



**NEMA 2017 ANNUAL FORUM  
COMMITTEE REPORTS AND DRAFT  
POSITION PAPERS**

*\*Position papers are considered draft until voting by the membership on 10/1/17*

## LEGAL COUNSEL COMMITTEE

Thursday, September 28 | 8:00 – 9:30 am | Salon ABF

### Presentations / Discussions

- FirstNet Briefing – Legal Considerations and Next Steps
- Discussion re: Ongoing Challenges with FEMA Rules, Regulations
- New Technology Showcase – Louisiana Volunteer Platform
- Roundtable Discussion re: Recent Disasters

### Presenters / Guests

**Kevin Green & Liesa Dickson:** FirstNet | **Wendy Huff Ellard:** Baker, Donelson, Bearman, Caldwell & Berkowitz P.C.

Chair: Samantha Ladich, NV  
Vice Chair: Will Polk, NC

All interested state legal counsels may participate.

NEMA Board of Directors Liaison: Mike Sprayberry, NC  
Private Sector Liaison: Ernie Abbott, Baker, Donelson, Bearman, Caldwell & Berkowitz P.C.

## PREPAREDNESS COMMITTEE

Friday, September 29 | 8:30 – 10:00 am | Salon ABF

### Presentations / Discussions

- Hawaii and Guam: Civil defense meets an all hazards emergency management approach
- FEMA Leadership Presents Preparedness Goals of the New Administration
- Southern Exposure 2015 Findings/Recommendations Position Paper
- FirstNet & AT&T Presents on Priorities and Deployable Resources
- “That is not in the Plan?!”

### Presenters / Guests

**Vern Miyagi:** HI | **Charles Esteves:** GU | **Kathleen Fox:** FEMA | **Kim Stenson:** SC | **Michael Poth:** FirstNet | **Chris Sambar:** AT&T | **Chris Kelenske:** MI | **Mike O’Hare:** AK | **Andrew Phelps:** OR

### COMMITTEE MEMBERS

Chair: Andrew Phelps (OR)  
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**NATIONAL EMERGENCY MANGAEMENT ASSOCIATION  
PREPAREDNESS COMMITTEE  
POSITION PAPER**

Date: October 1, 2017

Subject: Position Paper on Southern Exposure 2015 Findings and  
Recommendations

Discussion: Southern Exposure 2015 (SE15) was a Full Scale Exercise for the integration of organizations at all levels of government and the private sector to demonstrate the ability to coordinate and conduct response and recovery activities during an incident at the H. B. Robinson Nuclear Generating Plant in Hartsville, South Carolina. The exercise was conducted over a five-day period (21-23 July 2015 followed by a 9-10 September 2015 recovery TTX). The first two days of the exercise (21-22 July 15) were response oriented followed by a TTX that moved forward to Day 14 of the scenario. The TTX included breakout groups that focused on issues related to the economy, infrastructure, agricultural contamination, re-entry, return, and relocation. A recovery-focused TTX was conducted 9-10 Sep 15 and explored housing, agriculture, and economic recovery at 6 and 18 months post-event. Findings and recommendations are:

1. Finding: Unified Coordination Group (UCG) membership and composition for a nuclear plant incident is not clearly defined.
  - a. Analysis: SE15 provided State and interagency representatives the first opportunity to assess the structure and operation of a UCG during a nuclear power plant incident. As part of the planning process, the Exercise Support Working Group (ESWG) identified federal departments and agencies that should be represented on the SE15 UCG, the body responsible for managing federal, State, and local coordination of field operations in support of the State during the exercise. The guiding concept for recommended federal membership on the UCG was the inclusion of agencies and their components that have statutory authority or possess key operational capabilities that could inform or enhance the State's response. This concept was in accordance with guidance in the National Response Framework (NRF) on how the federal government can best support the State in achieving its established objectives and priorities. For this exercise, the UCG consisted of the federal Coordinating Officer, State Coordinating Officer, Defense Coordinating Officer, Duke Energy (utility), Nuclear Regulatory Commission, Department of Energy, and the Environmental Protection Agency. The size of the group was somewhat unwieldy and also was very federally-centric with only one state member and no local representation.

- b. Recommendation: UCG membership and rationale for its composition and size during a nuclear power plant event should be clearly articulated in future updates to the Nuclear/Radiological Incident Annex to the Response and Recovery Federal Interagency Operational Plans.
- 2. Finding: Policies regarding Low Level Radioactive Waste (LLRW) remediation are not well defined.
  - a. Analysis: There is not a policy regarding low level nuclear waste storage or disposal in the aftermath of a nuclear power plant incident. One federal agency with overarching responsibility to address the complicated nature of decontamination, waste storage and remediation has not been identified. In addition, some states lack federal facilities willing to accept low level waste or used fuel rods from reactors. As an example, Savannah River Site (SRS) commented that they would not accept radioactive waste for storage in the aftermath of Southern Exposure. Shipping low level waste to other states is logistically difficult as a result of permitting and transportation issues. Further, remediation responsibilities and authorities are not clear.
  - b. Recommendation: The nuclear industry or federal agencies (NRC, DOE, and FEMA) develop a plan or guidance for states to handle significant quantities of radiological waste after a radiological event, including responsibilities and how to pay for remediation.
- 3. Finding: There are funding gaps related to reimbursement to individuals and government agencies during a nuclear power plant incident.
  - a. Analysis: The Price - Anderson Act is the vehicle that outlines the fiduciary responsibilities between the private and public sector. The American Nuclear Insurers (ANI) execute the delivery of emergency financial assistance to the evacuated population, but there are limitations in funding and extended reimbursement timelines to the public sector. Initial ANI funding for individual reimbursements will not be available until 3-5 days after the event. ANI parameters of assistance have gaps and will not probably fund certain items to include case management costs, emergency protective measures, overall management costs, and reimbursements to individuals in the ingestion pathway zone. There is currently no guidance outlining potential use of the Stafford Act to close the gap between emergency financial assistance provided by ANI funding and actual costs to the public sector.
  - b. Recommendation: FEMA should develop guidance for the use of the Stafford Act as a limited bridging strategy during a nuclear power plant incident to cover funding gaps created by Price- Anderson.
- 4. Finding: State and local governments must be involved in the development of the Plan of Distribution developed at the local level to account for the needs of the population and communities and a comprehensive Recovery Support Strategy for a nuclear power plant incident has not been developed.

- a. Analysis: A key task during recovery is the development and implementation of the Plan of Distribution and the Recovery Support Strategy. The Plan of Distribution developed in conjunction with the Nuclear Regulatory Commission identifies the priorities of the available funds beyond emergency financial assistance to support the reimbursement of losses and expenditures by the public in both response and recovery. This plan must be developed based on the assessment of the local community and reflect the priorities of the population to mitigate the long-term impacts of the event. The development of the recovery support strategy should be shaped by assessments, public opinion and shared understanding of the science that will support decisions to return in order to restore the lives of both the evacuated and impacted population.
  - b. Recommendation: Develop a national level recovery remediation framework for implementation at the State and local level that would include State and local involvement in the development of the Plan of Distribution. The Recovery Support Strategy should address time and impacted areas with recurring reassessments to ensure changes in the operational environment are captured and utilized in funding prioritization.
5. Finding: There is no central repository of federal agency guidelines, plans, or capabilities.
- a. Analysis: Without a clearinghouse of federal agency guidelines, plans, and capabilities it is difficult for State and local authorities to efficiently integrate federal organizations into local response and recovery operations.
  - b. Recommendation: FEMA establish a central repository for federal agency guidelines, plans, and capabilities for a nuclear power plant incident.

Moved:

Disposition:

Second:

Authenticated: \_\_\_\_\_  
Secretary

NEMA 2017 Annual Forum, September 28-October 1, 2017, Scottsdale, Arizona

## RESPONSE AND RECOVERY COMMITTEE

Friday, September 29, 2017 | 10:15-11:45 am | Salon ABF

### Presentations / Discussions

- Voting on the Public Assistance Position Paper; Recommendations for Public Assistance Closeout Procedures
- From the State Perspective; FEMA's Disaster Housing Initiative
- Review of Federal Disaster Assistance Funding
- Sharing State Best Practices; Louisiana's Sheltering at Home Program
- Future Projects for Committee Consideration

### Presenters / Guests

Greg Wilz, ND | Mike Sprayberry, NC | Thomas Moore, GA | Andrew Phelps, OR  
William Rachal, LA

### COMMITTEE MEMBERS

Chair: Mark Ghilarducci (CA)

Vice Chair: Greg Wilz (ND)

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**NATIONAL EMERGENCY MANAGEMENT ASSOCIATION  
RESPONSE AND RECOVERY COMMITTEE  
POSITION PAPER**

DATE: October 1, 2017

SUBJECT: Recommendations for Public Assistance Closeout Procedures

DISCUSSION: The mission of the Public Assistance (PA) Program is to assist communities in recovering from the devastating effects of disasters by providing technical assistance and financial grants in an efficient, effective, consistent, and customer-friendly manner.

Currently the grantee requirements for PA project closeout requires all subgrantees for a disaster or emergency to be closed out, the grantee to have made all disbursements, and the grantee to have performed financial reconciliation and drawn down any remaining eligible funds in SMARTLINK, or requested de-obligation of unexpended funds within 90 days of the last payment.

Following those steps, the grantee then sends a letter to the Regional Administrator requesting PA Program closeout.

Understanding that FEMA continuously seeks to identify opportunities to improve program delivery, the states feel it is necessary to address the requirement to complete large project closeouts on Project Worksheets (PWs) that are 100 percent complete and documented at the time of obligation.

For example, during the 2011 North Dakota floods (DR-1981), ten North Dakota National Guard PWs were closed for a combined dollar amount of \$8,831,313.86. These projects were 100 percent complete when obligated and all documentation, including proof of payment, was available and attached to the PW at the time of obligation. Prior to the closeout review, the ten PWs had a combined estimated



cost of \$8,832,289.53 which is a \$975.67 difference between the estimated cost and final closeout cost.

Time management is a concern in the current process. Continuing the same example, hundreds of man hours from the applicant, state, and FEMA were required to close the ten PWs which only netted a \$975.67 difference between the original version and the final version of the PWs.

North Dakota has reviewed all Category B Large Projects that were written for DR-1981 and compared the Large Project Closeout submission date to the project closed date. Between the ten projects there was an average of 432 days between the submission date and the closed date for the PW.

#### RECOMMENDATIONS:

1. NEMA recommends that FEMA closeout those projects that are 100 percent completed and documented at the time they are written - not requiring the states to submit for closeout within 90 days. If these closeouts could be done at the time of writing, the burden to the states and locals would be drastically reduced.

Moved:  
Second:

DISPOSITION:

Authenticated:

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NEMA Secretary

## HOMELAND SECURITY COMMITTEE

Friday, September 29 | 1:00 – 2:30 pm | Salon ABF

### Presentations / Discussions

- DHS Update – Priorities for the Trump Administration
- Grant Effectiveness and THIRA Modernization Discussion
- The Role of Border Security in Homeland Security and Evolution of Operation Stonegarden
- FBI Threat Briefing and Discussion of Emerging Issues

### Presenters / Guests

**Katie Fox:** FEMA | **Brian Hyer, Kevin Saupp:** DHS | **Caitlin Carlo:** FBI | **Tony Barker, Mike Ulrich:** CBP

### COMMITTEE MEMBERS

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Private Sector Liaison: Marko Bourne, Booz Allen Hamilton  
Legal Counsel Liaison: Brenda Bergeron, CT  
Past President Liaisons: Jim Mullen, Glen Woodbury, Stan McKinney

## MITIGATION COMMITTEE

Friday, September 29, 2017 | 2:45-4:15 pm | Salon ABF

### **Presentations / Discussions**

- Voting on State Hazard Mitigation Officer Position Paper; Utilizing the Hazard Mitigation Grant Program for Fire Management Assistance Grants
- Integrating Mitigation Efforts; Kentucky's Community Hazard Assessment and Mitigation Planning System (CHAMPS)
- Sharing State Best Practices; Flood Mitigation Efforts in Iowa
- Potential Impacts of the Executive Order on Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure
- Update from the Earthquake Subcommittee; NEHRP Reauthorization

### **Presenters / Guests**

Brad Bartholomew, UT | Mike Dossett, KY | Mark Schouten, IA | Robert Ezelle, WA

### **COMMITTEE MEMBERS**

Chair: Mark Schouten (IA)

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Past President Liaison: Jim Mullen

**NATIONAL EMERGENCY MANAGEMENT ASSOCIATION  
MITIGATION COMMITTEE  
POSITION PAPER**

DATE: October 1, 2017

SUBJECT: Recommendations for Utilizing the Hazard Mitigation Grant Program for Fire Management Assistance Grants

DISCUSSION: The Federal Insurance and Mitigation Administration of the Federal Emergency Management Agency (FEMA) conducted a Pilot Program in 2015 for the Hazard Mitigation Grant Program (HMGP) to advance risk reduction after Fire Management Assistance Grant (FMAG) declarations. The purpose of a pilot program is to gain understanding and collect data on a proposed program to see if it will be successful and sustainable. FEMA has not released any information concerning the success or failures of the Pilot Program nor have they renewed the program. From the perspective of the states, the Program was successful and should continue no longer as a pilot but a full FEMA HMGP program.

*History*

Wildfires cause billions of dollars worth of damage every year throughout the United States and have a large impact on Western States. For every FMAG that is awarded, there are hundreds of wildfires the states fight that do not meet the FMAG threshold. In the Western States, the threat to life and property does not end when the fire is extinguished. The threat of debris flows, flash floods and mud slides from wildfire burn scars lingers for up to three years or longer. Leaving residents, business owners and officials in limbo, never knowing when a flood or wall of mud will take out their homes, business or property and keeping new businesses and visitors away.

Because the post wildfire debris flows are nearly always localized events, they rarely meet the Presidential Declaration thresholds but cause thousands to millions in damages to public and private property. One wildfire burn scar may see up to two dozen separate debris flow events, shutting down roads, damaging homes and property and

preventing daily life to continue. These separate events add up to millions of dollars that the communities have to find in their already tight budgets to pay for recovery.

After a wildfire, communities are scrambling to find resources to help recover from the fire and protect themselves from the inevitable debris flow. There is limited funding from the BAER program and NRCS that focus on federal forest lands and protecting watersheds. This leaves a gap of funding to protect local and private property from devastating debris flows. Because of this ever-present threat of post wildfire debris flows, the states pushed for HMGP funding for FMAGs to fill the gap to provide communities with funding for post wildfire projects. In the 113th Congress passed Senate Bill 954 which authorized a Pilot Program for HMGP after an FMAG for one wildfire season in 2015.

#### *The Pilot Program*

The Pilot Program started March 4, 2015 and originally went to September 30, 2015. However, FEMA extended the program to October 30, 2015.

The total amount available for HMGP for states and tribal applicants with standard state or tribal hazard mitigation plans was set at \$331,166 for each FMAG and \$441,555 for applicants with enhanced state or tribal hazard mitigation plans.

In 2015 there were 34 FMAG declarations within the Pilot Program dates. FEMA Region X received the most with 24, Region IX had eight and Region VIII and VI both received one FMAG. Eight states received HMGP for FMAG and have submitted 71 projects worth \$10,490,259. These projects range from generators for critical infrastructure to increasing culvert size and post wildfire vegetation management and fuels reduction.

#### *What Worked*

In the one year Pilot Program, ten states were able to receive over \$10 million in funding to help communities post wildfire. Most of these projects went back to the communities that were directly affected by the wildfire and a number of the projects were to revegetate the wildfire burn, protect communities from post wildfire debris flows and wildfire fuel reduction to prevent future wildfires.

This is a success of the program. While FEMA and the Federal Government are looking for ways to reduce disaster costs, we know that for every \$1 spent on mitigation saves \$4 dollars in recovery costs. The \$10.4 million spent on mitigation post wildfire through this Pilot Program will save the taxpayers over \$41 million in future damage costs.

*What Could Be Improved*

The most common complaint of the program from the States is that the funding is too slow in coming. Communities are in need of the funding directly after the wildfire is out and while HMGP funding is welcomed, it would be beneficial to expedite the process to allow communities to start protecting their communities

RECOMMENDATIONS:

1. NEMA recommends that FEMA publish the findings of the 2015 HMGP/FMAG Pilot Program and present those findings to NEMA and Congress. NEMA will work with FEMA to advocate for a permanent program that utilizes the Hazard Mitigation Grant Program to advance risk reduction after Fire Management Assistance Grant declarations.

Moved:  
Second:

DISPOSITION:

Authenticated:

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NEMA Secretary

NEMA 2017 Annual Forum, September 28- October 1, JW Marriott Camelback Resort,  
Scottsdale, AZ

## EMAC COMMITTEE

Saturday, September 30, 2017 | 8:25 – 9:45 am | Salon ABF

### Presentations / Discussions

- EMAC Hurricane Response Update
- Update and Actions from the EMAC Executive Task Force
- Increasing synergies between animal response and state emergency management
- National Association of State Boating Law Administrators (NASBLA) briefing on BOAT Program as national standard of training and certification; resource typing efforts; and database access for states
- National Guard Bureau J39 discussion on the development of MRPs for CBRN

### Presenters / Guests

**Anneliese McCann:** APHIS/USDA | **John Fetterman and Dave Considine:** NASBLA  
**Heinrich Reyes:** NGB | **Jonathan York:** EMAC ETF

### COMMITTEE MEMBERS

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Kurt Schwartz, MA • Mike Sprayberry, NC • Sima Merick, OH  
Patrick Sheehan, TN • Mona Barnes, VI • Robert Ezelle, WA

Past President Liaison: David Maxwell

## LEGISLATIVE COMMITTEE

Saturday, September 30 | 2:45 – 4:15 pm | Salon ABF

### Presentations / Discussions

- Heard on the Hill – Priorities for the 115<sup>th</sup> Congress
- Partner Issues and Opportunities for Collaboration
- Roundtable Discussion of State Legislature Engagement Following Disasters
- NEMA Role in Disaster Supplemental Policy Development

### Presenters / Guests

Invited Hill Staff: U.S. Senate and U.S. House of Representatives | **Doug Bryson:** IAEM

### COMMITTEE MEMBERS

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Private Sector Liaison: Matt Jadacki, Ernst & Young  
Legal Counsel Liaison: Will Polk, NC



## PAST PRESIDENTS COMMITTEE

Saturday, September 30, 2017 | 6:30-8 pm | Rita's Private Dining (closed)

### **Presentations / Discussions**

- Recap of New State Director Workshop/State Director Transitions
- Overview of NEMA's Current Policy Engagement with FEMA
- Update on CSG and KERS
- Membership Recruitment and Retention Campaign for FY19

### **COMMITTEE MEMBERS**

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Ken Murphy • Joe Myers • Glen Woodbury

## PRIVATE SECTOR COMMITTEE

Saturday, September 30 | 10:00 – 11:30 am | Salon ABF

### Presentations / Discussions

- Webinar Working Group update
- Update from Information Sharing Task Force, Unified Information Portal
- Roundtable discussion: Private sector participation in response to hurricanes Harvey and Irma
- Committee House Keeping
  - Committee Liaison Expectations
  - Task Force/Working Group Participation

### Presenters/Guests

**Eric Kant:** Kant Consulting Group | **Joel Thomas:** Spin Global

Chair: Shandi Treloar (EM Strategies)  
Vice Chair: Jonathon Monken (PJM Interconnection)

All Corporate and Organizational members of NEMA

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Homeland Security Committee: Marko Bourne, Booz Allen Hamilton  
Legal Counsel: Ernie Abbott, Baker, Donelson, Bearman, Caldwell & Berkowitz P.C.  
Legislative Committee: Matt Jadacki, Ernst & Young  
Mitigation Committee: Matt Hochstein, Hagerty Consulting  
Preparedness Committee: Dave Andrews, Adjusters International  
Response & Recovery Committee: Darrell Dotson, MB3

Past President's Representation: Jim Mullen and John Madden  
Information Sharing Task Force Lead: Joel Thomas, SPIN Global  
Webinar Working Group Lead: Jen Sorenson, Atkins