

# FEMA Public Assistance COVID-19 Provision of Water for Residents Without Water Connection



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## QUESTIONS

These are all questions relating to the eligibility of the establishment and provision of water for residents who have had water disconnected prior to the emergency or are without water connection.

1. Can States provide bottled water to residents without water connections in order to facilitate keeping people in their homes?
2. Can States provide for reconnections of water?

## BACKGROUND

In many areas, this is a regular issue where there are a large number of people that have had their water shut off for non-payment. In areas that have issued a shelter-in-place order or stay-at-home order, this could facilitate providing water so that people stay home.

## DISCUSSION

### **The Provision of Water is an Eligible Emergency Protective Measure in Certain Situations**

The purchase of supplies and commodities that are required for emergency protective measures is eligible. Costs related to the Applicant purchasing supplies or using its own stock to perform Emergency Work are eligible and reimbursed in accordance with [Chapter 2:V.D of the Public Assistance Program and Policy Guide, V3](#).

Typically, the cost of delivering these same commodities to unsheltered residents in communities where conditions constitute a level of severity such that these items are not easily accessible for purchase is also eligible. This includes food and water for household pets whose owners are in shelters.

## Decision Factors

1. Is the work/service required as a result of the Public Health Emergency? While residents who are under “stay at home” directions need water and food in order to remain in their homes, the termination of water service either pre-dates or is not the direct result of the incident. It could be considered indirectly related, as a resident may have lost income because of the impact of the incident, and therefore wasn’t able to pay the fee for the water service. If water service is terminated due to a resident losing income from the incident, this would be addressed through unemployment assistance provided through Department of Labor (DoL). As the restoration of water service due to termination of service due to failure to pay the fee is not a direct result of the incident, even if it could be considered related, the answer to this question is no.
2. Is the work the legal responsibility of the State, local, territorial, or tribal government (SLTT)? SLTT governments do have the responsibility to provide commodities to their residents after an incident in order to protect public health and safety when access to such commodities is interrupted by the incident, e.g. provision of water, MREs, etc after a hurricane impact damages or disrupts provision or access to these commodities. In this case, the current incident has not directly damaged or caused interruption of water service. Water service is available, based on established fees and service arrangements that have not been disrupted by the incident. A resident can still access water service, subject to payment of the established fees for such service. As the provision of water service that is otherwise available to the public is not the legal responsibility of an applicant, the answer to this question is no. An SLTT may also not have the authority to be able to pay the water bills of individual

residents, depending on the utility. Other sources of assistance, either through the appropriate Federal program or voluntary agency, should be sought to provide water service.

3. Is there a public health order or the direction of a public health official? Public health orders may include directions to “stay at home”, limiting residents’ ability to move about freely so as to prevent spread of the COVID-19 virus. Generally, the health order does not require the provision of water service, or the provision of other commodities, to residents subject to the stay at home direction. In most instances, residents can access grocery stores or other locations necessary to obtain the commodities they need in order to stay at home. Generally, the public health order to stay at home does not directly result in the requirement of the SLTT to provide water or other commodities to residents. As the public health order to stay at home does not require provision of commodities to residents and otherwise allows for such commodities to be accessed, the answer to this question is no. Other sources of assistance, either through other Federal, State or local programs, or voluntary agencies, should be sought to provide water service.
4. Is the work reasonable and necessary to address public health needs? The provision of water service may be related to the public health need of social distancing, however the health orders do not prevent access to water through other available resources, so the work to provide water service is not necessary to address the public health need. It is also not reasonable to provide service that is otherwise available to the public at large. The answer to this question is no.
5. Is the work otherwise PA eligible? No, PA does not generally provide for the cost of paying for water service that has been discontinued because of non-payment.
6. Is the work funded by another Agency? The cost of accessing water service may be available through other sources of assistance. If the interruption of water service is due to a loss of work, including due to business interruption caused by COVID-19, unemployment assistance from DoL may provide a source of income in order for the fees for water service to be paid.

## Recommendation

The delivery of or connection of water for residents that do not have a water connection is not an emergency protective measure that is required as a direct result of a Public Health Emergency in communities where 1) water is easily accessible for purchase and 2) there is no contamination of the water supply due to the disaster. Secondly, it is also not the legal responsibility of the SLTT and therefore would not be eligible for reimbursement under Public Assistance, Category B Emergency Protective Measures.