



Federal Emergency Management Agency

Washington, D.C. 20472

1. **Date Published:** December 28, 1999
2. **Response and Recovery Policy Number:** 9523.1
3. **Title:** Snow Assistance
4. **Purpose:** This document describes the procedures for evaluating States' requests for emergency and major disaster declarations due to snowfall. This document also describes eligible work for snow or blizzard related emergencies and major disasters. It updates and replaces the 1998 document of the same name. This newer version of the policy clarifies certain aspects of snowstorm declaration criteria and provides additional guidance on eligible applicants and assistance.
5. **Scope and Audience:** This policy applies to all emergency or major disaster requests received after the date of this policy. It provides guidance to FEMA, State, and local personnel responsible for administering the snow assistance regulation published in Title 44, Code of Federal Regulations (CFR), Section 206.227.
6. **Background:**
 - A. **History:** Prior to the winter of 1976/1977, requests for winter storm assistance under earlier disaster relief acts were rare. Only seven winter storm incidents were declared between 1953 and 1977, and most of these were the result of ice storms that caused enough damage to justify the declaration of major disasters.

Beginning in January 1977, and continuing through the winter of 1978/1979, the North Central and Northeast States experienced an extraordinary series of winter storms which resulted in below normal temperatures, heavy snowfall, and blizzards which threatened lives and public health and safety due to the disruption of emergency transportation facilities. During that period, 14 emergencies and one major disaster were declared. Although other types of emergency assistance were made available to save lives and protect public health and safety, snow removal assistance was provided from 1977 through 1979 in order to provide emergency access to essential facilities.

In 1993, 18 emergency declarations were authorized as a result of a severe winter storm, categorized by the National Weather Service (NWS) as a blizzard. The entire eastern seaboard experienced severe conditions caused by the storm system. The basis of these declarations was the actual and potential loss of life, the widespread nature of the event, and the need to supplement emergency assistance efforts. In 1994, 11 major disaster declarations were granted for winter storms that caused significant property damage. The conditions experienced during these events were freezing rain and icing that caused extensive power outages and health and safety hazards. In 1996, 12 major disaster

declarations were granted for winter storms along the East Coast. Heavy snowfalls jeopardized access to emergency services and created health and safety hazards. Federal assistance consisted of reimbursement for costs incurred for snow removal from snow emergency routes. In 1997, 3 major disaster declarations were granted for States in the Upper Midwest. Federal assistance was provided for snow removal from snow emergency routes and other emergency actions.

During the winter of 1998, the President declared four snow emergencies in the Midwest and in New York state. Emergency protective measures, including snow removal operations, were provided to those counties which received record or near record snowfall as determined by the National Oceanic and Atmospheric Administration (NOAA). Counties that were not eligible based on their own snowfall amount, but were contiguous to counties that received record or near record snowfall, were determined to be eligible for emergency protective measures. Snow assistance was provided for 48-hours to aid the affected local governments in providing emergency access to critical facilities and to address the most critical needs of the community. The intent of providing 48-hours of assistance was to allow the community flexibility in determining which roads and facilities were the most critical for the provision of emergency services. In addition, it was intended to reduce the administrative burden to the local, State, and Federal government in determining which roads served as snow emergency routes, and, in turn, determining eligible costs. Numerous counties requested time extensions to complete their snow removal operations. FEMA denied these requests and determined that additional time would only be provided in situations where the snowfall greatly exceeded the record amount. Following the emergency declarations, it was determined that additional guidance and revisions to the policy were required to further clarify FEMA's provision of snow assistance.

- B. Authority: The authority to provide Federal assistance for such disasters is provided in the Robert T. Stafford Disaster Relief and Emergency Assistance Act P.L. 93-288, as amended and 44 CFR 206.227. 44 CFR 206.227 reads as follows: "Emergency or major disaster declarations based on snow or blizzard conditions will be made only for cases of record or near record snowstorms, as established by official government records. Federal assistance will be provided for all costs eligible under 44 CFR 206.225 for a specified period of time which will be determined by the circumstances of the event."
- C. Official Government Records: The NWS, a division of the Department of Commerce, NOAA, is the cognizant Federal agency that collects, forecasts, and performs operational analyses of official information pertaining to snowfall. The National Climatic Data Center, a part of NOAA's National Environmental Satellite, Data, and Information Service, is mandated to perform historical climatological analyses of this data and serve as the official archive of snowfall data. To assist FEMA in implementing the Snow Assistance regulation, NOAA has provided historical snowfall data for approximately 7,000 reporting stations across the country. This information includes the maximum 1-, 2-, and 3-day snowfalls that have been recorded over the time period that records have been maintained.

7. Policy:

- A. It continues to be Federal policy that disaster response and recovery is the responsibility of State and local governments. Federal assistance is supplementary and is appropriate only when an event is of such severity and magnitude that response requirements exceed State and local capabilities.
- B. In addition to satisfying the requirements under 44 CFR 206.35 or 44 CFR 206.36 for emergency or major disaster declarations, the event must be determined to be a record or near record snowfall using NOAA data. Snowfall for a specific event will be measured against the historical snowfall data maintained and provided by NOAA.
- C. Federal assistance is intended for record snowfall situations. However, a very significant snowstorm that is not a record event may exceed State and local response capabilities. Therefore, FEMA will consider the impact of other occurrences, including the following, when evaluating requests for Federal assistance for near record snowstorms:
 - 1. Heavy snowfall over a very extended period of time;
 - 2. Severe winds and extraordinary drifting;
 - 3. Extraordinary ice formation; and
 - 4. Cumulative effect of snow on the ground.
- D. In the event of an emergency or major disaster declaration resulting from snow or blizzard conditions, Federal assistance will be provided for emergency protective measures (including, but not limited to, snow removal, de-icing, salting and sanding roads) as described in 44 CFR 206.225. Federal emergency assistance will be provided for only a specified period of time determined by the circumstances of the event. Under the provisions of this policy, Federal assistance is intended for emergency purposes only, not for the total costs of recovery from the snowstorm. The duration of emergency assistance will be recommended by FEMA and decided by the President. The provisions of 44 CFR 206.228(a)(4) apply.
- E. The Executive Associate Director has the authority to add counties and to adjust the eligible period for assistance after the President has declared the emergency or disaster.
 - 1. Counties subsequently added to the declaration must meet the basic criteria for a declaration as specified in Paragraph 7. b. above. Requests for additional counties should be made by the Governor or the Governor's Authorized Representative and include supporting documentation. Requests for add-on counties should be made within 30 days of the declaration or the end of the incident period, whichever is later.
 - 2. Generally, FEMA will provide assistance for a continuous 48-hour period, to allow time for eligible applicants to address the most critical emergency needs. The 48-hour period for snow removal assistance may begin at a time other than when the storm actually began. Each applicant will designate the beginning of the 48-hour period.

3. If snowfall quantities greatly exceed record amounts, an additional 24-hours of snow assistance may be requested. The extension of the eligible time period will be made for all designated counties within a State. For the State to qualify for an extension of the eligible time period, a significant number of the designated counties must experience snowfall that greatly exceeds the record amount.
- F. The Hazard Mitigation Grant Program under Section 404 of the Stafford Act will not be activated following a "snow" declaration. It may be authorized only for a "severe winter storm" which is declared as a major disaster.
 - G. A county that does not receive a record or near record snowfall, but is contiguous to a county that receives a record or near record snowfall, may be added to the declaration and be eligible for snow assistance. Contiguous counties are those with some portion of their border common to a designated county. Those counties that are not eligible based on their own snowfall amounts, must have snowfall equal to or greater than that of the designated contiguous county that was designated on the basis of a record or near record snowfall.

For example, county "A" is designated because it receives 1-day snowfall of 20 inches that exceeds its historical record snowfall. County "B" is contiguous to county "A" and also receives a 1-day snowfall of 20 inches. However, county "B's" 1-day record snowfall is 25 inches. Therefore county "B" is not eligible under the record or near-record snowfall criteria. However, because county "B" received snowfall equal to that of county "A" and is contiguous to county "A", county "B" is also eligible for snow assistance.
 - H. All snow removal insurance proceeds must be reduced from the eligible snow assistance amounts.

8. Procedure:

- A. Requests for emergency or major disaster declarations for snow assistance on the basis of extraordinary snowfall shall cite "snow" or "snowfall" as the incident type in the request letter and Regional documentation. This type of declaration allows reimbursement for costs associated with snow removal and emergency protective measures for a specified period of time.
- B. Requests for emergency or major disaster declarations for winter storms that cause substantial infrastructure damage resulting from snow, ice, high winds, and other blizzard conditions shall cite "severe winter storm" as the incident type. Declarations based on these requests are to be justified on the basis of an estimate of actual damage. Eligible work will not include snow removal unless "record" or "near record" snowfall criteria are met. Rather, only a very limited level of snow removal, incidental to the recovery, will be eligible for assistance. (For example, snow removal that is necessary in order to access debris or for access to repair essential facilities may be eligible following a

snowstorm that does not meet the "record" or "near record" criteria). This limitation is not intended to inhibit the Federal Coordinating Officer from authorizing measures to protect public health and safety.

C. There may be events warranting an emergency or major disaster declaration with different types of assistance provided to different counties within the State. Some counties may warrant a designation for "snow" emergency protective measures and snow removal assistance due to record or near record snowfall. Others may warrant a designation for damages resulting from a "severe winter storm." In some cases a single county might warrant assistance for both "snow" and a "severe winter storm." The Governor's request for assistance must cite and justify the reason for the request as:

1. "Snow"
2. "Severe winter storm" or
3. "Severe winter storm/snow"

D. Measurement of Snowfall:

1. For the purposes of this policy, the maximum snowfall over a 1-, 2-, or 3-day period, as documented by historical records maintained by NOAA, is defined as a record snowfall.
2. If Federal assistance is requested for a snowstorm that occurs over a 1-, 2-, or 3-day period, then the snowfall data for the specific event shall be compared to the record snowfall data for the reporting stations in each of the affected counties. The snowfall values shall be compared for the same time period. That is, if the current snowstorm occurred over 2-days, then the current 2-day snowfall shall be compared to the 2-day historical record snowfall.

E. Use of official snowfall data:

1. With the Governor's request for an emergency or major disaster declaration, the State will provide official government snowfall data as provided by NWS.
2. The Regional Office will then measure the snowfall against the record values on a county by county basis. For a county to receive FEMA assistance, the snowfall must be a record or near record event.
3. For counties with multiple snowfall reporting stations, at least one reporting station must experience a record or near record snowfall as determined by NOAA data.
4. For counties that do not have NOAA reporting stations, a comparison of the snowfall values for reporting stations within adjacent counties or the nearest reporting station shall be used for declaration recommendation purposes.

F. Request processing:

1. The Governor requests an emergency or major disaster declaration, providing the following information:

- a) identification of counties for which a declaration is sought;
- b) amount of snowfall for each affected county;
- c) date(s) of snowfall;
- d) impact of snowfall; and
- e) type of assistance requested.

2. Regional Director:

- a) evaluates the request;
- b) validates the actual snowfall and effects;
- c) compares actual snowfall with historical record snowfall;
- d) evaluates any extenuating problems, and makes a recommendation on the request for declaration;
- e) on a case by case basis; recommends the incident period for the snowstorm;
- f) proposes time span for eligible Federal assistance; and
- g) submits to Headquarters a Regional Summary and a Regional Analysis and Recommendation that includes the above information in addition to a narrative of the event, the impacts of the event to the private and public sector, health and safety impacts, emergency shelter information, type and extent of damage (in case of a request for a major disaster), the type of assistance needed, and State and local resources allocated.

3. FEMA Headquarters evaluates the data and any extenuating problems and makes a recommendation on the declaration to the President.

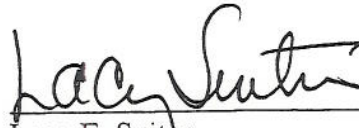
9. Supersession: FEMA Snow Policy dated November 10, 1998; RR Policy Number 9523.1

10. Authorities and References: Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288 as amended, and 44 CFR 206.227

11. Originating Office: RR-IS

12. Review Date: Two years from the date of publication

13. Signature:



Lacy E. Suiter
Executive Associate Director
Response and Recovery Directorate

14. **Distribution:** Regional Directors, Regional RR Division Directors, Regional IS Branch Chiefs