

Unit Seventeen

State and Federal Disaster Preparedness

Overview

In this unit, you will learn about state and federal disaster preparedness planning. You will also learn about the Incident Command System (ICS). The ICS is the method for successful communications and coordination in a disaster.

Objectives

Upon completion of this unit, you should be able to:

- Describe the mandates of state and federal agencies involved in emergency management
- Define the role of the Federal Emergency Management Agency in disasters
- Define the role of the U.S. Department of Agriculture
- Describe the ICS

Emergency Management and the Law

Emergency management is based on laws. At the federal and state levels, laws are broad to cover a variety of situations within diverse political environments. Local laws or ordinances can be more specific, defining exact duties, actions, or requirements.

Federal law

The Federal Civil Defense Act of 1950, Public Law 920, 81st Congress as amended (now the “Stafford Act”, PL 93-288), is the legal basis for national civil defense and emergency management in the United States. This act establishes that responsibility for national civil defense and emergency management is shared among local, state, and federal governments.

State law

All states have emergency management laws. If a state wishes to qualify for federal aid and assistance in disasters, its laws must be consistent with the federal emergency management law. State laws define the specific responsibilities of the local and state governments, and give the state the authority to approve local emergency management laws or ordinances.

Local laws

The local law or ordinance gives the local emergency management agency the legal authority to operate. Local law should clearly define the authority, duties, and specific responsibilities of the personnel and identify who in the daily operations of the local government has the final authority for emergency management operations. These persons have responsibility for the planning decisions that affect future emergencies as well as the final authority in actual emergency situations. Often this person is the mayor.

Supplemental laws and agreements

There are many supplemental laws and agreements that can improve preparedness and response to disasters. The most commonly used agreements are Mutual Aid Agreements and Memoranda of Understanding (sometimes also called Memoranda of Agreement).

Mutual aid agreements

A mutual aid agreement is a legal agreement among two or more local jurisdictions or between the public and private sectors to assist each other in case of emergency. They are signed by the heads of the governments or organizations involved. Mutual aid agreements may include such things as:

- Access across boundaries
- Provision and extent of resources and services to be provided
- Public safety actions
- Who will declare that a state of emergency exists
- Who will be in charge of the resources received
- Who will provide compensation and death benefits for those injured or killed while rendering aid

Memoranda of understanding

A memorandum of understanding is less formal than a mutual aid agreement. It essentially expresses intent.

Memoranda of understanding are useful to avoid duplication or overlap of duties. When there appears to be duplication, a written memorandum of understanding can be developed to designate who has what specific responsibilities in a disaster.

State government responsibilities

A memorandum of understanding provides a written document in which conflicts or disagreements are resolved. Also, if responsibilities are missing from a preliminary Emergency Operation Plan (EOP), these responsibilities can be included in the memorandum until appropriate legislation is enacted. By doing this in advance, confusion over responsibilities, liabilities, and financial commitments can be avoided.

The state Emergency Management (EM) office is responsible for protecting communities and citizens within the state. The state office carries out statewide EM activities, helps coordinate emergency management activities involving more than one community, or assists individual communities when they need help.

To accomplish its goals the state EM office integrates an “all-hazards” approach into a Comprehensive Emergency Management Plan to coordinate all state and some non-profit/voluntary organizations during emergency and disaster events. Analogous to the programs at the federal level, state EM programs are built around four basic programmatic areas: mitigation, preparedness, response, and recovery.

If a community lacks the resources needed to protect itself or to recover from a disaster, the state may help with money, personnel, or other resources. Financial assistance is available on a supplemental or allocation basis through an application process. Requests for resources are made by the county EM office to the state EM office.

During emergencies and disasters the Governor can declare a severely impacted geographic section of the state a disaster area. This qualifies affected areas to call on state resources.

If damages are so extensive that the combined local and state resources are not sufficient, the Governor applies to the President for federal disaster assistance. If the need for federal assistance funds is justified, the President issues a major disaster declaration and federal resources are made available, i.e., the Stafford Act is invoked. The State EM provides state-level administration of emergency and disaster assistance via the Stafford Act. Other functions of the state EM include technical assistance to individuals and businesses, and securing other funds, such as Small Business Administration loans and mitigation grants.

This system ensures that the state and federal limited resources are used wisely and fairly, and the needs of disaster victims are met. State emergency management offices often have various names and procedures for operating. Titles of EM offices include Emergency Management, Civil Preparedness, and Emergency Services.

During non-disaster periods the State EM provides funding through allocation and competitive grants, technical assistance for program development and the delivery of training and examining.

In some states, there are several layers of government between the local and the state level. Therefore, it is often helpful for you to become familiar with your state's emergency management structure.

During a federally declared disaster, many of the responding agencies will be the same that help in-state declared disasters. In addition, the following usually respond:

- Federal Emergency Management Agency
- U.S. Department of Agriculture
- Department of Health and Human Services, which includes the Veterinary Medical Assistance Teams
- Department of Defense
- Volunteer organizations (non-governmental organizations)

The Emergency Support Functions (ESF) of each of the federal groups is described in the Federal Response Plan (FRP).

Congress may enact special legislation on a case-by-case basis to pay for disaster recovery efforts in response to large-scale disasters.

Federal Government Responsibilities

The Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) is the federal agency responsible for administering the Stafford Act and is the coordinator of the Federal Response Plan. FEMA reports to the President. All federal agencies are part of the Federal Response Plan; therefore, FEMA can task any federal agency to provide disaster assistance with or without reimbursement.

FEMA's mission is

to reduce loss of life and property and protect our nation's critical infrastructure from all types of hazards through a comprehensive, risk-based, emergency management program of mitigation, preparedness, response, and recovery.

FEMA has several divisions: Regional Operations; Readiness, Response, and Recovery Division; Federal Insurance and Mitigation Administration; U.S. Fire Administration; and the Office of National Security.

A major disaster or emergency is assumed to cause numerous fatalities and injuries, property loss, and disruption of normal life-support systems, and to have an impact on the regional economic, physical, and social infrastructures. To minimize these consequences, FEMA helps the states in several ways before, during, and after disasters. For example, FEMA provides:

- Training programs and research information on the latest mitigation measures
- Review and coordination of state emergency plans
- Financial assistance
- Flood insurance to individuals and businesses in communities that join the National Flood Insurance Program (NFIP)
- Subsidies to state and local offices of emergency management for maintaining emergency management programs
- Guidance and coordination for plans to warn and protect the nation in national security emergencies
- Coordination of services for disaster response and recovery activities
- Consequence management following acts of terrorism
- Urban Search and Rescue (US&R)

In addition, FEMA provides supplemental resources to states when resources are insufficient to protect or assist their local counties' citizens, restore essential services that get the local economy going again, and meet disaster-related needs of individuals.

FEMA is a source of federal assistance for education in disaster management. It provides a variety of training opportunities. Many of FEMA's courses are taught through state emergency management agencies. FEMA also provides classroom instruction and operates the National Emergency Training Center (NETC), which offers higher-level courses in emergency management.

U.S. Department of Agriculture (USDA)

The Office of Crisis Planning and Management (OCPM) establishes, maintains, and manages emergency management policies and programs for USDA. The OCPM ensures that an emergency structure is in place to respond swiftly to a disaster or other crisis situation affecting U.S. agriculture or the USDA.

The OCPM is the primary contact with all other federal departments and agencies having emergency responsibilities. For example, this is the office that FEMA would contact if FEMA were to activate the Federal Response Plan because of an agriculture-related disaster.

The emergency structure of the USDA is required to assess the impact of the disaster on food production, processing, food distribution, and to ensure that assistance programs are operating in the affected area. The OCPM coordinates USDA participation in disaster-related exercises and conducts training sessions for USDA State Emergency Boards. The following table lists natural disaster assistance available from the U.S. Department of Agriculture as well as its emergency planning and response activities. These items are described in more detail following the table.

Types of Assistance Available

Where to Apply for Assistance	USDA Offices
	Indian Tribal Help – Bureau of Indian Affairs (BIA)

Local Assistance Available Without a Major Determination of Disaster

Animal Diseases and Plant Pest Controls	Animal and Plant Health Inspection Service (APHIS)
Disaster Advice	Cooperative Extension Service (ES)
Livestock and Wildlife Feeding, Production, and Conservation Practices	Farm Service Agency (FSA)
Food Assistance	Commodity Credit Corporation (CCC)
Food Safety	Food and Nutrition Service (FNS)
Protection of Forests and Rangelands	Food Safety and Inspection Service (FSIS)
Crop Insurance	Forest Service (FS)
Rural Development Assistance	Risk Management Agency (RMA)
Rural Housing Service (RHS)	Rural Business Service (RBS)
Land Protection	Rural Utilities Service (RUS)
Other Aid	Natural Resources Conservation Service (NRCS)

Assistance Available in Areas Designated as Natural Disaster Areas by the Secretary of Agriculture

Emergency Loans	Farm Service Agency
-----------------	---------------------

USDA Assistance Available Under a Presidential Disaster Declaration

Emergency Loans	Farm Service Agency
Disaster Food Assistance	Food and Nutrition Service

Types of Assistance Available from USDA

The U.S. Department of Agriculture (USDA) provides many types of assistance to farmers and other rural residents, as the result of natural disasters such as drought, fire, flood, storm, earthquake, hurricane, tornado, and volcanic eruption. There is also assistance available to producers who suffer losses as a result of crop or livestock disease or pest infestation.

Depending on the nature and severity of a natural disaster, the emergency preparedness staff will provide the necessary liaison and coordination required between USDA agencies and other federal departments and agencies, including FEMA.

Level of disaster

The type of assistance depends on the level of the disaster. Farmers who have suffered a sudden major disaster or are threatened with one may want to contact the local office of one or more USDA agencies to learn whether they can get special help. In some instances, assistance can be provided only after the Secretary of Agriculture has issued a determination of a natural disaster for an entire county (including a parish and borough). The levels of assistance are as follows:

- Agency level: A direct request from a State Governor or Indian Tribal Council may result in certain kinds of assistance from USDA agencies.
- Farm Service Agency (FSA) Administrator level: The FSA Administrator's Physical Loss Notification is initiated by the FSA County Executive Director and recommended by the FSA State Executive Director (SED) to the FSA Administrator. The Administrator can designate counties as disaster areas and provide emergency (EM) loan assistance for physical losses only.
- Secretarial level: At the request of a State Governor or Indian Tribal Council, the Secretary of Agriculture can designate counties as disaster areas and provide certain USDA disaster assistance.

- Presidential level: At the request of a State Governor, the President can declare a state* to be a major disaster area under the terms of the "Robert T. Stafford Disaster Relief and Emergency Assistance Act". The Stafford Act is administered by FEMA, which, through the Federal Response Plan, may task the USDA to respond to agriculture-related needs.

(*State includes any state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Trust Territory of the Pacific Islands, unless otherwise designated.)

Disaster assistance

Depending on the level and type of a natural disaster, USDA agencies can provide the following:

- Emergency food assistance, through the Food and Nutrition Service (FNS).
- Certain kinds of livestock feed assistance from the Commodity Credit Corporation (CCC) through the FSA.
- Help in restoring damaged eligible land, through the Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS).
- Low-interest loans to farmers, through the FSA.
- Low-interest loans to rural residents in need of housing, or, e.g., to rural communities, businesses, and nonprofit corporations in need of public facilities, utilities, or economic development, through the Rural Development mission area agencies: Rural Business Service (RBS), Rural Housing Service (RHS), or Rural Utilities Service (RUS).
- Indemnity payments to farmers for crop losses covered by insurance, through the Risk Management Agency (RMA).

- Payment to producers for losses of crops not insurable under catastrophic risk protection through the FSA.
- Technical information and assistance to farmers and others in developing plans to reduce disaster effects, and in returning to normal after a disaster, through the Cooperative State Research, Education and Extension Service (CSREES), in cooperation with the state Cooperative Extension Service (CES) and state land-grant universities.
- Prevention, control, and eradication of plant and livestock diseases and insect infestations, through the Animal and Plant Health Inspection Service (APHIS).
- Assistance in controlling fires that threaten to spread from nearby croplands onto national forests and fire protection in and management of national forests, through the Forest Service (FS).
- Information on the safe handling and use of meat and poultry, through the Food Safety and Inspection Service (FSIS). Consumers may call 1-800-535-4555. If calling within the metropolitan Washington, D.C. area, call (202) 720-3333.

Humane care of animals

APHIS administers two laws that seek to ensure the humane handling of animals: the Animal Welfare Act (AWA) and the Horse Protection Act (HPA).

Department of Health and Human Services (DHHS)

DHHS supports the National Disaster Medical System (NDMS) and provides mental health coordination.

Veterinary Medical Assistance Teams (VMAT) are part of the NDMS. VMATs are composed of veterinarians and other persons who have pre-enrolled with the federal government as disaster responders. VMATs are activated via state and federal emergency management officials and help re-establish affected veterinary practices. Their field activities are coordinated through the director of emergency preparedness at the American Veterinary Medical Association headquarters in Schaumburg, Illinois (Tel.: 847-925-8070).

Mental health teams from DHHS would be activated if a large-scale disease outbreak, such as Foot and Mouth Disease or Classical Swine Fever, were to occur in the U.S.

Department of Defense (DOD)

The DOD includes the U.S. Army Veterinary Corps that can be activated in federally declared disasters upon request from the affected state's governor via the President. The U.S. Army has been a valuable operational federal resource in large-scale disasters.

Volunteer organizations

Volunteer organizations like the American Red Cross, Salvation Army, Catholic Charities, Mennonite Disaster Services, and other local church and civic organizations often help disaster victims by distributing food, medicine, and supplies, and by providing temporary shelter. Many volunteer organizations also conduct fund-raising drives to provide financial assistance to disaster victims.

There are an increasing number of volunteer organizations that provide care for animals in disasters. These have traditionally been national humane organizations. These groups do not yet have an official role in the Federal Response Plan.

The Incident Command System

The Incident Command System (ICS) is the foundation for an effective all-risk response capability to any critical incident. The ICS is the most effective method for managing disasters, in part by economizing resources. Economy of resources requires:

- Establishing goals
- Setting priorities
- Assigning resources

Functions of the ICS may be expanded to meet the needs of each situation regardless of the magnitude of the disaster.

Critical incident

Any natural or man-made event, civil disturbance, or any other occurrence of unusual or severe nature that threatens to cause or causes the loss of life or injury to citizens and/or severe damage to property. Critical incidents require extraordinary measures to protect lives, meet human needs, and achieve recovery.

History of the ICS

The ICS dates to the early 1970s, when a series of major wildfires in Southern California prompted municipal, county, state, and federal fire authorities to form an organization known as “Fire Fighting Resources of California Organized for Potential Emergencies” (FIREScope).

As part of FIREScope, the response to large scale and multi-jurisdictional disasters was studied. From that study, eight primary components of a good emergency management system were identified. These are:

- Common terminology
- Modular organization
- Integrated communications
- A unified command structure
- Consolidated action plans
- Manageable span of control
- Designated incident facilities
- Comprehensive resource management

Although originally developed for wildfire settings, ICS evolved into an all-hazard system. This made the ICS appropriate for all types of fire and non-fire emergencies. Due to the need for and increased interest in a model emergency incident management system, the National Curriculum Advisory Committee of the Incident Command Systems/Emergency Operations Management Systems recommended adoption of ICS as an all-risk, all-agency system. ICS was adopted by the National Fire Academy as its model system. In 1987, the ICS received additional endorsement by the International Association of Chiefs of Police. FEMA also supports the use of the ICS.

The legal basis of the ICS

Now there is a legal basis for adopting ICS, due to federal laws that require its use for specific types of incidents. These include:

- The Superfund Amendments and Reauthorization Act (SARA) of 1986. This act established federal regulations for handling hazardous materials. SARA directed the Occupational Safety and Health Administration (OSHA) to establish rules for operations at hazardous materials incidents.
- OSHA rule 1910.120, effective March 6, 1990, requires all organizations that handle hazardous materials to use ICS. The regulation states:

“The Incident Command System shall be established by those employers for the incidents that will be under their control and shall interface with other organizations or agencies who may respond to such an incident.”

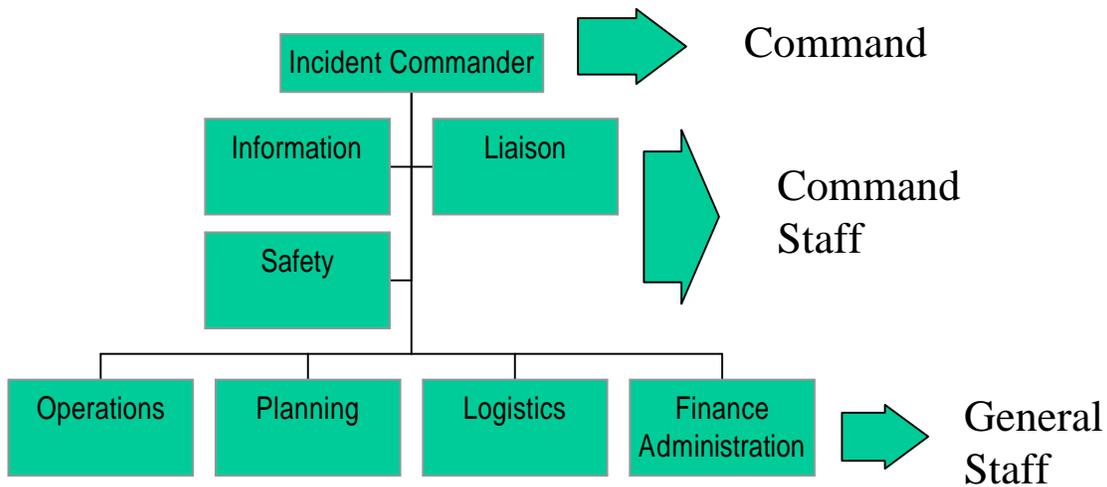
- The Environmental Protection Agency (EPA) requires States to use ICS at hazardous materials incidents.

Throughout this course you have read examples of how disasters that strike farms can result in hazardous material spills and how the environment can be threatened. Therefore, the mandate to use the ICS to control hazardous material spills and to protect the environment may commonly apply to the management of disasters affecting farms.

How does the ICS function?

Many incidents require a response from a number of different agencies. For example, a livestock trailer accident may require medical services, law enforcement, public works (if utilities are damaged), veterinarians, and animal control personnel. All of these groups must work together in a coordinated fashion. To enable this coordination, disaster preparedness plans that provide effective care for animals and their owners should be integrated into the ICS. Through the ICS all of these resources are coordinated efficiently and functionally.

Command and staff positions in the Incident Command System



The purpose of the ICS, therefore, is to lend consistency to the way team members and agencies function in an emergency. It eliminates the need to reinvent the wheel for each new emergency. To be truly effective, the ICS uses an integrated approach to ensure its applicability to all incidents.

There are many sources of information on the ICS. These include FEMA Independent Study Courses, classroom and field exercises. It is highly recommended that persons interested or likely to respond to a disaster should learn the ICS in great detail.

**Learning Check**

Directions: Determine if the following statements are true or false based on the material in this unit. When you have finished, check your answers on page 17-18.

1. In order for a state to qualify for federal disaster assistance from FEMA, it must have laws that are consistent with those of federal emergency management law.
True or False?
2. State disaster declarations are usually made when more than one community is affected.
True or False?
3. In large-scale disasters, the mayor of a city has to apply for assistance from FEMA.
True or False?
4. FEMA helps states by reviewing and coordinating state emergency plans.
True or False?
5. FEMA is the only source of education on disaster management in the U.S.
True or False?
6. The USDA responds to disasters that threaten national food production, processing, and distribution.
True or False?



Learning Check

7. Disaster advice from the USDA is provided by the Cooperative Extension Service.
True or False?

8. Emergency loans from the USDA in disasters are managed by the Farm Service Agency.
True or False?

9. Disaster assistance from the USDA is available to farmers and other rural residents.
True or False?

10. All the disaster services of the USDA are available for all emergencies and disasters, no matter how small or large.
True or False?

11. The USDA Risk Management Agency manages indemnity payments to farmers for crop losses that are covered by insurance.
True or False?

12. The Forest Service of the USDA provides assistance in controlling fires that threaten to spread from nearby cropland onto national forests.
True or False?



Learning Check

13. The Veterinary Medical Assistance Teams are part of the National Disaster Medical System in the Department of Health and Human Services.

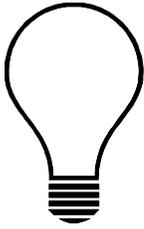
True or False?

14. The Occupational Safety and Hazards Act (OSHA) requires all organizations that handle hazardous materials to use the ICS.

True or False?

15. The ICS provides a consistent method to respond to all types of emergencies.

True or False?



Answers

For every question that you answered incorrectly, review the page listed next to the answer to find out why your answer was incorrect.

1. True.....17-1
2. True.....17-3
3. False.....17-4
4. True.....17-4
5. False.....17-5
6. True.....17-6
7. True.....17-6
8. True.....17-8
9. True.....17-8
10. False.....17-8
11. True.....17-9
12. True.....17-10
13. True.....17-10
14. True.....17-11
15. True.....17-12

Summary

This unit described state and federal disaster preparedness planning, and the various agencies and their mandates that makes emergency management work effectively. This unit also described the ICS.