ISLANDS, 2017

This isn't one county's fluke. After Hurricanes Irma and Maria, USVI officials reported that FEMA deemed roughly **80% of the territory's storm-damaged roads ineligible** — attributing the damage to pre-existing conditions and citing a lack of maintenance records.

At a public hearing, the territory's disaster-recovery director testified that FEMA demanded extraordinarily specific maintenance documentation for each road — which she and her advisors called unprecedented. They showed FEMA video of rainwater tearing down the hillsides during the storms. As one recovery consultant recounted: "We showed them videos of water coming down the hills and they [FEMA] are saying if the roads were properly maintained they could not have suffered damage" — a stance local experts called absurd. Lawmakers accused FEMA of unfairly penalizing the territory, with one senator calling the scrutiny seemingly discriminatory.



When 80% of a territory's roads fail at once, the cause isn't a coincidental maintenance lapse.



The documentation hurdle hits **anywhere infrastructure is older or records are sparse** — mainland counties, tribal lands, and island communities alike. Well-resourced jurisdictions with logs, surveys, and imagery clear FEMA's proof bar; everyone else is presumed at fault until they produce evidence they were never funded to collect. That perception erodes trust — and can discourage underserved communities from seeking help at all.

THE COST OF PROVING IT

SPENDING DOLLARS TO CHASE PENNIES

When FEMA says no, applicants can file a first appeal, then a second — each demanding more evidence: geotechnical core samples, sworn affidavits on pre-disaster condition, years of maintenance logs, historical budget analysis showing the damage far exceeds normal wear. That back-and-forth drags on for months or years.

All of it costs money — often tens of thousands in engineering and consulting fees — and consumes precious staff hours. FEMA reimburses management costs (**Category Z**), but the allowance is capped at roughly **5% of the project award**. Fine for a clean small project; woefully short for a claim mired in technical appeals.



For budget-strapped counties, the appeal can cost more than the repair it's chasing.



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\$200K

SOUGHT TO FIX ONE WASHED-OUT
RURAL ROAD

~\$10K

MANAGEMENT ALLOWANCE AT THE 5%
CATEGORY Z CAP

\$0

LEFT FOR GEOTECH, SITE VISITS &
APPEAL PREP

It becomes a lose-lose dilemma: swallow the cost of proving your case — which can approach the cost of the repair itself — or swallow the cost of the repair by giving up on FEMA aid. Neither is a good option for a small local government.

THE ARBITRATION OFF-RAMP

Congress in 2018 gave applicants an alternative to FEMA's slow second appeal — binding arbitration before the **Civilian Board of Contract Appeals (CBCA)**. Independent panels have overturned FEMA's strictest readings: one found a submerged roadway eligible even though FEMA argued only fully impassable roads should qualify; another reversed a denied dam repair despite maintenance-paperwork gaps. When outside scrutiny applies, FEMA's stance doesn't always hold water — but small towns shouldn't have to lawyer up for common-sense recovery aid.

THE PATH FORWARD

HOW DO WE BRIDGE THE GAP?

Can FEMA keep accountability over federal funds without putting rural and under-resourced communities through the wringer? Many emergency-management experts and local officials think so. Four ideas are gaining traction.

1 EMBRACE ALTERNATIVE EVIDENCE

Let a mosaic of secondary proof satisfy causation: maintenance logs, work-order histories, crew reports, post-event engineering analysis of the failure mechanism, and affidavits from long-tenured staff. "We graded this road last summer and it was fine until the flood" should count for something.

2 CONTEXT-AWARE DAMAGE REVIEW

Weigh the disaster's footprint instead of judging each segment in a vacuum. Clustering of failures right after an event should shift the presumption toward eligibility, absent clear evidence of prior defects. Flood-depth maps, weather data, and imagery corroborate causation.

3 INVEST IN BASELINE DATA

Help small jurisdictions document infrastructure before disaster strikes — low-cost dashcam or drone runs of critical routes, periodic surveys, and increasingly affordable satellite imagery. Even an annual phone-on-the-dash pass builds a record to pull from the drawer.

4 JOINT ASSESSMENTS & LOCAL INSIGHT

Pair FEMA inspectors with the county road supervisor for a side-by-side field evaluation. The person who drives the road weekly can confirm in real time that a crack wasn't there before the flood — turning local knowledge into a credibility asset and cutting disputes.



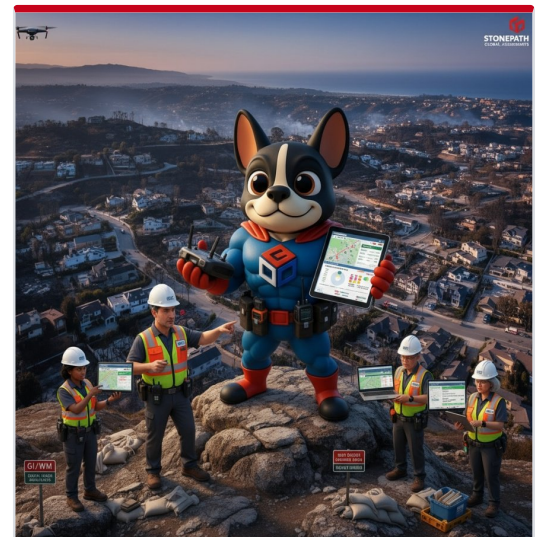
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None of this asks FEMA to write blank checks. Routine maintenance remains the community's responsibility. The goal is narrower and fairer: keep genuinely disaster-caused damage from slipping through the cracks because of documentation technicalities — and give small applicants a realistic path to prove what residents already know.



Drones, dashcams, and side-by-side field reviews turn local knowledge into FEMA-grade evidence.

CONCLUSION

PAVING A FAIRER ROAD TO RECOVERY

When a disaster strikes a rural county or tribal community, the paperwork that follows shouldn't become the second disaster.

The current **"prove it or lose it"** approach to road damage — well-intentioned against waste — can border on absurd when applied without flexibility. Disasters don't check maintenance records before washing out a road, and our recovery programs shouldn't demand that level of retroactive proof at the expense of common sense. There's a balance to be struck between accountability and accessibility.

Rural and underserved communities aren't asking for a free pass; they acknowledge that routine maintenance is their responsibility. But when nature truly wrecks their infrastructure, they deserve a Public Assistance process that meets them where they are. By accepting alternative evidence, weighing the context of widespread damage, helping build baseline data, and listening to local expertise during assessments, FEMA can uphold strong stewardship of federal funds while leveling the field for those who don't have a photo album of every country road.

ACCOUNTABILITY + ACCESSIBILITY

A more balanced evidentiary framework does two things at once: it protects the taxpayer's assurance that funds go to true disaster damage, **and** it gives under-resourced communities a fair path to recovery. That's the win-win — fewer appeals, less frustration, and restored trust in federal recovery.



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HOW GRANTCITY CONSULTING HELPS

GCC builds the causation case rural and under-resourced applicants can't build alone — assembling **alternative-evidence packages**, engineering **failure-mechanism narratives**, structuring **Category Z-efficient appeal strategy**, and providing **CBCA arbitration support**. When the road to recovery is blocked by red tape, we clear it. **Your Recovery, Our Priority.**



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