



PUBLIC ASSISTANCE: DEBRIS REMOVAL FROM PRIVATE ROADS DR-4332-TX

FEMA developed a Fact Sheet *Public Assistance: Private Property Debris Removal DR-4332-TX* to simplify the process for private property debris removal. FEMA is further simplifying the process for debris removal from private roads when the public has unrestricted access (no locks, gates, or guards) and frequently uses the private road. Private roads are those that are not formally adopted by a local, county, tribal, state, or federal entity (including orphan roads).

FEMA considers removal of debris from public roads and rights-of-way, including debris placed curbside by residents, to be in the public interest because the area is accessible by the general public and causes an immediate threat to the health and safety of the public. Due to the significant and widespread amounts of debris caused by Hurricane Harvey throughout the State of Texas, FEMA has determined that removal of such debris from private roads where the public has unrestricted access (no locks, gates, or guards) and when the public frequently uses the road, is in the public interest. This includes removal of debris on the roadway, its rights-of-way, and debris placed curbside by residents. However, this does not include removal of debris on private resident's property or debris removal from private roads in areas with restricted access (roads behind locks, gates, or guards). For these areas, the justification and documentation described in the *Public Assistance: Private Property Debris Removal DR-4332-TX* Fact Sheet needs to be provided.

FEMA will accept the following as documentation that supports the Applicants' legal authority to remove the debris:

- An ordinance (ordinance citation should be provided) that allows for such private road debris removal under such emergency circumstances, accompanied by an assertion that the ordinance was properly activated prior to the start of the incident period (August 23, 2017); or
- A formal pre-existing agreement with the owners of the private road (if owned) to provide services to residences/facilities along the road to accomplish regular road maintenance, trash/garbage pickup, or fire and other emergency services (documentation needs to include evidence that debris was removed from such road under the agreement in previous, similar circumstances without a federal emergency or disaster declaration); or
- Documentation to support that the Applicant has legal responsibility to remove the debris, has completed all legal processes, and has agreements to indemnify and hold harmless the Federal Government.