

Environmental and Historic Preservation Standard Operating Procedures for Incident Operations

August 2007



FEMA

U.S. Department of Homeland Security
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Washington, DC 20472

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Task Order 220

15702220.00100

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Chapter 1: INTRODUCTION

1.1. Purpose and Use

Federal actions, including activities carried out with Federal grants, must comply with all applicable Federal laws, regulations, and Presidential Executive Orders (EOs) in emergency or disaster situations unless they are explicitly exempted. FEMA funded actions that must comply with environmental and historic preservation (EHP) laws, regulations and EOs include, among others: response activities, emergency measures, demolition, debris removal, temporary housing, restoration of infrastructure, and mitigation projects. Timely EHP review of these actions is essential for the expeditious disbursement of disaster assistance to communities.

This *Environmental and Historic Preservation Standard Operating Procedures for Incident Operations* (EHP-SOP) combines the EHP function's standard operating procedures and incident operations manual. It sets standard goals and objectives that could be applicable to any incident regardless of cause, size, location, or complexity, and would assist the EHP function in meeting incident-specific objectives. This SOP also provides EHP personnel with function-specific best practices, references, tools, and guidance documents for use throughout the incident.

This EHP-SOP is based on FEMA's legal requirements and operational experience. While it is to be considered guidance rather than regulation or policy, readers and users should take into account that it is built upon and integrated with policy, regulations, executive orders and statutes that have legal force.

1.2. SOP Implementation

FEMA's Administrator is legally responsible for ensuring that all FEMA actions comply with the various Federal laws, regulations, and Presidential Executive Orders that protect the Nation's environment and historic properties. This compliance responsibility is delegated to Program Directors for overall program implementation, to the Regional Administrators for all FEMA regional activities and to Federal Coordinating Officers (FCO) for all FEMA incident-related activities. Two functions are associated with this responsibility:

1. EHP Policy function – Which includes:

- Providing policy direction and guidance on the compliance of FEMA's activities with the various EHP requirements.
- Decision-making when policy is silent on an issue or when circumstances support the departure from established policy or precedent.
- Negotiating and implementing operational compliance agreements and protocols with State, Tribal, and Federal EHP resource agencies to expedite the EHP review and compliance process.
- Consultation responsibilities under various Federal requirements like the National Historic Preservation Act (NHPA) and Endangered Species Act (ESA).

This function is inherent in the Executive Officers' (Administrator, Program Directors, Regional Administrators, or FCOs) duties. Due to the technical nature of these responsibilities, an advisor function was created to assist the Executive Officers meet these responsibilities. The Agency

Environmental Officer and Federal Preservation Officer serve this function for the FEMA Administrator and Program Directors at the national level. These Officers address EHP issues with national policy implications. In the regions, the Regional Environmental Officer (REO) serves this function for the Regional Administrator, addressing issues with region, State, Tribal, and local implications. At an Incident level, the Environmental/Historic Preservation Advisor (EHPA) serves this function for the FCO.

[\[Pop-Up #26\]: Federal Preservation Officer](#)

[\[Pop-Up #27\]: Agency Environmental Officer](#)

[\[↻ Link to Environmental Historic Preservation Advisor \(EHPA\) Taskbook\]](#)

2. EHP Technical Support function – This includes:

- Evaluating FEMA funded actions for environmental and historic preservation impacts that may trigger specific compliance requirements.
- Resolving project-specific environmental and historic preservation issues.

FEMA Programs, for the most part, have integrated the EHP review function with other program-required reviews like benefit-cost analyses, insurance verification, engineering, and mitigation. Programs typically depend on specialists to provide the technical EHP review of their funding decisions. In an incident setting these specialists may be provided through the EHP Cadre or through Program-specific contracts.

This EHP-SOP discusses the roles and responsibilities of these two functions on incidents along with the tasks, procedures, best management practices and tools to accomplish them.

[\[↻ Link to Environmental Historic Preservation Taskbooks, Environmental and Historic Preservation \(EHP\) Position Descriptions, and 3.5.2: Management Controls\]](#)

[\[Pop-Up #23\]: The FEMA EHP Cadre](#)

1.3. Format

This SOP has been developed as an interactive, Web-based format accessible through the Internet, and is also available in CD and hard copy versions. It is structured with three levels of information, each developed for a specific audience.

Objectives describe general EHP objectives and performance standards that should support any Incident-specific objectives. The primary audience of this level is the Incident Management Assistance Team (IMAT), as well as States, Tribes, and Applicants/Sub-applicants who want a basic understanding of FEMA's EHP operations in an incident. Examples include the Principal Federal Official (PFO), FCO, COS, Command Staff, Operations Section Chief (OSC), Planning Section Chief (PSC), Branch Directors, Division Supervisors (DIVS), and Group Supervisors (GRPS), among others.

Procedures describe the major tasks and procedures to achieve the general EHP objectives. This information is designed primarily for EHP personnel, Special Considerations Liaisons, and Program personnel. Mid-level Program managers will gain an understanding of EHP procedures, protocols, and expectations affecting daily incident response and recovery

operations. *Procedures* illustrate State, Tribal, and other Federal agencies' contributions towards expedient FEMA Program delivery.

Best Practices, Guidance, and Tools has a wide range of EHP-related references, tools, regulatory requirements, best management practices, and Web site links to accomplish the *Procedures*. This area may also provide guidance to implement particular EHP activities. This information is located in Appendix B of the hard copy version of the EHP-SOP. Readers should refer to a Chapter's specific tools in the Appendix when applicable.

EHP personnel should strive to meet the general EHP-SOP objectives to support the Incident Objectives regardless of cause, size, location, or complexity. If an EHP-SOP objective provided directly conflicts with the Incident Objectives, the EHP personnel shall follow the Incident Objectives. However, directives based on requirements of laws, EOs, regulations, and agency policies are not optional and must be followed as required.

[Pop-Up #1]: Standard Operating Procedure (SOP)

[Pop-Up #2]: National Response Plan (NRP)

[Pop-Up #3]: National Incident Management System (NIMS)

[Pop-Up #4]: Incident Command System (ICS)

1.4. Content

The EHP-SOP's overall structure follows the progression of FEMA's incident operations:

- Chapter 2: Pre-Declaration Activities
- Chapter 3: Field Operations
- Chapter 4: Training
- Chapter 5: Transition to Region
- Chapter 6: Operational Assessment

This SOP has goals and objectives for each chapter. These are general and flexible to accommodate any incident and should be interpreted consistent with the Incident Objectives. The goals state what the EHP function seeks to achieve during a given incident operation phase. For example, Chapter 2's goal is "Determine appropriate level of EHP involvement in pre-Field activities and identify emerging EHP issues." Objectives help achieve these goals and the Incident Objectives. The EHP function responsible for meeting the objective is identified in brackets after the objective. When the EHP Policy function is identified, the EHPA will be responsible party for accomplishing the objectives of that section. When the EHP Technical Support function is identified, the Programs and EHP specialists are responsible for meeting that section's objectives.

Objectives, procedures, best practices, references, tools, and guidance documents are cross-referenced throughout the document. These cross-references are indicated by a symbol [↗] and will be hypertext links in the Web-based version.

A number of "Pop-Ups" are also included throughout the SOP. These provide more detailed information, including definitions. These were created as an interactive component of the Web-

based format and are available in Appendix A of the hard-copy version. Markers are available throughout the text denoting the appropriate place in which to refer to Appendix A for further clarification.

1.5. EHP Mission Statement

To provide technical expertise for the appropriate consideration of the environment and historic resources and refine mechanisms to achieve efficient compliance with environmental and historic preservation requirements in support of FEMA's efforts to lead America to prepare for, respond to, and recover from disasters.

Chapter 2: PRE-DECLARATION ACTIVITIES

Goal: Establish appropriate level of EHP involvement in pre-declaration activities and identify emerging EHP issues.

2.1. Regional Response Coordination Center (RRCC)

2.1.1. Objective

Determine the need for a separate EHP component in the Regional Response Coordination Center (RRCC), coordinate EHP functions with Operations, and identify emerging EHP issues.

[EHP Policy function]

[Pop-Up #6]: [Regional Response Coordination Center \(RRCC\)](#)

[↪ [Link to RRCC Org Chart and IMH](#)]

2.1.2. Procedures

1. Advise the Regional Administrator (RA), or when delegated the RRCC Director, on applicable EHP issues. The RA or RRCC Director will determine the extent of EHP personnel involvement in the RRCC and pre-declaration phase of operations.
2. Gather information to identify emerging EHP issues through:
 - Review initial situation reports (SitReps)
 - Review Planning Section’s Essential Elements of Information (EEI).
 - Attend key meetings.
 - Maintain direct contact with applicable RRCC staff (e.g. Public Assistance [PA]; Mitigation [MT]; Individual Assistance [IA]; Branch Directors; and ESF 1, 3, 6, 8, 10, 11, 14 Representatives).
 - Get on applicable RRCC staff e-mail lists to obtain their specific plans and reports.
 - Get Action Tracking Sheet from Mission Assignment Manager to see what has been ordered through the mission assignments (MAs).
 - If State emergency management agency (SEMA) has EHP personnel, coordinate with them for situational awareness, preliminary EHP work plans, etc.
 - Review previous EHP incident after-action reports and exercises for common denominators in a particular region, state, or jurisdiction.
 - Determine whether federal or state emergency permits are needed, and any associated federal or state waivers/emergency orders that need to be requested.

[↪ [Link to 3.7.2: Emergency Procedures in Applicable EHP Laws and Regulations](#)]

- Coordinate with State, Tribal, or other Federal EHP agencies as appropriate.
- Monitor local, state, regional and national media.

- Coordinate with Assistant External Affairs Officer – Public Information, when appropriate, to collect or disseminate environmental hazard information
- Coordinate with FEMA Regional EHP personnel for availability updates, preliminary staffing and travel assignments, etc.
- Coordinate with HQ EHP Team, when needed.

[Pop-Up #5]: Media-Monitoring

2.1.3. Best Practices, Guidance, and Tools

[See Appendix B]

2.2. Incident Management Assistance Team (IMAT)

2.2.1. Objective

Identify the need for EHP functions on the IMAT and coordinate these functions with IMAT leadership, the State, and other Federal agencies. **[EHP Policy Function]**

2.2.2. Procedures

- 1. Brief IMAT FCO and key personnel on what to report back to the REO or participate in the IMAT to assess the incident's or the response or recovery operations' impacts on EHP resources. The RA or, when delegated, the RRCC Director, in consultation with the REO, determines the need for having the REO or EHPA in the IMAT. The role of EHP personnel on the IMAT will depend on the situation, need, and availability of resources.
- 2. Coordinate with other federal and state agencies to assess needs and educate resource agency personnel on FEMA capabilities and responsibilities. Review existing programmatic agreements and/or memoranda of understanding prior to coordination.
- 3. Review existing interagency EHP agreements and then coordinate with other federal and state agencies to assess needs and brief resource agency personnel on FEMA capabilities and responsibilities

[Pop-Up #7]: Programmatic Agreement

[Pop-Up #8]: Memorandum of Agreement (MOA)

2.2.3. Best Practices, Guidance, and Tools

[See Appendix B]

2.3. Preliminary Damage Assessment (PDA)

2.3.1. Objectives

Continue to scope the range, severity, and magnitude of EHP issues and considerations. Begin to expose State/Tribes/Jurisdictions and potential FEMA applicants to EHP considerations. **[EHP Policy Function]**

[Pop-Up #9]: Preliminary Damage Assessment (PDA)

2.3.2. Procedures

1. At the request of the Operations Section Chief (OSC) participate in the preliminary damage assessments (PDA).
2. Brief FEMA PDA teams on how to identify EHP issues and send information to the REO.
3. Base EHP PDA personnel level on:
 - Status reports or other preliminary information regarding the incident.
 - Incident scope (extent and severity).
 - Known, impacted sensitive EHP areas, such as historic districts, critical habitat, wetlands, low income or minority communities, major industrial sites, and coastal zones.
 - EHP personnel availability.
 - FEMA PDA Team leaders' need to deploy EHP personnel.
 - Need and opportunities to conduct preliminary scoping of EHP issues.
 - EHP-related Essential Elements of Information (EEl)s that need to be collected during PDA.
 - Level of effort needed to analyze and compile collected EHP information (e.g., tables, memos, or briefings).
 - Need for addressing potential complex EHP issues programmatically.
4. If EHP personnel will be deployed as part of a PDA team, determine if EHP PDA personnel will need special supplies and equipment such as cameras, GPS Units, standard EHP reporting form, etc.
5. Notify appropriate Federal and State EHP agencies (e.g., State Historic Preservation Officer [SHPO], U.S. Fish and Wildlife Service [USFWS], and Environmental Protection Agency [EPA]) of the incident's conditions. Determine likely EHP compliance issues before a formal disaster declaration. Coordinate notification of Federal and State resource agencies with IMAT management.

[Pop-Up #10]: Regional Summary/Regional Analysis and Recommendation

[Pop-Up #11]: Presidential Disaster Declaration

[Pop-Up #12]: EHP Management Plan

[Pop-Up #13]: Federal Coordination Officer (FCO)

2.3.3. Best Practices, Guidance, and Tools

[See Appendix B]

2.4. Transition to JFO

2.4.1. Objective

Develop initial EHP Management Plan and represent EHP at the Incident Briefing. [\[EHP Policy Function\]](#)

2.4.2. Procedures

1. Define the incident's extent and scope and anticipate which FEMA Programs (PA, IA, MT, and other Programs) will need substantial EHP support and additional information that is needed.
2. Identify who to contact and consult, internally and externally, and identify protocols to be established.
3. Meet informally with appropriate representatives from the Programs to understand their needs and begin to outline communication and coordination protocols as appropriate during this incident stage.
4. Identify what EHP compliance agreements are in effect, what agreements need to be activated, the contacts for such agreements, and if new agreements are needed.

[↪ Link to 3.4.1: External Coordination Objective]

5. Develop initial staffing and training plan, including time phased deployment for the EHP function in the JFO based on the projected EHP workload. Use data gathered from initial coordination with Programs and other planning documents (e.g., ICS Form 201 or Incident Action Plan if available).

[Pop-Up #14]: Incident Action Plan (IAP)

6. Meet with COS and Operations Section Chief (OSC) to discuss information collected and organization of EHP personnel within the Operations Section.

[↪ Link to 1.2: SOP Implementation]

7. Support the IAP process whenever needed and appropriate.
8. Identify basic logistics needs (e.g., work location, work stations, equipment, unique needs) based on the anticipated staffing and workload.
9. Organize and deploy EHP Go-Kits.

[↪ Link to 3.6.1: Logistics Objective]

[Pop-Up #15]: Go-Kits

10. Identify incident-specific needs, such as whether SEMA will manage the incident or whether it is a terrorism-related and/or catastrophic incident.
11. Develop a draft EHP Management Plan that incorporates the information that has been gathered prior to the opening of the JFO. This information will be used to develop an incident-specific management plan once the JFO opens [\[↪ Link to 3.1: EHP Management Plan\]](#):

12. Share draft EHP Management Plan and the information used to justify specific requests for staff, physical equipment needs, and similar items with the FCO and COS during the entrance meetings.

13. Ensure EHP presence at the IOF (Initial Operating Facility)

2.4.3. Best Practices, Guidance, and Tools

[See Appendix B]

Chapter 3: FIELD OPERATIONS

Goal: Establish EHP Management Plan describing how the EHP function will meet its operational/compliance objectives and the Incident Objectives.

3.1. EHP Management Plan

3.1.1. Objective

Develop and implement an EHP Management Plan describing how the EHP function will meet the Incident Objectives. [\[EHP Policy Function\]](#)

3.1.2. Procedures

1. Complete an EHP Management Plan outlining the field EHP operations during the first two weeks of incident operations.
 - Use incident information available in the IAP or otherwise obtained during initial disaster response and recovery operations and new information available after the JFO is in place.
 - Revise and update EHP Management Plan throughout the incident as conditions and priorities change.
2. Organize the EHP Management Plan using the following components outlined throughout Unit 3:
 - *Scoping.* Gather information to carry out EHP compliance responsibilities and identify FEMA Program personnel and Federal and State EHP regulatory agency priorities.

[↔ Link to 3.2.1: Scoping Objective]

- *Coordination.* Establish effective lines of communication with Branch Directors, Division (DIVS), Group Supervisors (GRPS), Strike Teams/Task Force Leaders, Program Advisors, Technical Specialists, FEMA Program personnel, Federal and State regulatory agencies, other appropriate jurisdictions and organizations, and the public.

[↔ Link to 3.4.1: External Coordination Objective]

- *Management and Staffing.* Order personnel through the Ordering Unit or other JFO designated resource ordering process and assign personnel with the types and levels of expertise needed to carry out EHP compliance responsibilities.

[↔ Link to 3.5: Managing Staff and Resources]

- *Training.* Provide EHP training for JFO managers and personnel to educate them about EHP compliance responsibilities, and for EHP personnel to carry out EHP compliance responsibilities.

[↔ Link to Unit 4: Training]

- *Logistics.* Get the necessary office space, equipment, and supplies needed to carry out EHP compliance responsibilities.

[↪ Link to 3.6: Logistics]

- *Compliance Strategy.* Identify procedures to carry out EHP compliance responsibilities.

[↪ Link to 3.7: Compliance Strategy]

- *Data Collection.* Collect data needed to evaluate projects and complete EHP compliance responsibilities.

[↪ Link to 3.8: Data Collection]

- *Project Review.* Identify procedures to carry out timely and efficient EHP project reviews.

[↪ Link to 3.9: Project Review]

- *Project Review Documentation.* Establish and maintain a legally sufficient, organized, and effective record-keeping process.

3.1.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.2. Scoping

3.2.1. Objective

Validate and update JFO incident information, identify Federal, State, and Tribal priorities, and scope EHP compliance and operational issues. **[EHP Policy Function]**

The scoping process is designed to identify areas of concern, develop strategies for streamlining EHP compliance, and determine how to delegate EHP responsibilities to EHP personnel. The EHP Management Plan will be based on scoping information.

[↪ Link to 3.1: EHP Management Plan]

In addition, scoping helps to:

- Identify issues that need to be addressed through the IAP action planning process.
- Coordinate Program issues with EHP management in the JFO.
- Provide feedback on EHP issues to FCO, Command and General Staff.
- Coordinate with REO on regional, state, tribal, and local issues that may affect scoping.
- Identify key Program project types, critical actions, priority compliance issues, and expedited EHP compliance requirements.
- Coordinate Program EHP compliance efforts with outside agencies and carry out formal scoping meeting(s).

- Develop programmatic EHP compliance documents.
- Encourage Program participation at EHP scoping meetings.
- Identify and/or obtain data and materials needed to support Program personnel and EHP specialists (e.g. EHP Geographic Information Systems [GIS] datasets, maps, resource agency requirements).

3.2.2. Procedures

1. Review, update, and validate EHP information gathered during pre-declaration operations (e.g., IAP, PDAs, SitReps, disaster declaration, draft EHP Management Plan) as soon as possible.
2. Coordinate with the GIS Unit Leader to obtain detailed EHP information, inventories, maps, and GIS data for the incident area (e.g. wetlands data, satellite images, critical habitat data, historic properties information, etc.).
3. Conduct interagency and/or individual meetings (EHP scoping meetings) with Federal, State, Tribal, or local EHP agencies early in the incident operation, as required by the FCO, to identify EHP issues, share and discuss incident-specific information, and share disaster recovery operational, compliance, and reporting aspects. The EHPA will facilitate these meetings and will be accompanied by appropriate management staff like DIVS, GRPS, Strike Team/Task Force Leads, Program Advisors, or Technical Specialists.
4. Use interagency EHP scoping meeting information to:
 - Inform State and Federal EHP resource agencies about the types of projects FEMA may fund, their potential EHP effects, and EHP operations and Program service delivery implications.
 - Identify other EHP agencies' concerns about incident operations and get information about EHP resources affected by the incident.
 - Convey FEMA EHP compliance priorities to EHP agencies to determine if certain project types may get expedited review and approval.
 - Identify what EHP agency agreements or review protocols need to be revised or established.
 - Determine project review requirements.
 - Update Disaster Specific Guidance (Greenbook) and further develop EHP Management Plan.

[➡ [Link to 3.1 EHP Management Plan](#)]

[[Pop-Up #16: Disaster-Specific Guidance \(Greenbook\)](#)]

5. Finalize Greenbook shortly after the EHP scoping meeting, and ideally, before applicant briefings, kick-off meetings, and/or field briefings are held.

[[Pop-Up #17: Field Briefing](#)]

[[Pop-Up #18: Applicant Briefing](#)]

[Pop-Up #19]: Kickoff Meeting

[↪ Link to 3.4.2: External Coordination Procedures]

6. In coordination with FCO, COS, OSC, Branch Directors, DIVS, GRPS and other FEMA Program personnel, determine if any project types can be simply cleared with early interagency coordination.
 - This is critically important to “get ahead of the curve” for projects where FEMA has little direct control, such as emergency protective measures; debris removal, staging, and disposal; temporary repairs; and emergency demolition; and other critical priorities, such as construction of direct housing sites.
 - Early evaluation, coordination, and development of EHP agreements/protocols for project types will help expand EHP personnel’s ability to apply screening criteria to specific projects and facilitate project reviews and clearances.
7. Attend PA field briefings to convey essential EHP information.
 - Brief all FEMA and State Public Assistance Officers (PAOs) and field personnel to introduce management reporting requirements and information, including the Greenbook.
8. Meet, as appropriate, with SEMA in coordination with FCO, COS, OSC to let participants know what is expected of them and what they can expect from the EHP personnel. Meeting topics as appropriate for the specific incident include but are not limited to:
 - Level of FEMA EHP support for SEMA.
 - SEMA and FEMA participation in applicant briefings, kick-off meetings, or project review.
 - Identification of SEMA staff position equivalent to FEMA EHPA.
 - Specific preferences for coordination, communication, and overall information flow with applicants/subgrantees.
 - Plans for EHP participation in the applicant briefing and kick-off meetings.
 - EHP Management Plan as relevant to PA.
 - Project types that will likely require limited EHP review and project types that may require more in-depth EHP review.
 - EHP standards and approaches (structures, debris salvaging).
 - Review of EHP related MOUs, MOAs and programmatic agreements.

[↪ Link to 3.4.2: External Coordination Procedures]

9. Coordinate with Branch Directors, DIVS, GRPS, and appropriate Strike Teams/Task Force Leaders, Program Advisors, or Technical Specialists to identify and address EHP issues.

[↪ Link to 3.3.2: Internal Coordination Procedures]

3.2.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.3. Internal Coordination

3.3.1. Objective

Establish and maintain communication between EHP, Command and General Staff, and other essential JFO functions. **[EHP Policy Function]**

3.3.2. Procedures

Appropriate Organizations for Internal Coordination

1. Establish clear and concise messages about EHP, its role, and how it supports FEMA's Programs. As communications are established, it is imperative that all EHP personnel are trained in communicating key messages about the EHP function and Program compliance responsibilities throughout disaster response and recovery operations.

[Pop-Up #20]: Program Awareness

2. Establish communication channels and coordinate with Branch Directors, GRPS, and DIVS to determine incident priorities. Schedule and meet with appropriate PA, IA (for temporary housing), Mitigation, and other FEMA program representatives.
3. Support the IAP action planning process by providing EHP operations information as needed and appropriate.
4. Establish clear lines of communication with partner agencies including the ESF-3 (typically the U.S. Army Corps of Engineers [USACE]), ESF-10 (typically the Environmental Protection Agency [EPA] and U.S. Coast Guard), the Natural, Cultural and Historic Resources Component of ESF-11 (through the Department of Interior [DOI]) and other Emergency Support Functions (ESFs), including agencies involved in ESF-14 (Long Term Community Recovery), for both resources and staffing potential.

[Pop-Up #21]: Emergency Support Functions (ESF)

5. Coordination of EHP issues may involve contact and input from the following FEMA and SEMA internal functions and Programs on all incidents:
 - Federal Coordinating Officer (FCO).
 - State Coordinating Officer (SCO).
 - Chief of Staff (COS).
 - Regional Environmental Officer (REO), if different from the EHPA.
 - Operations Section Chief (OSC)
 - Planning Section Chief (PSC)
 - Branch Directors (such as Infrastructure, Human Services, Emergency Services)
 - Public Assistance Group Supervisor

- Hazard Mitigation Group Supervisor
- Individual Assistance Group Supervisor
 - Disaster Housing Operations
- Planning Section Chief (PSC)
 - Geographical Information Systems Unit Leader (GISL)
- Division (DIVS)/Group (GRPS) Supervisors
- Assistant External Affairs Officer – Public Information (AEAP)
- Safety Officer (SOFR)
- Logistics Section Chief (LSC)
- Finance/ Administrative Section (FSC)
 - Human Resource Unit Leader (HRUL)
 - Local Hiring
 - Training Unit Leader
- Legal Advisor (LEAD).
- Some EHP coordination may require input from the following additional internal organizations on a case by case basis, depending on the incident’s scope and location:
 - Community Relations.
 - Assistant External Affairs Officer – Congressional (AEAC).
 - Assistant External Affairs Officer – Tribal Affairs.
 - ESF-3, Public Works and Engineering.
 - ESF-8, Public Health and Medical Services.
 - ESF-10, Oil and Hazardous Materials Response.
 - ESF-11, Agriculture and Natural Resources.
 - ESF-14, Long-Term Community Recovery.
 - Regional Environmental Officer (REO)
 - FEMA Headquarters (HQ) EHP.

[➡ [Link to FEMA HQ contact information](#)]

Program Staff Inquiries

6. In coordination with the FCO, COS, OSC or Branch Directors, communicate with DIVS, GRPS, or FEMA program personnel to obtain information on anticipated response and recovery activities that may require EHP review and coordination. Examples questions that EHPA should be able to answer after meeting with the programs include:

About each programs:

- What project types will the Program most likely fund?
- How will the Program be organized and how will it operate?
- What are the likely timeframes for the Program's activities?
- What is the likely scale of the Program operations and the expected number and size of projects?
- Within what geographic areas and/or range of damage will the Program operate?
- What is the nature and potential impact of the Program on the environment or historic properties?
- Are there other emergency or known issues that may impact the environment or historic properties?
- Who will be the points of contact (POC) on environmental and historic preservation issues for the Program?
- Based on current information, how can EHPA best support the Program's activities?

Public Assistance (PA):

- What will be the State's role and level of effort with PA?
- How many permanent projects are likely be funded by PA?
- What are the types of damaged facilities, buildings, structures, sites, and their locations, beyond PDA-provided information?
- How will PA coordinate with Mitigation and its programs?
- What Category A and B work will need preliminary Special Considerations EHP screening, and what Category C – G work does not need preliminary Special Considerations EHP screening?
- What are plans for and desired level of EHP involvement in briefings, Applicant Briefing(s) (with State concurrence), and Kick-Off Meetings?
- Have Program project review protocols been established for screening EHP issues?

Emergency Work (Debris Removal and Emergency Protective Measures):

- Is emergency demolition anticipated? If so, how soon will it be conducted? Has any already been conducted?
- What is the estimated volume of debris that will need to be removed?
- What are the State's/subgrantee's debris disposal plans? Is the USACE mission assigned?
- What is the estimated number of temporary debris staging and reduction sites (TDSRS)? What reduction methods will be used? What disposal methods will be used? (Get guidelines from appropriate external agencies [State Environmental Protection, Forest Service, et al.]).

- Ensure debris project documentation includes name, location, and permit information for the applicable TDSRS and disposal sites.
- Is PA, USACE, and the applicants aware of potential EHP federal or state resource/regulatory agency concerns regarding debris removal, staging, and disposal following initial discussions?
- What emergency protective measures are likely to be done?

Permanent Work (Roads and Bridges, Water Control Facilities, Buildings and Equipment, Utilities, and Parks and Recreation):

- Are PA and the applicants aware of potential EHP federal or state resource/regulatory agency concerns regarding debris removal, staging, and disposal following initial discussions?
- Is there any Category C – G work that has been completed before EHP review? What measures can be developed to address these projects?

Temporary Housing (IA and PA)

- Is Direct Housing being considered as a temporary housing measure? What type of direct housing? In what stage is the process?
- Any temporary housing group sites likely? If so, how many, where, and how many housing units for each?
- What will be the State's role and level of effort with the identification of temporary housing group sites?

Mitigation

- What will be the State's role and level of effort with Mitigation?
 - Is EHP support needed during performance analysis and technical field studies?
 - Is EHP support required for HMGP Planning activities?
 - What is the timeline for EHP support of HMGP project reviews?
 - Any "canned" Mitigation projects ready for EHP screening or review?
7. Determine types of EHP-related emergency permits that Federal or State agencies may require, and any associated EHP-related Federal or State waivers/emergency orders that have been or could be issued.
 8. Review any state-specific EHP requirements that may impact Program operations (e.g., water resource emergency permits or temporarily State solid waste law waivers that may impact how debris removal is performed).
 9. Use ICS Forms 204 to document issues or special instructions, as needed, to ensure Program's EHP compliance.

Internal IMAT Coordination

10. Coordinate with representatives of Operations, Planning (Section Chief and GISL) Community Relations, LEAD, AEAC, Assistant External Affairs Officer – Tribal Affairs, Logistics, Safety, Training, and others as needed, to:
 - Clearly communicate EHPA support of their organizations and what is needed from them to support compliance with EHP requirements.
 - Brief them on EHP issues that may impact FEMA activities, including Federal and State agency priorities.
 - Determine their EHP needs and expectations at the time of the briefing, and as projected until transition.
11. Ensure that the Logistics staff understands EHP personnel requests for physical space and equipment (e.g., computers, DSL lines, desks, chairs).
12. Get information about Logistics' EHP support needs. Any plans for facility improvements? E.g., improvement/addition/expansion of parking lots, gravel or paving, running of utilities at a staging area, etc.
13. Coordinate with GISL. Determine what data and information GIS has and what will be needed to support EHP compliance. Ask if there are any specific technical requirements for data. Offer existing EHP data or contact information that may help GIS with EHP issues and non-EHP issues or projects. Get information and data from internal and external agencies to support existing and potential GIS needs for EHP compliance. Evaluate the need for a dedicated resource to assist with EHP reviews and coordinate with the GISL if the resource is needed.
14. Maintain frequent contact with Community Relations personnel to answer their EHP questions and get feedback on EHP related issues from their daily reports. Community Relations can help with scoping of EHP issue and to disseminate EHP information to communities and homeowners.
15. Ensure Congressional liaison personnel, through the AEAC or other procedure designated by the FCO, is aware of EHP contacts and has basic awareness of EHP compliance requirements to help answer Congressional inquiries about projects creating or affected by EHP issues.
16. Establish EHP point of contact with the Training Unit. Expose this POC to the EHP Program and the FEMA Resident, Independent Study, and Joint Field Training Operations.
17. Ensure EHP personnel is aware of potential safety hazards before EHP personnel go into the field. Once these safety hazards are identified, reduce risks through EHP personnel's avoidance, preemptive action by others (e.g., snake or vector removal), or minimization of exposure (e.g., clothing, personal protective equipment). Report any safety issues found by EHP personnel to Safety Officer and personnel.

Federal Coordinating Officer Entrance Meeting

18. Schedule and conduct an entrance meeting with the COS after meeting informally with the Programs (in conjunction with the FCO/OSC, as appropriate) to:

- Understand the FCO’s priorities, concerns, and expectations for JFO operations and EHP personnel, in particular.
- Understand the incident’s chain of command/unity of command structure (e.g., review organizational chart).

[⇒ Link to 3.5.2 Managing Personnel and Resources Procedures]

- Provide the COS with EHP operational needs highlighting issues that may trigger the need for additional resources.
- Inform the FCO, through the COS, of EHP issues that may impact FEMA activities, including State and Federal EHP agencies priorities based on initial EHP scoping meeting.
- Outline the in-place process for streamlined EHP compliance; convey willingness to work closely and cooperatively on this.

3.3.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.4. External Coordination

3.4.1. Objective

Establish communication protocols with appropriate external parties to exchange information and expedite the EHP compliance process. [EHP Policy Function]

3.4.2. Procedures

Regular Communication

1. Establish personal lines of communication with State and Federal EHP agencies, SEMA, Tribes, and jurisdictions as needed. The communication level needed with each external organization can range from occasional to daily and depends on the type and level of impacts that would be expected in the disaster response and recovery operations.
2. Identify specific POCs between FEMA EHP personnel and each resource agency to communicate quickly and effectively as needed.

Appropriate Organizations for External Coordination

3. Coordinate with the following external organizations on all incidents:
 - Federal EHP agencies.
 - U.S. Fish and Wildlife Service (U.S. Department of Interior)
 - U.S. Army Corps of Engineers (U.S. Department of Defense)
 - State EHP agencies (these vary by state).
 - State environmental agency
 - State fish and game agency
 - State natural resources agency

- State Historic Preservation Office (SHPO)
4. Coordinate with the following additional external organizations, as needed, depending on the incident's location and extent:
- Federal EHP agencies.
 - National Oceanic and Atmospheric Administration (NOAA) Fisheries (formerly known as National Marine Fisheries Service [NMFS]) (U.S. Department of Commerce)
 - Natural Resources Conservation Service (NRCS) (U.S. Department of Agriculture[USDA])
 - U.S. Forest Service (U.S. Department of Agriculture)
 - U.S. Department of Interior (DOI)
 - U.S. Environmental Protection Agency (EPA)
 - Coast Guard (U.S. Department of Homeland Security [DHS])
 - Advisory Council on Historic Preservation (ACHP) [through the REO and Federal Preservation Officer]
 - President's Council on Environmental Quality (CEQ) [through with the REO and Agency Environmental Officer]
 - State EHP agencies.
 - State coastal agency
 - State regional agencies (e.g., air pollution control agencies, water quality control boards)
 - State transportation agency
5. Coordinate with the following external organizations only after coordinating with FEMA Programs or the FCO, who make the initial contact:
- State emergency management agency (SEMA) or Grantee.
 - EHP Advocacy groups (e.g., National Trust for Historic Preservation, Nature Conservancy, local EHP organizations).
 - Subgrantees.

Tribal Coordination

6. In coordination with the Assistant External Affairs Officer – Tribal Affairs, and only after the FCO has established government-to-government relationship, establish a line of communication with all potentially affected, federally-recognized (recognized) Tribal governments, Pueblos, Native Hawaiian Organizations, and Native Alaskan Tribes if they are located within the declared disaster area or if there are tribes that attach religious or cultural significance to areas where FEMA will fund actions.
- Coordinate all tribal communications with the COS and Assistant External Affairs Officer – Tribal Affairs before establishing contact.
 - It is especially important to understand that special standards and practices must be used when communicating with recognized Tribes. American Indian, Native

Hawaiian, and Alaska Native Tribal governments hold unique status within the U.S., with the rights and benefits of sovereign nations.

- FEMA is committed to consult, to the extent practicable and to the extent permitted by law, with American Indian, Native Hawaiian, and Alaska Native tribal governments before taking actions that affect recognized Tribal governments, to ensure Tribal rights and concerns are addressed.
- As sovereign governments, each recognized Tribe has the right to set its own goals and priorities for the welfare of its membership, which includes the considerations Tribal governments make to fulfill their responsibilities to their non-Tribal residents, relatives, employees, and neighbors.
- The following are examples of government organizations may need to be contacted to address specific EHP issues:
 - a. Tribal government - Contact may need to be made to the following Tribal components
 1. Tribal council
 2. Tribal environmental agency
 3. Tribal fish and wildlife agency
 4. Tribal natural resources agency
 5. Tribal emergency management agency
 6. Tribal Historic Preservation Officer (THPO)
 - b. Native Hawaiian Organization
 - c. Native Alaskan Tribe

[Pop-Up #22]: Federally Recognized Tribes

7. After FEMA has established communication with the Tribe, Pueblo, Native Hawaiian Organization, or Native Alaskan Tribe contact the designated POC to schedule a scoping meeting with appropriate representatives. The following items are potential topics for this meeting:
 - What are their priorities and potential concerns for impacts to EHP resources under their jurisdiction, based on the disaster's effects?
 - Does the Tribe have its own EHP regulatory program(s)?
 - Does the Tribe have resources that could facilitate EHP reviews (e.g. GIS data, endangered species information, information on sites of traditional religious and cultural importance, etc.)? Is the Tribe willing to share this information? Are there any conditions or agreements that could be established for sharing this information?
 - What are the Tribe's EHP information needs?
 - How much will they partner and collaborate on EHP reviews?
 - Will Tribes with impacts to EHP resources serve as subgrantees or as grantees?

- Where are impacted Tribal EHP resources located (on and off tribal lands)? Are there any specific types of work that are of concern?

3.4.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.5. Managing Personnel and Resources

3.5.1. Objective

Develop, validate, and maintain appropriate EHP staffing pattern throughout the response and recovery operations. [EHP Technical Support Function]

3.5.2. Procedures

Staffing Levels

1. Program personnel should analyze, with the assistance of the EHPA, the Programs' EHP technical support needs using the information gathered during the EHP scoping process and through the information available in the IAP, to determine the appropriate EHP job titles/skill sets, numbers of staff, and timing that will be needed to support EHP operations and Program disaster assistance delivery.
 - Decisions on level of staffing and organization must be consistent with the span of control, needs based, and other principles of the Incident Command System (ICS).
 - The preferred method of operation is to integrate the EHP specialists into the various programs throughout the Operations' functions to provide the appropriate EHP technical support. Specialists will receive technical oversight and guidance from the EHPA.
 - In some situations programs or functions may want to group EHP specialists together to provide a coordinated review process. In these situations it may be necessary to designate one specialist to serve as a supervisor for that group to maintain span of control. This supervisor will take on the position of Squad, Crew, or Group leader as needed under the particular circumstances. This supervisor will use the EHP taskbook developed for these supervisory functions (i.e. the Environmental and Historic Preservation Team Lead taskbook).
 - In small incidents, there may be a need to have only one or two specialists to engage in the EHP review and support all program areas. In these situations one of the specialists may also serve as the EHPA for the incident and may not need to be located within the COS cell. Under this scenario the EHPA would report EHP issues needing the FCO's attention through the OSC.
 - Some incidents may need technical specialists assigned to the EHPA to work on particular or programmatic issues with Incident-wide applicability (e.g. historic preservation, temporary housing, etc.). These deployments/designations will be based on the operational needs of the particular incident.

[[↪ Link to EHPA Taskbook, and EHP specialists Taskbooks, EHP Position Descriptions, and 3.5.2: Management Controls](#)]

[[↪ Link to 1.2: SOP Implementation](#)]

2. Program personnel, should determine the number of EHP specialists needed based on:
 - Nature of the incident and operations (e.g., State-managed, catastrophic).
 - Extent of emergency actions.
 - Extent of MA to support Program and applicable non-Program operations.
 - Program organization, staffing, special considerations knowledge of Program personnel.
 - Specialized expertise needed (e.g., Tribal consultation, large-scale surveys, collections issues, environmental justice).
 - Geographic extent of declaration and number of area field offices.
 - Other potential EHP issues (e.g., incident areas with large concentrations of environmental or historic resources).

Management Controls

3. Determine the appropriate management controls needed to properly supervise the EHP technical support function
4. Participate in the IAP action planning process to identify needs and areas for staffing.
5. Determine the appropriate personnel types and their availability to meet the established need. The general range of personnel types include:

FEMA EHP Cadre: Permanent Full Time (PFT), Cadre of Response Employees (CORE), Disaster Assistance Employee[s] (DAE).

- Use the EHPA to identify the skills and qualification levels needed.
- Use the Ordering Unit to deploy the identified resources.
- Specify the job title and qualification level needed. [[↪ Link to Task Books and definition of qualification levels](#)]
- Coordinate with the REO, other REOs, and National Cadre Manager, if necessary, to fill needs and identify availability.

FEMA Local Hires or Temporary Full-Time (TFT) Staff:

- Determine where these resources will be utilized on the incident's operations and when hiring will begin/end.
- Consider local expertise that may be utilized through this resource type, but be aware of unfamiliarity with FEMA and probable need for extensive training and mentoring.
- Be specific in defining needs when requesting new staff.
- Provide a position description and expected level of performance.

- On large or catastrophic incidents where long term or Transitional Recovery Offices (TROs) are likely, bring qualified EHP local hires early to assist in the transition to a longer term operation.

[Pop UP #23]: The FEMA EHP Cadre

[Pop UP #24]: EHP Personnel Types

FEMA Contractors: Consider the following when assessing the need to deploy contractor personnel:

- Consider contractors as the next option after FEMA Cadre, as they are a stand-by resource and have the advantage of being available anytime, anywhere, and can be deployed expeditiously.
- Consider the range of EHP expertise that contractors can offer; it can sometimes take considerable time to find contractors with exceptional expertise.
- Consider the range of FEMA experience that contractors typically provide; contractors are sometimes unfamiliar with FEMA Programs and the agency's approach to regulatory compliance.
- Be aware that contractors can require extensive supervision and guidance from JFO staff and the EHPA in a JFO setting.
- Request and initiate the deployment of contractors through the appropriate Program coordination process (Public Assistance Officer, the Mitigation Officer, or the Housing Officer). Under ICS this will be made through the Ordering Unit Leader or appropriate protocol as established by the FCO.
- Ensure that the scope of work for the needed resources is adequate to ensure the appropriate expertise/assistance is deployed, thereby avoiding operational/program delivery delays and unnecessary expenses to the government. Include the following information in requests for EHP support:
 - Specific EHP skills needed (including professional qualification standards/certification/licensing, EHP law regulations expertise, etc), along with geographic area-experienced, if pertinent
 - Type of work to be done
 - Length of time needed
 - Expected deployment conditions (e.g., 7 days week/12hrs day, fieldwork, etc)
 - Equipment expected to bring (e.g., safety equipment, camera, GPS, etc)
- Identify who will oversee/manage the TAC resource.

[Pop UP #25]: FEMA Contractors

[Pop UP #26]: Federal Preservation Officer (FPO)

[Pop UP #27]: Environmental Officer (EO)

- Make all requests for mission-assigned personnel through the Mission-Assignment Manager (MAMG) in the Operations Section for the incident or appropriate protocol as established by the FCO.
 - Submit an Action Request Form (ARF) and the MAMG will determine if a mission assignment (MA) is the proper method.
- Coordinate with HQ EHP Unit if utilizing ESF-11. MA requests will be made through Operations, but HQ can assist in contacting and coordinating ESF-11 to ensure timely assistance that meets specific needs and to coordinate long-term assistance that may be required.
- The Operations Section manages and supervises ESF resources. If a supervisor has been designated for the EHP specialists within a Program or function, the Program or function may have the supervisor also supervise mission assigned EHP personnel for FEMA EHP activities. The supervisor may also work with the ESF-11 Natural, Cultural, and Historic Resources (NCH) Coordinator to define a work plan for the ESF-11 EHP personnel.

[Pop UP #28]: Mission Assignments

State Agencies:

- Identify whether state agency personnel may assist with EHP compliance responsibilities or specific tasks or projects. This option is usually reserved for large multi-state incidents when FEMA and contractor resources are stretched thin.
- Determine and define need based on specialized skills that the state agency may provide.
- Consult with the incident's Comptroller (Finance/Administration Section Chief or Procurement Unit Leader) for guidance concerning the appropriate procurement mechanism when considering this option. The REO, FPO, and/or EO may also be other sources of information on the various procurement mechanisms that have been used in the past.
- Develop a defined scope of work before the work proceeds to minimize the risk that it will exceed FEMA's needs or include activities that are part of the State's normal responsibilities.

Sub-grantees or Local Governments:

- Be aware that the least frequent source for finding EHP personnel resources are the Sub-grantees applying for FEMA grants or local units of government.
- Consider using this resource only in project-specific cases if they offer unique expertise or capability and only when all other procurement options are unavailable.
- Be aware that most Sub-grantees and local governments will not have the necessary professional credentials or requisite skills to provide assistance for the EHP function in an incident.
- Sub-grantees can hire contractors for studies or to develop data or documents such as Environmental Assessments.

Tribal Governments:

- Determine and define need based on specialized skills that the Tribal governments may provide.
- Consider that this resource may provide very focused and specialized EHP resource expertise or help coordinate with specific Tribal Governments on EHP consultation issues.
- Determine appropriate procurement vehicle, working with the incident's Comptroller.

Technical Assistance and Oversight Controls

6. The EHPA will designate the appropriate environmental, historic preservation and environmental-floodplain management review roles (NACS rights) for the EHP Management Information System (EMIS).
7. The EHPA may delegate this responsibility to the EHP specialists' supervisor, if one has been assigned.

Staffing Plan

8. In incidents where there is a need of significant EHP personnel resources, the EHPA and the Programs should develop a staffing plan based on the EHP Management Plan, IAP, information obtained through scoping tools, and considering past experiences.
9. Consider how the JFO operation is likely to proceed over time.
 - EHP staffing tends to lag behind Program staffing.
 - Programs typically begin operations with large numbers of personnel and decrease over time.
10. Consider the time phased deployment in accordance with operational requirements for each Program, i.e., the anticipated level of Program activity that is likely to occur as the field office undertakes and completes its work.
 - Early workload surges reflect the need to have an early strategy for EHP implementation and/or to be highly proactive during project review.
 - Later workload surges and complex projects may require EHP staff increases
11. Assess the level of EHP participation with Programs to determine the number of personnel required. Determine PA needs by assessing:
 - Estimated number of PAC Group Supervisors and PA Project Specialists.
 - PA staff organization into special teams.
 - Whether EHP will assist PAC Group Supervisor and PA Project Specialists at Applicant Briefings.
 - PA staff deployment to other field offices.
 - Anticipated number of kick-off meetings and whether EHP personnel will accompany PAC Group Supervisor and PA Project Specialists to these meetings.

- PAs level of screening projects for EHP issues.
 - Whether EHP will help Sub-grantees with project formulation.
 - Whether EHP will accompany PA staff at project field inspections.
 - Estimated number of project EHP reviews.
 - When most projects may be available for EHP review.
12. Consider when various EHP personnel resources will be available and/or their likely length of deployment:
- Mission-assigned staff may only be available early in the incident; DAEs may have varying availability.
 - TAC resources have varying deployment timeframes, depending on the contract vehicle, generally a minimum 90-day deployment. Hazard Mitigation Technical Assistance Program (HMTAP) resources generally require 30 to 60 day deployments.
 - Consider rotation timing to maintain sufficient staff levels over time.
 - Long-term needs should be considered as soon as the length of incident operations can be determined.
13. Consider that physical security procedures may slow staff deployment:
- Security clearance for new personnel working in a JFO can take a considerable amount of time and should be factored into all staff deployment and rotation plans.
 - Some individuals may not meet security standards as being suitable for employment.
 - When possible, staff should obtain security clearances before deployment.

Staffing Transitions

14. Allow at least one week of transition time for permanent rotations of management staff, and preferably 2-3 days for EHP Specialists. This time is essential for optimal continuity of operations.
- This transition time assumes that a Level 3 Fully Qualified Cadre member will be transitioning into the management position because they have the experience to quickly assimilate the style and unique issues associated with the incident. More time may be needed for others who do not have FEMA experience or who are below this level.
15. Ensure that management staff have briefing and de-briefing meetings to transfer all relevant incident operation knowledge, documents, procedures, policies, and protocols to new personnel [**➔Link to Unit 5: Transition to Region**]:
- Briefing and de-briefing is critical for maintaining EHP operations integrity over time and for ensuring that compliance responsibilities are upheld and documented.
 - Effective briefing and de-briefing will serve to organize and validate incident-related information as time passes and field operations end.

16. Regularly update the EHP Management Plan [[↻Link to 3.1: EHP Management Plan](#)]
[[↻Link to 3.5.2 #11: Staffing Plan](#)] [[↻Link to 3.10.2 #8: EHP Disaster Notebook](#)]
[[↻Link to 3.10: Project Review Documentation](#)]

[Pop-Up #29]: [EHP Disaster Notebook](#)

3.5.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.6. Logistics

3.6.1. Objective

Identify, obtain, and validate the EHP personnel's workspace, equipment, supplies, physical space, and other needs. [[EHP Technical Support Function](#)]

3.6.2. Procedures

Space Requirements

1. Identify the EHP personnel's workspace needs.
 - Work with Logistics and/or immediate supervisor to identify the EHP personnel's workspace locations. Space needs may range from a single workspace for the EHPA in smaller operations, to dozens of workspaces spread throughout the JFO and area field offices.
2. Consult the EHP Management Plan and staffing plans for incidents requiring significant EHP personnel resources to determine space needs [[↻Link to 3.1: EHP Management Plan and 3.5.2: Managing Personnel and Resources Procedures](#)] and consider the following factors:
 - Number of EHP personnel anticipated throughout the incident.
 - The most efficient location for EHP personnel as part of the incident's operations.
 - EHP personnel is typically co-located with PA since they usually have most of the incident's EHP workload. Co-location helps EHP get the latest information on PA operations and Program-related issues. Likewise, EHP personnel presence helps make PA more aware of their compliance obligations.
 - Co-locating relevant EHP personnel with Temporary Housing operations has proven advantageous to the operations.
 - Consider the geographic location of required fieldwork. If an Area Field Office (AFO) or other satellite office is established, determine if an EHP presence would make the operation more efficient.

Equipment Needs

3. Determine EHP personnel equipment needs.
 - EHP personnel can usually get needed equipment through Supply Unit's Accountable Property Office (APO).

- Note: The EHPA, supervisor of the EHP specialists (if one exists), or responsible official with signature authority, must sign off on equipment. Certain non-standard items can be obtained through the APO by completing the necessary purchasing forms (i.e., Form 60-1). The APO typically stocks the following:
 - Cell phones
 - Spectra link phones
 - Printers (including color)
 - Digital cameras
 - Laptops
 - GPS units
 - File cabinets
 - Other items stocked by the Supply Unit include the following:
 - Tables and chairs
 - General office supplies (such as pens, notepads, calculators, and file folders)
4. Evaluate the functions EHP personnel members are going to perform and determine if they will need special equipment.
- Special equipment needs are usually arranged through the Supply Unit. Special equipment needs can include items such as:
 - Special laptops that run ArcGIS
 - Color printers
 - Street map software
 - Aircards, Ipass, Satellite phones
 - Safety equipment (hard hats, safety vests, gloves, boots, safety glasses, dust masks/respirators, etc.)
 - Scanners
 - Land vehicles not authorized for individual rental.
 - Boats
 - Aircraft

3.6.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.7. Compliance Strategy

3.7.1. Objective

Develop and implement an approach for assuring FEMA's compliance with all applicable EHP laws, regulations, and EOs throughout the incident's operations. [EHP Policy Function and EHP Technical Support Function] [[↻Link to 3.1: EHP Management Plan](#)]

3.7.2. Procedures

Applicable Laws, Executive Orders, and Regulations

1. Define and apply applicable EHP laws, regulations and EOs for FEMA-funded activities. For new Programs and special circumstances, this guidance/oversight may require coordination with the REO and the HQ EHP Unit. [[↻Link to 3.9: Project Review](#)] [[↻Link to 3.10 Project Review Documentation](#)]

[Pop-Up #30]: [Federal Laws](#)

[Pop-Up #31]: [Laws](#)

[Pop-Up #32]: [Regulations](#)

[Pop-Up #33]: [Executive Orders](#)

[Pop-Up #34]: [Agency Policy](#)

Streamline the EHP Compliance Process

2. Identify available tools defined by law or by practice to streamline FEMA EHP compliance responsibilities for a more efficient compliance process. Streamlining can include:
 - Exemptions of certain activities by law or regulation (e.g., the Stafford Act provides for the exemption of most response actions from NEPA requirements).
 - Use of interagency agreements and programmatic agreements (e.g., the ACHP’s regulations on Section 106 of the National Historic Preservation Act (NHPA) provide for use of programmatic agreements to streamline Section 106 consultation requirements).

[Pop UP #35]: [Interagency Agreements](#)

- Blanket/programmatic consultations that cover types of projects in certain locations (e.g., under the Endangered Species Act [ESA]).
 - Protocols.
3. Consider the following factors in developing and using streamlining:
 - Lessons learned from previous incidents.
 - Known/common EHP resource or project types for which programmatic approaches would significantly streamline review.
 - Timing for negotiating specific agreements or programmatic consultations.
 - The best means for achieving resource agency support and external coordination. [[↻Link to 3.3: Internal Coordination](#)] [[↻Link to 3.4: External Coordination](#)]
 - Whether representatives from agencies such as SHPO, USFWS, and state agencies should work at the JFO near or “embedded” with the EHP technical support function.

Emergency Procedures in Applicable EHP Laws and Regulations

4. Determine when it is appropriate to use emergency procedures in applicable EHP laws and regulations to expedite project reviews.

[Pop-Up #36]: Emergency Provisions in EHP Laws and Regulations

The Review Process

5. Establish the appropriate authorities by developing a clear understanding of what EHP compliance documentation must be signed and by whom (e.g. FCO, EHPA, OSC, Functional Branch Chief, etc.). [[👉Link to 3.5: Managing Personnel and Resources](#)]
 - Consult with the REO (and HQ EHP Unit when needed) to establish the necessary signatory authorities for new FEMA Programs, or where compliance documentation does not follow established protocols (e.g., programmatic CATEXs)
6. Determine who has legal authority and responsibility to sign compliance documents and agreements within the resource agencies. [[👉Link to Pop-Up #30 – Federal Laws](#)] [[👉Link to 3.4.2: External Coordination Procedures](#)]
7. Determine project review timeframes and evaluate when it is appropriate to provide input on projects' potential EHP impacts. Factors involved in this determination include:
 - PA, IA, Mitigation, and other Program requirements.
 - Agency consultation timeframes (these needs will vary depending on program and agency).
 - EHP objectives.
 - Available EHP resources.
8. In coordination with the appropriate Program or other appropriate operations member, establish priorities among the many conflicting and complex issues that arise during disaster response and recovery. Essentially, this is triage work, identifying the most critical issues to be addressed first. Some of the factors that must be considered to make these decisions are:
 - What are the most pressing projects?
 - Where are the most EHP sensitive areas?
 - What level of effort can be afforded to address these issues?
 - Are high-priority applicants involved?
 - What resources are available?

[[👉Link to 3.9: Project Review](#)] [[👉Link to 3.10: Project Review Documentation](#)]

9. Develop protocols for reviewing projects by determining *who* among the EHP personnel may review *what*, *who* among the EHP personnel may approve that review, and if any other reviews are needed. [[👉Link to 3.3: Internal Coordination](#)]
 - The EHPA will have REO-delegated authority to approve CATEXs at Levels 1, 2, and/or 3. [[👉Link: Signature Authority Matrix](#)] [[👉Link to 3.5: Managing Personnel and Resources](#)]

- Develop clear protocols early on to lessen the chances of confusion and miscommunication among the EHP personnel, especially if there are area field offices with EHP personnel, separate from the JFO.

10. Determine who will assign reviewers by considering the following:

- If EHP reviewers will be designated for certain subject areas (e.g, environmental reviews, historic preservation reviews, floodplain management reviews).
- Be aware that CATEX authority and other compliance authorities go with the job title for which a cadre member is deployed, but not automatically if they hold multiple job titles.
- Who can review projects in a given geographic or subject area.
- Whether the IMAT is managing multiple incidents, who can review which incident, and if there is reviewer overlap.
- Who will perform quality assurance/quality control reviews and how will these reviews be done.
- Whether there will be review of a certain percentage of all projects, or of a certain percentage of projects by each EHP specialist.

11. Determine the protocols for developing, transmitting, and filing review documentation.

Considerations include:

- Minimum legally sufficient documentation requirements.
- Documentation protocols (document transmittal and electronic and hard-copy storage).
- Incident-specific, Program-specific, and project-specific protocols.
- New documents to be developed and executed, the necessary POCs, lead and methods for ensuring sufficient time to develop the documents.

[↪Link to 3.10: Project Review Documentation]

3.7.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.8. Data Collection

3.8.1. Objective

Collect, maintain, validate, and file all relevant data necessary for project reviews to enable personnel to make adequately informed, legally defensible decisions about the potential effects to natural, cultural, and historic resources of proposed FEMA-funded projects. [EHP Technical Support Function]

3.8.2. Procedures

Existing Data on Affected Areas

1. Collect latest information to develop an EHP baseline for proposed projects in affected areas.
2. Provide data collection guidance to EHP specialists for highly visible projects that may create EHP issues.
3. Collect existing data from:
 - PDA data, SitReps, regional analyses, interagency agreements and consultations, resource inventories (e.g., wetlands, endangered species, critical habitats, historic properties), agency EHP compliance database reports.
 - Project Worksheets and attachments.
 - Data collected from previous incidents in the same area.
 - Web-based maps (e.g., USFWS National Wetlands Inventory, U.S. Geological Survey (USGS) topographic maps, coastal barrier resources system maps, coastal zone maps, National Floodplain Insurance Program (NFIP) maps, special-status surface water maps, U.S. Census maps).
 - Photographs (e.g., aerial photos by Internet, PA Project Specialist field photos).
 - Educational institutions and EHP advocacy groups.
 - EHP agencies such as the USFWS, USACE, EPA, SHPO, and state environmental and natural resource agencies.
 - The most current EHP laws, regulations, EOs, and policies.

Data Gaps

4. Identify and collect additional data needed on project conditions and regulatory requirements for complete, accurate EHP reviews.
5. Collect information to fill in the data gaps identified above. EHP personnel may need to visit the site or discuss the site with Programs, and review field notes, correspondence, maps, and photographs.

Validate Data

6. Assess the validity of the information collected to ensure that decisions are made based on accurate information.
7. Determine the validity of the data collected for project review by evaluating its reliability, accuracy, source of authority, currency, fairness, and adequacy.

[Pop-Up # 37]: Data Quality

Maintain Data

8. Ensure that organized logical filing systems for both electronic and hardcopy records are established and maintained. This is particularly important considering staffing transitions throughout the incident.

9. Assess the need for a data entry or data management specialist to assist in electronic data entry and organization, particularly when using large databases.
 - There may be a need to develop a data gathering methodology, especially if significant amounts of data are being created and will ultimately be turned over to another party or if development may need focused support from GIU.
 - It is important to define needs and expectations clearly.
 - Specific equipment may be needed to support data creation or collection. [[↪Link to 3.6: Logistics](#)]
10. Maintain data for possible reuse in future field and regional office EHP operations or for sharing with resource agencies.

3.8.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.9. Project Review

3.9.1. Objective

Ensure a legally sufficient, timely, and efficient project review process and promote avoidance, minimization, and mitigation of potential adverse impacts on public health and EHP resources. [[EHP Technical Support Function](#)]

3.9.2. Procedures

1. Implement and oversee an effective workflow process that ensures thorough and timely EHP compliance review of all applicable FEMA-funded activities. These procedures focus primarily on the Public Assistance Program.

The following steps outline the typical project EHP review process.

Project Review Priority

2. Prioritize projects for compliance review, based on the developed compliance strategy. [[↪Link to 3.7: Compliance Strategy](#)]

[[Pop-Up #38](#)]: [Prioritizing Project Review](#)

Project Scope

3. Define the project's scope before determining EHP compliance requirements.
4. Work with the Program personnel to understand the action well enough to conduct an adequate EHP review.

Project Site Location and the Project Area

5. Identify the project site and larger project area that may be affected. EHP specialists use tools such as GPS coordinates, maps, and the results of reconnaissance field visits (including photographs). They may also talk with Program personnel (PA Project Specialists or PAC

Group Supervisor) familiar with the project to get further information on the area potentially affected by the project.

Resources in the Potentially Affected Area

6. Identify the EHP resources within the project site and project area. For example, they will identify the presence or absence of floodplains, coastal zones, protected species, human populations, wild and scenic rivers, potentially historic buildings, and archeological resources.

Data Gaps

7. Identify additional data needs based on the information collected on the project site and project area and its EHP resources, that will allow accurate evaluation of the impacts on the proposed project area and collect data to fill in the gaps. [[↻Link to 3.8.1: Data Collection Objective](#)]

Consulting Parties, Cooperating Agencies, and Stakeholders

8. Determine appropriate consulting parties, cooperating agencies or stakeholders if required by EHP law(s).

Applicable Laws, Regulations, and Executive Orders

9. Synthesize the information collected in the steps above and determine what EHP laws, regulations, and EOs are triggered by the project.

[[↻Link to 3.7.1: Compliance Strategy Objective](#)] [[↻Link to Federal Laws Pop-Up #28](#)]
[[↻Link to Matrix of Laws and Programs](#)]

Compliance Agreements and Consultation Protocols

10. Determine whether any compliance agreements and consultation protocols apply under the laws, regulations, and EOs that have been identified, to streamline the EHP review process.
 - Examples include NHPA programmatic agreements and ESA blanket clearances for certain actions. [[↻Link to 3.7: Compliance Strategy](#)]

EHP Review

11. Identify the actions necessary to comply with all applicable EHP laws, regulations, and EOs identified above, and identify both the level of NEPA documentation required and the requirements of all other applicable laws, regulations, and EOs.
 - EHP reviews will be done with a full understanding of project scope, data reviewed, assessment of potential EHP effects, and knowledge of all applicable EHP laws, regulations, EOs, and agency policies and procedures.

Project EHP Review Documentation and Conditions

12. Document the review findings and spell out the conditions required for the project to be in compliance. These actions will be documented in the EHP Management Information System (EMIS), and as appropriate, in a Record of Environmental Considerations (REC).

[[Pop-Up #39](#)]: Findings

[Pop-Up #40]: Project Conditions

EHP Review Approvals and Transmittal of Findings

13. Obtain the proper environmental review approvals. Approval authority will follow the authority matrix. [[↪Link to 3.5: Managing Personnel and Resources](#)] EHP Specialists will communicate project EHP review results to Programs in accordance with the compliance strategy. [[↪Link to 3.7: Compliance Strategy](#)]

[Pop-Up #41]: Typical Public Assistance (PA) Review Activities

[Pop-Up #42]: National Environmental Policy Act (NEPA)

[Pop-Up #43]: Statutory Exclusion (STATEX)

[Pop-Up #44]: Categorical Exclusion (CATEX)

[Pop-Up #45]: Environmental Assessment (EA)

[Pop-Up #46]: Environmental Impact Statement (EIS)

[Pop-Up #47]: National Historic Preservation Act (NHPA) Section 106

[Pop-Up #48]: Clean Water Act Sections 404 and 401

[Pop-Up #49]: Clean Air Act

3.9.3. Best Practices, Guidance, and Tools

[See Appendix B]

3.10. Project Review Documentation

3.10.1. Objective

Establish and maintain a legally sufficient, organized, and effective record-keeping process throughout EHP operations. [[EHP Technical Support Function](#)]

3.10.2. Procedures

Record-Keeping

1. Ensure that an organized and efficient documentation control system is created for the incident and that it is properly utilized. Ensure that the system is set up to be easily understood by all users, including transitioning REOs, EHPAs, and EHP Specialists.

The documentation control system will retain documents that:

- Have legal importance.
- Demonstrate that procedures have been followed.
- Are necessary to explain or place in context the EHP review and decision-making process.

2. Submit copies of EHP findings and approvals to Programs, as they are the official record-keepers of project documentation.
3. Provide copies of EHP documentation to the REO for future reference, guidance, and potential lawsuits. [[Link to Unit 5: Transition to Region](#)]

Internal Controls

4. Implement internal controls to ensure the record-keeping system is performing as intended. Perform file audits to provide these controls.
5. Maintain the use of standard comments in the EHP queue.

Required Documentation

6. Ensure that copies of the following documents are kept as part of the official record of the incident:
 - Environmental Assessments (EA) and Findings of No Significant Impact (FONSI).
 - Environmental Impact statements (EIS) and Records of Decision (RODs) (Note: EIS preparation will require maintaining an Administrative Record, which has its own documentation requirements).
 - Statutory Exclusion (STATEX)
 - If a project qualifies for a STATEX, that determination is documented in the EHP queue. PA maintains a paper copy of the REC report from EHP system or memo documenting the STATEX decision, as part of the official record.
 - CATEX Level 1
 - If a project qualifies for a CATEX Level 1, document that determination in the EHP queue. Maintain a paper copy of the REC report from EHP system or memo documenting the CATEX Level 1 decision as part of the official record.
 - CATEX Level 2
 - Prepare the EHP queue screen REC Reports, a REC, or a programmatic CATEX. Obtain the appropriate approval and maintain a paper copy of the printouts, REC, or PC, as part of the official record.
 - Programmatic CATEXs. Maintain the memorandum documenting the use of a programmatic CATEX, including applicable regulation citations and EHP approvals.
 - CATEX Level 3
 - Prepare a multi-page CATEX “Memorandum for the Record”, with approval and copies sent to Programs.
 - Programmatic CATEXs. Maintain the memorandum documenting the use of a programmatic CATEX, including applicable regulation citations and EHP approvals.

- Agency correspondence that documents the entire EHP consultation process, including concurrence decisions and any project-specific conditions.

[Pop-Up #50]: Record of Environmental Consideration (REC)

Optional Documentation

7. Include the following documentation if it was used as part of the decision-making process (otherwise it does legally not have to be part of the official record):

- Site visit reports.
- Maps, plans, and photos.
- Memoranda to file, meeting minutes, or telephone conversation records.
- Field/technical studies and reports.

Environmental/ Historic Preservation Disaster Notebook

8. Maintain the *EHP Disaster Notebook (Notebook)* throughout the incident. The *Notebook* catalogs items that document EHP operation and EHP compliance activities, is considered an operational and management document, and typically includes:

- Incident-wide meeting minutes, notes, and logs.
 - Agency scoping meeting notes
 - Key Program meeting notes
 - Incident-specific policy and guidance
- Programmatic EHP compliance documents.
 - Memos and other documents that demonstrate decisions for EHP compliance for a group of actions
 - Individual project EHP reviews that reference the programmatic EHP compliance documents
- Guidance documents.
 - Used for future reference and to demonstrate adherence to FEMA EHP standard procedures
- Management and operational tools.
 - EHP review protocols with FEMA Programs
 - Communication protocols
 - Management and staffing organization charts
 - Other items that document the EHP operations

Transition Documentation

9. Ensure that records and documents are prepared and maintained for transition of responsibility to ensure continuity of EHP activities, including post-construction monitoring requirements. **[🔗Link to Unit 5: Transition to Region]**

10. Prepare and/or maintain the following documents as the permanent record of the incident's operation and transmit to the Regional Office:

- After-action reports.
- Situation Reports.
- CATEXs, EAs, EISs.
- Interagency agreements.
- FEMA-State agreements.
- Disaster-specific guidance, such as the Greenbook.
- Project tracking tools.
- EHP Disaster Notebook (kept at the JFO with a copy transmitted to the REO).
- Project-specific documentation.
 - Project worksheets, applications, and scopes of work
 - Environmental records in case management file (Public Assistance) and project application file (Hazard Mitigation)

3.10.3. Best Practices, Guidance, and Tools

[See Appendix B]

Chapter 4: TRAINING

Goal: Ensure EHP personnel members understand their roles and responsibilities, and can perform their duties in the field. Ensure EHP personnel facilitates Program and other personnel understanding of roles in EHP compliance.

4.1. Objective

Provide relevant level of EHP training for all applicable FEMA and State JFO managers and personnel. Ensure EHP personnel have taken FEMA training to meet qualification plan requirements. [EHP Technical Support Function]

4.2. Procedures

4.2.1. Identify Training Needs

The EHPA is responsible for identifying EHP training needs. There may be a need to designate a specialist to coordinate the training needed with the Training Unit. Consider the training needs of two major groups: EHP Specialists and other incident staff such as FEMA and SEMA Program managers and staff.

EHP Personnel Training

1. Identify EHP personnel training needs based on:
 - The level of previous EHP personnel training and the length of time that they have worked with FEMA
 - Ongoing assessment of EHP performance.
 - Input from EHP Specialists.
 - EHP personnel's individual professional development plans.
 - FEMA required training.
 - Extent and type of damage and projects – evolution of project content.
 - The first projects requiring EHP review are usually debris removal, emergency protective measures, and sometimes temporary housing, each with their own EHP compliance issues.
 - Over time, permanent projects move from simple repairs to major projects with mitigation measures and potentially greater EHP impacts.

Training Other Personnel

2. Ensure that FEMA and SEMA Program managers and personnel who have EHP compliance responsibilities are trained, so that they can properly identify EHP issues, convey requirements to applicants, and perform EHP functions such as project EHP screening.
 - Training can be time-intensive, and given the nature of the work, may be a lower priority than project reviews. During incident operations, training may only be possible as time permits.

Types of Training

7. Ensure EHP Specialists' training includes an appropriate variety of training methods and materials:
 - Written guidance: Various guidance documents are available to help personnel understand EHP compliance (see Level 3).
 - Field briefings. Meetings and other briefings on general EHP compliance, specific compliance issues, or projects.
 - Web-based courses. Various courses relevant to EHP compliance are available on line, including IS 253.
 - Working in teams (mentoring): Mentoring is done when people with greater experience and knowledge work with people with less experience and knowledge, in pairs or teams, and should emphasize teamwork and resolution of EHP issues in a collaborative environment.
 - Classroom Training.
 - Disaster Field Training Officer.

[Pop-Up # 51]: Emergency Management Institute (EMI)

Coordinate with Program Personnel to Develop and Implement Training

8. Meet with Training Unit Leader:
 - Report EHP training needs (courses, number of people).
 - Obtain schedule of existing training.
 - Determine level of EHP participation needed in training design, development and delivery.
 - Designate an EHP training point of contact.
9. Coordinate training course development and implementation for Programs and other (State) staff with their management.
10. Determine training content, length, and logistics (when, where, who, how) before training can proceed.

4.3. Best Practices, Guidance, and Tools

[See Appendix B]

Chapter 5: TRANSITION TO REGION

Goal: Ensure effective transition of EHP function and responsibilities back to the region.

5.1. Objective

Ensure effective transition of the EHP function and responsibilities from the JFO to the Regional Office upon JFO closure. [\[EHP Policy Function\]](#)

5.2. Procedures

5.2.1. Timing of Closeout

The JFO closes when the Regional Office can provide remaining federal disaster recovery assistance and/or by relocating needed personnel and other resources to a State Disaster Recovery Center (DRC), to the State Emergency Operations Center (EOC), and/or to other field offices.

5.2.2. Implement Transition Plan

1. Work with the Planning Section’s Demobilization Unit Leader to develop Transition Plan.
2. Continue supporting PA either on-site or remotely until the Program ceases operations in the field, irrespective of whether the JFO has terminated operations.
 - The transitioning of responsibilities and operations from the JFO to the Regional Office is similar to the transitioning that occurred from the Regional Response Coordination Center (RRCC) to the JFO, when it was initially set up. [[↪ Link to Unit 2: Pre-Declaration Activities](#)]

5.2.3. Coordinate with Programs

1. Coordinate with Programs and the State prior to JFO closure, to determine the status of projects in the EHP queue, and other projects requiring additional EHP coordination.

5.2.4. Develop Transition Plan

1. Work with the REO before JFO closure, to facilitate transition of operations to the Regional Office and to ensure that the REO and Program Offices have sufficient documentation to continue project EHP reviews.
2. Coordinate with the FCO and Planning to determine whether they have independent transition planning requirements.
3. Develop a Transition Plan that clearly describes the status of incident operations at the time of JFO closure, so that the Region can efficiently assume EHP operations and responsibilities.
 - The Transition Plan level of detail will be tailored to incident staffing circumstances.
4. Ensure that the Transition Plan includes:

- *Project status*: Information on the number of Project Worksheets cleared, pending, and anticipated.
- *Consultation status*: General status of EHP consultations, including outstanding consultation issues and any projects that require continued monitoring.
- *Unresolved issues*: Project issues such as incomplete information from an applicant.
- *Resource support*: Anticipated Regional Office resource needs, including FEMA and contractor staffing, workspace, and equipment, along with any special equipment needs such as GIS.
- *Preliminary operational assessment*: Operational assessment results done under Unit 6.
- *“Hot” issues*: Controversial issues encountered at the JFO, including staff performance, previously unidentified state or regional protocols, and national policy issues that may need to be addressed by HQ.

5.2.5. Prepare and Maintain Transition Documents and Data

1. Provide EHP operational and project documents to the REO and Program personnel when the JFO closes to ensure continuity of environmental compliance activities (including monitoring and/or closure). Examples of additional documents and records are: [➡ **Link to 3.10: Project Review Documentation**]
 - *EHP Disaster Notebook*.
 - *Project documents*: records for completed projects, denied projects, incomplete projects, projects pending completion, and anticipated projects. Incomplete projects and anticipated project records including, but not limited to: memoranda, maps, and notes.
 - *Legal documents*: including licensing agreements for GIS information; transfer these via certified/insured mail to the Regional Office to document the transfer process.
 - *Public notices*: public notice affidavits and copies of public notices as printed in the newspaper and other publications.
 - *Incident guidance documents*: copies of State regulations, the Greenbook, policy memoranda.
 - *Other reference information*: including maps, books, and field/aerial photographs.
 - *GIS data*: may include sensitive information that cannot be distributed outside of FEMA, such as the location of protected species or cultural properties.
 - *Electronic files*: Word files, other text files, PDF files, and spreadsheets. Save these to CDs before transfer.
2. Instruct EHP Specialists to discard remaining documents that are of no further use. Duplicate copies of sensitive documents or maps should be shredded, and electronic files on shared drives should be completely purged once they are copied onto a CD.

5.2.6. Determine Staffing Needs

1. Determine the minimum personnel required to transition operations from the JFO to the Regional Office by consulting with Programs and the REO, who will consider the incident's size and work remaining. In many cases, this personnel will include a representative for the REO.

5.3. Best Practices, Guidance, and Tools

[See Appendix B]

Chapter 6: OPERATIONAL REVIEW

Goal: Ensure continuous improvement in all EHP processes when implemented during an incident's operation so that the EHP mission is effectively met.

6.1. Objective

Perform operational review to determine how well the EHP SOP objectives were met and to identify internal and external areas for possible improvement. [EHP Policy Function and EHP Technical Support Function]

6.2. Procedures

1. Use FEMA's Remedial Action Management Program (RAMP) to identify the issues that have impacted the JFO EHP function's ability to accomplish the EHP regulatory compliance mission throughout field operations.
 - RAMP is designed to efficiently share smart practices and lessons learned to improve delivery of internal and external services. It provides a managed issue remediation process. Facilitators organize forums, called Hot Washes, to discuss operations problems, identify causes, propose solutions, and direct actions to appropriate offices for resolution.
2. Identify issues that may negatively impact future operations.
3. Use the RAMP process to address:
 - An issue that negatively impacts an individual's or group's ability to accomplish assigned tasks and/or the mission.
 - A systemic problem that could not be resolved in the field.
 - Something that requires senior leadership's attention to resolve.
 - Appropriate resolution to an issue.
4. Develop deliverables for each RAMP issue:
 - Develop a concise problem statement that identifies the root cause and impacts.
 - Provide specific examples on how the mission was negatively impacted and potential impact on future operations.
 - Document Hot Wash discussion points.
 - Designate remediation action level (HQ, Region).
 - Develop an Action Plan that defines specific actions, responsibilities, and timeframes to correct the problem(s).

6.3. Best Practices, Guidance, and Tools

[See Appendix B]

Appendix A

Pop-Ups

POP-UP #1: Standard Operating Procedure (SOP) A SOP is a document that gives a step-by-step description of how a specific operation, method, or procedure is performed.

POP-UP #2: National Response Plan (NRP), last updated May 25, 2006, establishes a comprehensive all-hazards approach to enhance the ability of the United States to manage domestic incidents or disasters. The plan incorporates best practices and procedures from incident management disciplines including but not limited to homeland security, emergency management, law enforcement, firefighting, public works, public health, responder and recovery worker health and safety, emergency medical services, and the private sector and integrates them into a unified structure. It forms the basis for how the federal government coordinates with state, local, and tribal governments and the private sector during incidents or disasters.

POP-UP #3: National Incident Management System (NIMS), is a system that provides a consistent nationwide template to enable Federal, State, tribal, and local governments, the private sector, and nongovernmental organizations to work together to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents regardless of cause, size, location, or complexity. This consistency provides the foundation for utilization of NIMS for all incidents, ranging from daily occurrences to incidents requiring a coordinated Federal response.

NIMS is based on the premise that the utilization of a common incident management framework will give emergency management/response personnel a flexible yet standardized system for emergency management and incident response activities. NIMS is flexible because the system components can be utilized to develop plans, processes, procedures, agreements, and roles for all types of incidents and is applicable to any incident regardless of cause, size, location, or complexity. Additionally, NIMS provides an organized set of standardized operational structures which is critical in allowing disparate organizations and agencies to work together in a predictable, coordinated manner.

The President directed the Secretary of Homeland Security to develop and administer NIMS through Homeland Security Presidential Directive-5 (HSPD-5), *Management of Domestic Incidents*.

POP UP #4: Incident Command System (ICS) is a standardized on-scene emergency management construct specifically designed to provide for the adoption of an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.

POP-UP #5: Regional Response Coordination Center (RRCC) is a standing facility in each FEMA Region and is responsible for coordinating regional response efforts in anticipation of, during, and immediately following a disaster.

The RRCC establishes Federal priorities and assists with implementing local Federal program support until a JFO is opened. The RRCC:

- Coordinates with state emergency management agencies (SEMAs)
- Deploys the Incident Management Assistance Team (IMAT) to field locations
- Assesses damage information
- Develops initial situation reports
- Issues initial mission assignments
- Allocates resources during multiple events and/or areas of impact.

POP-UP #6: Media Monitoring is an activity consisting of tracking disaster coverage through watching local and national television news, reading local and national newspapers, and reading electronic news media. Media monitoring is critical to gaining an awareness of emerging and evolving EHP issues. The results can be used to start a “hot issues” list and more broadly, in support of EHP function and compliance strategy development.

POP-UP #7: Programmatic Agreement. A Programmatic Agreement under Section 106 of the National Historic Preservation Act (NHPA) is a legally binding document that records the terms and conditions agreed upon by the Federal agency, the Advisory Council on Historic Preservation, the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO), and other consulting parties, as appropriate, to resolve the potential adverse effects of a Federal agency program, complex undertaking, or multiple undertakings in accordance to 36 CFR 800.14(b). For FEMA, the Programmatic Agreement replaces the standard Section 106 process, streamlining project evaluation during all phases of emergency response. Provisions in FEMA’s Statewide Programmatic Agreements typically include Programmatic Allowances that exclude specific routine activities from Section 106 review. The Programmatic Agreement may be executed with the parties prior to a specific disaster, or may be executed during the initial disaster response.

POP-UP #8: Memorandum of Agreement (MOA). An MOA under Section 106 of NHPA is a legally binding document that records the terms and conditions agreed upon to resolve adverse effects of an undertaking upon historic properties. The MOA is typically the result of consultation between the agency and the SHPO/THPO regarding an assessment of adverse effects on identified historic properties after the agency has determined that its undertaking will result in adverse effects to historic properties. The MOA outlines agreed-upon measures that the Federal agency will take to avoid, minimize, or mitigate these adverse effects.

POP-UP #9: Preliminary Damage Assessment (PDA) is an evaluation made jointly by FEMA and the State to determine the magnitude and impact of an event's damage. The FEMA/State team usually visits the disaster area to view the damage first-hand and to assess the scope of damage and estimate repair costs. The State uses the results of the PDA to determine if the situation is beyond the combined capabilities of State and local resources and to verify the need for supplemental Federal assistance.

POP-UP #10: Regional Summary/Regional Analysis and Recommendation is a report used to evaluate and document the impacts of a disaster and to recommend what type of disaster assistance should be made available. This report is submitted to FEMA Headquarters following

a Governor's official request for Federal assistance subsequent to a disaster event. The Regional Summary/Regional Analysis and Recommendation includes:

- A narrative of the event
- The impacts of the event to private and public sectors
- Health and safety impacts
- Emergency shelter information
- Type and extent of damages
- Type of assistance requested
- Summary of State and local resources allocated for the event
- A recommendation regarding whether to approve the request for declaration

POP-UP #11: Presidential Disaster Declaration is a statement issued by the President, in the form of a letter, which declares that a major disaster or emergency exists. Disaster declarations are generally issued following a PDA, a request for such a declaration from a State, and/or the Regional FEMA recommendation (i.e., Regional Summary/and a Regional Analysis and Recommendation). Once the President has issued the Disaster Declaration, it is published in the Federal Register and posted to the FEMA Website.

POP-UP #12: EHP Management Plan provides a roadmap for meeting the EHP requirements for a particular incident. It is developed by the EHPA with assistance from other EHP specialists or supervisor if one has been assigned. The EHP Management Plan will:

- Provide strategy and tactical information for addressing key EHP-related issues
- Be a record of critical field EHP issues and incident-wide agreements.
- Assist with briefing and de-briefing of key EHP personnel.
- Orient new EHP personnel.
- Provide a framework for timely EHP review and ensuring full EHP compliance.
- Assist in the transition to Region and close-out operations.

POP-UP #13: Federal Coordinating Officer (FCO) is appointed by the FEMA Director following the declaration of a major disaster or of an emergency by the President, to coordinate federal assistance. The FCO initiates action immediately to ensure that Federal assistance is provided in accordance with the declaration, applicable laws, regulations, and the FEMA-State agreement.

POP-UP #14: Incident Action Plan (IAP) is an oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.

POP-UP #15: Go-Kits are a compilation of templates, reference materials, Websites, protocols/procedures, and other materials needed to set up the EHP function in an incident's operation. This material is prepared in advance so that it can be easily deployed along with the first EHP personnel in an incident's operation. It assumes that EHP personnel will not have connectivity to computers/databases/electronic files for a period of days.

POP-UP #16: Disaster-Specific Guidance (Green Book) is a document prepared by EHP for a particular incident that is intended to inform Program personnel, State agency personnel, and applicants about environmental and historic preservation issues and concerns, and the need to comply with environmental laws, regulations, and Executive Orders relevant to the incident area and/or their proposed projects. REOs typically have templates for this guidance document for each state in their region.

POP-UP #17: Field Briefing. A field briefing is a meeting held by FEMA and State Public Assistance Officers with all field personnel to introduce management reporting requirements and incident-specific information, including the incident-specific guidance developed for environmental and historic preservation reviews.

POP-UP #18: Applicant Briefing. An applicant briefing is a meeting conducted by a State representative for prospective applicants for Public Assistance (PA) grants. The briefing occurs after the Disaster Declaration and addresses application procedures, including eligibility requirements for FEMA PA funding. FEMA PA staff typically participates in the briefing to provide a general overview of the PA Program. They discuss funding eligibility as well as floodplain management, EHP considerations, mitigation, insurance requirements, and procurement standards. EHP Disaster-Specific Guidance (the "Green Book") may be handed out at this meeting. In larger incidents, a specific meeting may be held to address a group of applicants, for example, representatives from State Parks Department Headquarters and individual Parks in the incident area.

POP-UP #19: Kickoff Meeting. A kickoff meeting is a meeting held with an applicant who has submitted a Request for Public Assistance to FEMA. Typically, the Public Assistance Coordinator (PAC) to which the applicant has been assigned and a State Applicant Liaison (if a State has designated one), schedule and preside at the kickoff meeting. The meeting focuses on what the applicant needs to know to successfully obtain funding for projects. Often the specifics of property damage are discussed and the funding outlays that the applicant has experienced as a result of the disaster. This enables the applicant to provide adequate documentation to FEMA for preparation of project documentation.

POP-UP #20: Program Awareness. A vital function of the EHP operation is to make Program staff aware of their EHP compliance obligations, including any project-specific conditions that must be incorporated into the design, construction, and operation of the project.

POP-UP #21: Emergency Support Functions (ESF) provide a mechanism for coordinating support to affected jurisdictions during an incident, and for addressing broader national or

regional impacts under the Federal Response Plan that supports implementation of the Robert T. Stafford Disaster Relief and Emergency Assistance Act that allows the Federal Government to assist State and local government in order to save lives and protect public health, safety, and property. ESFs are grouped based on related functions and resources most likely to be needed during an incident requiring coordinated federal response. Using the ESF structure allows FEMA to assign other federal agencies (OFA) to work on its behalf because of the specialized expertise the OFA brings to bear during incident operations. For example the Army Corp of Engineers carries out a variety of public works and engineering tasks under ESF # 3, including debris removal and repair of infrastructure. If there is a continuing need for assistance from an OFA, it is possible to execute an Interagency Agreement with the OFA for on-going assistance. [[Link to Emergency Support Function Annexes](#)]

Fifteen ESFs are defined in the National Response Plan. FEMA's EHP function typically provides EHP support/assistance/coordination for ESF 3, 5, and 14. ESF 11-NCH and ESF-15 can provide resources/support to assist EHP in its responsibilities.

The following are particularly important to the EHP function:

- *ESF # 3, Public Works and Engineering*, is coordinated by the US Army Corps of Engineers who is often mission assigned debris removal and direct housing projects.
- *ESF # 5, Emergency Management* activates and convenes Federal emergency assets and capabilities to prevent and respond to an incident requiring a coordinated Federal response, and coordinates with State, regional, local, and tribal law enforcement agencies and emergency management organizations..
- *ESF #8, Public Health and Medical Services*, is coordinated by the U.S. Department of Health and Human Services who is sometimes mission- assigned vector control and environmental health surveillance projects.
- *ESF #10, Oil and Hazardous Materials Response*, consists primarily of staff from the U.S. Environmental Protection Agency and the U.S. Coast Guard. These staff will be involved with responding to and assuring cleanup of releases of oil and hazardous substances to the environment; with sampling and analysis of potentially contaminated soil, water, and air; and with collection and disposal of hazardous wastes and debris that contains hazardous materials, such as refrigerators (containing chlorofluorocarbons, a hazardous material).
- *ESF #11, Agriculture and Natural Resources*, consists primarily of staff from the U.S. Department of Agriculture, Natural Resources Conservation Service, and various agencies in the U.S. Department of Interior (DOI). DOI is the lead agency for the Natural, Cultural, and Historic Resources component of the ESF-11. The NRP component of ESF-11 is responsible for the protection natural and cultural resources and historic properties prior to, during, and after an Incident of National Significance. Responsibilities include taking appropriate actions to conserve, rehabilitate, recover, and restore natural and cultural resources and historic properties.
- *ESF #14, Long-Term Community Recovery and Mitigation* consists primarily of staff from the U.S. Department of Homeland Security, FEMA. This support is designed to help communities recover from the long-term consequences of a Federal disaster or emergency.

- *ESF #15, External Affairs*, consists primarily of staff from the U.S. Department of Homeland Security, FEMA, and ensures that sufficient Federal assets are deployed to the field during incidents requiring a coordinated Federal response to provide accurate, coordinated, and timely information to affected audiences, including governments, media, the private sector, and the local populace.

POP-UP #22: Federally Recognized Tribes are American Indian and Alaska Native tribes that have been recognized by the U.S. government as sovereign dependent nations through the U.S. Constitution, treaties, statutes, executive orders, and court decisions. As such, they have a unique and direct relationship with the Federal government, sometimes referred to as a “government-to-government” relationship. There are currently 562 federally recognized tribes in the U.S. For more information on FEMA’s relationship with Federally recognized American Indian and Alaska Native Tribal governments, see its “Final Agency Policy for Government-to-Government Relations with American Indian and Alaska Native Tribal Governments,” developed in 1998. **Federally Unrecognized Tribes** are American Indian and Alaska Native tribes with whom Federal relations have been severed through Congressional action, or who have never been federally recognized as tribes or Alaska Natives.

POP-UP #23: The FEMA EHP Cadre.

The FEMA EHP Cadre is one of 23 FEMA cadres of personnel who are trained to conduct FEMA’s responsibilities in incident operations. Personnel in the EHP Cadre are assigned to one of four job titles: Environmental/Historic Preservation Advisor (EHPA), Historic Preservation Specialist, Environmental Specialist, and Environmental Floodplain Management Specialist are typically on-call reservists.

The EHPA is under the Chief of Staff and is the liaison between Programs, the FCO, and external stakeholders. Among the primary tasks of the EHPA are:

- Informing, counseling, and providing recommendations to the FCO, through the COS, and to senior IMAT management on the requirements and adequacy of compliance reviews;
- Informing, counseling, and providing recommendations to the FCO, through the COS, on complex environmental and historic preservation issues requiring special attention;
- Informing, counseling, and providing recommendations to the FCO, through the COS, and to Command and General Staff on the requirements and adequacy of EHP compliance for Stafford Act-funded activities executed by ESFs
- Assessing compliance of IMAT operations with environmental and historic preservation requirements;
- Identifying and developing programmatic options for meeting FEMA regulatory obligations;
- Providing technical assistance and oversight to the EHP personnel and to all incident operations on the compliance with environmental and historic preservation requirements;
- Assisting the FCO in the resolution of conflicts related to EHP issues;
- Serving as the primary point of contact between the REO and the FCO;
- Representing FEMA’s interests when communicating with Federal, Tribal, and State environmental and historic preservation resource agencies and with special interest groups;

- Developing and overseeing the implementation of the EHP Management Plan;
- Overseeing transitions in EHP operations management.

If a supervisor is needed and designated for the EHP specialists then this person will serve as manager for the EHP specialists under him and will serve in the appropriate position (Group Supervisor, Task Force Leader, Strike Team Leader, Crew Leader, or Squad Leader) within the Operations Section. Among the primary tasks of this supervisor are:

- Managing EHP specialists and technical assistance resources
- Supporting the development and implementation of the EHP Management Plan;
- Developing the plan of action based on the EHP Management Plan and other priorities;
- Negotiating with Program management personnel to provide the best EHP support possible given the nature and extent of the incident that is consistent with EHP compliance regulatory responsibilities;
- Identifying EHP resource and technical assistance needs and acquires these resources through the appropriate mechanisms;
- Overseeing the collection and analysis of data;
- Managing the dissemination of EHP information to internal and external stakeholders;
- Managing the EHP review process;
- Resolving EHP compliance and operational issues;
- Managing EHP documentation;
- Overseeing the ongoing professional development of assigned personnel.

Historic Preservation Specialists, Environmental Specialists, and Environmental-Floodplain Management Specialists use their expertise to ensure that projects proposed for Federal funding are adequately evaluated under applicable laws and regulations. Under the technical direction and guidance of the EHPA, these specialists assist in the integration of environmental concerns for projects proposed for Federal funding.

There are numerous subcategories for the Environmental Specialist based on expertise in areas such as NEPA compliance, wetlands, biology, hazardous waste, and coastal planning. Among the primary tasks of the Environmental Specialists are:

- Collecting and analyzing data on environmental resources and/or issues related to potential impacts;
- Disseminating information and providing technical assistance to internal and external stakeholders;
- Preparing programmatic, incident-wide, or project-specific procedures and agreements to facilitate compliance;
- Conducting environmental reviews and helps resolve EHP compliance and operational issues.

The Historic Preservation Specialists assist Program staff to apply strategies and appropriate processes to complete the Agency's responsibilities under Sections 106 and 110 of the National Historic Preservation Act (NHPA) for projects and activities that may involve historic or archaeological resources. There are numerous subcategories for the Historic Preservation

Specialists based on expertise in areas such as historic archaeology, prehistoric archaeology, and architectural history. Among the primary tasks of the HPSP are:

- Collecting and analyzing data about historic properties and/or issues related to potential impacts;
- Disseminating information and provides technical assistance to internal and external stakeholders;
- Preparing programmatic, incident-wide, or project-specific agreements to facilitate compliance;
- Conducting historic preservation reviews

The Environmental-Floodplain Management Specialists assists Program staff to apply the decision-making process required by 44 CFR Part 9 (Floodplain Management) for FEMA-funded projects and activities related to the incident. Among the primary tasks of the Environmental-Floodplain Management Specialists are:

- Collecting and analyzing data to support compliance with 44 CFR Part 9;
- Disseminating information to internal and external stakeholders;
- Serving as a technical expert on 44 CFR Part 9 compliance:
- Develop compliance strategy related to implement 44 CFR Part 9 requirements.

[↔ Link to Specialists Taskbooks]

POP-UP #24: EHP Personnel Types.

Permanent Full Time (PFT) Employees are staff that have permanent, fulltime positions within FEMA and who typically work at Regional offices and/or FEMA Headquarters. FEMA employs limited numbers of PFTs with EHP expertise beyond the REO position. Each Region is unique and requires different staff resource combinations to respond efficiently to the incidents in the region. FEMA prefers to rely on its own staff since they are most familiar with the Agency, need less supervision, and tend to cost less than outside resources.

Cadre of On-Call Response Employees (CORE) are staff with FEMA term appointments up to 4 years in length. CORE employees perform a variety of work including directly supporting declared disasters.

Disaster Assistance Employees (DAEs) are on-call reservists who perform disaster response and recovery activities, usually at temporary work sites located in disaster damaged areas. DAEs must be free to travel at a minimum of two to six weeks at a time, and sometimes longer, usually with as little as a day or two of notice. DAEs are paid for hours worked, at an hourly wage based on the type of work they perform and their level of experience and training. Their travel to and from a disaster scene is paid, along with day-to-day expenses for lodging and an allotment for meals and expenses.

Local Hires are FEMA employees who have the requisite training and experience to perform disaster assistance duties and who live in or near the disaster area. Their expertise on natural and cultural resources in the local area is especially useful in EHP work because they often provide specialized and in-depth knowledge of resources that can be difficult for those who work outside a cultural area to gain in the short time needed during a disaster response and recovery operation.

Temporary Full-Time (TFT) FEMA employees who are hired full-time on a temporary basis to fulfill a specific agency need of short duration.

POP-UP #25: FEMA Contractors are private firms that provide technical staff under stand-by contracts to complement internal FEMA resources or other staff sources such as mission assignments. FEMA has a stand-by contract(s) in place for each of the major Program areas (Public Assistance, Mitigation and Individual Assistance).

POP-UP #26: Federal Preservation Officer (FPO) is an agency official designated under Section 110 of the National Historic Preservation Act (NHPA) responsible for coordinating the agency's activities under NHPA. The FPO is charged with coordinating agency preservation programs, including interactions with other Federal Agencies, States, Indian tribes, and others. The FPO is the senior Historic Preservation policy advisor for the agency.

POP-UP #27: Agency Environmental Officer (EO) is the senior environmental policy advisor for the agency and is responsible for ensuring compliance with environmental review activities among all of FEMA's Programs. The EO is responsible for coordinating with HQ environmental resource agencies, the President's Council on Environmental Quality (CEQ), and the Department of Homeland Security's Environmental Planning Unit.

POP-UP #28: Mission Assignments (MA) are mechanisms whereby FEMA can task another Federal entity to provide specified resources that FEMA does not have. (Note: MAs cannot be used for state staff; an IPA or interagency agreement (IAA) may be possible to procure State assistance). For example, FEMA can "mission assign" other Federal agencies to provide employees for damage assessment and technical assistance teams. MAs support Program operations (such as USACE conducting debris removal or demolition) and EHP coordinates with them to accomplish EHP compliance for those tasks. EHP can also request the mission assigned Federal agencies to support EHP compliance activities.

Examples of agencies that may be mission-assigned to perform certain functions include the U.S. Army Corps of Engineers, to assist in such activities as debris removal. FEMA issues a mission assignment to task the agency for necessary work to be performed on a reimbursable basis, usually only for travel and overtime. Mission assignments are typically used only for the first 30 to 60 days of an incident's operation.

Agencies mission-assigned in the past for environmental and historic preservation expertise, include:

- Department of Interior

- Advisory Council on Historic Preservation
- National Archives and Records Administration
- Library of Congress
- U.S. Environmental Protection Agency
- Natural Resources Conservation Service

POP-UP #29: EHP Disaster Notebook is an updated compendium of documents and incident-specific information and includes a concise, but comprehensive summary of the incident and its issues and actions taken. The compendium will help improve communications and develop a reusable “group memory” to maintain continuity over time.

POP UP #30: Federal Laws that may be applicable to FEMA disaster response and recovery operations include the following:

- National Environmental Policy Act
- National Historic Preservation Act
- Endangered Species Act
- Coastal Barrier Resources Act
- Clean Water Act (several different sections/programs including dredge and fill, water quality certification, NPDES storm water)
- Coastal Zone Management Act
- Clean Air Act (fugitive dust, asbestos, chlorofluorocarbons [CFCs])
- Farmland Protection Policy Act
- Migratory Bird Treaty Act
- Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat)
- Wild and Scenic Rivers Act
- Floodplain Management, Executive Order 11988
- Protection of Wetlands, Executive Order 11990
- Environmental Justice for Low Income and Minority Populations, Executive Order 12898
- Fish and Wildlife Coordination Act
- Resource Conservation and Recovery Act (solid waste disposal, hazardous waste)
- Rivers and Harbors Act (Section 10)

[⇒ Link Environmental Laws Matrix]

POP-UP #31: Laws. Laws are requirements created by the legislative branch of the Federal government (US Congress) or state government (state legislature). They are signed into law by the Federal Chief Executive (President) or State chief executive (Governor).

Laws are also referred to as statutes or acts. Federal law is generally cited as it appears in the United States Code (USC). For example, the National Environmental Policy Act citation is 42 USC 4321-4347. (State-law citation conventions vary by state.)

POP-UP #32: Regulations. Regulations are legal requirements created by the executive branch of the Federal government (Federal agency) or State government (State agency) to implement the requirements of a law (or executive order—see below). Regulations are developed to tell the regulated community specifically what actions are required or prohibited under the law. Most EHP determinations are based on specific directions or actions required by regulations. Federal regulations are cited as they appear in the Code of Federal Regulations (CFR). For example, the regulations developed by FEMA to implement NEPA are found in Title 44 CFR Part 10.

POP-UP #33: Executive Orders. Executive orders are declarations issued by the President or by a governor that have the force of law. Executive Orders are usually based on existing authority under Federal or State law. Therefore, they require no action by Congress or the State legislature to become effective. At the Federal level, Executive Orders are published in the Federal Register as they are issued, and then in Title 3 of the Code of Federal Regulations each year.

POP-UP #34: Agency Policy. An agency policy is a statement made by a Federal, tribal, State, or local agency that provides its staff and the regulated community the guidance it needs to comply with the agency's regulations. Policy statements supplement rather than take the place of agency regulations.

POP-UP #35: Interagency Agreement is a formal way for federal agencies to implement actions together to accomplish regulatory or legal responsibilities for Programs, actions or undertakings for which both agencies are taking part.

POP-UP #36: Emergency Provisions in EHP Laws and Regulations define alternative compliance requirements in the event of emergencies, as they are defined in EHP laws and regulations. Examples of the emergency provisions include:

- Laws and Regulations
 - The Stafford Act: Statutory Exclusions (STATEXes) exempt certain actions from NEPA review; these actions fall under STATEXes, and include emergency actions and actions that restore facilities to pre-disaster conditions
 - CEQ's NEPA Implementation Regulations provide for "alternative arrangements" when standard EISs would normally be required, "*where emergency circumstances make it necessary [for Federal agencies] to take an action with significant environmental impact without observing the provisions of these regulations*" (40 CFR 1506.11)
 - National Historic Preservation Act (NHPA) Section 106 regulations state that immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of Section 106. The regulations also provide

alternatives to agency procedures by allowing Federal agencies to follow a Programmatic Agreement; [[↗Link to Identify Opportunities to Streamline the Compliance Process](#)]. If a Programmatic Agreement has not been prepared beforehand, it affords parties the opportunity to comment within 7 days of notification on actions that are likely to affect properties on or eligible for the National Register. This only holds for the 30 days following the declaration of disaster or emergency, although 36 CFR Part 800.12 allows the agency to extend the 30 day period upon the agency's request. [[↗Link to 36 CFR 800.12](#)].

- The Endangered Species Act (ESA) regulations (50 CFR 402.05) provide for expedited and informal consultation between Federal agencies and the US Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) to address potential effects of emergency activities associated with protection of human life and property, and protection of the environment. This expedited consultation may also be provided for projects where rapid completion is required for recovery of areas affected by the disaster event.

For example, USFWS and NMFS may provide “blanket” exemptions from Section 7 consultation requirements for actions within declared disaster areas that restore infrastructure damaged or lost due to the disaster event. For other activities USFWS and NMFS may direct FEMA to use the emergency consultation procedures covered in 50 CFR Section 502 and in Chapter 8 of the USFWS/NMFW Section 7 Handbook. These guidelines indicate that Federal agencies should contact them by phone, they should offer recommendations verbally to minimize the effects of the emergency response action on listed species or their critical habitat, and they should follow up with written correspondence to the Federal agency to document the conversation.

Other Instruments are Agency administrative orders, emergency declarations, or policy statements/guidance (emergency provisions issued by agencies for discrete time periods to recognize disaster exigencies)

POP-UP #37: Data Quality

In order to ensure that data is legally sufficient for EHP regulatory review, consider the following:

Reliability

- Is the source well known and trustworthy?
- How did they come up with the information?
- Do they have a bias or a reason to distort the data?

Accuracy

- Are these real numbers and facts?
- How do we know they are accurate and on target?

Authority

- Is there any evidence of training or professional skill?

Currency

- Is there a date associated with the information?

Fairness

- Has the material been presented selectively or in an unbiased manner?
- Did they focus only on the positive or only on the negative?

Adequacy

- Do they go into enough detail and depth?

POP-UP #38: Prioritizing Project Review. Factors for prioritizing project review include:

- Emergency nature of the proposed project (debris removal, emergency protective measures).
- Priority established by the Program.
- Level of controversy.
- Types of EHP issues.
- Personnel available.
- Size of project (dollar amount).
- Geographic area.

POP-UP #39: Findings are the results of the Agency's analysis as required by an EHP law or regulation. Findings may include determinations of effect (e.g., Finding of No Significant Impact) or the need for additional compliance documentation (e.g., preparation of Biological Assessment/Biological Opinion).

POP-UP #40: Project Conditions are or requirements with which an applicant must comply in order to ensure EHP compliance and receive FEMA funding.. That is, to comply with laws identified by the EHP review, project applicants may need to conduct their projects in a certain way. The identification of these limits on project implementation may be termed setting project conditions, or simply, conditioning the project. These conditions may include alterations to the proposed project (e.g., use of materials that are consistent with the historic fabric of an existing building); mitigation measures (e.g., use of silt fences to reduce sedimentation during project construction); or other conditions of project approval (e.g., the need to apply for and obtain an NPDES permit).

POP-UP #41: Typical Public Assistance Activities

Debris Removal is the clearance, removal, and/or disposal of items such as trees, sand, gravel, building components, wreckage, vehicles, and personal property resulting from a disaster event.

Note: Debris removal is considered an emergency action and is statutorily excluded from NEPA review per Section 316 of the Stafford Act and 44 CFR 10.8. NOTE THAT EXCLUSION FROM NEPA IS NOT EXCLUSION FROM OTHER LAWS.

- Establish early coordination with the State’s solid waste management agency [[Link to 3.4 External Coordination](#)] to determine whether any emergency orders or waivers have been issued relative to storm debris.
- In particular, determine State requirements for temporary staging area, storage, or reduction sites.
- Distribute any emergency orders, waivers, or temporary-site information to PA staff and subgrantees, as appropriate. They will instruct EHP specialists to incorporate this information in the EHP review of debris removal projects.
- Determine whether the use of temporary staging area, storage, or reduction sites require additional environmental review to ensure compliance with applicable laws such as NHPA, ESA and CWA.
- Additional review may include conducting site visits. NOTE: The CAA is likely to be triggered by debris burning. Debris Storage Reduction Sites (TDSRS) may produce Environmental Justice Issues.
- Coordinate with the Public Assistance Officer (PAO) to establish who will conduct the screening and determine if it is a STATEX if no other EHP laws apply. Rather than requiring all debris project documentation to pass through the eGrants environmental queue for review, coordinate with the PAO to allow PA to automatically STATEX debris removal that does not involve staging or burning (using bypass button “STATEX – No Environmental Review required” in eGrants). [[Link to 3.3 Internal Coordination](#)]

Demolition

Emergency demolition and emergency stabilization/repair activities are statutorily excluded under NEPA per Section 316 of the Stafford Act and 44 CFR 10.8(c).

Demolition of disaster-damaged structures may be classified as an emergency activity if the work is necessary to:

- Eliminate an immediate threat to lives, public health and safety
- Eliminate immediate threats of significant damage to improved public or private property
- Ensure the economic recovery of the affected community
- [[Link to Data Compliance Strategy: Emergency Procedures](#)]
- NHPA and RCRA may be triggered by an emergency demolition and may necessitate a more detailed environmental review.

Vector Control

Vector control is considered an emergency protective measure and as such, is classified as a STATEX under section 316 of the Stafford Act and 44 CFR 10.8(c). Other environmental laws that should be considered during a vector control operation include ESA and CWA which, among other things, preclude or limit the use of certain pesticides.

Other Emergency Issues

Other emergency work that FEMA may fund, such as placement of riverine levees, sandbagging, and construction of emergency access roads, are considered emergency protective measures and receive a STATEX per section 316 of the Stafford Act. [[Link to Data Compliance Strategy: Emergency Procedures](#)]

Repairs to Pre-Disaster Condition

- Repair work that is performed to restore a facility to its pre-disaster condition is not deemed a major Federal action per section 316 of the Stafford Act and 44 CFR 10.8(c) and should be eligible for a STATEX.
- Laws that may be triggered by repair work include NHPA for properties on or eligible for listing on the National Register of Historic Places, and RCRA for damaged materials that need to be removed and disposed of in a licensed landfill appropriate for the type of material.

Modification, Mitigation, or Expansion of Existing Structures

- STATEX would generally not apply to activities that would add capacity or improve a facility or entity beyond pre-disaster conditions. However, these actions may be covered by a CATEX. If extraordinary circumstances are present, then an Environmental Assessment may be needed to evaluate the significance of the environmental impacts.
- Depending on the nature of the improved project, a CATEX may apply.
- Modifications or expansions to potentially historic properties/structures will undergo a Section 106 review per the NHPA.

Demolition

- If emergency demolition is required and the building is listed on or is eligible for listing on the National Register of Historic Places, FEMA has a responsibility to notify the SHPO/THPO, ACHP, and other consulting parties of the properties to be affected prior to the undertaking and allow them an opportunity to comment.

New Construction and Ground Disturbance

- For limited actions on previously disturbed ground, a CATEX prepared in accordance with 44 CFR 10.8(d)(xv) or (xvi), may be appropriate.
- New construction and ground disturbance activities that extend beyond previously disturbed ground are among the kinds of activities that will necessitate an EA.
- EHP specialists must submit projects that involve disturbance of previously undisturbed ground, such as digging new utility trenches, to SHPO for review of potential to affect archeological and historic resources.

POP-UP #42: National Environmental Policy Act (NEPA) is the Federal environmental law that establishes the National Policy on the environment. NEPA requires each agency to assess the impacts of major Federal actions and to make this assessment available to the general public and the agency decision makers before undertaking the action. The CEQ NEPA Implementing Regulations establish the procedural requirements of NEPA. The key components of the NEPA process include scoping, development of alternatives, assessment of the environmental impacts of the alternatives, determination of possible actions to mitigate these impacts, public involvement, and decision. The NEPA process must be completed prior to

FEMA's obligating funds and an applicant's beginning work. FEMA's regulations governing NEPA implementation are located in 44 CFR Part 10.

NOTE: NEPA does not require that FEMA fund only the project alternative that has the least environmental impact, nor does it require that FEMA mitigate a potential project's impact on the environment.

POP-UP #43: Statutory Exclusion (STATEX) is the common finding for most FEMA actions under the National Environmental Protection Act (NEPA). STATEX actions those that are exempted from NEPA review. Section 316 of the Stafford Act allows for the exclusion of NEPA review for certain FEMA actions such as those that are urgent in nature or are necessary for the preservation of life and property. This applies to most Individual Assistance and Public Assistance actions. STATEX findings do not apply to hazard mitigation, flood mitigation, unmet needs projects, or any FEMA grant Programs where further review under NEPA is necessary for compliance.

POP-UP #44: Categorical Exclusions (CATEXes) include Federal actions that a Federal agency has found through experience will typically have little to no environmental impact. FEMA's Categorical Exclusions are defined in 44 CFR 10.8(d). Examples of CATEXed projects include minor improvements or minor hazard mitigation measures at existing facilities. If extraordinary circumstances exist, e.g., the presence of protected natural or cultural resources, the extraordinary circumstances may trigger the need for an Environmental Assessment instead of the Categorical Exclusion designation.

POP-UP #45: Environmental Assessment (EA) is a concise NEPA document that serves to provide sufficient evidence and analysis regarding the significance of the environmental impacts of a proposed Federal action. The EA assesses project alternatives to aid in decision-making and concludes with one of two findings: either a Finding of No Significant Impact (FONSI) or a Notice of Intent to prepare an Environmental Impact Statement.

POP-UP #46: Environmental Impact Statement (EIS) is a public document developed by a Federal agency when it determines that its proposed action will have significant environmental impacts. The EIS provides a detailed analysis and evaluation of the impacts of the proposed action and reasonable alternatives to the proposed action. This analysis is usually more detailed and rigorous than an EA's and provides for more formal public involvement. The EIS concludes with a Record of Decision that provides an explanation of the reasons for selecting a particular action.

POP-UP #47: National Historic Preservation Act (NHPA) NHPA is the cornerstone of federal historic and cultural preservation policy. Its purpose is to encourage the preservation and protection of America's historic and cultural resources. NHPA created the National Register of Historic Places to give recognition to places of significance in American history, architecture, archaeology, engineering, and culture. Section 106 of NHPA requires Federal agencies to take into account the effects a project will have on historic properties and allow the Advisory Council on Historic Preservation (ACHP) the opportunity to comment on the effects of the project.

FEMA activities requiring NHPA compliance include repair or restoration of historic facilities, demolition or removal of historic structures, and improved, alternate, or relocated projects affecting historic or archeological sites. FEMA is required to make a good faith effort to identify historic properties within a given project area's potential effect.

The NHPA requires FEMA to:

- Identify historic properties that may be affected by Federally funded activities
- Assess the effects of the proposed work on historic properties
- Consult with the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO), the ACHP, and other interested parties to resolve adverse effects.
- Proceed with the work only after completing the historic review process.

POP-UP #48: Clean Water Act Section 401 and 404. Under Sections 401 and 404 of the Clean Water Act (CWA), dredged materials or fill cannot be discharged into the waters of the United States without a permit from the US Army Corps of Engineers.

Wetlands are considered waters of the United States and are subject to the provisions of Section 404 of the Clean Water Act. Some wetlands, such as marshes and riverine wetlands, are easy to recognize. Other wetlands, such as forested wetlands and agricultural drainage ditches, are more difficult to identify. Some areas that are classified as wetlands may not actually be wet for much of the year.

Facilities and projects that may trigger Section 404 of the CWA include:

- Bridges, culverts, or outfall structures
- Levees
- Irrigation works
- Channel alignment and stream bank erosion control
- Debris removal in streams
- Shore protective measures
- Projects involving the placement of fill, such as relocation of roads and building
- Construction of water and wastewater treatment plants.

POP-UP #49: Clean Air Act. Under this law, EPA sets limits on how much of a pollutant can be in the air anywhere in the United States. In most states, EPA has delegated its authority to implement the Clean Air Act to the State.

FEMA funded projects that may typically trigger the Clean Air Act include:

- Debris disposal through methods such as burning
- Collection and disposal of appliances that contain chlorofluorocarbons
- Demolition of damaged structures, which can release dust or harmful substances, such as asbestos, into the air
- Conversion of a mechanical or electrical system to a system that relies on combustion

POP-UP #50: Record of Environmental Consideration (RECs) describes a proposed action that will impact the environment and its anticipated timeframe, identifies the proponent, and explains why further environmental analysis and documentation is not required. It is a signed statement that is submitted with project documentation. It is used when the proposed action is exempt from the requirements of NEPA, or has been adequately assessed in existing documents and determined not to be environmentally significant. RECs document:

- Project description/Location/Applicant/Date
- Reference applicable laws and regulations
- CATEX category
- NHPA/ESA determinations
- Determinations of Effect under other laws
- Extraordinary Circumstances
- Project-specific conditions
- Signature and date

POP-UP #51: Emergency Management Institute (EMI) is a national training center run by FEMA that serves as the national focal point for the development and delivery of emergency management training to enhance the capabilities of Federal, state, local, and tribal government officials, volunteer organizations, and the public and private sectors to minimize the impact of disasters on the American public. EMI provides various classes to train EHP staff in performing their duties. Training is available via the Emergency Management Institute's Disaster Field Training Operation [[🔗Link to DFTO Web Site](#)] in Emmitsburg, Maryland.

Appendix B

**Level 3 – Tools
(Under Development)**