

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
FEDERAL EMERGENCY MANAGEMENT AGENCY
AND THE
FLORIDA DIVISION OF EMERGENCY MANAGEMENT
AND THE
U.S. FISH AND WILDLIFE SERVICE
JACKSONVILLE, PANAMA CITY, AND VERO BEACH FIELD OFFICES

I. SUBJECT:

Vector Control for Disease-Carrying or Extraordinary Mosquito Populations in the State of Florida

II. PURPOSE:

This Memorandum of Understanding (MOU) defines vector control measures and a protocol that meets Federal Emergency Management Agency's (FEMA) consultation requirements with the U.S. Fish Wildlife Service (USFWS) under the Endangered Species Act, Fish and Wildlife Coordination Act, and Migratory Bird Treaty Act. The USFWS is charged by public mandate with protection of fish and wildlife resources, particularly wetland and upland habitats, and threatened, endangered, or other protected species. In this role, the USFWS provides comments to FEMA and the Florida Division of Emergency Management (FDEM) regarding the impacts of specific FEMA funded projects on fish and wildlife resources. It is recognized that vector control may be used as an emergency protective measure and first response in the wake of a disaster to eliminate or lessen immediate threats to life, public health and safety.

III. SCOPE:

This MOU does not supersede the obligations and responsibilities of the USFWS or FEMA that are publically mandated by the Fish and Wildlife Coordination Act (FWCA; 48 Stat 401, as amended; 16 USC 661 *et seq.*), Endangered Species Act (ESA; 87 Stat 884, as amended, 16 USC 1531 *et seq.*), Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703-712), National Environmental Policy Act (NEPA; PL 91-190, 42 USC 4321), Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §5121 *et seq.* (Stafford Act), and related Federal, state, tribal, and local statutes, regulations, and policies. The following actions have

been evaluated in accordance with these statutes, regulations, and policies, and a conclusion reached by USFWS, FDEM, and FEMA that specific projects that follow these guidelines will not adversely impact fish and wildlife resources, including threatened, endangered, or other protected species. Therefore, this MOU constitutes programmatic coordination pursuant to the Fish and Wildlife Coordination Act (FWCA), Migratory Bird Treaty Act (MBTA), and Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended, (16 U.S.C. 1531 *et seq.*). It also formalizes the process that Applicants and involved agencies will follow for FEMA reimbursement of vector control, including efficient timing and delivery of the process (see Appendix B).

IV. RESPONSIBILITIES:

A. FEMA shall:

1. Conduct Vector Control Scoping Meeting.
 - i. Engage USFWS and FDEM during the planning process while developing any modifications to the MOU and its SOP.
 - ii. Engage other stakeholders in planning process while developing any modifications to the MOU and its SOP.
2. Initiate contact with USFWS, per ESA Section 7 to request Federal concurrence or coordination.
3. Initiate contact with the Center for Disease Control per Public Assistance guidance 9500 Series to request Federal concurrence or coordination.
4. Coordinate with FDEM to obtain documentation from Applicants.
 - i. Post Response Activities: All vector control projects will be tracked using a spreadsheet for reporting purposes.
 - ii. FEMA will provide the appropriate USFWS field office contact with a summary of vector control activities by December 1st of each year.
 1. See Appendix E for example report.

B. USFWS shall:

1. Consult with FEMA regarding requests for compliance.
2. Provide information to Applicant regarding likelihood to affect threatened and endangered species.
3. Provide any technical assistance requested and coordinated with FEMA in accordance with ESA.
4. Designate spraying exclusion areas that should not be sprayed.
 - i. If they must be sprayed, these areas will require further coordination with the USFWS.

C. FDEM shall:

1. Participate in the vector control scoping meeting.
 - i. Coordinate with other State stakeholders for participation in meeting.

- ii. Coordinate with FEMA to develop any modifications or updates to the MOU.
2. Initiate contact with state and local agencies once the State EOC has reached Level 2 Activation for a threatened or approaching storm.
3. Coordinate requests for resources and technical assistance with ESF #17 through EM Constellation.
4. Coordinate with Applicants regarding documentation requirements.
5. Maintain and update tracking spreadsheet for potential applicants for vector control reimbursement.

V. GENERAL PROVISIONS:

This MOU only applies to those counties and cities in the State of Florida.

USFWS, FDEM, or FEMA may unilaterally withdraw from this MOU with 30 calendar days written notice (from fax, email, or postmark date) to the FEMA Region IV Environmental Officer.

This MOU does not have an expiration date and will be reviewed and revised whenever needed. Revisions may be requested at any time by any of the signatory agencies. All revisions will be in writing and require the concurrence of all signatory agencies.

VI. APPENDICES

These appendices can be updated at any time as processes and contacts change.

- Appendix A – Florida DEM Vector Control Quick Guide
- Appendix B – Standard Operating Procedure for Vector Control Matrix
- Appendix C – Agency Contacts
- Appendix D – Definitions
- Appendix E – Sample USFWS Summary Report
- Appendix F – South Florida USFWS Section 7 Consultation under ESA
- Appendix G – USFWS/FDACS Spray Zone GIS Maps

SIGNATORY PAGE

U.S. Fish and Wildlife Service, Jacksonville Field Office

By: Jinda Walker Date: 10/8/10
for Dave Hankla, Field Supervisor

U.S. Fish and Wildlife Service, Panama City Field Office

By: Don Imm Date: 06/22/10
Don Imm, Ph.D. Assistant Project Supervisor

U.S. Fish and Wildlife Service, Vero Beach Field Office

By: Paul Souza Date: 10/15/10
Paul Souza, Field Supervisor

Florida Division of Emergency Management

By: David Halstead Date: 9-15-10

David Halstead, Director, Florida Division of Emergency Management

Federal Emergency Management Agency

By: William R. Straw Date: 11/08/10

William R. Straw, Regional Environmental Officer, FEMA Region IV



STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

RICK SCOTT
Governor

BRYAN W. KOON
Director

APPENDIX A
Florida DEM
Vector Control Quick Guide
Public Assistance Projects

Please review the following guidelines for reimbursement of mosquito abatement costs you may incur as a result of a disaster. Be reminded, take the necessary actions to prevent a health and safety threat as soon as possible, but know the rules for reimbursement following a Presidential Disaster Declaration.

1. The Public Assistance Policy Digest (FEMA 321 / January 2008, pg 137) states:

- a. **Vector Control** measures may be eligible for PA Program assistance in the disaster area as emergency protective measures when there is a serious health hazard. FEMA may provide reimbursement for such costs at the written request of the State or local public health officials. Verification of the threat by the State and local health agencies in accordance with established ordinances is required.
- b. FEMA may reimburse short-term abatement costs that are in excess of usual costs. The eligible costs are calculated by comparing the disaster-related costs to the most recent three non-disaster years of expenses for the same period.

2. Eligibility Requirements

You must be an **Eligible Applicant** as defined in the Public Assistance Policy Digest, pg 41, and have the legal responsibility (see pg 44) to perform vector control. <http://www.fema.gov/pdf/government/grant/pa/pdigest08.pdf>. The FEMA vector control policy (Recovery Policy 9523.10) can be found at: http://www.fema.gov/government/grant/pa/9523_10.shtm.

3. Documentation Requirements

- a. Letter from the health department indicating a serious health threat or a mosquito nuisance that is severely hampering the recovery effort.
- b. Trap data (for adulticide use) or dip data (for larvicide use) must be collected verifying the hazard.
- c. Spay/dip area maps detailing the zones affected.
- d. The chemical used, application method and concentration used. Chemical must be an EPA approved chemical for use in Florida.
- e. Dates of application.

4. Do not delay

- a. If you have the ability, start surveillance immediately to establish a baseline trap or dip count.
- b. Counties that do not have a vector control program may request assistance with surveillance and abatement from the Florida Department of Agriculture and Consumer Services by entering a request in EM Constellation.

5. Point of Contact

To coordinate your vector control measures or for more information please contact:

Kyla Gatlin, Environmental Scientist, Orlando · 407-858-2810 · kyla.gatlin@em.myflorida.com

Henry Hernandez, Environmental Scientist, Tallahassee · 850-922-5914 · enrique.hernandez@em.myflorida.com

APPENDIX B

Standard Operating Procedure for Vector Control

Timelines	Tasks – Event Season MOU Implementation (typically June – November)						
	State			Federal			
	Local	FDEM EHP	FDACS	FDH	FEMA EHP	USFWS	CDC
0 (event**) – post-event +7 days	<ul style="list-style-type: none"> - Determine need for vector control measures - Contact County EM Director <ul style="list-style-type: none"> o Applicants shall request technical assistance through EM Constellation - Follow protocol for coordination with FDEM and state agencies (refer to Appendix A – Vector Control Quick Guide) - Document all expenses - Coordinate with FDACS (and DEP if proposing to spray state lands) 	<ul style="list-style-type: none"> - Initiate contact with state and federal agency stakeholders (FDACS, DOH, FDEP & FWC) and FEMA EHP; continuous coordination with agencies - Shall post Vector Control Quick Guide in EM Constellation - Activate MOU - FDEP (state lands) only coordinated with if state lands are being sprayed - Contacts potentially affected counties - Outreach to EM's (ESF 17's) 	<ul style="list-style-type: none"> - Initiate contact with mosquito control districts and counties - Coordinate with FDEM to satisfy requests for technical assistance in EM Constellation - Provide data and technical assistance (i.e. spray area maps, trap counts) to applicants and FDEM as needed - Coordinate with state lands (if state lands will be sprayed) 	<ul style="list-style-type: none"> - Initiate contact with county health department(s) - Provide technical assistance to county health departments to draft letter 	<ul style="list-style-type: none"> - Contact CDC so they know verifications will be requested in 7 – 14 days due to need for vector control spraying - Contact appropriate USFWS office (see Appendix F for office designations) so they are aware of possible spray activities in their consultation areas - Activate MOU 	<ul style="list-style-type: none"> - Notified of intent of spray activities - Activate MOU 	<ul style="list-style-type: none"> - Notified of intent to spray so that staff is ready for requests by FEMA EHP
+7 - +14 days post event	<ul style="list-style-type: none"> - Begin trapping/data collection as soon as possible - Submit to FDEM - If local entity unable to collect data, then FDEM and FDACS should be contact - Sprays if FDACS is not spraying. 	<ul style="list-style-type: none"> - Receives trap data from local entities - Continues to work with county and/or DOH for letter - Receives chemical information and spray maps from county - Continues to work with all agencies 	<ul style="list-style-type: none"> - Provide technical assistance to local entities as requested - Provides trap data is assisting local entities - Provides spray area maps if spraying - Provides chemical information if spraying 	<ul style="list-style-type: none"> - Provides letter indicating potential health threat 	<ul style="list-style-type: none"> - Receives information and data (trap data, DOH letter, chemical information and spray area maps from FDEM) - Submits trap data to CDC - Supplies USFWS office(s) with data (chemical information and spray area maps) - Creates electronic filing system to store information for use in Project Worksheet (PW) reviews 	<ul style="list-style-type: none"> - Informs FEMA EHP of any changes to habitat/species concerns - Addresses changes to spray area maps if needed 	<ul style="list-style-type: none"> - Provides concurrence or non concurrence with trap data and DOH letter information*

*Note: CDC concurrence is a Public Assistance (PA) requirement for reimbursement under the FEMA Recovery Policy – RP9523.10, “Eligibility of Vector Control (Mosquito Abatement)”.

**An ‘event’ is defined as: the “declaration of a Presidential Disaster” – because that would trigger FEMA involvement where mosquito control activities may take place.

APPENDIX C

Agency Mosquito Contacts

First	Last	Agency	Phone	Cell	E-mail	Other Info
Janet	McAllister	CDC	970-225-4239	970-567-0301	jvm6@cdc.gov	
Dale	Dubberly	FDACS	386-418-5507	850-528-5310	dubberd@freshfromflorida.com	
Weldon	Collier	FDACS	850-414-1555		colliew@freshfromflorida.com	
Kyla	Gatlin	FDEM	407-268-8776		kyla.gatlin@em.myflorida.com	
Henry	Hernandez	FDEM	850-922-5914		enrique.hernandez@em.myflorida.com	
Dana	Bryan	FDEP	850-245-3029		dana.bryan@dep.state.fl.us	State Lands contact
Beth	Radke	FDOH			Elizabeth.Radke@doh.state.fl.us	
Mike	McDonald	FDOH	850-245-4076		Michael.McDonald@doh.state.fl.us	
Daneille	Stanek	FDOH	850-294-1087		Danielle.Stanek@doh.state.fl.us	
Stephanie	Madson	FEMA	404-561-9503		stephanie.madson@dhs.gov	
Allison	Collins	FEMA	770-220-8795		allison.collins@dhs.gov	
Heather	Batson	FEMA	407-268-8807	407-286-8236	heather.batson@dhs.gov	
David	Cook	FWC	850-410-0656 ext 17315		David.Cook@MyFWC.com	
Lawson	Snyder	FWC	850-488-3831		Lawson.Snyder@myfwc.com	
Anthony	Sowers	USFWS	772-562-3909 ext 223		anthony_sowers@fws.gov	South Field Office
Heath	Rauschenberger	USFWS	904-731-3203		Heath.Rauschenberger@fws.gov	North Field Office
Jon	Hemming	USFWS	850-215-7408		jon_hemming@fws.gov	Panhandle Field Office, Contact for MOU coordination
Paul	Lang	USFWS	850-769-2552 ext 230		paul_lang@fws.gov	Panhandle Field Office, Contact for GIS coordination

APPENDIX D

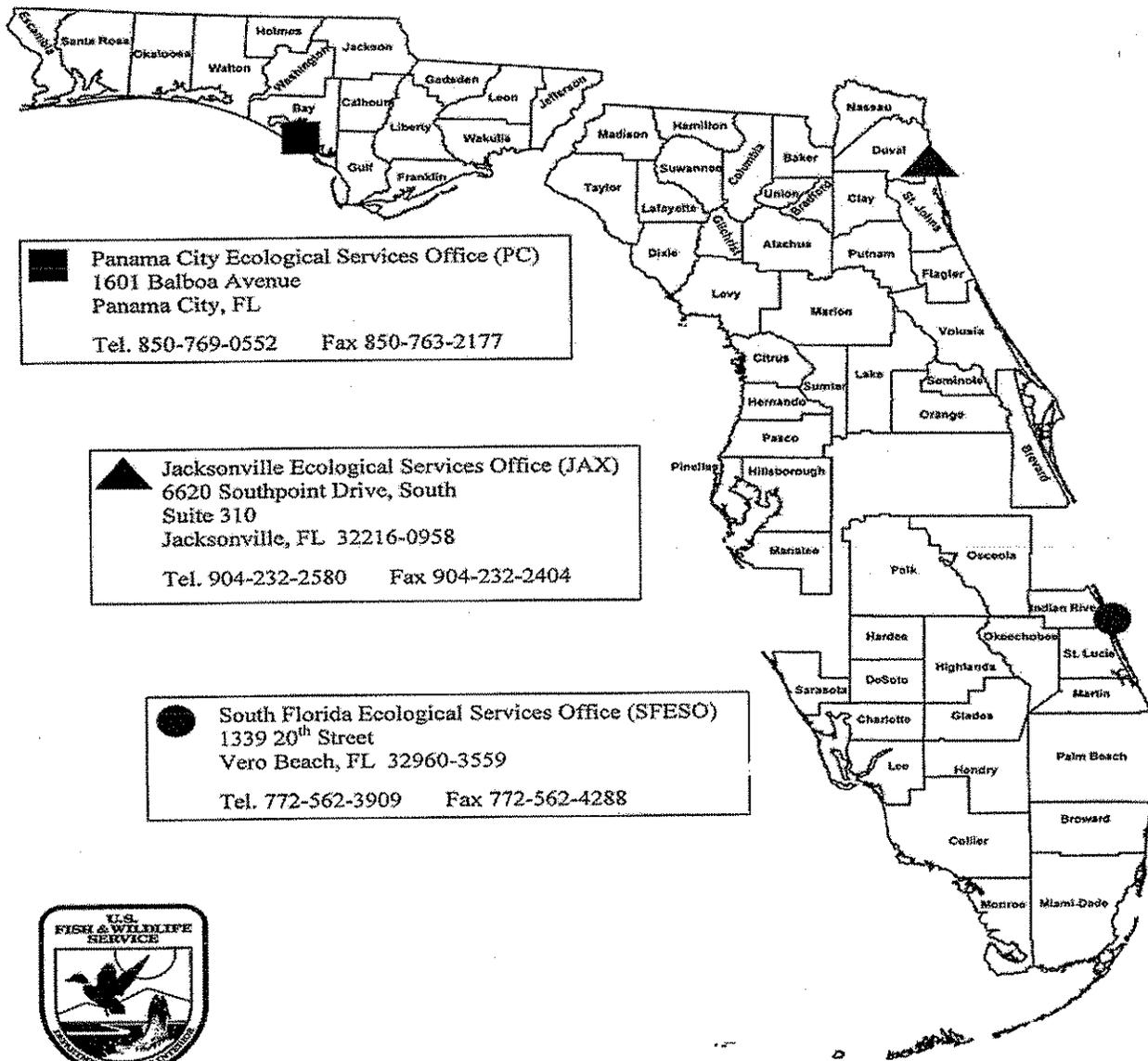
ABBREVIATIONS/DEFINITIONS

1. CDC – Center for Disease Control and Prevention
2. Emergency – (FEMA Public Assistance Definition) work is that which must be performed to reduce or eliminate an immediate threat to life, protect public health and safety to protect improved property that is threatened in a significant way as a result of the disaster.
3. EM Constellation – EM Constellation is a web-based platform adopted by the State of Florida as a robust disaster management solution. This web-based format allows county, state, federal and mutual aid entities to utilize the same operating environment when responding to and recovering from a disaster. ESF – Emergency Support Function
4. ESF – Emergency Support Function
5. ESF #17 – Animal Protection, Department of Agriculture and Consumer Services
6. ESA – Endangered Species Act
7. FDACS – Florida Department of Agriculture and Consumer Services
8. FDEM – Florida Department of Emergency Management
9. FEMA – Federal Emergency Management Agency
10. FDOH – Florida Department of Health
11. FWC – Florida Fish and Wildlife and Conservation Commission
12. FWCA – Fish and Wildlife Coordination Act
13. MBTA – Migratory Bird Act
14. MOU – Memorandum of Understanding
15. NEPA – National Environmental Policy Act
16. Pre-Hurricane Season – months of November – May
17. SOP – Standard Operating Procedure
18. Stafford Act – Robert T. Stafford Act
19. USFWS – United States Fish and Wildlife Service
20. Vector Control - any method to limit or eradicate organisms which carry and transmit disease pathogens (specifically, mosquito abatement).

Appendix F

**U.S. FISH & WILDLIFE SERVICE
FLORIDA ECOLOGICAL SERVICES FIELD OFFICES**

Areas of Responsibility




Panama City Ecological Services Office (PC)
 1601 Balboa Avenue
 Panama City, FL
 Tel. 850-769-0552 Fax 850-763-2177


Jacksonville Ecological Services Office (JAX)
 6620 Southpoint Drive, South
 Suite 310
 Jacksonville, FL 32216-0958
 Tel. 904-232-2580 Fax 904-232-2404


South Florida Ecological Services Office (SFESO)
 1339 20th Street
 Vero Beach, FL 32960-3559
 Tel. 772-562-3909 Fax 772-562-4288



APPENDIX G

.....RESERVED FOR FDACS / USFWS GIS SPRAY MAPS.....