



# Debris Management Resources



Disaster-related environmental compliance often are initiated during Emergency Response Debris Removal activities are considered necessary to eliminate immediate threats to:

- life, public health, and safety;
- improved public or private property or significant damage thereto; or,
- are necessary for the permanent repair, restoration, or reconstruction of damaged public facilities.

Often, debris removal must occur within a Public Right-of-Way (ROW) for which local government entities (e.g., city, county, region, or state) are encouraged to create a Debris Management Plan (Plan) to address collection and disposal of the following debris types that may be stages within the ROW for collection:

Debris Types		
Construction	Demolition	Personal Property
Sediments	Sandbags	Vegetative Debris
Metals	Appliances	Electronic Debris
Personal Property	Animal Carcasses	Household Hazardous Waste

Essential agency roles and necessary personnel to execute debris clearance, removal and disposal activities are defined in the Plan. A process to assess the magnitude and type of debris resulting from an event as it transitions from a locally-proclaimed disaster to a state-proclaimed and federally-declared disaster is also described therein.

## Debris Management

The need for post-disaster debris monitors is important to be addressed in the Plan to ensure that:

- the potential for illegal dumping in areas designated for debris collection is prevented, and
- ground disturbing debris removal activities are overseen by qualified personnel in areas of known or suspected sensitive natural and cultural resources.

Monitors are recommended to have specialized environmental training in accordance with the following key environmental laws:



## Additional Resources

### Websites:

- [www.caloes.ca.gov](http://www.caloes.ca.gov)
- [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov)
- [www.arb.ca.gov](http://www.arb.ca.gov)
- [www.calepa.ca.gov](http://www.calepa.ca.gov)
- [www.dtsc.ca.gov](http://www.dtsc.ca.gov)
- [www.dot.ca.gov](http://www.dot.ca.gov)
- [www.fema.gov](http://www.fema.gov)
- [www.epa.gov](http://www.epa.gov)
- [www.spk.usace.army.mil](http://www.spk.usace.army.mil)
- [www.noaa.gov](http://www.noaa.gov)
- [www.nps.gov/history/local-law/nhpa1966.htm](http://www.nps.gov/history/local-law/nhpa1966.htm)



## Did You Know?

Successful debris planning efforts will result in more efficient use of limited resources, timely access to critical infrastructure, and environmentally safe solutions to debris issues.



### Regulations:

CDA Section 2915  
44 CFR, Section 206.224

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Federal Environmental Laws	State Environmental Laws
Clean Air Act (CAA)	California Clean Air Act (CCAA)
Clean Water Act (CWA)	Porter-Cologne Water Quality Control Act (PCWQCA)
Endangered Species Act (ESA)	California Endangered Species Act (CESA)
National Historic Preservation Act (NHPA)	California Native American Historic Resource Protection Act (CNAHRPA)
Resource Conservation Reclamation Act (RCRA)	California Superfund (no acronym)



## Additional Resources

### Cal OES Factsheets:

- [Endangered Species Act](#)
- [Environmental Justice](#)
- [Historic Properties](#)
- [Stream Erosion](#)
- [Wetlands Protection](#)

## Debris Management Environmental Compliance Resources

The following state and federal agencies may assist you with identifying environmental compliance resources that would benefit you in advance of a disaster. Some agencies, such as the U.S. Army Corps of Engineers and State Water Resources Control Board, have developed Regional General Permits specifically for emergency repair and protection activities. Contact information for these agencies, and others, is available in the Environmental Directory:

Agency	Responsibility
California Governor's Office of Emergency Services (Cal OES)	Facilitative California lead agency and provides funding for state-proclaimed disasters.
Federal Emergency Management Agency (FEMA)	Federal lead agency and provides funding for federally declared disasters.
Federal Highway Administration (FHWA)	Provides funding to California Department of Transportation (Caltrans) and local governments for debris removal on federal aid routes.
California Environmental Protection Agency (Cal EPA)	Provides technical assistance and resources to address and undertake debris removal programs through DTSC, Cal Recycle, SWRCB, and RWQCB



### Did you Know?

Ineligible Debris includes:

- Debris that does not pose a threat
- Swimming pools
- Vehicles (i.e. cars, boats, RVs, etc.)
- Old tires, batteries or equipment
- Foundations (may be eligible under CDAA)



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Agency	Responsibility
U.S. Environmental Protection Agency (US EPA)	Provides technical assistance for air, water and soil resources.
California Natural Resources Agency (CNRA)	Provides technical assistance for natural and cultural resources through the DFW and SHPO.
U.S. Army Corps of Engineers (USACE)	Provides technical assistance and/or staff regarding debris removal operations. Can conduct and/or contract debris removal operations upon authorization from FEMA.

Environmental compliance requirements must be considered when creating a Debris Management Plan or planning a debris removal operation. This is important because non-compliance with environmental regulations may result in delays in completing a debris removal operation and/or de-obligation of public assistance grant funding.

Consider the following questions when beginning a Debris Management Plan:

1. Who is responsible for environmental compliance for debris removal operations?
2. What is the process for coordinating with local, state and Federal regulatory agencies in advance of and during a disaster?
3. Who can assist me with the required local, state and federal permits that might be required?
4. Who do I need to contact at those agencies?
5. What environmental permits or waivers are required for the debris operations to obtain public assistance grant funding?

## Environmental Permits or Waivers

The environmental permits or waivers appropriate to debris removal is dependent on whether the event is locally or state proclaimed, or, federally declared. The California Disaster Act (CDAA) applies to local and state events and was created to



### Debris Removal from Private Property

- To be eligible for funding, local government must have State and FEMA approval for a private property debris removal program *before* removing the debris.
- Local government must create a private property Debris Management Plan for the disaster.



- **Except when an immediate threat to life and property is present, DO NOT perform work until the historic property review and NHPA Section 106 Consultation is complete.**



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navigate their respective regulatory requirements. The CDAA also defines debris removal public assistance funding eligibility rules for the following actions that must be performed in accordance with CEQA:

- Emergency Work (CDAA, Section 2920),
- Emergency Protective Measures (CDAA, Section 2930), and
- Debris Removal (CDAA Section 2925 – Debris Removal).

The first two items are addressed earlier herein. The third, addresses eligibility of state financial assistance for debris removal from non-federal publicly and privately-owned lands and waters, in response to a Gubernatorial State of Emergency proclamation.

The Governor's proclamations may or may not temporarily suspend environmental regulation statutes for the duration of the event's emergency timeframe. If state statutes are temporarily suspended, waivers may be required from either the CNRA or Cal EPA Secretaries, or both. As a waiver condition, the Secretaries may require submittal and approval of an Environmental Protection Plan that addresses how the debris removal will comply with all applicable environmental laws.

A Presidentially declared emergency or major disaster activates the Stafford Act (Act). Debris removal is eligible for public assistance under sections 403, 407, or 502 of the Act (44 CFR 206.224) of the Act. In these cases, FEMA determines public assistance grant eligibility which are contained in the FEMA Public Assistance Program and Policy Guide (PAPPG).

Ground disturbing debris removal activities may impact sensitive cultural resources for which local, state and federal laws apply. Tribal consultation is required for Section 106 NHPA compliance for private property debris removal (PPDR) programs. The NHPA Section 106 Consultation with the State Historic or Tribal Historic Preservation Officer (SHPO/THPO) best occurs in advance of work commencing, in accordance with Programmatic Agreements that FEMA, Cal OES and the SHPO have executed for California Disasters. Qualified monitors may be required to observe debris operations to enable work to be stopped if cultural resources are unearthed and required consultations and curation can occur.



Debris removal is only considered necessary when it will eliminate immediate threats:

- ☞ to life, public health, and safety;
- ☞ of significant damage to improved public or private property, or
- ☞ be necessary for the permanent repair, restoration, or reconstruction of damaged public facilities.

## Need Cal OES Assistance?



### Contact:

**Patricia Nelson**,  
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Officer Cal OES  
Recovery,  
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