

Washington State Homeland Security Section

Information Bulletin

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I. INTRODUCTION

The Homeland Security Section of Washington State Emergency Management (EMD) is providing this Information Bulletin to assist local governments, state agencies, and tribes in understanding federal and state requirements regarding equipment management for FEMA preparedness grant funded expenditures.

This Information Bulletin describes responsibilities and authority in the management of federally funded equipment and includes detailed information about particular property management procedures and issues. This Information Bulletin sets forth minimum requirements established by the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) per Public Laws, Catalog of Federal Regulations, and federal grant program guidance. FEMA Region X, EMD and sub-grantees have the authority to establish additional controls.

Maintaining accountability for federally funded equipment is one of the most important responsibilities of sub-grantees. Effective equipment management on an on-going basis is the best way for sub-grantees to fulfill their duty to account for federally funded equipment they use or control and for which they have an obligation to protect.

II. EQUIPMENT MANAGEMENT

2-1. Overview

Washington State's Constitution provides for local political autonomy. Additionally, emergency management credo is all disasters start and end locally. In Washington State, EMD passes through Homeland Security Grants to the nine Regional Leads, who in turn, pass through these funds to local entities like county, city, special purpose districts and tribal governments. EMD passes through other FEMA preparedness grants directly to county, city, special purpose districts and tribal governments. Every entity underneath EMD in this hierarchy is called a sub-grantee.

Sub-grantees retain the authority for directing all equipment transactions and for maintaining accurate records of all federally funded equipment. The WA State Emergency Management Division (EMD) retains authority for ensuring the allowability of grant funded equipment purchases per the Authorized Equipment List (AEL) maintained by the Responder Knowledge Database (www.rkb.us) and to enforce statewide interoperability criteria.

This handbook, along with the Code of Regulation (CFR) 44 Part 13, Office of Management and Budget (OMB) circulars, and state regulations are the major tools used by EMD to implement its management responsibility with respect to equipment.

2-2. EMD Responsibilities

EMD implements the federally funded equipment program. Specific responsibilities include:

- Seeking clarifications on equipment issues from FEMA / DHS on behalf of the state and sub-grantees;
- Developing policies and procedures;
- Tracking Equipment Approval Request (EAR) records;
- Providing data and technical assistance to sub-grantees;

- Monitoring EAR records, equipment transfers, equipment disposition, physical inventories, and audit finding resolutions.

2-3. Sub-grantee Responsibilities

The duties of a sub-grantee vary depending upon the local government, but in general they include:

- Managing equipment purchased with federal grant funds per 44 CFR Part 13 and its EMD contract.
- Requesting equipment approvals from the Committee on Homeland Security, Equipment Subcommittee;
- Completing transactions when equipment is purchased, loaned, borrowed, transferred or disposed;
- Adhering to all state and sub-grantee procurement and inventory management rules;
- Completing a biennial physical inventory of all equipment in their designated area;
- Implementing safeguards to prevent loss, damage or theft of equipment;
- Implementing equipment maintenance procedures.

EMD can assist sub-grantees to understand the specific requirements of a particular procedure. However sub-grantees may have additional requirements above the minimums set by EMD and should work through their local government to ensure compliance.

2-4. Property Identification

A property decal is required when practicable to be placed where it can be easily seen. A property decal placement should be uniform for ease in locating and reading, regardless of the property's location or placement. At minimum, when practicable, any equipment purchased with federal grant funding shall be prominently marked as follows: "*Purchased with funds provided by the U.S. Department of Homeland Security*". A property decal can be combined with a sub-grantee's inventory property tags and / or barcode stickers.

The assignment of a property decal is the responsibility of the sub-grantee and questions about whether a property decal should be used to mark the property should be directed to EMD. Where necessary, EMD may direct that a property decal be relocated or replaced.

2-5. Property Inventory Code Elements

Sub-grantees shall maintain equipment records that include:

- a description of the equipment;
- the manufacturer's serial number, model number, or other identification number;
- the source of the equipment (program name and award number), including the Catalogue of Federal Domestic Assistance (CFDA) number;
- who holds title;
- the acquisition date;

- the cost of the equipment and the percentage of Federal participation in the cost;
- the location, use and condition of the equipment at the date the information was reported; and
- the disposition data including the date of disposal and its sale price.
- Further, FEMA Region X requires the property's condition code (excellent, usable, repairable, salvage, or scrap) be included on the equipment records.

2-6. Property Biennial Inventory

Federal guidelines require conducting a physical equipment inventory and reconciling the results at least every two years. Sub-grantees determine their inventory control systems and inventory schedules. Information to be verified during an inventory includes description of the equipment, serial number, who holds title, the acquisition date, cost of the property, percentage of federal participation in the cost of the equipment, the location, use and condition of the equipment, and any disposition data including the date of disposal.

Lost-Stolen-Damaged reports should be prepared for any items that cannot be located and resolved by the sub-grantee.

2-7. Property Records Retention

Records for equipment shall be retained by the sub-grantee for a period of six years from the date of the disposition, replacement or transfer of the equipment or until all litigations, claims, or audit findings involving the records have been resolved.

2-8. Property / Equipment Definition

Equipment means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of the capitalization level established by the governmental unit for financial statement purposes, or \$5000.

The Washington State Administrative & Accounting Manual (SAAM) defines the state's capitalization policy as assets with a unit cost (including ancillary costs) of \$5,000 or greater, or collections with a total cost of \$5,000 or greater. Consequently, components valued less than \$5,000 but are pieces of a larger system valued over \$5,000 are determined to be equipment. (Refer to [SAAM](#) 30.20.20). Many local jurisdictions have adopted this policy. (Refer to [MRSC](#) Municipal Research and Services Center of Washington).

2-9. Small and Attractive Item Definition

Assets that do not meet the state's capitalization policy but that an agency considers particularly vulnerable to loss are subject to special property control. The federal definition for equipment is identical to the state's capitalization policy. State Administrative & Accounting Manual (SAAM) requires that each agency develop written internal policies for managing small and attractive assets. The agency should implement specific measures to control them including inventorying them and conducting a physical inventory of them at least once every other fiscal year. (Refer to [SAAM](#) 30.40.10, 30.40.20, and 30.45.10). Many local jurisdictions have adopted this policy. (Refer to [MRSC](#) Municipal Research and Services Center of Washington).

III. EQUIPMENT ACQUISITION

3-1. Overview

Tracking equipment purchased with federal grant funds begins with its input into the sub-grantee's inventory system. The data in the inventory system must track the item from acquisition through disposition. The sub-grantee must follow the most stringent of the federal, state and local laws and rules governing equipment and supplies procurement including verifying that the equipment vendor is not debarred or suspended before executing the purchase.

3-2. New Equipment

Equipment management and inventory control procedures should begin when a new, used or surplus item is purchased or acquired and entered into the sub-grantee's inventory system.

3-3. Trade-ins

Sub-grantees may replace or upgrade equipment as a trade-in to offset the cost of purchasing a like item. Trade-ins are required to be pre-approved in writing and will be approved only when EMD has determined that the trade-in is in the best interests of the State and is not supplanting sub-grantee responsibilities.

A proposed trade-in is initiated by memorandum from the sub-grantee, through EMD, to DHS / FEMA for review and approval. The memo must include:

1. Equipment description including serial number(s);
2. Equipment condition and current estimated value;
3. Statement of need and significant program impacts (if any) should the trade-in be denied;
4. Description of new equipment desired, including proposed method of purchase, estimated purchase price, and estimated trade-in allowance.

3-4. Equipment Maintenance, Repairs, Upgrades and User Fees

All equipment purchased with homeland security grant funding will be owned by the subgrantee or their designee for which a contract, subgrant agreement, or other means of legal transfer of ownership is in place.

The subgrantee shall be responsible for any and all operation and maintenance expenses and for the safe operation of their equipment including all questions of liability. The subgrantee will develop adequate maintenance procedures to keep the equipment in good condition

DHS GPD Information Bulletin No. 336 dated November 20, 2009 allows for the continued maintenance, repair, upgrade, and user fees of homeland security program purchased equipment using DHS preparedness grant funds. DHS GPD Information Bulletin No. 348 dated September 27, 2010 allows for the use of homeland security program funds to pay for maintenance, repairs, upgrades and user fees even if there was a break in service using local funds for these activities. However, subgrantees must use the same program funds for ongoing sustainment costs that were used to purchase the equipment. The only exception is in cases where current year State or local funds were appropriated for such purposes.

IV. INVENTORY REDUCTION

4-1. Overview

Tracking equipment purchased with federal grant funds begins with its input into the sub-grantee's inventory system but ends with its disposition and consequential records retention.

4-2. Lost-Stolen-Damaged Equipment

An item which is lost, stolen, damaged or destroyed must be recorded by the sub-grantee in their inventory system. Suspected theft of equipment or supplies should be reported immediately to the appropriate law enforcement agency. Any law enforcement report should be included in the inventory records.

Sub-grantees have the authority to establish the degree of responsibility and liability, as well as appropriate punitive measures for negligence or misuse of federally funded equipment by an employee or individual.

Employees and individuals should be advised of any liability they might incur due to their custody of federally funded equipment and the procedures to follow when an item is being reported as lost, stolen, damaged or destroyed.

4-3. Loaned Equipment

Equipment may be loaned to another sub-grantee. Equipment management of items which are loaned remains with the "loaning" sub-grantee. Consequently, the sub-grantee should develop and complete an "Equipment Memorandum of Agreement (MOA) Form" which allows the sub-grantee of the "loaning" entity to maintain a record of such items and is acceptable to an auditor in documenting the location of items not physically present at the time of an audit.

Sub-grantees may also find this form useful in keeping track of items loaned as well as items "issued" for field use. If an item will be on loan long term, a permanent transfer may be a better alternative. The sub-grantee must verify that entity receiving the equipment is not debarred or suspended before executing the transfer.

4-4. Transferred Equipment

Equipment may be transferred to another sub-grantee. The sub-grantee must maintain records of the transfer including all hand receipts. The transfer must include notifying the "receiving" sub-grantee its equipment responsibilities. The sub-grantee must record the disposition of the transferred equipment on its equipment records. The sub-grantee must verify that entity receiving the equipment is not debarred or suspended before executing the transfer.

4-5. Surplus Equipment

Equipment in useful or serviceable condition, but surplus to actual need, can be transferred to another sub-grantee. The reuse of surplus equipment by other sub-grantees is encouraged.

Surplus computers used on homeland security projects should have their hard drives removed and destroyed. Otherwise, follow sub-grantee's surplus and disposal rules and regulations, and update inventory records appropriately.

4-6. Disposed Equipment

When original or replacement equipment is no longer needed for the original project or program or for other activities currently or previously supported by DHS, disposition of the equipment will be made as follows:

- Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of by the sub-grantee with no further obligation to DHS.
- Items of equipment with a current per-unit fair market value of more than \$5,000 may be retained or sold and the sub-grantee shall compensate DHS for its share.

Disposed equipment must follow all federal, state and local laws and rules regarding disposition, especially regarding potentially hazardous materials contained within the equipment.

V. EQUIPMENT SUBCOMMITTEE EQUIPMENT APPROVALS

5-1. Overview

The Committee on Homeland Security (CHS) created the Equipment Subcommittee to serve as the CHS resource for equipment standardization and inter-operability. The Equipment Subcommittee is composed of subject matter experts from different first response agencies around the state. It was established shortly after the creation of the federal Department of Homeland Security (DHS) and its initial grant awards to the states and territories. The Equipment Subcommittee reviews proposed procurement items to ensure statewide standardization, inter-operability and grant allowability.

5-2. Equipment Approval Requests

No equipment will be reimbursed without an approval by the CHS Equipment Subcommittee. The Equipment Approval Request (EAR) template provides an audit tracking mechanism to ensure the equipment conforms to grant program guidance for equipment, Environmental Planning and Historic Preservation requirements and is allowable per the Responder Knowledge Database's (RKB) Authorized Equipment List (AEL).

Ongoing sustainment of equipment through maintenance contracts and warranties, service contracts, repair and replacement costs, upgrades, and or user fees per DHS Information Bulletin 336 dated November 20, 2000 must tie back to a vetted and approved equipment item that was subsequently purchased with DHS preparedness grant funding.

5-3. Equipment Subcommittee Vetting Process

Submit an Equipment Approval Request (EAR) to the Equipment Program Manager at EMD to be added to the queue for the Equipment Subcommittee, which meets on the first Wednesday of each month. Equipment Subcommittee agendas are sent out to the members on the Monday before the meeting. All EARs must be received by noon on that Monday to make it onto the queue for the meeting. Equipment Subcommittee review/approval notifications will be provided within 48 hours by email from EMD / HLS.

Urgent requests will be processed through the Equipment Subcommittee via email vetting. This process typically takes one to two days but could take a week.

5-4. FEMA Environment and Historic Preservation (EHP) Review

Several types of projects and actions funded by FEMA have the potential to affect environmental and/or historic and cultural resources through ground disturbance, impacts to wetlands, coastal zones and other water resources, impacts to viewsheds, alterations to historically significant buildings and structures, and impacts to endangered species and migratory birds.

EHP submissions must be completed and submitted for the following types of projects:

- Physical security enhancements (e.g., installation of fencing, cameras, TWIC readers, bollards, motion detection systems, x-ray machines, lighting, etc.);
- New installation/construction/renovation (e.g., emergency operations centers, docks, piers, security guard buildings, etc.);
- Renovations/upgrades/modifications to structures 50 years old or older;
- Communication towers, related equipment (e.g., repeaters, antennas, etc.), and equipment shelters;
- Ground disturbing activities (e.g., trenching, excavation, clearing of vegetation, etc.);
- Purchase of equipment that contains the following notation in the Authorized Equipment List (AEL): “This equipment has been identified as requiring an EHP review.” More information is available on the RKB website at https://www.rkb.us/contentdetail.cfm?content_id=221001 regarding the EHP process.
- Field based training and exercises including activities that involve ground disturbance, use of explosives, toxic agents or otherwise have the potential to cause impact to the environment or historical resources. This is only a requirement if the exercise or field training is not being conducted by a certified professional or at an existing facility with established procedures.
- Any other grant funded project that has the potential to cause environmental or historical impacts.

Projects that do not fall into one of the above listed categories are not required to provide an EHP submission, unless otherwise directed.

All projects funded from DHS / FEMA Preparedness Grants must comply with EHP requirements and must be submitted through EMD to FEMA for approval. No activity can be reimbursed on any project that meets the conditions for an EHP review that has not received written approval from FEMA.

Sub-grantees are responsible for determining if any project meets the conditions requiring an EHP review. If a project is determined to need an EHP review, the sub-grantee must submit a completed FEMA EHP Screening Memo with digital images and a completed EAR if the project includes equipment to the EMD for routing to FEMA. The submission is used by FEMA to determine if the proposed project qualifies for a categorical exclusion or if an environmental assessment or environmental impact statement is warranted.

The sub-grantee must submit Equipment Approval Requests (EAR) by project. Each EAR must include all the associated equipment items to fully complete the project.

If the scope of work changes during the implementation phase, the sub-grantee must submit those changes to the EMD Program Manager / Coordinator so the SAA can determine whether it requires an initial EHP review or an additional EHP review from FEMA.

Supplemental EAR(s) may be submitted during the implementation phases; however these may require a scope of work change and a follow-up FEMA EHP review. In some cases it may also require a contract amendment.

The Equipment Subcommittee will not process Equipment Approval Requests until FEMA has approved that equipment through the EHP review process. Upon receipt of the FEMA EHP approval, the EMD / HLS Equipment Program Manager will include the EAR on the queue for the next equipment subcommittee meeting.

5-5. DHS Equipment Allowability Waivers

Contact the EMD / HLS Equipment Program Manager for equipment waiver or exception to FEMA / DHS grant program guidance or Authorized Equipment List (AEL) allowability regarding equipment. Sub-grantees must provide a compelling and cogent justification for the equipment to convince DHS to give sub-grantees a waiver / exception and allow the purchase of non-allowable equipment with grant funds. Successful submission takes several months to complete the review process at DHS headquarters in Washington DC.

DHS requires:

- A letter from the jurisdiction on letterhead providing a justification for the purchase with information about the equipment to be purchased such as an online link to pictures, product information, and price;
- An EAR from the jurisdiction for the requested equipment;
- A letter of support from the SAA.

Upon receipt of the DHS equipment waiver, the EMD / HLS Equipment Program Manager will include the EAR on the queue for the next equipment subcommittee meeting.

5-6. DHS Aircraft or Watercraft Waivers

DHS requires Aircraft and Watercraft to be vetted through DHS to determine allowability on a case by case basis. Contact the EMD / HLS Equipment Program Manager for the DHS waiver template. DHS requires a letter from the jurisdiction on letterhead providing a justification for the purchase with information about the equipment to be purchased such as an online link to pictures, product information, and price; an EAR from the jurisdiction for the requested equipment; and a letter of support from the SAA. The DHS review is limited to the airframe or vessel. Upon receipt of the DHS equipment waiver, the EMD / HLS Equipment Program Manager will include the EAR on the queue for the next equipment subcommittee meeting.

All equipment fixed (e.g. FLIR camera) or used (e.g. radio headsets) on an airframe or watercraft will be reviewed and approved by the Equipment Subcommittee.

5-7. Sub-grantee Equipment Match

For those FEMA / DHS grant programs that require a sub-grantee match, equipment purchased by the sub-grantees with its match funds must be allowable per the AEL and vetted through the Equipment Subcommittee.

5-8. Equipment Subcommittee Appeal Process

Sub-grantees may appeal Equipment Subcommittee decisions back to the subcommittee for reconsideration. Sub-grantees can make their argument in writing or in person. The Equipment Subcommittee conforms to FEMA / DHS guidance. Finally, sub-grantees may appeal Equipment Subcommittee decisions to the Committee on Homeland Security.

All appeals must be coordinated through the EMD Equipment Program Manager.

VI. WASHINGTON STATE AND FEDERAL GSA PURCHASING COOPERATIVES

6-1. Overview of Washington State GA Purchasing Cooperative

The Department of General Administration develops and administers contracts for goods and services with an estimated term value of approximately \$400 million, on behalf of state agencies, colleges and universities, select nonprofit organizations, and local governments.

General Administration (GA) uses the volume of co-op members' purchases and competitive procurement practices to secure vendor contracts with advantageous prices and terms. The Washington State Purchasing Cooperative membership is open to any political subdivision of Washington State, including cities, counties, public utility districts, fire districts, etc. Non-profit organizations may also join, providing that they have prior registration with the Secretary of State as a nonprofit organization, a 501(C)3 tax status from the IRS and are receiving local, state, or federal funds either directly, or through a political subdivision.

6-2. Advantages of using the State GA Purchasing Co-op

The strength of state-wide purchasing power provides advantageous prices and terms. Additionally, the state purchasing co-op has performed all the federal and state competitive procurement requirements so sub-grantees do not have to duplicate that effort.

However, these contracts are frequently two-three years in length and it is possible for a vendor to violate federal regulations and get onto the exclusion list during the active period of the contract. If a dispute with a vendor develops, having used a State contract provides additional leverage as well as professional help from GA. Finally, the Office of State Procurement is set-up to serve sub-grantees <http://www.ga.wa.gov/Purchase/index.html>. Nonetheless, sub-grantees must still meet their local procurement requirements.

6-3. Overview of Federal Purchasing Cooperative

U.S. General Services Administration (GSA) Schedules offer customers direct delivery of millions of state-of-the-art, high-quality commercial supplies and services at volume discount pricing. When using GSA Schedules, ordering activities have the opportunity to meet small business goals, while promoting compliance with various environmental and socioeconomic laws and regulations. Over 11 million commercial supplies (products) and services that can be

ordered directly from GSA Schedule contractors or through the [GSA Advantage!®](#) online shopping and ordering system using state and local government issued credit cards.

Under the federal GSA Cooperative Purchasing Program, state and local government entities may purchase a variety of information technology (IT) products, software, and services from contracts awarded under [GSA Federal Supply Schedule 70](#). State and local government entities may also purchase alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services from contracts awarded under [GSA Federal Supply Schedule 84](#).

6-4. Advantages of using the Federal GSA Purchasing Co-op

The GSA has performed all the federal competitive procurement requirements required by DHS preparedness grants so sub-grantees do not have to duplicate that effort.

Schedule contractors participating in the Cooperative Purchasing Program are identified in [GSA eLibrary](#) (formerly Schedules e-Library) with the Cooperative Purchasing icon. The [Cooperative Purchasing Frequently Asked Questions \(FAQs\)](#) provide information as to the statutory authorities for the program. The FAQs also explain how the Cooperative Purchasing Program actually works and the benefits it provides to Schedule contractors and state and local entities www.gsa.gov/cooperativepurchasing.

VII. SUB-GRANTEE EQUIPMENT REIMBURSEMENTS

7-1. Overview

DHS Preparedness Grants are reimbursement grants for actual costs incurred by the subgrantee. Consequently there can be no advanced payments on equipment purchases or planning, training, exercise or management & administration activities.

7-2. Reimbursements

Therefore, vendor invoices and packing slips are required documentation for reimbursement requests. If a packing slip is not available, include a clearly legible signed statement written on the invoice stating: *"All items listed have been received, are in working order, and have been inventoried."* See the Homeland Security Reimbursement Procedures Information Bulletin for details.

7.3. Sustainment Costs

Subgrantees requesting sustainment costs for maintaining, repairing, upgrading and/or paying user fees pursuant to DHS GPD IB-336 and IB-348 do not need to vet these costs through the equipment subcommittee since there already is an equipment request approval for the original equipment purchase.

Subgrantees may either record their request on the reimbursement spreadsheet under Planning Goods & Services category or the Equipment category. Subgrantees must use the same program grant funds for the sustainment that were used to purchase the equipment. Subgrantees must

record the date of the original EAR approval, program and program year to complete the audit trail. For example, record October 6, 2010 SHSP FY09 under the Related Project column for Planning G&S entry or under the Date Of Approval column for Equipment.

VIII. EMD PURCHASE OF EQUIPMENT FOR SUB-GRANTEES

8-1. Overview

Occasionally, sub-grantee cash flow situations prevent making big ticket equipment purchases. Washington State Military Department, Emergency Management Division may make these purchases on behalf of the sub-grantee.

7-2. State Procurement on Behalf of Sub-grantee Process

Sub-grantees are required to formally ask EMD to purchase equipment on their behalf.

Sub-grantees must submit to EMD / HLS an equipment deobligation amendment with justification; an approved Equipment Approval Request (EAR) with the items to be purchased highlighted; a vendor quote specifying product numbers and quantities; a drop ship delivery address; and a completed EMD / HLS Equipment Purchase Request form.

Typically, a state procurement request takes 4-6 weeks to execute an amendment and purchase order. Delivery of the equipment is dependent upon vendor performance.

IX. REFERENCES

Code of Federal Regulations Section 2 CFR 215 Grants and Agreements

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=0a89c0dff15ef3c952832f9286f7f0a8;rgn=div5;view=text;node=2%3A1.1.2.3.2;idno=2;cc=ecfr>

Code of Federal Regulations Section 2 CFR Part 225 Grants and Agreements

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=dcf166b3be8634f4116d8c3542751353;rgn=div5;view=text;node=2%3A1.1.2.3.6;idno=2;cc=ecfr>

FEMA Grant Programs Directorate Information Bulletins IB-348 Clarification of Supplanting Prohibitions in Information Bulletin (IB) #336

<http://www.fema.gov/government/grant/bulletins/index.shtm>

FEMA Grant Programs Directorate Information Bulletins IB-336 Maintenance Costs

<http://www.fema.gov/government/grant/bulletins/index.shtm>

FEMA Grant Programs Directorate Information Bulletins IB-329 Environmental Planning and Historic Preservation Requirements for Grants

<http://www.fema.gov/government/grant/bulletins/index.shtm>

FEMA Region X Property Record Keeping Expectations with FEMA Grants

http://www.emd.wa.gov/grants/documents/FEMA_R10_Washington_Property_Letter_Sept-08.pdf

Responder Knowledge Base, Publications / References, FEMA's Environmental Planning and Historic Preservation (EHP) Program

https://www.rkb.us/contentdetail.cfm?content_id=221001

Washington State Administrative & Accounting Manual (SAAM)

<http://www.ofm.wa.gov/policy/poltoc.htm>