



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

# **Response and Recovery for Declared Emergencies and Disasters**

*A Resource Document for Transit Agencies*

**June 2013**

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## ACRONYMS AND ABBREVIATIONS

AAR	-	after action report
ABFE	-	advisory base flood elevations
ADA	-	Americans with Disabilities Act
APTA	-	American Public Transportation Association
CFR	-	Code of Federal Regulations
CPG	-	Comprehensive Preparedness Guide
CRS	-	Congressional Research Service
CTAA	-	Community Transportation Association of America
DHS	-	U.S. Department of Homeland Security
DMS	-	docket management system
DOT	-	U.S. Department of Transportation
DUA	-	disaster unemployment assistance
EMA	-	emergency management agency
EMAC	-	emergency management assistance compact
EOC	-	emergency operations center
ERPP	-	Emergency Response Preparedness Program
ESF	-	emergency support function
ESF-1	-	Emergency Support Function # 1 – Transportation
FBI	-	Federal Bureau of Investigation
FEMA	-	Federal Emergency Management Agency
FHWA	-	Federal Highway Administration
FIRM	-	flood insurance rate map
FIS	-	flood insurance study
FR	-	Federal Register
FTA	-	Federal Transit Administration
GAO	-	General Accounting Office
HMGP	-	Hazard Mitigation Grant Program
HSEEP	-	Homeland Security Exercise and Evaluation Program
HSPD	-	Homeland Security Presidential Directive
ICS	-	incident command system
MOA	-	memorandum of agreement
MOU	-	memorandum of understanding
MPO	-	metropolitan planning organization
NCHRP	-	National Cooperative Highway Research Program
NFIP	-	National Flood Insurance Program
NGO	-	non-government organization

NIMS	-	National Incident Management System
NIPP	-	National Infrastructure Protection Plan
NRF	-	National Response Framework
PDA	-	preliminary damage assessment
PNP	-	private nonprofit
POC	-	point of contact
PPD	-	Presidential Policy Directive
PW	-	project worksheet
SBA	-	Small Business Administration
SDOT	-	state department of transportation
SFHA	-	special flood hazard area
TCRP	-	Transit Cooperative Research Program
TSA	-	Transportation Security Administration
U.S.C.	-	United States Code
UWR	-	United We Ride

# RESPONSE AND RECOVERY FOR DECLARED EMERGENCIES AND DISASTERS

This resource document, *Response and Recovery for Declared Emergencies and Disasters*, replaces the Federal Transit Administration's (FTA's) 2006 document, *Disaster Response and Recovery for Transit Agencies*, and incorporates an all-hazards approach. It addresses transit response and recovery actions and funding in response to declared emergencies and disasters, including major accidents, terrorist actions, and natural disasters. It includes information about the types of resources and waivers of regulation available to transit agencies under Federal Emergency Management Agency (FEMA) and FTA programs, including information about eligible reimbursements under the Stafford Act.

## 1.0 INTRODUCTION

Transit agencies are often called upon to support both large, regional evacuations and smaller, local evacuations. The agencies provide both physical assets (e.g., buses, light rail) as well as personnel (e.g., operators) to support evacuations. Many individuals with access and functional needs depend on transit resources for their mobility before, during, and after disasters, and they usually need more time to evacuate. Thus, transit agencies may contribute significant service to communities and regions before, during, and following major emergencies and disasters. In addition, transit agencies, themselves, may be affected by such disasters. This resource document addresses both transit agencies affected by declared emergencies and disasters as well as transit agencies contributing to response and recovery from declared emergencies and disasters.

### 1.1 Background

**The Stafford Act.** In 1988, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §§5121-5206) (Stafford Act) established the authority for the federal government to respond to disasters in support of state and local governments; defined two levels of adverse events, emergency and major disaster; and provided for the Federal Disaster Relief Fund. This law establishes a process for requesting and obtaining Presidential disaster declaration, defines the type and scope of assistance available from the federal government, and sets the conditions for obtaining that assistance. FEMA, part of the U.S. Department of Homeland Security (DHS), coordinates the response. Appendix C contains information on the types of assistance available through FEMA under the Stafford Act.

**Memorandum of Understanding (MOU) with DHS.** In July 2007, the U.S. Department of Transportation (DOT) and the DHS entered into a MOU that recognizes that DHS has primary responsibility for transportation emergency preparedness and response, and that DOT has a supporting role of technical assistance. Specifically, DHS, through FEMA, has the authority to provide grants for planning mass evacuations and to coordinate all disaster assistance provided by federal, state, and local government agencies and private organizations, including precautionary evacuations. FEMA's roles now include prepositioning commodity transportation assets; moving commodities, goods, equipment, and emergency response personnel; and planning and coordinating the evacuation of persons, including accounting for the needs of

individuals with household pets and service animals before, during, and after an evacuation. DOT's supporting (technical assistance) roles include reporting damage to transportation infrastructure, coordinating alternate transportation services, and coordinating the restoration and recovery of the transportation infrastructure. As a component of DOT, FTA is governed by this MOU.

**Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21).** In 2012, MAP-21 established the authority for FTA to support public transportation agencies after an emergency or major disaster. The Emergency Relief program (49 U.S.C. 5324) helps states and public transportation systems pay for protecting, repairing, and/or replacing equipment and facilities that may suffer or have suffered serious damage as a result of an emergency, including natural disasters such as floods, hurricanes, and tornadoes. Eligible activities include capital projects to protect, repair, reconstruct, or replace equipment and facilities of a public transportation system, including on an Indian reservation, which are in danger of, or have suffered serious damage, as a result of an emergency, as well as operating costs related to evacuation, rescue operations, temporary public transportation service; or reestablishing, expanding or relocating public transportation route service before, during, or after an emergency.

**Memorandum of Agreement (MOA) with FEMA.** In March 2013, DOT and FEMA signed an MOA that outlines the roles of both agencies in providing federal assistance to repair and restore public transportation systems in areas that the President declares a major emergency or disaster. Under this MOA, FEMA continues its primary federal responsibility for emergency preparedness, response, and recovery in major emergencies and disasters. However, in the event Congress appropriates funds for FTA's Emergency Relief program, FTA has responsibility for reimbursing emergency response and recovery costs after an emergency or disaster that affects public transit and for helping to mitigate the impacts of future disasters.

## **1.2 Definition of “Declared Emergency” and “Declared Disaster”**

What is a disaster? Traditionally, the term describes a large-scale adverse event that overwhelms the resources of an affected community. The term “emergency” has multiple definitions. However, most frequently in the United States, it is used to describe an adverse event that can be handled with existing community resources.

The Stafford Act defines a federally declared emergency as “any occasion or instance for which, in the determination of the President of the United States..., federal assistance is needed to supplement state, tribal, and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.” The Stafford Act defines a federally declared major disaster as “any natural catastrophe..., or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.” However, not all emergencies and disasters must be federally declared for transit agencies to obtain regulatory relief, resources, or reimbursements for their participation in response and recovery.

For the purposes of this resource document, a “declared emergency” is an emergency for which a local elected or appointed official activates the local emergency operations center (EOC) and requests mutual aid and state assistance. A “declared disaster” is a disaster for which a Governor activates the state EOC and requests emergency management assistance compact (EMAC)<sup>1</sup> or other interstate mutual aid. More importantly, as used in this document, declared emergencies and disasters open the opportunity for transit agencies to obtain regulatory relief, resources, and reimbursements for their participation in response and recovery.

### **1.3 Purpose and Scope**

This document is written specifically for transit agencies that either are affected by a declared emergency or disaster or provide assistance to others who are affected by a declared emergency or disaster. It addresses response and recovery actions that transit agencies can take, including securing waivers of regulation, funding, and reimbursement for restoring services and rebuilding their systems, following a declared emergency or disaster. It applies to all modes of transit and to all types of declared emergencies and disasters.

This resource document does not address emergency preparedness or emergency management for transit agencies, nor does it provide information for developing or executing emergency response plans or procedures. FTA provides separate publications on emergency preparedness and emergency management for transit agencies on its website at [http://www.fta.dot.gov/safetysecurity/12419\\_12587.html#EmergencyManagement](http://www.fta.dot.gov/safetysecurity/12419_12587.html#EmergencyManagement). In addition, the American Public Transportation Association (APTA) currently provides 11 recommended practices for security emergency management at <http://www.aptastandards.com/Documents/PublishedStandards/Security/tabid/329/language/en-US/Default.aspx>.

### **1.4 Document Organization**

This resource document is organized into four sections and five appendices. Section 1 provides background for and defines the terms “declared emergency” and “declared disaster,” and explains the purpose and scope of this resource. Section 2 explains the roles and authorities of federal, state, regional, and local government agencies in planning for response and recovery from declared emergencies and disasters. Section 3 discusses resources, funding, and reimbursements available to transit agencies that are either directly impacted by a declared emergency or disaster, or are providing services to affected communities or regions. Section 4 lists other documents that transit agencies may find useful in understanding and planning for disaster response and recovery actions.

Appendix A contains the full text of 49 Code of Federal Regulations (CFR) Part 602, which describes FTA’s emergency relief program, including the procedures and eligibility requirements for transit agencies to receive funds for protection, repair, replacement, and reconstruction of equipment and facilities threatened with or incurring damage by a natural disaster or a

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<sup>1</sup> EMAC is a congressionally ratified mutual aid agreement, partnership, and assistance program between U.S. states and territories administered by the National Emergency Management Association. EMAC complements the national disaster response system and can be used instead of or in addition to federal assistance.

catastrophic failure from an external cause. Appendix B contains the full text of 49 CFR Part 601, Subpart D, which prescribes the procedures that apply to FTA grantees and sub-grantees when the President declares a national or regional emergency, when a state Governor declares a state of emergency, or when such declarations are anticipated. It describes the processes for FTA grantees and sub-grantees in petitioning the FTA Administrator for temporary relief from the provisions of any FTA policy statement, circular, guidance document, or rule.

Appendix C is an excerpt from FEMA's guide to the disaster declaration process. It contains information on the assistance available under Presidentially-declared emergencies and disasters, including public assistance, hazard mitigation assistance, and disaster unemployment assistance.

Appendix D is a glossary of definitions for many of the terms used in this resource document. Appendix E contains answers to 30 of the questions that transit agencies most frequently ask FTA. For ease of reference, the questions are placed into six categories addressing transit agencies directly impacted by a declared emergency or disaster, assistance for evacuees and special needs populations, and funding and reimbursement for lost or damaged transit assets as well as specially provided services. Appendix F contains addresses and contact information for state emergency offices and FTA and FEMA regional offices.

## 2.0 PLANS AND FRAMEWORKS FOR RESPONSE AND RECOVERY

By understanding and participating in federal, state, and local emergency preparedness planning, emergency management drills and exercises, and emergency planning for response and recovery, transit agencies can prepare to respond quickly and effectively before, during, and after a declared emergency or disaster of national significance. At the same time, to prepare comprehensive and effective emergency evacuation plans and emergency transportation services, regional and metropolitan emergency planners need input from local transit agencies. Transit agencies should be active participants in state, metropolitan planning organization (MPO), and local disaster response and recovery planning.

### 2.1 Federal Roles and Authorities

Current federal policy for all-hazards preparedness and disaster management originates from Homeland Security Presidential Directive (HSPD) 5, “Management of Domestic Incidents,”<sup>2</sup> and Presidential Policy Directive/ PPD-8, “National Preparedness.”<sup>3</sup> HSPD 5 sets federal policy for a structured national framework for disaster response at local, state, and federal levels, and directs the Secretary of Homeland Security to develop and administer the system. PPD-8 sets federal policy for preparing for national disasters, and directs DHS to coordinate with other federal agencies to develop and implement all-hazards preparedness in the United States.

**Federal response structure.** Per HSPD 5 and PPD-8, DHS is responsible for establishing a comprehensive, national, all-hazards approach and guidance for preparing for and responding to major emergencies and disasters. Issued in 2008 by DHS, the *National Response Framework* (NRF) provides the framework for federal interaction with state, local, and tribal governments; the private sector; and non-governmental organizations during major emergencies and disasters. As a foundational document, it discusses resources available through the Stafford Act and establishes responsibilities, operational processes, and protocols. The *National Disaster Recovery Framework*, issued by DHS in 2011, provides similar information on roles, responsibilities, and process for disaster recovery.

DHS and many state governments organize their resources, as well as those of certain private-sector and non-governmental organizations, under 15 emergency support functions (ESFs) annexed to the NRF. These ESFs may be selectively activated for both Stafford Act and non-Stafford-Act declared emergencies and disasters.

Funded by FEMA and led by DOT, Emergency Support Function # 1 – Transportation (ESF 1) is an annex to the NRF that provides the structure for coordinating transportation support for responses to declared disasters and emergencies. The scope of ESF 1 includes movement restrictions, transportation safety, damage and impact assessments, and restoration and recovery of transportation infrastructure. Implemented and accounted for at local, regional, and state as

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<sup>2</sup> The full text of HSPD 5 is available at [http://www.dhs.gov/xabout/laws/gc\\_1214592333605.shtm](http://www.dhs.gov/xabout/laws/gc_1214592333605.shtm).

<sup>3</sup> The full text of PPD-8 is available at [http://www.dhs.gov/xabout/laws/gc\\_1215444247124.shtm](http://www.dhs.gov/xabout/laws/gc_1215444247124.shtm).

well as federal planning levels, ESF 1 assures appropriate execution of transportation support for response and recovery for declared emergencies and disasters at all levels.<sup>4</sup>

**Incident command.** Also issued by DHS in 2008, per HSPD 5, the *National Incident Management System* (NIMS) provides a consistent, coordinated, modular approach for federal, state, and local governments to work efficiently and effectively together in managing disasters based on the incident command system (ICS). The NIMS also provides information on mutual aid and assistance agreements for local governments, and ICS assures the flexibility to assign ESF 1 and other stakeholder resources according to capabilities and response needs.

**Countering a domestic terrorist attack.** The Transportation Security Administration (TSA) and the Federal Bureau of Investigation (FBI) have the primary responsibility for countering a domestic terrorist attack. The TSA Administrator has the authority under 49 U.S.C. 145(g) to “coordinate” domestic transportation during an emergency and to “carry out such other duties, and exercise other such powers” as the Secretary of Homeland Security may prescribe. Such coordination has traditionally included the movement and routing of trains and traffic on the interstates. The statute does not provide the expressed authority to order the closure of public transportation operations in an emergency.

**Applications for funds under FTA’s Emergency Relief program.** When Congress appropriates funds for FTA’s Emergency Relief program, grantees should seek reimbursement for expenses related to disasters or emergencies from FTA, not from FEMA. Grantees should contact their FTA regional office to determine whether FTA funds are available.

**Applications for funds under Stafford Act programs.** The Stafford Act makes assistance funding available through three major grant programs: Individual Assistance; Public Assistance; and Hazard Mitigation Assistance. Appendix C discusses these programs in greater detail. As the federal administrator, FEMA is responsible for educating states, the primary recipients of grant funding under the programs, about the programs and the procedures for applying for funds.

**FTA Security and Funding Authorities.** The FTA has broad flexibility under its planning and capital funding programs for states, metropolitan planning authorities, and transit agencies to spend FTA funds for emergency preparedness and response planning and capital security projects. FTA can also hire contractors to provide assistance to transit agencies in disaster areas to support transit planning, operations and engineering, and project management.

Although FTA cannot regulate transit operations, under 49 U.S.C. 5344(b)(1), the Secretary of Transportation may regulate the operation of federally-funded transit systems (public transportation grantees) for national defense purposes or in the event of a national or regional emergency.

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<sup>4</sup> DOT has additional responsibilities, albeit lesser roles, under ESF 6. See <http://www.fema.gov/pdf/emergency/nrf/nrf-esf-06.pdf>.

## 2.2 State, Regional, and Local Planning

Transit agencies should be involved in local and regional emergency management and evacuation planning, and especially in developing plans to evacuate transit-dependent populations.

**Local government planning.** Local governments (e.g., counties, cities, towns) plan for and respond to emergencies daily using their own resources. They also develop and rely on mutual aid and assistance agreements with neighboring jurisdictions when they need additional resources. When local jurisdictions cannot meet response needs with their own resources or with help available from other local jurisdictions, they may ask the state for assistance.

**Metropolitan planning organizations.** The role of MPOs in regional emergency response planning varies from region to region and may include conducting vulnerability analyses on regional transportation facilities, analyzing transportation networks for redundancies in moving large numbers of people, and analyzing transportation networks emergency route planning, including strategic gaps in the network and services. In addition, MPOs are concerned with assuring that emergency transportation services are available to populations with special needs, such as those who are elderly, or those who have disabilities; who live in institutionalized settings; who are children; who are from diverse cultures; who have limited English proficiency or are non-English-speaking; or who are transportation disadvantaged.

**State emergency management plans.** Most states have emergency management plans that establish a framework through which local governments prepare for, respond to, and recover from disasters that impact the residents of their jurisdictions. State plans normally address evacuations, sheltering, post-disaster response and recovery, deployment of resources, communications, and warning systems and define the responsibilities of local and state agencies and volunteer organizations. State plans describe the basic strategies, assumptions, and mechanisms through which the states mobilize resources and take actions to guide and support local emergency management. State plans also normally call for annual exercises to determine the ability of state and local governments to respond to emergencies. Transit agencies should participate in these exercises.

**State governments.** As primary recipients of FEMA funds under Stafford Act programs, state governments are responsible for assuring that potential applicants are aware of the assistance programs; determining eligibility for FEMA funds; providing technical advice to eligible applicants; submitting necessary paperwork for grant awards; and notifying applicants that funds are available.

States have significant resources to help local governments if they need assistance. These resources include emergency management and homeland security agencies, state police, health agencies, transportation agencies, incident management teams, specialized teams, and the National Guard.

If a state needs additional resources to respond to an emergency, the state may request assistance from other states through interstate mutual aid and assistance agreements such as the EMAC. If an emergency is beyond local and state capabilities, the Governor can seek federal assistance.

The state then collaborates with the impacted communities and the federal government to provide the help needed.

## 2.3 FTA Recommendations for Transit Agencies

FTA recommends five categories of best practices to assist transit agencies in planning for major emergencies and disasters:

- 1) Strategies, plans, and protocols
- 2) Facilities, equipment, and supplies
- 3) Staffing and training
- 4) Communications
- 5) Special needs services and evacuations.

### Strategies, plans, and protocols.

- *Develop recordkeeping policy and protocols.* Develop a policy and procedures to document hours of asset use as well as asset losses during declared emergencies. Documentation is essential for recovery funding under the Stafford Act.
- *Pre-establish alternate and/or evacuation routes.* For advance-notice events (e.g., hurricanes, floods), transit agencies should, to the extent possible, pre-establish alternate and/or evacuation routes and vehicle assignments to facilitate quick response and expedite implementation of services, and to allow passengers, especially transit-dependent passengers, to be aware of available transit services.
- *Identify pick-up point, shelter, and treatment center points of contact (POCs) and protocols.* The logistics of getting people to and from pick-up points, shelters, and treatment centers during emergencies may be challenging. Incomplete information or lack of a single POC for each point, shelter, or center can lead to inefficiencies. Transit agencies should work with local first responders, EOCs, or other designated emergency coordination centers to establish POCs for each point, shelter, or center for accessing vehicles, coordinating arriving and departing vehicles, escorting passengers into processing areas, and arranging for return trips.
- *Develop memoranda of agreement (MOA) or mutual aid agreements.* Transit agencies should develop MOAs or mutual aid agreements with other relevant organizations and agencies in the same or adjoining communities or areas. These agreements should formalize and authorize assistance during emergencies, including addressing financial reimbursements to service providers.
- *Consider fare suspension.* Transit agencies should consider establishing no-fare policies that could be implemented as part of emergency evacuations. Fare-suspension policies facilitate vehicle boarding, eliminate the money-handling and other security problems related to fare collection, and are user-friendly to first-time users
- *Coordinate with local human services organizations and schools.* In conjunction with federal, state, local, and tribal emergency management structures, transit agencies should establish relationships with local human services and health care organizations, schools, and other non-government organizations (NGO) (e.g., Red Cross, Salvation Army) that

have access to transportation departments or other transportation resources (e.g., vehicles, drivers, fuel, maintenance facilities) available for emergency response. Availability of smaller and specialized vehicles may be especially important.

- *Develop and train on emergency management plans.* Transit agencies' emergency management plans should address various types and levels of emergencies and disasters. They should also address coordination with local governments and responders.

Plan elements should include key personnel contact lists; communications protocols; checklists by functional area of actions to be taken; action timelines for before, during, and after an emergency; and emergency and disaster response policies, protocols, and procedures.

Emergency management plans should also include protocols for parking and deploying bus and rail fleets and support vehicles during emergencies, such as fueling buses and support vehicles prior to emergency events; moving buses and support vehicles out of flood-prone areas; splitting fleets between two or more locations to minimize loss and maximize availability; and parking vehicles in structurally safe facilities where available.

Transit agencies should train and exercise on their emergency management plans to assure that they will work when emergencies arise. Transit agencies should also participate in the development of after action reports (AARs) based on their involvement and relationship with the local or regional organization responsible for the AAR.

- *Develop fair employee compensation policies.* Transit agencies should review and, as needed, amend their compensation policies to assure that they do not penalize employees who respond during declared emergencies and disasters. For example, policies that do not include overtime pay for extended work hours during emergency evacuations may realize short-term economic savings, but may negatively impact employees' willingness to respond in future. As appropriate, compensation for employees volunteering during declared emergencies and disasters may be negotiated in advance with employee unions.
- *Develop policies to address personal belongings, pets, and service animals.* In an emergency, evacuees commonly want to bring their pets and personal belongings aboard evacuation vehicles. Transit agencies should have policies in place to inform riders about what they may carry with them when evacuating. Agencies with "no pet" rules must always allow persons with disabilities to ride with their service animals.

### **Facilities, equipment, and supplies.**

- *Consider just-in-time contracts.* Transit agencies should consider just-in-time contracts as a method to aid continuation of service during emergencies.
- *Purchase and install batteries and electrical generators.* In anticipation of loss of electrical power, transit agencies should purchase extra batteries for their portable radios and cell phones. Transit agencies should also purchase and install vehicular chargers for both radios and cell phones.

Transit agencies should also purchase and install back-up generators to allow them to resume critical emergency functions as quickly as possible following an emergency event. Ideally, the generators should power all transit facility functions. At a minimum,

they should be able to power fueling systems; radio communications; computerized scheduling and dispatching systems; and lights, electrical outlets, and shop equipment to allow transit agencies to maintain service until normal power is restored.

- *Harden facilities.* Transit agencies should assure that new transit facilities are designed to withstand natural disasters and other emergencies, and to provide shelter for agency personnel. Transit agencies should assess existing facilities to determine any practical proactive engineered retrofits and administrative actions, and should implement retrofits as practicable. The cost for hardening transit facilities is an eligible expense in FTA grant applications. Hardening projects are also eligible for funding under FEMA's Hazard Mitigation Grant Program (HMGP) (see Appendix A).
- *Fuel fleet and staff vehicles prior to emergency events.* To assure that fleet and support vehicles are fueled prior to emergency events, transit agencies should place fueling on their checklists of actions in their emergency response plans.

### **Staffing and training.**

- *Clarify staff responsibilities and duties.* Transit agencies should clarify responsibilities and duties of employees during emergencies. If mandatory, transit agencies should include the responsibilities in job descriptions. If voluntary, transit agencies should obtain commitments from employees before assigning staff for emergency response and recovery actions. Transit agencies should also encourage employees to make plans with their families so that, during emergencies, the employees are free to perform their agencies' emergency response duties.
- *Train staff.* Transit agencies should conduct periodic training sufficient to assure that all employees are familiar with the agencies' emergency management plans, and their own and others' responsibilities and duties.
- *Drill and exercise.* Transit agencies should conduct training drills and exercises at the agency level, and should participate in local and state EOC exercises. Internal drills should be sufficient so that all employees can carry out their agency responsibilities. Through participation in local and state EOC exercises, transit agencies can assess whether their employees understand the relationships with community partners and passengers, including special-needs passengers.
- *Add volunteers to bus operations.* Transit agencies may consider allowing volunteer staff from other organizations to assist bus operations in loading and unloading evacuees and in communicating with pick-up points, shelters, and other locations during evacuations. If transit agencies allow volunteers from other organizations, these volunteers should participate in training, drills, and exercises sufficient to carry out their responsibilities. Transit agencies may also want to provide volunteers with suitable attire (e.g., vests) to identify them to both transit employees and evacuees.
- *Provide employee support and assistance.* Transit agencies should evaluate the types of support that may be most useful and practicable, such as emergency shelter for family members, employee assistance programs (EAPs), and day care.

## **Communications.**

- *Educate passengers.* Transit agencies should provide passengers with both general preparedness information and specific directions for how to access transportation services during an emergency or other event. Transit agencies should provide the information in formats suitable for the populations they serve, including special needs passengers. Public information messages should be planned and coordinated with other local entities to assure that people can get from the start to the finish of events, not just to and from transit stations or locations.
- *Back up communication systems.* Transit agencies should prepare for disruptions in their communications systems by creating redundancies, e.g., hard copies of communications protocols and contact information; backups of electronic versions of passenger records and manifests for scheduling and dispatching during paratransit operations. Power outages may also limit access to telephone communications, especially if they are routed through internal systems.

## **Special needs services and evacuations.**

- *Coordinate and pre-plan evacuation of special populations.* Working proactively with MPOs, local governments, and their local EOCs, transit agencies should, as needed, help plan evacuations for special needs populations. Special paratransit scheduling software can facilitate evacuation planning for these populations. In addition, working with community health service agencies, transit agencies can identify individuals who need special transportation assistance at various locations and pre-establish pick up locations for transport of special populations.

Prior to emergencies, transit agencies should also create agreements and coordinate information sharing with special needs facilities that have preplanned destinations for their patients to facilities that can provide specialized care. Transit agencies can also plan in advance the scheduling, dispatching, and rider notification processes needed during an evacuation. Transit agencies should also proactively coordinate for the evacuation of passengers that require pick up at their individual locations.

In regions that provide fixed-route transit, portions of the regions' populations use Americans with Disabilities Act (ADA) complementary paratransit systems. Transit agencies with ADA paratransit systems should assess the capacity of their systems to provide emergency evacuation to paratransit users as well as other individuals with disabilities in the community (see also section E5 of Appendix E).

As possible, transit agencies should work with local governments to:

- Identify and address linguistic, institutional, cultural, economic, and historical barriers that may prevent special needs populations from participating in the agencies' planning process
- Identify areas with special needs populations, i.e., populations whose members may need additional response assistance, such as those who have disabilities; who live in institutionalized settings; who are elderly; who are children; who are from diverse cultures; who have limited English proficiency or are non-English-speaking; or who are transportation disadvantaged

- Partner with and provide emergency transportation plans and information to local social-service, culture- and faith-based, and other non-profit organizations so that these organizations can educate their transit-dependent constituents on transportation services available during emergencies
- Share information with partner agencies and organizations on coordinating vehicles, operators, dispatch, and technologies for passenger evacuation and transport.

For more information on communications with special populations, see Transit Cooperative Research Program (TCRP) Report 150, *Communicating with Vulnerable Populations: A Transportation and Emergency Management Toolkit* available at [http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp\\_rpt\\_150.pdf](http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_150.pdf).

## 3.0 RESOURCES AND FUNDING FOR RESPONSE AND RECOVERY

A key to obtaining funding or reimbursement for resources spent during response and recovery from declared emergencies and disasters is recordkeeping. As a minimum, transit agencies should maintain the following records:

- Mutual aid agreements
- Service or resource requests; and funds/resources expended in providing requested services. Transit agencies should register service and resource requests with state and local EOCs
- Physical assets, personnel, and supplies used in the emergency
- Damage assessments for vehicles, facilities, and equipment; and estimates or costs of repair or replacement.

### 3.1 Federal Transit Administration

Although the Stafford Act is the most familiar mechanism by which the federal government provides support to state and local governments, it is not the only one. Often, federal assistance does not require coordination by DHS and can be provided without a Presidential major disaster or emergency declaration. In these instances, federal departments and agencies provide assistance to states, as well as directly to local jurisdictions, consistent with their own authorities. This support is typically coordinated by the federal agency with primary jurisdiction rather than DHS.

**Emergency program authority.** Under 49 U.S.C. 5324, FTA has authority for an Emergency Relief program to aid FTA grantees (grant recipients) and sub-grantees (sub-recipients) in restoring public transportation services and in repairing and reconstructing public transit assets to a state of good repair as expeditiously as possible following declared emergencies or disasters. In conjunction with repair and reconstruction, recipients may include projects that increase the resiliency of their transit systems to protect these systems from the effects of future emergencies and disasters. FTA funding may be up to 80 percent of project costs for capital and operating projects. However, the FTA Administrator has the authority to waive the non-federal share, and FTA may also defer local share. FTA's interim final rule, at 49 CFR Part 602, Emergency Relief, is reproduced in full in Appendix A. The interim final rule includes grant eligibility requirements and application procedures and explains pre-award authorities and the types of activities that are eligible for relief funding.

Grantees impacted by a disaster or emergency should contact their FTA regional office to determine whether FTA has Emergency Relief funds available. If FTA Emergency Relief funds are available, grantees will work with FTA, not FEMA, to get reimbursement.

FTA also has an emergency relief docket to allow waivers from administrative requirements during declared emergencies and disasters. Appendix B describes procedures for FTA grantees and sub-grantees in petitioning the FTA Administrator for temporary relief from the provisions of any FTA policy statement, circular, guidance document, or rule, as provided in 49 CFR Part 601, Subpart D.

**Funds for emergency transportation services under FTA’s Emergency Relief Program.**

Under FTA’s Emergency Relief program, grantees may be reimbursed for emergency transportation services. This includes temporary service that is outside the scope of an affected recipient’s normal operations, including but not limited to: evacuations; rescue operations; bus or ferry service to replace inoperable rail service or to detour around damaged areas; additional service to accommodate an influx of passengers or evacuees; returning evacuees to their homes after the disaster or emergency; and the net project costs related to reestablishing, expanding, or relocating public transportation service before, during, or after an emergency or major disaster.

**Funds for capital equipment and facility replacement under FTA’s Emergency Relief program.**

For transit agencies whose vehicles, capital equipment, or facilities are damaged during a declared emergency or disaster, FTA’s Emergency Relief program will fund capital projects undertaken for the purpose of repairing, replacing or reconstructing seriously damaged public transportation system elements, including rolling stock, equipment, facilities and infrastructure, as necessary to restore the elements to a state of good repair.

**Recommendations for bus contingency fleets.** Transit agencies may place buses in an inactive contingency fleet (stockpile) in preparation for emergencies. However, transit agencies may not stockpile buses before they have reached the end of their minimum normal service life. Transit agencies must store and maintain buses in a contingency fleet, and must document them in a contingency plan, updated as necessary, to support continuation of the fleet.

### **3.2 Federal Emergency Management Agency**

Under the Stafford Act, FEMA coordinates federal assistance to supplement state and local government response to declared emergencies and disasters. The NRF outlines the progress of events leading to a response by local, state, and federal resources, as shown in Figure 3-1.

Under the Stafford Act, states can request assistance from FEMA to provide emergency transit services that are needed to assist a community or regional area to recover from the effects of a disaster. In addition, FEMA assistance is available to transit agencies to help replace or repair vehicles, equipment, and facilities that are damaged or destroyed during a disaster, only if FTA does not have funds available. Appendix C contains more detailed information on the types of assistance available through FEMA under the Stafford Act.

**Funds for emergency transportation services under the Stafford Act.** For transit agencies assisting affected communities prior to, during, or after a declared emergency or disaster, the public assistance program under the Stafford Act makes provisions for reimbursement of temporary public transportation service to meet emergency needs and provide transportation to government offices, employment centers, and other places as necessary to enable the community to resume its normal pattern of life as soon as possible. However, emergency public transportation service is intended to supplement, but not replace, pre-disaster transportation facilities that remain operable after a major disaster. FEMA funding for such transportation is discontinued as soon as the emergency needs are met.

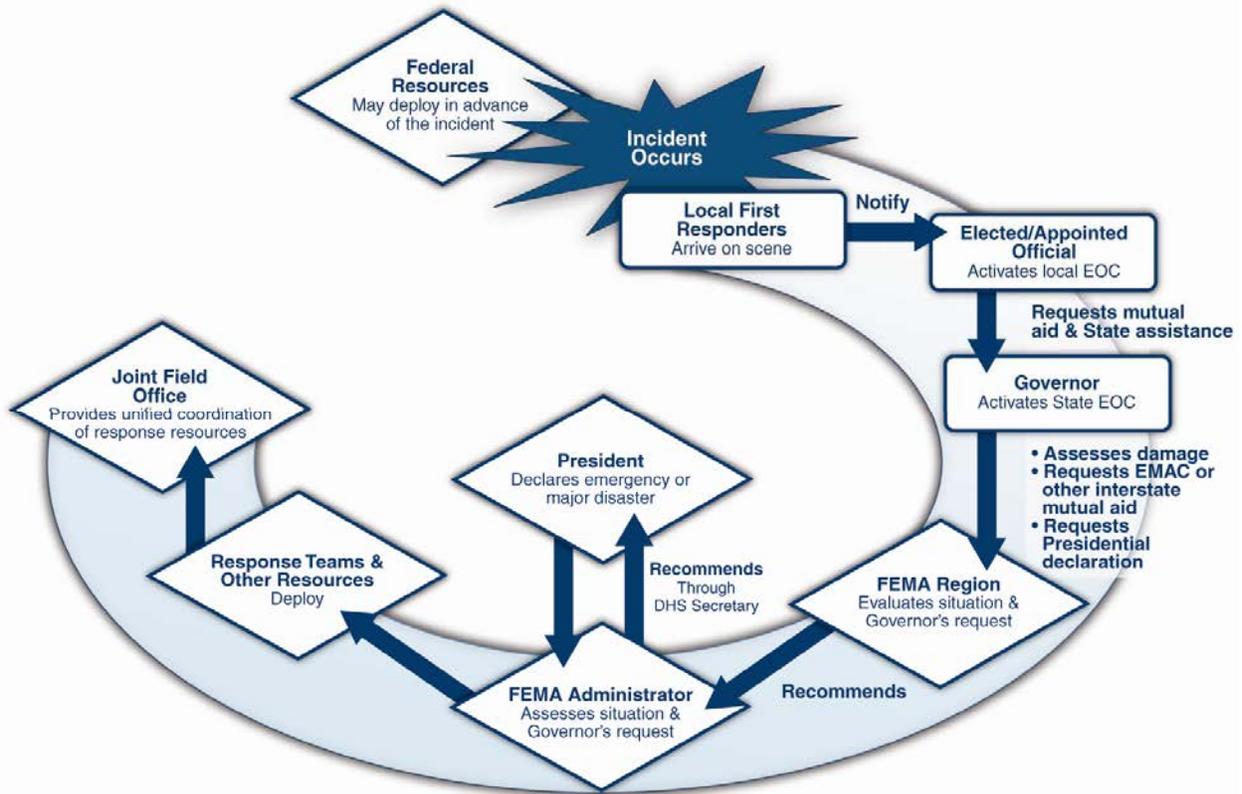


Figure 3-1. Overview of Stafford Act Support to States<sup>5</sup>

**Funds for capital equipment and facility replacement under the Stafford Act.** For transit agencies whose vehicles, capital equipment, or facilities are damaged during a declared emergency or disaster, the public assistance program under the Stafford Act makes provisions for up to 100% reimbursement for permanent work, including repairs, restoration, or replacement to the damaged assets.

### 3.3 State, Regional, and Local Resources

During Presidentially-declared emergencies and disasters, funds available through Stafford Act programs flow from FEMA to affected states, the grantees. The states determine eligibility for FEMA funds; add their portion (usually up to 25%); notify sub-grantees that funds are available; and disburse the funds.

Transit agencies may receive funds directly from states or through lower-tier organizations or agencies, such as regional emergency management coordinating organizations, depending upon state and jurisdictional agreements.

<sup>5</sup> Figure from *Overview: ESF and Support Annexes Coordinating Federal Assistance in Support of the National Response Framework*. Department of Homeland Security. January 2008.

Transit agencies that are direct applicants and recipients (sub-grantees) under Stafford Act programs are accountable to states for use of the funds. They must provide documentation and personnel to work with FEMA and the state in assessing damages, completing application processes, and identifying all damages to the state and FEMA for reimbursement.

### **3.4 Non-governmental and Non-profit Agencies**

**American Public Transportation Association (APTA).** APTA coordinates information about the availability of buses during declared emergencies and disasters. Through this coordination, available transit buses from cooperating transit agencies can be available nationwide to supplement emergency transit services.

FTA partnered with APTA to develop the Emergency Response and Preparedness Program (ERPP), an online “mutual aid” tool (<http://www.aptaerpp.com/>) to assist transit systems and industry entities in accessing resources to prepare for or respond to an emergency or disaster.

**Community Transportation Association of America (CTAA).** CTAA staff and members of its peer network may provide hands-on assistance in reestablishing disrupted transit service and providing consultants on a short-term basis to transit agencies. United We Ride (UWR) (<http://www.unitedweride.gov/>) ambassadors are also available for technical assistance. In addition, the Community Transportation Lending Services, Inc. (<http://web1.ctaa.org/webmodules/webarticles/anmviewer.asp?a=53&z=36>) may provide short-term financing for transit agencies impacted by declared emergencies or disasters.

**American Bus Association.** The American Bus Association provides coordination and assistance for intercity evacuations, as transit buses may be limited by fuel availability and range.

## 4.0 REFERENCES AND RESOURCE DOCUMENTS

*Communications with Vulnerable Populations: A Transportation and Emergency Management Toolkit.* 2011. Transportation Research Board. TCRP Report 150. Available at [http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp\\_rpt\\_150.pdf](http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_150.pdf)

*Developing and Maintaining Emergency Operations Plans.* November 2010. Federal Emergency Management Agency, Comprehensive Preparedness Guide (CPG) 101, Version 2.0. Available at [http://www.fema.gov/pdf/about/divisions/npd/CPG\\_101\\_V2.pdf](http://www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf)

*Emergency Management Guide for Business and Industry: A Step-by-Step Approach to Emergency Planning, Response and Recovery for Companies of All Sizes.* October 1993. Federal Emergency Management Agency. FEMA 141. Available at <http://www.fema.gov/pdf/business/guide/bizindst.pdf>

*Emergency Procedures for Public Transportation Systems.* Federal Transit Administration. 49 CFR Part 601, Subpart D. U.S. Department of Transportation. Available at [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr601\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr601_main_02.tpl)

*Emergency Transit Assistance: Federal Funding for Recent Disasters, and Options for the Future.* February 2008. General Accounting Office. GAO-08-243. Available at <http://www.gao.gov/new.items/d08243.pdf>

*Federal Stafford Act Disaster Assistance: Presidential Declarations, Eligible Activities, and Funding.* June 2011. Congressional Research Service (CRS) Report for Congress prepared by Francis X. McCarthy. Available at <http://www.fas.org/sgp/crs/homsec/RL33053.pdf>

*A Guide to Emergency Response Planning at State Transportation Agencies.* 2010. Transportation Research Board. NCHRP Report 525. Surface Transportation Security. Volume 16. Available at [http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_525v16.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_525v16.pdf)

*Guide for Emergency Transportation Operations.* 2005. Transportation Research Board. NCHRP Report 525. Surface Transportation Security. Volume 6. Available at [http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_525v6.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_525v6.pdf)

*Guidelines for Transportation Emergency Training Exercises.* 2006. Transportation Research Board. Transportation Cooperative Research Program. Transportation Security. TCRP Report 86. Volume 9. and National Cooperative Highway Research Program. NCHRP Report 525. Volume 9. Available at [http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_525v9.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_525v9.pdf)

*Homeland Security Exercise and Evaluation Program (HSEEP) Volume I: HSEEP Overview and Exercise Program Management.* February 2007. U.S. Department of Homeland Security. Available at <https://hseep.dhs.gov/support/VolumeI.pdf>

*National Disaster Recovery Framework: Strengthening Disaster Recovery for the Nation.* September 2011. Federal Emergency Management Agency. Available at <http://www.fema.gov/pdf/recoveryframework/ndrf.pdf>

*National Incident Management System.* December 2008. U.S. Department of Homeland Security. Available at [http://www.fema.gov/pdf/emergency/nims/NIMS\\_core.pdf](http://www.fema.gov/pdf/emergency/nims/NIMS_core.pdf)

*National Preparedness Guidelines.* September 2007. U.S. Department of Homeland Security. Available at <http://www.fema.gov/library/viewRecord.do?id=3773>

*National Preparedness System.* November 2011. U.S. Department of Homeland Security. Available at [http://www.fema.gov/pdf/prepared/nps\\_description.pdf](http://www.fema.gov/pdf/prepared/nps_description.pdf)

*National Response Framework.* January 2008. U.S. Department of Homeland Security. Available at <http://www.fema.gov/pdf/emergency/nrf/nrf-core.pdf>

*Overview: ESF and Support Annexes: Coordinating Federal Assistance in Support of the National Response Framework.* January 2008. U.S. Department of Homeland Security. Available at <http://www.fema.gov/pdf/emergency/nrf/nrf-overview.pdf>

*Public Assistance Guide.* June 2007. Federal Emergency Management Agency, FEMA 322. Available at [http://www.fema.gov/government/grant/pa/pag07\\_t.shtml](http://www.fema.gov/government/grant/pa/pag07_t.shtml)

*Public Transportation Emergency Mobilization and Emergency Operations Guide.* 2005. Transportation Research Board. Transit Cooperative Research Program. TCRP Report 86. Public Transportation Security. Volume 7. Available at [http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp\\_rpt\\_86v7.pdf](http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_86v7.pdf)

*The Public Transportation System Security and Emergency Preparedness Planning Guide.* January 2003. Federal Transit Administration. DOT-FTA-MA-26-5019-03-01. DOT-VNTSC-FTA-03-01. Available at <http://transit-safety.volpe.dot.gov/publications/security/PlanningGuide.pdf>

*Recovering from Disasters: The National Transportation Recovery Strategy.* September 2009. U.S. Department of Transportation. Available at [http://www.dot.gov/disaster\\_recovery/resources/DOT\\_NTRS.pdf](http://www.dot.gov/disaster_recovery/resources/DOT_NTRS.pdf)

*The Role of Transit in Emergency Evacuation.* 2008. Transportation Research Board. Special Report 294. Available at <http://onlinepubs.trb.org/onlinepubs/sr/sr294.pdf>

Security Standards and Recommended Practices. No date. American Public Transportation Association, APTA Standards Development Program. Available at <http://www.aptastandards.com/Documents/PublishedStandards/Security/tabid/329/language/en-US/Default.aspx>

*Transportation Equity in Emergencies: A Review of the Practices of State Departments of Transportation, Metropolitan Planning Organizations, and Transit Agencies in 20 Metropolitan Areas.* May 2007. FTA-PA-26-8001-2007. Federal Transit Administration. Available at [http://www.trb.org/Main/Blurbs/Transportation\\_Equity\\_in\\_Emergencies\\_A\\_Review\\_of\\_t\\_15883\\_5.aspx](http://www.trb.org/Main/Blurbs/Transportation_Equity_in_Emergencies_A_Review_of_t_15883_5.aspx)

## **Appendix A.**

# **49 CFR Part 602, Emergency Relief**



**Authority:** 49 U.S.C. 5324 and 5334; 49 CFR §1.91.

**Source:** 78 Federal Register (FR) 19144, Mar. 29, 2013, unless otherwise noted.

## § 602.1 Purpose

This part establishes the procedures and eligibility requirements for the administration of emergency relief funds for emergency public transportation services, and the protection, replacement, repair or reconstruction of public transportation equipment and facilities which are found to have suffered or are in danger of suffering serious damage by a natural disaster over a wide area or a catastrophic failure from an external cause.

## § 602.3 Applicability

This part applies to entities that provide public transportation services and that are impacted by emergencies and major disasters.

## § 602.5 Definitions

The following definitions apply to this part:

*Affected recipient.* A recipient or subrecipient that operates public transportation service in an area impacted by an emergency or major disaster.

*Applicant.* An entity that operates or allocates funds to an entity to operate public transportation service and applies for a grant under 49 U.S.C. 5324.

*Catastrophic failure.* The sudden failure of a major element or segment of the public transportation system due to an external cause. The failure must not be primarily attributable to gradual and progressive deterioration or lack of proper maintenance.

*Emergency.* A natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm or landslide) or a catastrophic failure from any external cause, as a result of which:

- (1) The Governor of a State has declared an emergency and the Secretary of Transportation has concurred; or
- (2) The President has declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

*Emergency operations.* The net project cost of temporary service that is outside the scope of an affected recipient's normal operations, including but not limited to: evacuations; rescue operations; bus or ferry service to replace inoperable rail service or to detour around damaged areas; additional service to accommodate an influx of passengers or evacuees; returning evacuees to their homes after the disaster or emergency; and the net project costs related to reestablishing, expanding, or relocating public transportation service before, during, or after an emergency or major disaster.

*Emergency protective measures.*

- (1) Capital projects undertaken immediately before, during or following the emergency or major disaster for the purpose of protecting public health and safety or for protecting property. Such projects:
  - (i) Eliminate or lessen immediate threats to public health or safety; or
  - (ii) Eliminate or lessen immediate threats of significant damage or additional damage to an affected recipient's property through measures that are cost effective
- (2) Examples of such projects include, but are not limited to:
  - (i) Moving rolling stock in order to protect it from damage, e.g., to higher ground in order to protect it from storm surges;

- (ii) Emergency communications;
- (iii) Security forces;
- (iv) Sandbagging;
- (v) Bracing/shoring damaged structures;
- (vi) Debris removal;
- (vii) Dewatering; and
- (viii) Removal of health and safety hazards.

*Emergency repairs.* Capital projects undertaken immediately following the emergency or major disaster, until such time as permanent repairs can be undertaken, for the purpose of:

- (1) Minimizing the extent of the damage, or
- (2) Restoring service.

*External cause.* An outside force or phenomenon that is separate from the damaged element and not primarily the result of existing conditions.

*Heavy maintenance.* Work usually done by a recipient or subrecipient in repairing damage normally expected from seasonal and occasionally unusual natural conditions or occurrences, such as routine snow removal, debris removal from seasonal thunderstorms, or heavy repairs necessitated by excessive deferred maintenance. This may include work required as a direct result of a disaster, but which can reasonably be accommodated by a recipient or subrecipient's routine maintenance, emergency or contingency program.

*Major Disaster.* Any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby. 42 U.S.C.5122.

*Net project cost.* The part of a project that reasonably cannot be financed from revenues. 49 U.S.C. 5302.

*Permanent repairs.* Capital projects undertaken following the emergency or major disaster for the purpose of repairing, replacing or reconstructing seriously damaged public transportation system elements, including rolling stock, equipment, facilities and infrastructure, as necessary to restore the elements to a state of good repair.

*Recipient.* An entity that operates public transportation service and receives Federal transit funds directly from FTA.

*Resilience/Resiliency.* A capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.

*Resiliency Project.* A project designed and built to address future vulnerabilities to a public transportation facility or system due to future recurrence of emergencies or major disasters that are likely to occur again in the geographic area in which the public transportation system is located; or projected changes in development patterns, demographics, or extreme weather or other climate patterns.

*Serious damage.* Heavy, major or unusual damage to a public transportation facility which severely impairs the safety or usefulness of the facility. Serious damage must be beyond the scope of heavy maintenance.

*State.* Any one of the United States, the District of Columbia, Puerto Rico or the Virgin Islands, Guam, American Samoa or Commonwealth of the Northern Mariana Islands.

*Subrecipient.* An entity that operates public transportation service and receives FTA funding through a recipient.

#### § 602.7 Policy

- (a) The Emergency Relief Program is intended to aid recipients and subrecipients in restoring public transportation service and in repairing and reconstructing public transportation assets to a state of good repair as expeditiously as possible following an emergency or major disaster.
- (b) Emergency relief funds are not intended to supplant other Federal funds for correction of preexisting, nondisaster related deficiencies.
- (c) In conjunction with repair and reconstruction activities, recipients may include projects that increase the resiliency of affected public transportation systems to protect the systems from the effects of future emergencies and major disasters.
- (d) The expenditure of emergency relief funds for emergency repair shall be in such a manner so as to reduce, to the greatest extent feasible, the cost of permanent restoration work completed after the emergency or major disaster.
- (e) Emergency relief funds, or funds made available under 49 U.S.C. 5307 (Urbanized Area Formula Program) or 49 U.S.C. 5311 (Rural Area Formula Program) awarded for emergency relief purposes shall not duplicate assistance under another Federal program or compensation from insurance or any other source. Partial compensation for a loss by other sources will not preclude FTA emergency relief fund assistance for the part of such loss not compensated otherwise. Any compensation for damages or insurance proceeds for repair or replacement of the public transit equipment or facility must be used upon receipt to reduce FTA's emergency relief fund participation in the project.

#### § 602.9 Federal share

- (a) A grant, contract, or other agreement for emergency operations, emergency protective measures, emergency repairs, permanent repairs and resiliency projects under 49 U.S.C. 5324 shall be for up to 80 percent of the net project cost.
- (b) A grant made available under 49 U.S.C. 5307 or 49 U.S.C. 5311 to address an emergency shall be for up to 80 percent of the net project cost for capital projects, and up to 50 percent of the net project cost for operations projects.
- (c) The FTA Administrator may waive, in whole or part, the non-Federal share required under paragraphs (a) and (b) of this section.

#### § 602.11 Pre-award authority

- (a) Except as provided in paragraph (b) of this section, pre-award authority for the Emergency Relief Program shall be effective beginning on the effective date of a declaration of emergency or major disaster, and subject to the appropriation of Emergency Relief Program funds.
- (b) For expected weather events, preaward authority for evacuations and activities to protect public transportation vehicles, equipment and facilities, shall be effective within a reasonable period of time in advance of the event, such as during the period the storm is forecast with some certainty to hit the affected area.
- (c) Pre-award authority shall be subject to a maximum amount determined by FTA based on estimates of immediate financial need, preliminary damage assessments, available Emergency Relief funds and other criteria to be determined.
- (d) Pre-award authority is not a legal or implied commitment that the subject project will be approved for FTA assistance or that FTA will obligate Federal funds. Furthermore, it is not a legal or implied commitment that all activities undertaken by the applicant will be eligible for inclusion in the project(s).

- (e) Except as provided in § 602.15, all FTA statutory, procedural, and contractual requirements must be met.
- (f) The recipient must take no action that prejudices the legal and administrative findings that the FTA Regional Administrator must make in order to approve a project.
- (g) The Federal amount of any future FTA assistance awarded to the recipient for the project will be determined on the basis of the overall scope of activities and the prevailing statutory provisions with respect to the Federal/non-Federal match ratio at the time the funds are obligated.
- (h) When FTA subsequently awards a grant for the project, the Financial Status Report in FTA's electronic grants management system must indicate the use of pre-award authority.

### § 602.13 Eligible activities

- (a) An affected recipient may apply for emergency relief funds on behalf of itself as well as affected subrecipients.
- (b) Eligible uses of Emergency Relief funds include:
  - (1) Emergency operations;
  - (2) Emergency protective measures;
  - (3) Emergency repairs;
  - (4) Permanent repairs;
  - (5) Actual engineering and construction costs on approved projects; and
  - (6) Resiliency projects.
- (c) Ineligible uses of Emergency Relief funds include:
  - (1) Heavy maintenance;
  - (2) Project costs for which the recipient has received funding from another Federal agency;
  - (3) Project costs for which the recipient has received funding through payments from insurance policies;
  - (4) Projects that change the function of the original infrastructure;
  - (5) Projects for which funds were obligated in an FTA grant prior to the declared emergency or major disaster;
  - (6) Reimbursements for lost revenue due to service disruptions caused by an emergency or major disaster.
  - (7) Project costs associated with the replacement or replenishment of damaged or lost material that are not the property of the affected recipient and not incorporated into a public transportation system such as stockpiled materials or items awaiting installation.
  - (8) Other project costs FTA determines are not appropriate for the Emergency Relief Program.

### § 602.15 Grant requirements

- (a) Funding available under the Emergency Relief program is subject to the terms and conditions FTA determines are necessary.
- (b) The FTA Administrator shall determine the terms and conditions based on the circumstances of a specific emergency or major disaster for which funding is available under the Emergency Relief Program.
  - (1) In general, projects funded under the Emergency Relief Program shall be subject to the requirements of chapter 53 of title 49, United States Code, as well as cross-cutting requirements, including but not limited to those outlined in FTA's Master Agreement.
  - (2) The FTA Administrator may determine requirements associated with public transportation programs are inapplicable as necessary and appropriate for emergency repairs, permanent repairs, emergency protective measures and emergency operating expenses that are incurred within 45 days of the emergency or major disaster, or longer as determined by FTA. If the FTA Administrator determines any requirement is inapplicable, the determination shall apply to all eligible activities undertaken with funds authorized under 49 U.S.C. 5324 within the 45-day period, as well as funds authorized under 49 U.S.C. 5307 and 5311 and used for eligible emergency relief activities.
  - (3) FTA shall publish a notice on its Web site and in the emergency relief docket established under 49 CFR part 601 regarding the grant requirements for a particular emergency or major disaster.

- (c) In the event an affected recipient or subrecipient believes an FTA requirement limits its ability to respond to the emergency or major disaster, the recipient or subrecipient may request that the requirement be waived in accordance with the emergency relief docket process as outlined in 49 CFR part 601, subpart D. Applicants should not proceed on projects assuming that requests for such waivers will be granted.
- (d) In accordance with Executive Order 11988, Floodplain Management, recipients shall not use grant funds for any activity in an area delineated as a special flood hazard area or equivalent, as labeled in the Federal Emergency Management Administration's (FEMA) most recent and current data source unless, prior to seeking FTA funding for such action, the recipient designs or modifies its actions in order to minimize potential harm to or within the floodplain.
  - (1) Except as otherwise provided in this subparagraph, recipients shall use the "best available information as identified by FEMA, which includes advisory data (such as Advisory Base Flood Elevations (ABFEs)), preliminary and final Flood Insurance Rate Maps (FIRMs), or Flood Insurance Studies (FISs).
  - (2) If FEMA data is mutually determined by FTA and the recipient to be unavailable or insufficiently detailed, other Federal, State, or local data may be used as "best available information" in accordance with Executive Order 11988.
  - (3) The final determination on "best available information" shall be used to establish such reconstruction requirements as a project's minimum elevation.
  - (4) Where higher minimum elevations are required by either State or locally adopted building codes or standards, the higher of the competing minimums would apply.
  - (5) A base flood elevation from an interim or preliminary or non-FEMA source may not be used if it is lower than the current FIRM.

#### § 602.17 Application procedures

- (a) As soon as practical after occurrence, affected recipients shall make a preliminary field survey, working cooperatively with the appropriate FTA Regional Administrator and other governmental agencies with jurisdiction over eligible public transportation systems. The preliminary field survey should be coordinated with the Federal Emergency Management Agency, if applicable, to eliminate duplication of effort. The purpose of this survey is to determine the general nature and extent of damage to eligible public transportation systems.
  - (1) The affected recipient shall prepare a damage assessment report. The purpose of the damage assessment report is to provide a factual basis for the FTA Regional Administrator's finding that serious damage to one or more public transportation systems has been caused by a natural disaster over a wide area, or a catastrophic failure. As appropriate, the damage assessment report should include by political subdivision or other generally recognized administrative or geographic boundaries—
    - (i) The specific location, type of facility or equipment, nature and extent of damage;
    - (ii) The most feasible and practical method of repair or replacement;
    - (iii) A preliminary estimate of cost of restoration, replacement, or reconstruction for damaged systems in each jurisdiction.
    - (iv) Potential environmental and historic impacts;
    - (v) Photographs showing the kinds and extent of damage and sketch maps detailing the damaged areas;
    - (vi) Recommended resiliency projects to protect equipment and facilities from future emergencies or major disasters.
  - (2) Unless unusual circumstances prevail, the damage assessment report should be prepared within six weeks following the natural disaster or catastrophic failure.
  - (3) For large disasters where extensive damage to public transportation systems is readily evident, the FTA Regional Administrator may approve an application prior to submission of the damage assessment report. In these cases, the applicant shall prepare and submit to the FTA Regional Administrator an abbreviated or preliminary damage assessment report, summarizing eligible repair costs by jurisdiction, after the damage inspections have been completed.
- (b) Before funds can be made available, a grant application for emergency relief funds must be made to, and approved by, the appropriate FTA Regional Administrator. The application shall include:

- (1) A copy of the Governor's declaration or a Presidential declaration;
  - (2) A copy of the damage assessment report, as appropriate;
  - (3) A list of projects, as documented in the damage assessment report, identifying emergency operations, emergency protective measures, and emergency repairs completed as well as permanent repairs needed to repair or replace the damaged or destroyed rolling stock, equipment, facilities, and infrastructure; and
  - (4) Supporting documentation showing other sources of funding available, including insurance policies, agreements with other Federal agencies, and any other source of funds available to address the damage resulting from the emergency or major disaster.
- (c) Applications for emergency operations must include the dates, hours, number of vehicles, and total fare revenues received for the emergency service. Only net project costs may be reimbursed.
- (d) Applicants that receive funding from another Federal agency for operating expenses and also seek funding from FTA for operating expenses must include:
- (1) A copy of the agreement with the other Federal agency, including the scope of the agreement, the amount funded, and the dates the other agency funded operating costs; and
  - (2) The scope of service and dates for which the applicant is seeking FTA funding.
- (e) Applicants that receive funding from another Federal agency for emergency or permanent repairs or emergency protective measures and also seek funding from FTA for emergency or permanent repairs or emergency protective measures must include:
- (1) A copy of the agreement with the other Federal agency, including the scope of the agreement and the amount funded; and
  - (2) A list of projects included in the other agency's application or equivalent document.
- (f) Applicants are responsible for preparing and submitting a grant application. The FTA regional office may provide technical assistance to the applicant in preparation of a program of projects. This work may involve joint site inspections to view damage and reach tentative agreement on the type of permanent repairs the applicant will undertake. Program data should be kept to a minimum, but should be sufficient to identify the approved disaster or catastrophe and to permit a determination of the eligibility of proposed work. If the appropriate FTA Regional Administrator determines the damage assessment report is of sufficient detail to meet these criteria, additional program support data need not be submitted.
- (g) The appropriate FTA Regional Administrator's approval of the grant application constitutes a finding of eligibility under 49 U.S.C. 5324.

## **Appendix B.**

# **49 CFR Part 601, Subpart D – Emergency Procedures for Public Transportation Systems**



**Authority:** 49 U.S.C. 5141 and 5334; 49 CFR §1.51.

**Source:** 72 FR 912, Jan. 9, 2007, unless otherwise noted.

#### § 601.40 Applicability

This part prescribes procedures that apply to FTA grantees and sub-grantees when the President has declared a national or regional emergency, when a State Governor has declared a state of emergency, when the Mayor of the District of Columbia has declared a state of emergency, or in anticipation of such declarations.

#### § 601.41 Petitions for relief

In the case of a national or regional emergency or disaster, or in anticipation of such a disaster, any FTA grantee or sub-grantee may petition the Administrator for temporary relief from the provisions of any policy statement, circular, guidance document or rule.

#### § 601.42 Emergency relief docket

- (a) By January 31st of each year, FTA shall establish an Emergency Relief Docket in the publicly accessible DOT Docket Management System (DMS) (<http://dms.dot.gov>).
- (b) FTA shall publish a notice in the Federal Register identifying, by docket number, the Emergency Relief Docket for that calendar year. A notice shall also be published in the previous year's Emergency Relief Docket identifying the new docket number.
- (c) If the Administrator, or his/her designee, determines that an emergency event has occurred, or in anticipation of such an event, FTA shall place a message on its web page (<http://www.fta.dot.gov>) indicating the Emergency Relief Docket has been opened and including the docket number.

#### § 601.43 Opening the docket

- (a) The Emergency Relief Docket shall be opened within two business days of an emergency or disaster declaration in which it appears FTA grantees or sub-grantees are or will be impacted.
- (b) In cases in which emergencies can be anticipated, such as hurricanes, FTA shall open the docket and place the message on the FTA web page in advance of the event.
- (c) In the event a grantee or sub-grantee believes the Emergency Relief Docket should be opened and it has not been opened, that grantee or sub-grantee may submit a petition in duplicate to the Administrator, via U.S. mail, to: Federal Transit Administration, 400 Seventh Street, SW., Washington, DC 20590; via telephone, at: (202) 366-4043; or via fax, at (202) 366-3472, requesting opening of the Docket for that emergency and including the information in §601.45. The Administrator in his/her sole discretion shall determine the need for opening the Emergency Relief Docket.

#### § 601.44 Posting to the docket

- (a) All petitions for relief must be posted in the docket in order to receive consideration by FTA.
- (b) The docket is publicly accessible and can be accessed 24 hours a day, seven days a week, via the Internet at the docket facility's Web site at <http://dms.dot.gov>. Petitions may also be submitted by U.S. mail or by hand delivery to the DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW, Washington, DC 20590.

- (c) In the event a grantee or sub-grantee needs to request immediate relief and does not have access to electronic means to request that relief, the grantee or sub-grantee may contact any FTA regional office or FTA headquarters and request that FTA staff submit the petition on their behalf.
- (d) Any grantee or sub-grantee submitting petitions for relief or comments to the docket must include the agency name (Federal Transit Administration) and that calendar year's docket number. Grantees and sub-grantees making submissions by mail or hand delivery should submit two copies.

#### § 601.45 Required information

A petition for relief under this section shall:

- (a) Identify the grantee or sub-grantee and its geographic location;
- (b) Specifically address how an FTA requirement in a policy statement, circular, or agency guidance will limit a grantee's or sub-grantee's ability to respond to an emergency or disaster;
- (c) Identify the policy statement, circular, guidance document and/or rule from which the grantee or sub-grantee seeks relief; and
- (d) Specify if the petition for relief is one-time or ongoing, and if ongoing identify the time period for which the relief is requested. The time period may not exceed three months; however, additional time may be requested through a second petition for relief.

#### § 601.46 Processing of petitions

- (a) A petition for relief will be conditionally granted for a period of three (3) business days from the date it is submitted to the Emergency Relief Docket.
- (b) FTA will review the petition after the expiration of the three business days and review any comments submitted thereto. FTA may contact the grantee or sub-grantee that submitted the request for relief, or any party that submits comments to the docket, to obtain more information prior to making a decision.
- (c) FTA shall then post a decision to the Emergency Relief Docket. FTA's decision will be based on whether the petition meets the criteria for use of these emergency procedures, the substance of the request, and the comments submitted regarding the petition.
- (d) If FTA fails to post a response to the request for relief to the docket within three business days, the grantee or sub-grantee may assume its petition is granted until and unless FTA states otherwise.

#### § 601.47 Review Procedures

- (a) FTA reserves the right to reopen any docket and reconsider any decision made pursuant to these emergency procedures based upon its own initiative, based upon information or comments received subsequent to the three business day comment period, or at the request of a grantee or sub-grantee upon denial of a request for relief. FTA shall notify the grantee or sub-grantee if it plans to reconsider a decision.
- (b) FTA decision letters, either granting or denying a petition, shall be posted in the appropriate Emergency Relief Docket and shall reference the document number of the petition to which it relates.

## **Appendix C.**

# **The Disaster Declaration Process and Assistance Available**



This appendix describes the federal disaster declaration process and is focused on the Stafford Act for disaster relief and emergency assistance, and the Federal Emergency Management Administration (FEMA) role in response and recovery for disasters. As described in Section 3.0 of this document, the Federal Transit Administration (FTA) now has authority for an Emergency Relief program that can be used to directly fund FTA grantees for disaster relief as well.

## **A GUIDE TO THE DISASTER DECLARATION PROCESS<sup>6</sup> AND FEDERAL DISASTER ASSISTANCE**

Local and state governments share the responsibility for protecting their citizens from disasters, and for helping them to recover when a disaster strikes. In some cases, a disaster is beyond the capabilities of the state and local government to respond.

In 1988, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206, was enacted to support state and local governments and their citizens when disasters overwhelm them. This law, as amended, establishes a process for requesting and obtaining a Presidential disaster declaration, defines the type and scope of assistance available from the federal government, and sets the conditions for obtaining that assistance. The Federal Emergency Management Agency (FEMA), part of the Department of Homeland Security, is tasked with coordinating the response.

This paper explains the declaration process and provides an overview of the assistance available.

### **— THE DECLARATION PROCESS —**

The Stafford Act (§401) requires that “All requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected state.” A state also includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The Marshall Islands and the Federated States of Micronesia are also eligible to request a declaration and receive assistance.

The Governor’s request is made through the regional FEMA office. State, local, and federal officials conduct a preliminary damage assessment (PDA) to estimate the extent of the disaster and its impact on individuals and public facilities. [Assessment] information is included in the Governor’s request to show that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the local governments and that federal assistance is necessary. Normally, the PDA is completed prior to the submission of the Governor’s request. However, when an obviously severe or catastrophic event occurs, the Governor’s request may be submitted prior to the PDA. Nonetheless, the Governor must still make the request.

As part of the request, the Governor must take appropriate action under state law and direct execution of the state’s emergency plan. The Governor shall furnish information on the nature and amount of state and local resources that have been or will be committed to alleviating the results of the disaster, provide an estimate of the amount and severity of damage and the impact on the private and public sector, and provide an estimate of the type and amount of assistance needed under the Stafford Act. In addition, the Governor will need to certify that, for the current disaster, state and local government obligations and expenditures (of which state commitments must be a significant proportion) will comply with all applicable cost-sharing requirements.

Based on the Governor’s request, the President may declare that a major disaster or emergency exists, thus activating an array of federal programs to assist in the response and recovery effort.

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<sup>6</sup> From FEMA Library. Full document available at <http://www.fema.gov/library/viewRecord.do?id=2127>. For more information, see *Federal Stafford Act Disaster Assistance: Presidential Declarations, Eligible Activities, and Funding*. June 2011. Congressional Research Service (CRS) Report for Congress prepared by Francis X. McCarthy.

## — ASSISTANCE AVAILABLE —

Not all programs, however, are activated for every disaster. The determination of which programs are activated is based on the needs found during damage assessment and any subsequent information that may be discovered.

FEMA disaster assistance falls under three general programs:

- Individual assistance — aid to individuals and households [including disaster unemployment assistance]
- Public assistance — aid to public (and certain private non-profit) entities for certain emergency services and the repair or replacement of disaster-damaged public facilities
- Hazard mitigation assistance — funding for measures designed to reduce future losses to public and private property.

Some declarations will provide only individual assistance or only public assistance. Hazard mitigation opportunities are assessed in most situations.

A summary of [disaster unemployment assistance and the public assistance and hazard mitigation] programs follows. Because program complexities require lengthy explanations, the discussion that follows is simply an overview.

### **Disaster Unemployment Assistance**

The Disaster Unemployment Assistance (DUA) program provides unemployment benefits and re-employment services to individuals who have become unemployed because of major disasters. Benefits begin with the date the individual was unemployed due to the disaster incident and can extend up to 26 weeks after the Presidential declaration date. These benefits are made available to individuals not covered by other unemployment compensation programs, such as self-employed, farmers, migrant and seasonal workers, and those who have insufficient quarters to qualify for other unemployment compensation.

All unemployed individuals must register with the state's employment services office before they can receive DUA benefits. However, although most states have a provision that an individual must be able and available to accept employment opportunities comparable to the employment the individual held before the disaster, not all states require an individual to search for work.

### **Public Assistance**

Public assistance, oriented to public entities, can fund the repair, restoration, reconstruction, or replacement of a public facility or infrastructure, which is damaged or destroyed by a disaster.

Eligible applicants include state governments, local governments, and any other political subdivision of the state, Native American tribes, and Alaska native villages. Certain private nonprofit (PNP) organizations may also receive assistance. Eligible PNPs include educational, utility, irrigation, emergency, medical, rehabilitation, and temporary or permanent custodial care facilities (including those for the aged and disabled), and other PNP facilities that provide essential services of a governmental nature to the general public. PNPs that provide "critical services" (power, water--including water provided by an irrigation organization or facility, sewer, wastewater treatment, communications, educational facilities, and emergency medical care) may apply directly to FEMA for a disaster grant. All other PNPs must first apply to the Small Business Administration (SBA) for a disaster loan. If the PNP is declined for a SBA loan or the loan does not cover all eligible damages, the applicant may re-apply for FEMA assistance.

As soon as practicable after the declaration, the state, assisted by FEMA, conducts the applicant briefings for state, local and PNP officials to inform them of the assistance available and how to apply for it. A Request for Public Assistance must be filed with the state within 30 days after the area is designated eligible for assistance. Following the applicant's briefing, a kickoff meeting is conducted where damages will be discussed, needs assessed, and a plan of action put in place. A combined federal/state/local team proceeds with project formulation, which is the process of documenting the eligible facility, the eligible work, and the eligible cost for fixing the damages to every public or PNP facility identified by State or local representatives.

The team prepares a project worksheet (PW) for each project. Projects fall into the following categories:

- Category A: Debris removal
- Category B: Emergency protective measures
- Category C: Road systems and bridges
- Category D: Water control facilities
- Category E: Public buildings and contents
- Category F: Public utilities
- Category G: Parks, recreational, and other.

For insurable structures within special flood hazard areas (SFHA), primarily buildings, assistance from FEMA is reduced by the amount of insurance settlement that could have been obtained under a standard NFIP [national flood insurance program] policy. For structures located outside of a SFHA, FEMA will reduce the amount of eligible assistance by any available insurance proceeds.

FEMA reviews and approves the PWs and obligates the federal share of the costs (which cannot be less than 75 percent) to the state. The state then disburses funds to local applicants.

Projects falling below a certain threshold are considered "small." For small projects, payment of the federal share of the estimate is made upon approval of the project and no further accounting to FEMA is required. For large projects, payment is made on the basis of actual costs determined after the project is completed, although interim payments may be made as necessary. Once FEMA obligates funds to the state, further management of the assistance, including disbursement to sub-grantees is the responsibility of the state. FEMA will continue to monitor the recovery progress to ensure the timely delivery of eligible assistance and compliance with the law and regulations.

## Hazard Mitigation

Hazard mitigation refers to sustained measures enacted to reduce or eliminate long-term risk to people and property from natural hazards<sup>7</sup> and their effects. In the long term, mitigation measures reduce personal loss, save lives, and reduce the cost to the nation of responding to and recovering from disasters.

Two sections of the Stafford Act, §404 and §406, authorize hazard mitigation funds when a federal disaster has been declared. In each case, the federal government can provide up to 75 percent of the cost, with some restrictions.

Through the Hazard Mitigation Grant Program (HMGP), authorized by §404 of the Act, communities can apply for mitigation funds through the state. The state, as grantee, is responsible for notifying potential applicants of the availability of funding, defining a project selection process, ranking and prioritizing projects, and forwarding projects to FEMA for funding. The applicant or sub-grantee carries out approved projects. The state or local government must provide a 25 percent match, which can be fashioned from a combination of cash and in-kind sources. Federal funding from other sources cannot be used for the 25 percent non-federal share with one exception. Funding provided to states under the Community Development Block Grant program from the Department of Housing and Urban Development can be used for the non-federal share.

Total federal funding under HMGP is based on a sliding scale of the estimated grants for individual assistance programs and public assistance projects. Section 322 of the Disaster Mitigation Act of 2000 emphasizes the importance of planning in reducing disaster losses. States were required to develop a State Mitigation Plan that provided a summary of the hazards facing them, an assessment of the risks and vulnerabilities to those hazards, and a strategy for reducing those impacts. These plans were required by May 1, 2005 as a condition of non-emergency assistance under the Stafford Act, and must be reviewed and updated every three years. States may choose to develop an enhanced State Mitigation Plan in order to receive an increased amount of up to 20 percent for [HMGP] funding. By November 1, 2004, local jurisdictions also were required to develop mitigation plans in order to be eligible for project grant funding under the [HMGP]. In addition, states may use a set-aside of up to five percent of the total HMGP funds available for mitigation measures at their discretion. To be eligible, a set-aside project must be identified in a State's hazard mitigation plan and fulfill the goal of the HMGP, that is, to reduce or prevent future damage to property or prevent loss of life or injury.

Eligible mitigation measures under the HMGP include acquisition or relocation of property located in high-hazard areas; elevation of flood-prone structures; seismic rehabilitation of existing structures; strengthening of existing structures against wildfire; [and] dry flood-proofing activities that bring a structure into compliance with minimum NFIP requirements and state or local code. Up to seven percent of the HMGP funds may be used to develop state and/or local mitigation plans.

All HMGP projects, including set-aside projects, must comply with the National Environmental Policy Act and relevant Executive Orders. HMGP grants cannot be given for acquisition, elevation, or construction purposes if the site is located in a designated SFHA and the community is not participating in the NFIP.

Funding under §406 that is used for the repair or replacement of damaged public facilities or infrastructure may be used to upgrade the facilities to meet current codes and standards. It is possible for mitigation measures to be eligible for funding under both the HMGP and §406 programs; however, if the proposed measure is funded through §406, the project is not eligible for funds under the HMGP as well.

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<sup>7</sup> Generally flood and wind events.

# **Appendix D.**

## **Glossary**



The definitions used in this resource document were taken from the following sources:

- *DHS Risk Lexicon*. September 2008. U.S. Department of Homeland Security. Available at [http://www.dhs.gov/xlibrary/assets/dhs\\_risk\\_lexicon.pdf](http://www.dhs.gov/xlibrary/assets/dhs_risk_lexicon.pdf)
- *An Introduction to All-Hazards Preparedness for Transit Agencies*. May 2010. Federal Transit Administration. Available at: <http://transit-safety.volpe.dot.gov/publications/order/singledoc.asp?docid=1122>
- *National Disaster Recovery Framework*. September 2011. Federal Emergency Management Agency. Available at <http://www.fema.gov/pdf/recoveryframework/ndrf.pdf>
- *National Incident Management System*. December 2008. U.S. Department of Homeland Security. Available at [http://www.fema.gov/pdf/emergency/nims/NIMS\\_core.pdf](http://www.fema.gov/pdf/emergency/nims/NIMS_core.pdf)
- *National Infrastructure Protection Plan*. 2009. U.S. Department of Homeland Security. Available at [http://www.dhs.gov/xlibrary/assets/NIPP\\_Plan.pdf](http://www.dhs.gov/xlibrary/assets/NIPP_Plan.pdf)
- *National Preparedness Guidelines*. September 2007. U.S. Department of Homeland Security. Available at <http://www.fema.gov/library/viewRecord.do?id=3773>
- *National Response Framework*. January 2008. U.S. Department of Homeland Security. Available at <http://www.fema.gov/pdf/emergency/nrf/nrf-core.pdf>
- *The Public Transportation System Security and Emergency Preparedness Planning Guide*. January 2003. Federal Transit Administration. DOT-FTA-MA-26-5019-03-01. DOT-VNTSC-FTA-03-01. Available at <http://transit-safety.volpe.dot.gov/publications/security/PlanningGuide.pdf>
- *Transit Security Update: A Synthesis of Practice*. 2009. Transportation Research Board. Transit Cooperative Research Program (TCRP) Synthesis 80. Available at <http://www.aptaerpp.com/tsyn80.pdf>.

**All-hazards.** 1) Integrated planning and capability building for safety, security, and emergency management to optimize and continuously improve the use of resources and the management of risks from hazards, threats, vulnerabilities, and adverse events or incidents. Source: *An Introduction to All-Hazards Preparedness for Transit Agencies* (2010); 2) Describing an incident, natural or manmade, that warrants action to protect life, property, environment, and public health or safety, and to minimize disruptions of government, social, or economic activities. Source: *National Incident Management System (NIMS)* (2008) and *National Response Framework (NRF) Glossary and Acronyms*.

**Emergency.** A natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm, or landslide) or a catastrophic failure from any external cause, as a result of which: (1) The Governor of a State has declared an emergency and the Secretary of Transportation has concurred; or (2) The President has declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170). Source: 49 CFR Part 602.

**Evacuation.** 1) A condition requiring all passengers and employees to depart a transit vehicle and enter onto the transit right-of-way or roadway under emergency circumstances. Source: TCRP Synthesis 80, *Transit Security Update* (2009); 2) Organized, phased, and supervised withdrawal, dispersal, or removal of civilians from dangerous or potentially dangerous areas, and their reception and care in safe areas. Source: NIMS (2008) and NRF Glossary and Acronyms.

**Incident.** An occurrence, natural or manmade, that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wild-land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response. Source: NIMS (2008) and NRF Glossary and Acronyms.

**Incident/Attack.** 1) Occurrence, caused by either human action or natural phenomena, which may cause harm and may require action. Source: *National Infrastructure Protection Plan (NIPP)* (2009); 2) Occurrence, caused by either human action or natural phenomena, that may cause harm and that may require action. Source: *DHS Risk Lexicon* (2008); 3) Actual or potential emergency or all-hazards event that ranges from accident and natural disaster to actual or potential terrorist attack. Source: NRF (2008).

**Incident command system.** A standardized on-scene emergency management construct specifically designed to provide 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. Source: NIMS (2008) and NRF Glossary and Acronyms.

**Major disaster.** Any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the

United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby. Source: Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

**National Incident Management System.** A set of principles that provides a systematic, proactive approach guiding government agencies at all levels, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life or property and harm to the environment. Source: NIMS (2008).

**National Response Framework.** A guide to how the United States conducts all-hazards response. Source: NIMS (2008).

**Recovery.** 1) The development, coordination, and execution of service- and site-restoration plans; the reconstitution of government operations and services; individual, private-sector, nongovernmental, and public assistance programs to provide housing and to promote restoration; long-term care and treatment of affected persons; additional measures for social, political, environmental, and economic restoration; evaluation of the incident to identify lessons learned; post-incident reporting; and development of initiatives to mitigate the effects of future incidents. Source: NIMS (2008) and NRF Glossary and Acronyms; 2) Those capabilities necessary to assist communities affected by an incident to recover effectively, including but not limited to, rebuilding infrastructure systems; providing adequate interim and long-term housing for survivors; restoring health, social, and community services; promoting economic development; and restoring natural and cultural resources. Source: *National Disaster Recovery Framework* (NDRF) (2011).

**Reimbursement.** A mechanism to recoup funds expended for incident-specific activities. Source: NIMS (2008).

**Resources.** Personnel and major items of equipment, supplies, and facilities available or potentially available for assignment to incident operations and for which status is maintained. Source: NIMS (2008) and NRF Glossary and Acronyms. In NIMS (2008), resources are further “described by kind and type and may be used in operational support or supervisory capacities at an incident or at an Emergency Operations Center.”

**Response.** 1) Activities that address the short-term, direct effects of an incident. Response includes immediate actions to save lives, protect property, and meet basic human needs. Response also includes the execution of emergency operations plans and of mitigation activities designed to limit the loss of life, personal injury, property damage, and other unfavorable outcomes. As indicated by the situation, response activities include applying intelligence and other information to lessen the effects or consequences of an incident; increased security operations; continuing investigations into nature and source of the threat; ongoing public health and agricultural surveillance and testing processes; immunizations, isolation, or quarantine; and specific law enforcement operations aimed at preempting, interdicting, or disrupting illegal activity, and apprehending actual perpetrators and bringing them to justice. Source: NIMS

(2008); 2) Immediate actions to save lives, protect property and the environment, and meet basic human needs. Response also includes the execution of emergency plans and actions to support short-term recovery. Source: NRF Glossary and Acronyms; 3) Those capabilities necessary to save lives, protect property and the environment, and meet basic human needs after an incident has occurred. Source NDRF (2011).

**Special needs population.** A population whose members may have additional needs before, during, and after an incident in functional areas, including but not limited to: maintaining independence, communication, transportation, supervision, and medical care. Individuals in need of additional response assistance may include those who have disabilities; who live in institutionalized settings; who are elderly; who are children; who are from diverse cultures; who have limited English proficiency or are non-English-speaking; or who are transportation disadvantaged. Source: NIMS (2008) and NRF Glossary and Acronyms.

**Terrorism.** As defined in the Homeland Security Act of 2002, activity that involves an act that is dangerous to human life or potentially destructive of critical infrastructure or key resources; is a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping. Source: NIMS (2008) and NRF Glossary and Acronyms.

**Terrorist activity/attack.** Intentional act of violence with the intent to inflict significant damage to property, inflict casualties, and produce panic and fear. Source: TCRP Synthesis 80, *Transit Security Update* (2009).

# **Appendix E.**

## **Frequently Asked Questions**



During disaster response and recovery, transit agencies primarily transport response and recovery personnel and support the evacuation of affected populations, including individuals with access and functional needs, children, and household pets and service animals. Transit agencies also manage transportation assets in coordination with federal, state, and local emergency operations centers and support transportation service restoration following a disaster.

Answers to some frequently asked questions are organized and presented under the following topics:

- E1. Information for transit agencies directly impacted
- E2. Restoration or addition of services
- E3. Funding eligibility and reimbursement
- E4. Assistance for evacuees
- E5. Assistance for special needs populations – ADA paratransit
- E6. Charter service requirements

## **E1. Information for Transit Agencies Directly Impacted**

### **1. Following a declared emergency or disaster, do transit agencies need to document damage to vehicles and facilities?**

Yes. Transit agencies should document the condition of the vehicles and facilities against the agencies' written inventories. Transit agencies can contact their regional FTA office for further information.

### **2. Following a declared emergency or disaster, can impacted transit agencies borrow vehicles from other FTA grantees without obtaining FTA determinations that the vehicles are for incidental use? Whose insurance covers the vehicle**

Yes. FTA will consider the loan of vehicles for this use to be a permissible "incidental use." Transit agencies and other entities involved in borrowing and lending of vehicles should communicate with their insurance companies to determine insurance coverage. FTA encourages transit agencies to reach agreements with other public and private agencies that may have vehicles the agencies can borrow for emergency evacuations. Transit agencies may contact APTA, which, through funding from FTA, is facilitating these agreements.

### **3. If offices are damaged or destroyed, can transit agencies use FTA capital funds to establish temporary facilities and acquire office equipment?**

Yes. Transit agencies can use FTA capital formula funds to pay for the cost of leasing office space and furnishings. However, these costs may also be eligible for FTA Emergency Relief (section 5324) or FEMA reimbursement. Transit agencies should contact their FTA regional office if they wish to use capital formula funds or FTA Emergency Relief funds to pay for leasing costs. Transit agencies should also contact their state emergency management office and FEMA to seek reimbursement for funds spent on leasing office space and furnishings.

**4. If transit agencies are unable to provide service as a result of a declared emergency or disaster, can the agencies still use FTA funds to pay eligible salaries (e.g., maintenance staff)?**

Yes and no. Salaries of employees who are engaged in work to restore service are eligible for FTA reimbursement as a normal operating expense. If a transit agency is not providing service, then the transit agency may not use FTA funds to pay employees who are not engaged in activities related to restoring service. However, these out-of-work employees may be eligible for Disaster Unemployment Assistance (see question 5 below).

**5. What can transit agencies do to assist employees who are out of work as a result of the declared emergency or disaster?**

Transit employees who lose their jobs as a result of a disaster, or who still have their jobs but are unable to work and not drawing paychecks, may apply for Disaster Unemployment Assistance (DUA). DUA provides weekly benefits to persons who are unemployed and not eligible for regular unemployment insurance compensation. Transit agencies should advise their out-of-work employees to call 1-800-621-FEMA or the local unemployment office for information. If transit employees are labor union members, they may also contact their union representatives to determine if additional assistance is available from the unions.

**6. If a transit agency is unable to provide normal service levels or has had to change service routes following a declared emergency or disaster, what should the agency do to stay in good standing with FTA with respect to funding?**

FTA will not take punitive actions against transit agencies that are unable to provide normal service because of a declared emergency or disaster.

**7. What happens if a transit agency can no longer carry out the purposes of an open grant? What happens to the funds the grantee has already spent?**

FTA will not take punitive actions against grantees that can no longer carry out the purposes of an open grant because of a declared emergency or disaster. FTA will help grantees determine opportunities to change the grants for other eligible purposes. Grantees should contact their regional FTA office to discuss possible options.

**E2. Restoration or addition of services**

**1. What do transit agencies need to do to add new routes to assist relocated residents?**

Transit agencies may add new routes to assist relocated residents at their discretion. Transit agencies that receive funds through their state department of transportation should coordinate their plans to change service with their state transit office or local government, as appropriate.

**2. Can transit agencies provide service outside their normal service area in order to help affected people access local community services (e.g., medical offices, churches, social service agencies, grocery stores)?**

Yes. Transit agencies should contact their local transportation authorities about temporary changes in service areas to meet the needs of evacuees and relocated residents.

**3. Can transit agencies keep a contingency fleet of vehicles to use in case of emergencies or disasters?**

Yes. Transit agencies may place buses in an inactive contingency fleet (stockpile) in preparation for emergencies. However, transit agencies may not stockpile buses before they have reached the end of their minimum normal service life. Transit agencies must store and maintain buses in a contingency fleet, and must document them in a contingency plan, updated as necessary, to support the continuation of the fleet.

FTA may request information about a contingency fleet during application reviews. FTA may also review contingency plans during triennial reviews required for the Urbanized Area Formula Program. FTA will consider any buses not supported by a contingency plan as part of the active fleet. Because buses in a contingency fleet are not part of an active fleet, they do not count in the calculation of spare ratio.

### **E3. Funding Eligibility and Reimbursement**

**1. Following a declared emergency or disaster, how does an impacted transit agency get its damaged fleet and facilities replaced? Will FTA or FEMA pay?**

FTA's Emergency Relief program (section 5324) may be available to assist grantees, if Congress has appropriated funds for the program. If funds are available, then FTA is the payor of first resort and will work with grantees to reimburse them for lost assets. FEMA's Public Assistance Program is intended to replace damaged or destroyed property. Transit agencies should work first with their FTA regional office, and if FTA funds are not available, with the state department of transportation (SDOT) or emergency management agency (EMA) per the state's disaster recovery plan. Appendix F contains contact links for FEMA and state emergency offices. Transit agencies should also contact their insurance companies regarding coverage.

**2. If a transit agency takes part in disaster response, how does the agency request and receive support or reimbursement for their efforts?**

If emergency relief funds are available, FTA can provide assistance for evacuations, rescue operations, and temporary public transportation service. Grantees should work with their FTA regional office for reimbursement. If FTA funds are not available, State emergency management officials establish the process for disaster reimbursement applications, in coordination with FEMA. Reimbursements are eligible if the disaster is Presidentially declared.

**3. What operating expenses can a transit agency pay for with FTA capital funds? What specifically is the agency not allowed to pay for with FTA capital funds?**

If emergency relief funds are available, FTA can provide operating assistance for evacuations, rescue operations, and temporary public transportation service, regardless of

the size of the area. In addition, Federal law permits areas under 200,000 in population to use all FTA formula funds for operating expenses. In urbanized areas whose population exceeds 200,000, federal law does not permit the use of capital funds to pay for operating expenses such as drivers' salaries, fuel, and non-maintenance administrative expenses. However, preventive maintenance costs are an eligible capital expense. In addition, transit agencies may use up to 10 percent of their urbanized area apportionment to pay for ADA paratransit operating costs.

**4. Will the federal government waive the 20 percent local share requirement in areas affected by a declared disaster?**

Under section 5324, FTA has the authority to waive all or part of the local match. FTA will make this determination on a case-by-case basis. In addition, FTA may, on a case-by-case basis, permit grantees impacted by a disaster to defer their local match, if needed. Grantees should contact their regional FTA office to discuss possible deferrals.

**5. Can a transit agency be reimbursed for transit passes that it provides to evacuees?**

State emergency management offices manage FEMA reimbursements. Transit agencies should contact their state emergency management offices to determine whether these offices will consider the reimbursement of bus passes. Appendix F contains state emergency contacts links. See question 3 in section E4 for additional information.

**6. Are other resources available to pay for transit passes?**

Transit agencies should contact human resource partners in their communities to identify other opportunities for purchasing bus tokens or transit passes. The Federal Interagency Coordinating Council on Access and Mobility has identified 37 federal programs that will pay for gas, bus tokens, and transit passes. In most cases, decisions are made at the state or local level.

**E4. Assistance for Evacuees**

**1. How can transit agencies help to meet the transportation needs of local evacuees?**

FTA encourages transit agencies to work with local government officials and human service agencies to identify individuals who need transportation services.

**2. How do transit agencies identify and contact local human service partners?**

Transit agencies should contact their FTA regional office or their state United We Ride (UWR) coordinators for more information. UWR is a federal interagency initiative for improving the availability, quality, and efficient delivery of transportation services for older adults, people with disabilities, and individuals with lower incomes. It was started by the Federal Interagency Coordinating Council on Access and Mobility established by Executive Order in 2004. UWR teams include multiple agencies from health, employment, transportation, and other related human service areas.

**3. How does a transit agency implement a transit pass program with evacuation shelters?**

Transit agencies may simply give individuals with evacuation shelter identification free access to the fixed routes within the transit system. Transit agencies that want to give paper passes or tokens may consider establishing distribution desks at shelters. Transit agencies should contact their state emergency management office and FEMA regional office to apply for reimbursement of transit passes as an eligible expense.

**4. Does federal law require transit agencies to charge fares for transportation services or assistance during declared emergencies or disasters?**

Federal law does not require transit agencies to charge fares.

**E5. Assistance for Special Needs Populations – ADA Paratransit**

**1. How do transit agencies manage the increase in service requests for curb-to-curb demand response service for individuals who cannot use the fixed route system?**

FTA encourages transit agencies to take a leadership role in convening a meeting of all human services and transportation providers in the community or area to identify the resources available to address the transportation needs of evacuees who require specialized transportation services. Potential transportation providers may include schools, senior centers, head start programs, health centers, churches, and other organizations that have vehicles typically used for transporting specific populations. Transportation resources can be matched at the types and levels of need identified by shelters and other social service agencies to provide a coordinated plan.

**2. If an individual seeks paratransit service but doesn't have identification or verification of ADA eligibility, should transit agencies provide the service?**

FTA encourages transit agencies to provide service to all evacuees who request paratransit service, even if the individuals don't have identification or documentation that they are eligible. Transit agencies can comply with federal requirements by granting visitor status for a reasonable time, which may exceed the 21 days provided for in the DOT ADA regulation. If an evacuee permanently relocates, use of the local eligibility process is appropriate to determine long-term eligibility for ADA services.

**3. If a transit agency provides fixed route service via new routes to serve affected persons, do ADA paratransit requirements apply to the new routes? What if the transit agency doesn't have the additional capacity to provide ADA paratransit on the new routes?**

ADA paratransit requirements will apply to the new routes. However, FTA recognizes that the sudden influx of evacuees who need ADA paratransit service may place additional demands on a paratransit system, possibly resulting in unavoidable trip denials, long waits, or an inability to provide next-day service. In determining whether an ADA paratransit system is experiencing significant trip denials, missed trips, untimely pickups, or long trip times, FTA will consider whether these incidents are due to circumstances outside of the transit agency's control.

**4. Will transit agencies be reimbursed by FEMA for extraordinary paratransit expenses?**

Maybe. Transit agencies should keep records of transportation services provided to evacuees and the cost of these services. Transit agencies should contact their state emergency management office to make the office aware of their expenses. In addition, under the Emergency Relief program, FTA may fund temporary operating expenses, such as increased paratransit service due to an influx of evacuees. Contact your FTA regional office for information.

**5. How can transit agencies identify individuals who require transportation assistance before an emergency arises?**

Transit agencies can work with local government agencies and human services providers in advance of an emergency to obtain registries where individuals have voluntarily identified themselves as requiring transportation assistance. Transit agencies may also explore shared data use agreements with human services agencies to continue identifying those individuals who will require transportation assistance.

**6. How can transit agencies help individuals who require transportation assistance as an emergency occurs?**

During an emergency, FTA encourages transit agencies to work quickly to notify individuals who require transportation assistance of the time and place of pickup and to dispatch drivers in vehicles, including accessible vehicles. Transit agencies may also consider launching an emergency hotline regarding transportation evacuation information as well as posting information on websites and social media.

**E6. Charter Service Requirements**

**1. During a declared emergency or disaster, must all transit service be “open door”? For example, does providing service to a group of shelter residents to a specific location trigger the charter rule?**

Transit agencies may take actions, such as providing service for evacuations, returning evacuees from shelters to their homes, transporting utility workers, and providing service to shelter residents, as long as these actions are directly related to an emergency declared by the President, governor, or mayor, or are directly related to an emergency requiring immediate action prior to a formal declaration. Transit agencies may provide such services for up to 45 days. If the declared emergency lasts more than 45 days, transit agencies must follow the procedures set out in 49 CFR Part 601, Subpart D – Emergency Procedures for Public Transportation Systems (see Appendix C).

## **Appendix F.**

# **FEMA, FTA, and State Emergency Contact Links**



**FEMA Regional Offices.** FEMA regional contact information is available at <http://www.fema.gov/about/contact/regions.shtm>.

**FEMA Region 1**

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont  
Federal Emergency Management Agency  
99 High Street, 6<sup>th</sup> Floor  
Boston, MA 02110-2320  
(617) 956-7501

**FEMA Region 2**

New Jersey, New York, Puerto Rico, Virgin Islands  
Federal Emergency Management Agency  
26 Federal Plaza, Room 1337  
New York, NY 10278-0002  
(212) 225-7209

**FEMA Region 3**

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia  
Federal Emergency Management Agency  
One Independence Mall, 6<sup>th</sup> Floor  
615 Chestnut Street  
Philadelphia, PA 19106-4404  
(215) 931-5608

**FEMA Region 4**

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee  
Federal Emergency Management Agency  
3003 Chamblee-Tucker Road  
Atlanta, GA 30341  
(770) 220-5200

**FEMA Region 5**

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin  
Federal Emergency Management Agency  
536 South Clark Street, 6<sup>th</sup> Floor  
Chicago, IL 60605  
(312) 408-5500

**FEMA Region 6**

Arkansas, Louisiana, New Mexico, Oklahoma, Texas  
Federal Emergency Management Agency  
Federal Regional Center  
800 N. Loop 288  
Denton, TX 76201-3698  
(940) 898-5104

**FEMA Region 7**

Iowa, Kansas, Missouri, Nebraska  
Federal Emergency Management Agency  
9221 Ward Parkway, Suite 300  
Kansas City, MO 64114  
(816) 283-7061

**FEMA Region 8**

Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming  
Federal Emergency Management Agency  
Denver Federal Center  
Building 710, Box 25267  
Denver, CO 80225-0267  
(303) 235-4812

**FEMA Region 9**

American Samoa, Arizona, California, Guam, Hawaii, Nevada, Commonwealth of the Northern  
Mariana Islands, Federated States of Micronesia, Republic of the Marshall Islands  
Federal Emergency Management Agency  
1111 Broadway  
Suite 1200  
Oakland, CA 94607-4052  
(510) 627-7100

**FEMA Region 10**

Alaska, Idaho, Oregon, Washington  
Federal Emergency Management Agency  
Federal Regional Center  
130 228th Street, S.W.  
Bothell, WA 98021-9796  
(425) 487-4600

**FTA Regional Offices.** FTA regional contact information is available at  
[http://www.fta.dot.gov/regional\\_offices.html](http://www.fta.dot.gov/regional_offices.html).

**FTA Region I**

Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont  
Federal Transit Administration  
Transportation Systems Center  
Kendall Square  
55 Broadway, Suite 920  
Cambridge, MA 02142-1093  
Phone (617) 494-2055  
Fax (617) 494-2865

**FTA Region II**

New Jersey, New York  
Federal Transit Administration  
One Bowling Green  
Room 429  
New York, NY 10004-1415  
Phone (212) 668-2170  
Fax (212) 668-2136

**FTA Region III**

Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and District of Columbia  
Federal Transit Administration  
1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
Phone (215) 656-7100  
Fax (215) 656-7260

**FTA Region IV**

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee  
Federal Transit Administration  
230 Peachtree, NW  
Suite 800  
Atlanta, GA 30303  
Phone (404) 865-5600  
Fax (404) 865-5605

**FTA Region V**

Illinois, Indiana, Ohio, Michigan, Minnesota, Wisconsin  
Federal Transit Administration  
200 W Adams Street  
Suite 320  
Chicago, IL 60606  
Phone (312) 353-2789  
Fax (312) 886-0351

**FTA Region VI**

Arkansas, Louisiana, New Mexico, Oklahoma, Texas  
Federal Transit Administration  
819 Taylor Street  
Room 8A36  
Fort Worth, TX 76102  
Phone (817) 978-0550  
Fax (817) 978-0575

**FTA Region VII**

Iowa, Kansas, Missouri, Nebraska  
Federal Transit Administration  
901 Locust Street, Suite 404  
Kansas City, MO 64106  
Phone (816) 329-3920  
Fax (816) 329-3921

**FTA Region VIII**

Colorado, Montana, Wyoming, North Dakota, South Dakota, Utah  
Federal Transit Administration  
12300 W Dakota Avenue  
Suite 310  
Lakewood, CO 80228-2583  
Phone (720) 963-3300  
Fax (720) 963-3333

**FTA Region IX**

Arizona, California, Nevada  
Federal Transit Administration  
201 Mission Street  
Suite 1650  
San Francisco, CA 94105-1839  
Phone (415) 744-3133  
Fax (415) 744-2726

**FTA Region X**

Alaska, Idaho, Oregon, Washington  
Federal Transit Administration  
Jackson Federal Building  
915 Second Avenue, Suite 3142  
Seattle, WA 98174-1002  
Phone (206) 220-7954  
Fax (206) 220-7959

**State Offices and Agencies of Emergency Management.** FEMA state offices and agencies of emergency management are available at <http://www.fema.gov/about/contact/statedr.shtm>.

Alabama Emergency Management Agency  
5898 County Road 41  
P.O. Drawer 2160  
Clanton, Alabama 35046-2160  
(205) 280-2200  
(205) 280-2495 FAX  
[ema.alabama.gov/](http://ema.alabama.gov/)

Alaska Division of Homeland Security and Emergency Management  
P.O. Box 5750  
Fort Richardson, Alaska 99505-5750  
(907) 428-7000  
(907) 428-7009 FAX  
[www.ak-prepared.com](http://www.ak-prepared.com)

American Samoa Territorial Emergency Management Coordination (TEMCO)  
American Samoa Government  
P.O. Box 1086  
Pago Pago, American Samoa 96799  
(011) (684) 699-6415  
(011) (684) 699-6414 FAX

Arizona Division of Emergency Management  
5636 E. McDowell Road  
Phoenix, Arizona 85008-3495  
(800) 411-2336 | (602) 244-0504  
(602) 464-6356 FAX  
[www.dem.azdema.gov](http://www.dem.azdema.gov)

Arkansas Department of Emergency Management  
Bldg. # 9501  
Camp Joseph T. Robinson  
North Little Rock, Arkansas 72199-9600  
(501) 683-6700  
(501) 683-7890 FAX  
[www.adem.arkansas.gov/](http://www.adem.arkansas.gov/)

California Emergency Management Agency  
ATTN: CSM Alex Cabassa  
Training and Exercise Division  
9800 Goethe Road, Box 46  
Sacramento, California 95827  
(916) 324-9128  
(916) 324-5929 (FAX)  
[www.oes.ca.gov/](http://www.oes.ca.gov/)

Colorado Division of Emergency Management  
Department of Local Affairs  
9195 East Mineral Avenue  
Suite 200  
Centennial, Colorado 80112  
(720) 852-6600  
(720) 852-6750 Fax  
[www.dola.state.co.us/](http://www.dola.state.co.us/) or [www.coemergency.com](http://www.coemergency.com)

Connecticut Office of Emergency Management  
Department of Emergency Management and Homeland Security  
25 Sigourney Street 6th floor  
Hartford, Connecticut 06106-5042  
(860) 256-0800  
(860) 256-0815 FAX  
[www.ct.gov/demhs/](http://www.ct.gov/demhs/)

Delaware Emergency Management Agency  
165 Brick Store Landing Road  
Smyrna, Delaware 19977  
(302) 659-3362  
(302) 659-6855 FAX  
[www.dema.delaware.gov](http://www.dema.delaware.gov)

District of Columbia Emergency Management Agency  
2720 Martin Luther King, Jr. Avenue, S.E.  
Second Floor  
Washington, D.C. 20032  
(202) 727-6161  
(202) 673-2290 FAX  
[dcema.dc.gov](http://dcema.dc.gov)

Florida Division of Emergency Management  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
(850) 413-9969  
(850) 488-1016 FAX  
[floridadisaster.org](http://floridadisaster.org)

Georgia Emergency Management Agency  
935 East Confederate Ave SE  
P.O. Box 18055  
Atlanta, Georgia 30316-0055  
(404) 635-7000  
(404) 635-7205 FAX  
[www.gema.state.ga.us](http://www.gema.state.ga.us)

Guam Homeland Security/Office of Civil Defense  
221B Chalan Palasyo  
Agana Heights, Guam 96910  
(671) 475-9600  
(671) 477-3727 FAX  
[www.ghs.guam.gov](http://www.ghs.guam.gov)

Hawaii State Civil Defense  
3949 Diamond Head Road  
Honolulu, Hawaii 96816-4495  
(808) 733-4300  
(808) 733-4287 FAX  
[www.scd.hawaii.gov](http://www.scd.hawaii.gov)

Idaho Bureau of Homeland Security  
4040 Guard Street, Bldg. 600  
Boise, Idaho 83705-5004  
(208) 422-3040  
(208) 422-3044 FAX  
[www.bhs.idaho.gov/](http://www.bhs.idaho.gov/)

Illinois Emergency Management Agency  
2200 S. Dirksen Parkway  
Springfield, Illinois 62703  
(217) 782-2700 or (217) 782-2700  
(217) 557-1978 FAX  
[www.state.il.us/iema](http://www.state.il.us/iema)

Indiana Department of Homeland Security  
Indiana Government Center South  
302 West Washington Street, Room E208  
Indianapolis, Indiana 46204-2767  
(317) 232-3986  
(317) 232-3895 FAX  
<http://www.in.gov/dhs/emermgtngpgm.htm>

Indiana State Emergency Management Agency  
302 West Washington Street  
Room E-208 A  
Indianapolis, Indiana 46204-2767  
(317) 232-3986  
(317) 232-3895 FAX  
[www.ai.org/sema/index.html](http://www.ai.org/sema/index.html)

Iowa Homeland Security & Emergency Management Division  
7105 NW 70th Ave, Camp Dodge  
Building W-4  
Johnston, Iowa 50131  
(515) 725-3231  
(515) 281-3260 FAX  
[www.iowahomelandsecurity.org](http://www.iowahomelandsecurity.org)

Kansas Division of Emergency Management  
2800 S.W. Topeka Boulevard  
Topeka, Kansas 66611-1287  
(785) 274-1409  
(785) 274-1426 FAX  
[www.kansas.gov/kdem](http://www.kansas.gov/kdem)

Kentucky Emergency Management  
EOC Building  
100 Minuteman Parkway Bldg. 100  
Frankfort, Kentucky 40601-6168  
(502) 607-1682 or (800) 255-2587  
(502) 607-1614 FAX  
[www.kyem.ky.gov/](http://www.kyem.ky.gov/)

Louisiana Office of Emergency Preparedness  
7667 Independence Boulevard  
Baton Rouge, Louisiana 70806  
(225) 925-7500  
(225) 925-7501 FAX  
[www.ohsep.louisiana.gov](http://www.ohsep.louisiana.gov)

Maine Emergency Management Agency  
#72 State House Station  
45 Commerce Drive, Suite #2  
Augusta, Maine 04333-0072  
(207) 624-4400  
(207) 287-3180 (FAX)  
[www.maine.gov/mema](http://www.maine.gov/mema)

CNMI Emergency Management Office  
Office of the Governor  
Commonwealth of the Northern Mariana Islands  
P.O. Box 10007  
Saipan, Mariana Islands 96950  
(670) 322-9529  
(670) 322-7743 FAX  
[www.cnmiemo.gov.mp](http://www.cnmiemo.gov.mp)

National Disaster Management Office  
Office of the Chief Secretary  
P.O. Box 15  
Majuro, Republic of the Marshall Islands 96960-0015  
(011) (692) 625-5181  
(011)(692) 625-6896 FAX

Maryland Emergency Management Agency  
Camp Fretterd Military Reservation  
5401 Rue Saint Lo Drive  
Reistertown, Maryland 21136  
(410) 517-3600  
(877) 636-2872 Toll-Free  
(410) 517-3610 FAX  
[www.mema.state.md.us/](http://www.mema.state.md.us/)

Massachusetts Emergency Management Agency  
400 Worcester Road  
Framingham, Massachusetts 01702-5399  
(508) 820-2000  
(508) 820-2030 FAX  
[www.state.ma.us/mema](http://www.state.ma.us/mema)

Homeland Security and Emergency Management Division  
Michigan Dept. of State Police  
4000 Collins Road  
Lansing, Michigan 48909-8136  
(517) 333-5042  
(517) 333-4987 FAX  
[www.michigan.gov/emd](http://www.michigan.gov/emd)

National Disaster Control Officer  
Federated States of Micronesia  
P.O. Box PS-53  
Kolonia, Pohnpei – Micronesia 96941  
(011) (691) 320-8815  
(001) (691) 320-2785 FAX

Minnesota Homeland Security and Emergency Management Division  
Minnesota Department of Public Safety  
444 Cedar Street, Suite 223  
St. Paul, MN 55101-6223  
(651) 201-7400  
(651) 296-0459 FAX  
[www.hsem.state.mn.us](http://www.hsem.state.mn.us)

Mississippi Emergency Management Agency  
P.O. Box 5644  
Pearl, MS 39288-5644  
(601) 933-6362  
(800) 442-6362 Toll Free  
(601) 933-6800 FAX  
[www.msema.org](http://www.msema.org)

Missouri Emergency Management Agency  
2302 Militia Drive  
P.O. Box 116  
Jefferson City, Missouri 65102  
(573) 526-9100  
(573) 634-7966 FAX  
[sema.dps.mo.gov](http://sema.dps.mo.gov)

JFHQ-MT  
Montana Division of Disaster & Emergency Services  
1956 Mt Majo Street  
PO BOX 4789  
Fort Harrison, Montana 59636-4789  
(406) 841-3911  
(406) 841-3965 FAX  
[www.dma.mt.gov/des/](http://www.dma.mt.gov/des/)

Nebraska Emergency Management Agency  
1300 Military Road  
Lincoln, Nebraska 68508-1090  
(402) 471-7421  
(402) 471-7433 FAX  
[www.nema.ne.gov](http://www.nema.ne.gov)

Nevada Division of Emergency Management  
2478 Fairview Dr  
Carson City, Nevada 89701  
(775) 687-0300  
(775) 687-0330FAX  
[www.dem.state.nv.us/](http://www.dem.state.nv.us/)

Governor's Office of Emergency Management  
State Office Park South  
33 Hazen Dr  
Concord, New Hampshire 03305  
(603) 271-2231  
(603) 271-3609 FAX  
[www.nh.gov/safety/divisions/bem](http://www.nh.gov/safety/divisions/bem)

New Jersey Office of Emergency Management  
Emergency Management Bureau  
P.O. Box 7068  
West Trenton, New Jersey 08628-0068  
(609) 538-6050 Monday-Friday  
(609) 584-5000  
(609) 584-1528 FAX  
[www.ready.nj.gov](http://www.ready.nj.gov)

New Mexico Department of Homeland Security and Emergency Management (DHSEM)  
13 Bataan Boulevard  
P.O. Box 27111  
Santa Fe, New Mexico 87502  
(505) 476-9600  
(505) 476-9635 Emergency  
(505) 476-9695 FAX  
[www.nmdhsem.org/](http://www.nmdhsem.org/)

New York State Emergency Management Office  
1220 Washington Avenue  
Building 22, Suite 101  
Albany, New York 12226-2251  
(518) 292-2275  
(518) 322-4978 FAX  
[www.semo.state.ny.us/](http://www.semo.state.ny.us/)

North Carolina Division of Emergency Management  
4713 Mail Service Center  
Raleigh, NC 27699-4713  
(919) 733-3867  
(919) 733-5406 FAX  
[www.ncem.org/](http://www.ncem.org/)

North Dakota Department of Emergency Services  
P.O. Box 5511  
Bismarck, North Dakota 58506-5511  
(701) 328-8100  
(701) 328-8181 FAX  
[www.nd.gov/des](http://www.nd.gov/des)

Ohio Emergency Management Agency  
2855 West Dublin-Granville Road  
Columbus, Ohio 43235-2206  
(614) 889-7150  
(614) 889-7183 FAX  
[ww.ema.ohio.gov/ema.asp](http://www.ema.ohio.gov/ema.asp)

Oklahoma Department of Emergency Management  
2401 Lincoln Blvd Suite C51  
Oklahoma City, Oklahoma 73105  
(405) 521-2481  
(405) 521-4053 FAX  
<http://www.ok.gov/OEM/>

Oregon Emergency Management  
Department of State Police  
3225 State St  
Salem, Oregon 97309-5062  
(503) 378-2911  
(503) 373-7833 FAX  
[www.oregon.gov/OMD/OEM/index.shtml](http://www.oregon.gov/OMD/OEM/index.shtml)

Palau NEMO Coordinator  
Office of the President  
P.O. Box 100  
Koror, Republic of Palau 96940  
(011) (680) 488-2422  
(011) (680) 488-3312

Pennsylvania Emergency Management Agency  
2605 Interstate Drive  
Harrisburg PA 17110-9463  
(717) 651-2001  
(717) 651-2040 FAX  
[www.pema.state.pa.us/](http://www.pema.state.pa.us/)

Puerto Rico Emergency Management Agency  
P.O. Box 966597  
San Juan, Puerto Rico 00906-6597  
(787) 724-0124  
(787) 725-4244 FAX  
[www.gobierno.pr/AEMEAD/Inicio](http://www.gobierno.pr/AEMEAD/Inicio)

Rhode Island Emergency Management Agency  
645 New London Ave  
Cranston, Rhode Island 02920-3003  
(401) 946-9996  
(401) 944-1891 FAX  
[www.riema.ri.gov](http://www.riema.ri.gov)

South Carolina Emergency Management Division  
2779 Fish Hatchery Road  
West Columbia South Carolina 29172  
(803) 737-8500  
(803) 737-8570 FAX  
[www.scemd.org/](http://www.scemd.org/)

South Dakota Division of Emergency Management  
118 West Capitol  
Pierre, South Dakota 57501  
(605) 773-3231  
(605) 773-3580 FAX  
[www.oem.sd.gov](http://www.oem.sd.gov)

Tennessee Emergency Management Agency  
3041 Sidco Drive  
Nashville, Tennessee 37204-1502  
(615) 741-0001  
(615) 242-9635 FAX  
[www.tnema.org](http://www.tnema.org)

Texas Division of Emergency Management  
5805 N. Lamar  
PO BOX 4087  
Austin, Texas 78773-0220  
(512) 424-2138  
(512) 424-2444 or 7160 FAX  
[www.txdps.state.tx.us/dem/](http://www.txdps.state.tx.us/dem/)

Utah Division of Emergency Services and Homeland Security  
1110 State Office Building  
P.O. Box 141710  
Salt Lake City, Utah 84114-1710  
(801) 538-3400  
(801) 538-3770 FAX  
[www.des.utah.gov](http://www.des.utah.gov)

Vermont Emergency Management Agency  
Department of Public Safety  
Waterbury State Complex  
103 South Main Street  
Waterbury, Vermont 05671-2101  
(802) 244-8721 or (800) 347-0488  
(802) 244-8655 FAX  
[www.dps.state.vt.us/vem/](http://www.dps.state.vt.us/vem/)

Virgin Islands Territorial Emergency Management – VITEMA  
2-C Contant, A-Q Building  
Virgin Islands 00820  
(340) 774-2244  
(340) 774-1491

Virginia Department of Emergency Management  
10501 Trade Court  
Richmond, VA 23236-3713  
(804) 897-6500  
(804) 897-6556 FAX  
[www.vaemergency.com](http://www.vaemergency.com)

State of Washington Emergency Management Division  
Building 20, M/S: TA-20  
Camp Murray, Washington 98430-5122  
(253) 512-7000  
(800) 562-6108  
(253) 512-7200 FAX  
[www.emd.wa.gov/](http://www.emd.wa.gov/)

West Virginia Office of Emergency Services  
Building 1, Room EB-80 1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0360  
(304) 558-5380  
(304) 344-4538 FAX  
[www.wvdhsem.gov](http://www.wvdhsem.gov)

Wisconsin Emergency Management  
2400 Wright Street  
P.O. Box 7865  
Madison, Wisconsin 53707-7865  
(608) 242-3232  
(608) 242-3247 FAX  
[emergencymanagement.wi.gov/](http://emergencymanagement.wi.gov/)

Wyoming Office of Homeland Security  
Herschler Bldg. 1st Floor East  
122 W. 25th Street  
Cheyenne, Wyoming 82002  
(307) 777-4663  
(307) 635-6017 FAX  
[wyohomelandsecurity.state.wy.us](http://wyohomelandsecurity.state.wy.us)

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