



Date: September 14, 2007

Committee Meeting Date: October 18, 2007

Board Meeting Date: November 1, 2007

**BOARD MEMORANDUM**

ACTION  X  DISCUSSION   INFO

**TO:** Transit Planning and Operations Committee  
Santa Clara Valley Transportation Authority  
Board of Directors

**THROUGH:** Michael T. Burns  
General Manager

**FROM:** Donald A. Smith, Jr.  
Chief Operating Officer

**SUBJECT:** National Incident Management System (NIMS) Resolution

**Policy-Related Action: Yes**

**Government Code Section 84308 Applies: No**

**RECOMMENDATION:**

Adopt a Resolution designating the National Incident Management System (NIMS) as the official regulatory guidance for emergency incident and disaster preparedness, response, recovery and mitigation by the Santa Clara Valley Transportation Authority within its service area.

**BACKGROUND:**

On February 28, 2003, President Bush issued Homeland Security Presidential Directive (HSPD) – 5, *Management of Domestic Incidents*, which directed the Secretary of Homeland Security to develop and administer the NIMS. The Presidential Directive-5 required each governmental entity to implement, integrate and utilize the NIMS and to comply with Federal requirements no later than October 1, 2006. Additional requirements have been added for 2007. VTA did not meet this deadline and is not in compliance at this time. The adoption of this Resolution is the first step towards NIMS compliance.

**DISCUSSION:**

National Incident Management System (NIMS) is a comprehensive, national approach to incident management that applies to all jurisdictional levels and across functional disciplines. NIMS provides a consistent nationwide template enabling Federal, State, local, tribal governments, non-government, and private sector organizations to work together effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. NIMS is an all-encompassing emergency

management system that is oriented toward all phases of emergency management (preparedness, response, recovery, and mitigation). The purpose of NIMS is to:

- Be applicable across a full spectrum of potential incidents and hazard scenarios, regardless of size or complexity; and
- Improve coordination and cooperation between public and private sector entities in a variety of domestic incident management activities.

NIMS is a federal procedure patterned on California's Standardized Emergency Management System (SEMS) procedures which are already in place. California enacted SEMS as a result of lessons learned from the Loma Prieta Earthquake in 1989 and problems identified in fighting the Oakland Hills Fire in 1991. SEMS was designed to ensure that response agencies in California had a single, integrated emergency management system. VTA's incident command system is compliant with SEMS, and we have been using it in all drills and exercises since it was established in the mid 1990s.

Components of SEMS include:

- Utilization of the Incident Command System (ICS)
- Use of the "Operational Area" concept
- Use of Mutual Aid
- Multi-agency coordination

SEMS is similar and complementary to NIMS. NIMS had two basic compliance requirements that are already incorporated into SEMS:

- Adoption and use of the ICS that defines operating characteristics, management components, and the structure of incident management organizations throughout the duration of an incident.
- Utilization of multi-agency coordination systems that define the operating characteristics, management components, and the organization structure of supporting entities.

The Department of Homeland Security requires that Federal departments and agencies, such as VTA, be NIMS compliant as a condition of receiving Federal preparedness assistance (grants, contracts and other activities) by FY 2007. Identified personnel must achieve different levels of proficiency and training depending on their roles and responsibilities in an emergency.

Courses include:

- ICS-100: Introduction to ICS or equivalent
- ICS-200: Basic ICS or equivalent
- FEMA IS-700: NIMS, An Introduction
- FEMA IS-800: National Response Plan (NRP), An Introduction
- ICS-300: Intermediate ICS or equivalent (FY 2007 Requirement)
- ICS-400 : Advanced ICS or equivalent (FY 2007 Requirement)

Some of the required training can be done in a classroom setting or taken online. On June 8, 2007, VTA received a Grant Assurance Notice (GAN) for \$172,577 for NIMS training for light

rail employees and support personnel as part of the FY 2006 Transit Security Grant Program. In October 2007, VTA will submit an Investment Justification for a total amount of \$1,165,907 to Office of Homeland Security for NIMS training for bus employees and support personnel as part of the FY 2007 Transit Security Grant Program.

**ALTERNATIVES:**

The Board of Directors could choose not to adopt the Resolution designating NIMS as the official regulatory guidance for emergency incident and disaster preparedness, response, recovery and mitigation by the Santa Clara Valley Transportation Authority within its service area. However, VTA may not receive future Federal funding as NIMS compliance is an eligibility requirement for all FY 2007 and later homeland security grants.

**FISCAL IMPACT:**

There is no immediate fiscal impact to this action. However, NIMS compliance by state and local governments is a condition of receiving additional Federal preparedness assistance (grants and contracts).

**Resolution No. \_\_\_\_\_**

**NATIONAL INCIDENT MANAGEMENT SYSTEM**

**RESOLUTION AUTHORIZING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FOR USE IN DOMESTIC INCIDENTS**

WHEREAS, Homeland Security Presidential Directive-5 (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System, which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from disaster, regardless of cause, size, or complexity; and

WHEREAS, California pioneered the development of standardized incident management systems to respond to a variety of catastrophic disasters, including fires, earthquakes, floods, and landslides; and

WHEREAS, in 1993, California was the first state to adopt a statewide Standardized Emergency Management System for use by every emergency response organization, and implemented a system to ensure the continual improvement of the Standardized Emergency Management System; and

WHEREAS, California emergency management professionals have contributed their expertise to the development of the new National Incident Management System; and

WHEREAS, it is essential for responding to disasters that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structure, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disaster; and

WHEREAS, the California Standardized Emergency Management System substantially meets the objectives of the National Incident Management System; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommend adoption of a standardized Incident Management System nationwide; and

WHEREAS, the Governor of the State of California has directed his Office of

Emergency Services and Office of Homeland Security in cooperation with the Standardized Emergency Management System Advisory Board to develop a program to integrate the National Incident Management System, to the extent appropriate, into the state's emergency management system;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Transportation Authority will integrate the National Incident Management System, to the extent appropriate, into its emergency management system; and

BE IT FURTHER RESOLVED that the Board of Directors of the Santa Clara Valley Transportation Authority utilizes the National Incident Management System which shall be consistent with the integration of the National Incident Management System and the Standardized Emergency Management System in California; and

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Governor's Office of Emergency Services.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on November 1, 2007 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dean J. Chu, Chairperson  
Board of Directors

I HEREBY CERTIFY AND ATTEST that the foregoing resolution was duly and regularly introduced, passed and adopted by the vote of a majority of the Board of Directors of the Santa Clara Valley Transportation Authority, California, at a meeting of said Board of Directors on the date indicated, as set forth above.

Date: \_\_\_\_\_

\_\_\_\_\_  
MARIA MARINOS, Secretary  
Board of Directors

APPROVED AS TO FORM:

\_\_\_\_\_  
Counsel