MICHAEL P. VICTORINO Mayor

> HERMAN ANDAYA Administrator





County of Maui MAUI EMERGENCY MANAGEMENT AGENCY 200 SOUTH HIGH STREET WAILUKU, MAUI, HAWAI'I 96793 PHONE: (808) 270-7285 FAX: (808) 270-7275 emergency.management@mauicounty.gov

OFFICE OF THE COUNTY CLERK

Ms. Michele Yoshimura Budget Director, County of Maui 200 South High Street Wailuku, Hawaii 96793

Honorable Michael P. Victorino Mayor, County of Maui 200 South High Street Wailuku, Hawaii 96793

For Transmittal to:

Alice Lee, Council Chair And Members of Maui County Council 200 South High Street Wailuku, Hawaii 96793

Dear Chair Lee:

SUBJECT:

GRANT REVENUE - EMERGENCY MANAGEMENT PERFORMANCE GRANT

In accordance with Ordinance No. 5099, Bill 94 (2020), Fiscal Year 2021 Budget, we are hereby transmitting to you a copy of the notice of grant award from the State of Hawaii, Hawaii Emergency Management Agency for the program listed above for the period of July 1, 2020, to December 30, 2021, in the amount of \$125,000.00.

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at ext. 7281.

Sincerely,

HERMAN ANDAYA

Administrat Maui Emergency Managemen 21.318

APPROVED FOR TRANSMITTAL







DAVID Y. IGE GOVERNOR



MAJOR GENERAL KENNETH S. HARA DIRECTOR OF EMERGENCY MANAGEMENT

LUKE P. MEYERS ADMINISTRATOR OF EMERGENCY MANAGEMENT

> PHONE (808) 733-4300 FAX (808) 733-4287

STATE OF HAWAII DEPARTMENT OF DEFENSE OFFICE OF THE DIRECTOR OF EMERGENCY MANAGEMENT 3949 DIAMOND HEAD ROAD HONOLULU, HAWAII 96816-4495

January 26, 2021

Herman Andaya Maui Emergency Management Agency Administrator 200 South High Street Wailuku, HI 96793

Dear Mr. Andaya:

Maui Emergency Management Agency Award #: EMF-2020-EP-00008-HIEMA-04 Federal Share: \$125,000.00

We have reviewed and approved your application and workplan for the FFY20 Emergency Management Preparedness Grant (EMPG).

Please find the attached Memorandum of Agreement (MOA) between the Hawaii Emergency Management Agency and Maui Emergency Management Agency. The approved funds of \$125,000.00 will be available for eligible reimbursements upon execution of the attached MOA and after a purchase order number has been assigned.

If you have any questions or need further assistance, please call 808-733-4300.

Sincerely,

L

Luke P. Meyers Administrator of Emergency Management

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Emerganc	y Management Performance	Srant (EMPG) - Subrecipient award				
Subrecipient Name and Addre Maui Emergency Management		Subrecipient award No.: EMF-2020-EP-00008-HIEMA- <u>04</u> Period of Performance for Subrecipient award: Start Date - 07/01/2020 End Date - 12/30/2021				
200 South High Street Wailuku, HI 96793						
Subrecipient DUNS No.: 077680155	Research & Development? Yes □ No Ø	Total Subrecipient Obligated Amount: <u>\$125,000.00</u>				
Federal Grant Funding ID No.:	Federal Grant Award	Total Federal Grant Amount:				
EMF-2020-EP-00008	Date: 10/01/2019	\$3,571,396.00				
Notice of Funding Opportunity Fiscal Year (FY) 2020 Emergenc Grant Program (EMPG)		CFDA Number and Title: 97.042 EMPG FY 2020				
Name of Federal Awarding Age		Name of State Administering Agency (SAA): Lm				
Department of Homeland Secu		Hawaii Department of Defense (HI-DOD)				
Federal Emergency Manageme Instructions/Comments	nt Agency (FEMA)	Hawaii Emergency Management Agency (HI-EMA)				
 The Subrecipient award identified above. This Su subrecipient awards, to down to its Subrecipient guidelines identified in the The Subrecipient acknow performance described i agrees that it shall not h for reimbursement, or all prior to or after the dist particular amount. 	brecipient award is subject to co include the requirements under a s. This Subrecipient award is also he above-mentioned Notice of Fo vledges that since this Agreement herein may begin prior to the avo rold the State of Hawaii, HI-DOD, ny type of payment whatsoever j ribution of appropriated federal	the project period referenced above to the Subrecipient mpliance with the general conditions governing grants and 2 CFR § 200.331 for pass-through entities that are flow o subject to compliance with all federal, state laws, and all unding Opportunity. It involves federal award funding, the period of milability of appropriated federal funds. The Subrecipient HI-EMA, or the United States liable for any damages, claim for goods and/or services performed under this Agreement funds, or if federal funds are not appropriated or in a				
Whereas, the parties hereto ha	ve executed this Agreement of	n the day and year last specified below.				
FOR THE HAWAII DEPARTMENT	OF DEFENSE:	FOR THE SUBRECIPIENT:				
Kennak Sefare	Apr 21, 2021	Muchael Vit 4/16/21				
Functofun Signature Kenneth S. Hara, Major General Hawaii National Guard	Date	Michael P Viti 4/16/2/ Signature Date Michael P. Victorino, Mayor Maul County				
	Date	Signature Date Michael P. Victorino, Mayor Maul County				
Fernation Signature Kenneth S. Hara, Major General Hawaii National Guard Director of Hawaii Emergency Mar	Date	Signature Date Michael P. Victorino, Mayor				

ARTICLE I - KEY PERSONNEL

The individuals listed below shall be considered key personnel for point of contact under this Agreement. Any substitution of key personnel by either party shall be made by written notification to the current key personnel.

	SUBRECIPIENT	Hawali Department of Defense Hawaii Emergency Management Agency					
Name	Herman Andaya	Name	David Lopez				
Title	Administrator	Title	Executive Officer				
E-Mail	Herman.Andaya@mauicounty.gov	E-Mail	David.a.lopez@hawaii.gov				
Phone		Phone	808-733-4300				
Name		Name	Luke Meyers				
Title		Title	Administrator				
E-Mail		E-Mail	Luke.p.meyers@hawaii.goy				
Phone		Phone	808-733-4300				
Name		Name					
Title		Title					
E-Mail		E-Mail					
Phone		Phone					

ARTICLE II - PROGRAM DESCRIPTION

- The Fiscal Year (FY) 2020 EMPG from the DHS-20-GPD-042-09-02 Notice of Funding Opportunity
 provides funds to support a comprehensive emergency management program able to respond to
 natural and human-caused hazards, homeland security-related incidents, and other emergencies that
 may threaten the property, safety and well-being of the citizens, and communities, and the
 environment.
- Files and information related to the EMPG Program can be found at https://www.fema.gov/media-library-data/1581623378002-f8280c8c1ab2e38650fe67289764826/FEMA_PreparednessGrantsManual_21320_1605_508c.pdf
- The Subrecipient is being awarded <u>\$125,000</u> under the FY 2020 EMPG funding.

ARTICLE III - AUTHORITIES

- The EMPG is supported under the Department of Homeland Security Appropriations Act, 2019 (Pub. L. No. 116-6).
- Both HI-EMA and the Subrecipient shall follow the guidance listed in the FY 2020 NOFO guidance and the CFDA number 97.042.

ARTICLE IV - AGREEMENT

• HI-EMA awards a cost reimbursable subaward, as described above, to Maui Emergency Management Agency. The Subrecipient shall adhere to the budget and satisfactorily and completely perform all activities as described in the HI-EMA approved workplan.

ARTICLE V - PERFORMANCE PERIOD

- The FEMA Award Letter, Attachment #1, includes a 3-year performance period from October 1,2020 to September 30, 2022 for FY 2020 EMPG. The performance period for this agreement shall be effective from July 01, 2020 to December 15, 2021.
- The Subrecipient shall not incur costs pertaining to the operations of the program or any related program project or activities beyond December 15, 2021. If the Subrecipient requires additional time to complete the activities, a written request with justification will need to be submitted to the HI-EMA

FY 2020 Emergency Management Performance Grant Program—Grant Number: EMF-2020-EP-00005 Subrecipient award - Grant Agreement Articles and Special Conditions Maui Emergency Management Agency

explaining why the additional time is required. The HI-EMA will then determine if the request for additional time will be granted.

ARTICLE VI – GRANT ACTIVITIES OUTLINE

- This agreement for the FY 2020 EMPG supports Subrecipient emergency management programs that strengthen its capabilities to address all hazards. The EMPG program funds shall be used for emergency management programs to accomplish the following initiatives:
 - National Preparedness-Support the National Preparedness Goal, its five mission areas of Prevention, Protection, Mitigation, Response and Recovery, and the Core Capabilities List which identifies 32 core capabilities for federal, State, and local jurisdictions.
 - National Preparedness Goal-Implement a common and shared approach to support the incident management. Establish a program designed to achieve the levels of capability needed to sustain and enhance the effectiveness of the Subrecipient's emergency management program.
 - Emergency Management Organization Program-Programs must continue to fund necessary aspects of emergency management that supports day-to-day prevention, protection, mitigation, response, and recovery activities.
 - Emergency Management Accreditation Program (EMAP) Emergency management programs should take steps to move toward compliance with EMAP standards.
 - Demonstrate how investments support closing capability gaps or sustaining capabilities identified in the Threat and Hazard Identification and Risk Assessment (THIRA).
- The EMPG funds can be used to support regular salaries (no overtime) and associated fringe benefits; travel; utilities; equipment; and supplies expenses.
- Personnel associated with the execution of the grant programs will be identified under the detailed budget and narrative and outline Management and Administration (M&A) costs. The Subrecipient may use funds to hire program personnel to support specific programs under planning, training, or exercises. Personnel descriptions must be on file with grant records at the HI-EMA.
- EMPG funds supports any procurement of allowable EMPG-related equipment through the Authorized Equipment List (AEL).
- The Subrecipient is not permitted to sub grant funds to another agency.

ARTICLE VII - BUDGET AND REIMBURSEMENT

- The Subrecipient FY 20 EMPG Budget Details are documented in Attachment #3 FY 2020 EMPG Budget Details.
- The EMPG will be made available to the Subrecipient on a reimbursement basis.
- There will be no payments in advance or in anticipation of goods or services to be provided under this
 Agreement. The Subrecipient shall not submit an invoice in advance of delivery and invoicing of such goods
 or services.
- Indirect costs are allowable under this program, as described in 2 C.F.R. § 200.414. With the exception of
 recipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f),
 Subrecipients must have an approved indirect cost rate agreement with their cognizant Federal agency to
 charge indirect costs to this subrecipient award. A copy of the approved rate is required at the time of
 application and must be provided to HI-EMA before indirect costs are charged to the award.
- An original Bill for Collection/Invoice requesting reimbursements with supporting documents will be submitted to HI-EMA quarterly. Reimbursement of funds will be made payable by check to the Subrecipient provided that appropriate documentation for payment is submitted to HI-EMA. Final reimbursement request is due 30 days after the end of the subrecipient award period of performance. Final reimbursement

FY 2020 Emergency Management Performance Grant Program—Grant Number: EMF-2020-EP-00006 Subrecipient award - Grant Agreement Articles and Special Conditions Maul Emergency Management Agency

will be based on documentation received. Bill for Collection/Invoice received during the 90-day grant closeout period for will not be accepted.

- The method of payment will be by reimbursement. For reimbursements, the appropriate documentation for payment will include a copy of the purchase order/contract and vendor invoice certified "purchases/
- services received." The Subrecipient must provide a Certificate of Vendor Compliance with reimbursement documentation. The Subrecipient should also be registered in the System for Award Management or SAM and have a Duns and Bradstreet Number (DUNS). The DUNS number must be on file with the HI-EMA.
- All reimbursement documents will be submitted to the HI-EMA with an original signature on the transmittal reimbursement request. Payment will be made to the Subrecipient unless otherwise identified on the transmittal reimbursement request.
- Reimbursement requests must be submitted no later than the due dates listed within the Timeline (Attachment #2), but not more frequently than monthly. Reimbursement request totals should be commensurate to the time spent processing by the Subrecipient and the HI-EMA. If the reimbursement request is not substantial enough, the Subrecipient should request prior written approval from HI-EMA Key Personnel to waive the due date in the Timeline (Attachment #2) and instead submit those costs on the next scheduled reimbursement due date contained in the Timeline.
- Receipts and/or backup documentation for any approved items that are authorized under this Agreement must be maintained by the Subrecipient consistent with record retention requirements of this Agreement and be made available upon request by HI-EMA and auditors.
- If the quarterly reports are not filed, reimbursement and/or advancements will be delayed or suspended.
- The Subrecipient shall only use federal award funds under this Agreement to supplement existing funds and will not use them to replace (supplant) non-federal funds that have been budgeted for the same purpose. The Subrecipient may be required to demonstrate and document that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

ARTICLE VIII - REPORTS

Financial Status and Programmatic Report

- The Subrecipient shall submit their financial and performance progress reports to HI-EMA within 10 business days after the end of each quarter. The Subrecipient shall also submit a final financial report and program progress report to HI-EMA 30 days after the close of the grant award.
- With each reimbursement request, the Subrecipient shall report how the expenditures, for which reimbursement is sought, relate to the project activities in the format provided by the HI-EMA.
- The reports will include a summary of how the expenses support identified Emergency Management Functions and objectives. The Subrecipient is required to submit changes into the reports that may have an impact on distribution of funds by program, discipline, and category.
- With the final reimbursement request, the Subrecipient shall submit to a final report describing all completed activities under this Agreement.
- In conjunction with the final report, the Subrecipient shall submit a separate report detailing how the EMPG Training and Exercise requirements were met for all personnel funded by federal or matching funds under this Agreement.

ARTICLE IX - ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

Cost Share / Match

• Per FEMA 'Duplication of Benefits FAQ', it's determined that both the Emergency Management Performance Grant (EMPG) and EMPG-Supplemental (EMPG-S) are authorized under the Stafford

FY 2020 Emergency Management Performance Grant Program--Grant Number: EMF-2020-EP-00006 Subrecipient award - Grant Agreement Articles and Special Conditions Maul Emergency Management Agency

Act and may entail COVID-19 related costs, Treasury has stated that Coronavirus Relief Fund (CRF) payments can be used to satisfy a CRF recipient's match requirement for either the EMPG or EMPG-S programs. HI-EMA has determined that the CRF will be used to satisfy the subrecipients match requirement for their FY20 EMPG award cost share/ match.

DHS Terms and Conditions

• As a Subrecipient of FY 2020 EMPG program funding, the Subrecipient shall comply with all applicable DHS terms and conditions of the FY 2020 EMPG Award Letter and its incorporated documents for DHS Grant No. EMF-2020-EP-00008, which are incorporated and made a part of this Agreement as Attachment #1.

Federal Funding Accountability and Transparency Act (FFATA)

• The Subrecipient shall comply with the FFATA and related OM8 Guidance consistent with Public Law 109-282 as amended by section 6202(a) of Public Law 110-252 (see 31 U.S.C. 6101 note) and complete and return to the HI-EMA, the FFATA Form is included by reference and made a part of this Agreement, see Attachment #4.

Internal Control

• Each entity receiving Federal Grant funds must establish and maintain effective internal controls over federal awards to provide reasonable assurance that awards are being managed in compliance with laws and regulations.

Monitoring

• HI-EMA will monitor the activities of the Subrecipient from award to closeout. The goal of the HI-EMA's activities will be to ensure that agencies receiving federal pass-through funds are in compliance with this Agreement, federal and state audit requirements, NOFO guidance, and applicable federal and state financial regulations, as well as 2 CFR Part 200 Subpart F.

National Incident Management System (NIMS)

 The Subrecipient is required to implement NIMS. Incident management refers to how incidents are managed across all homeland security activities, including prevention, protection and response, mitigation, and recovery. The Subrecipient must use standardized resource management concepts for resource typing, credentialing, and an inventory to facilitate the effective identification, dispatch, deployment, tracking, and recovery of resources.

Emergency Operation Center (EOC) Activation

 Upon activation of the Subrecipient's EOC, the Subrecipient shall submit a daily situation report to the Hawaii State WebEOC.

Planning

- The Subrecipient shall complete an annual maintenance of County Emergency Operations Plan and provide proof of maintenance in the final report.
- The Subrecipient shall participate in the State's annual capabilities assessment for the Stakeholder Preparedness Review.

FY 2020 Emergency Management Performance Grant Program--Grant Number: EMF-2020-EP-00006 Subrecipient award - Grant Agreement Articles and Special Conditions Maul Emergency Management Agency

The Authorized Equipment List (AEL)

- Prior to any procurement of allowable EMPG-related equipment, each item shall be verified against the FEMA-issued AEL and shall comply with the Subrecipient's Property and Inventory Management Procedures (link to AEL List: <u>https://www.fema.aov/authorized-equipment-list</u>). The equipment must be necessary, reasonable and applicable to the Emergency Management Program, and be inventoried and available for HI-EMA inspection.
- The Subrecipient shall notify HI-EMA if: (1) the equipment is surplus and (2) any equipment that has a
 current per unit fair market value over five-thousand dollars (\$5,000), since it must comply with the
 federal awarding agency's disposition requirements.

Subrecipients are required to include with all equipment invoices, the AEL number with brief clarifying information as to what the purchased equipment is and how it is related to the project or workplan.

Environmental and Historic Preservation (EHP) Review

- FEMA's Environmental and Historic Preservation (EHP) review process is required to ensure compliance and enforcement of applicable laws, acts, regulations, and Executive Orders, in order to protect and enhance the environment, and historic and cultural resources.
- Using federal funding from this subrecipient award, the Subrecipient is required to submit to HI-EMA (for FEMA's EHP review and approval) the following planned purchases prior to the actual purchase(s) being made (EHP FORM: <u>https://www.fema.gov/media-library-data/1535458471096-</u> 7df7148c7c87d04714d4735c0b1ab10d/EHP_Screening_Form.pdf):
 - Any equipment, to include items requiring modification/installation of a building, and mounting brackets on a wall or ceiling;
 - Construction and renovation that involve any type of exercise which causes any disturbance towards the land, water, or vegetation; and/or building of temporary structures.

Inventory Control and Property Management

The Subrecipient is required to provide a complete inventory listing for each activity to the HI-EMA
prior to the official closeout of the FY 2020 EMPG. Changes in inventory such as fair, wear and tear,
disposal, transfers, must be annotated on inventory. Annual inventory listings will be provided to HIEMA and final inventory listing prior to the closeout of the grant.

Record Retention

- The Subrecipient must comply in accordance to 2 CFR §200.333 and agree to maintain all financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award to sufficiently and properly reflect the Subrecipient's contracts, subrecipient awards, grant administration, and payments, including all direct and indirect charges, and expenditures in the performance of this Agreement (the "records").
- The Subrecipient's records related to this Agreement and the projects funded may be inspected and audited by the HI-EMA or its designee, by the Hawaii Office of the Auditor, DHS, FEMA or their designees, by the Comptroller General of the United States or its designees, or by other state or federal officials authorized by law, for the purposes of determining compliance by the Subrecipient with the terms of this Agreement and to determine the appropriate level of funding to be paid under the Agreement.
- The records shall be made available by the Subrecipient for such inspection and audit, together with suitable space for such purpose, at any and all times during the Subrecipient's normal working day.
- The Subrecipient shall retain and allow access to all records related to this Agreement and the funded project(s) for a period of at least six (6) years following final payment and closure of the grant under this

FY 2020 Emergency Management Performance Grant Program--Grant Number: EMF-2020-EP-00006 Subrecipient award - Grant Agreement Articles and Special Conditions Maul Emergency Management Agency

Agreement. Despite the minimum federal retention requirement of three (3) years, the more stringent State requirement of six (6) years must be followed.

Standard Financial Requirements

- The Subrecipient shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS/FEMA grants are listed below.
 - 2 CFR 200 Uniform Guidance-(<u>https://www.ecfr.gov/cgi-bin/text-idx?tple/ecfrbrowse/Title02/2cfr200 main 02.tpl</u>)
 - o Cost Principles are identified in 2CFR Part 200, Subpart E

Training and Exercise

- The Subrecipient shall participate in the State of Hawaii annual Training and Exercise Program Workshop.
- The Subrecipient's EMPG funded local personnel, including full- and part-time, shall complete the following training requirements and record proof of completion.
 - Complete and record proof of completion for the NIMS training requirements outlined in the NIMS Training Program located at https://www.fema.gov/odf/emergency/nims/nims_training_program.pdf (to include ICS 100, ICS 200, IS 700, and IS 800 for most personnel). The Subrecipient will report training course completion by individual personnel along with the final report; and
 - Complete either (1) the FEMA Professional Development Series IS 120, IS 230, IS 235, IS 240, IS 241, IS 242, and IS 244, or (2) the National Emergency Management Basic Academy. The Subrecipient will report training course completion by individual personnel along with the final report.
 - Previous versions of the IS courses meet the NIMS training requirement. A complete list of Independent Study Program Courses may be found at http://training.fema.gov/is.
 - Further information on the National Emergency Management Basic Academy and the Emergency Management Professional Program can be found at: <u>https://training.fema.gov/empp/.</u>
- The Subrecipient of this agreement shall participate in no less than two exercises in the performance period. The Subrecipient shall report exercise participation in the quarterly progress reports and also in the final report;
- The Subrecipient is subject to monitoring for all open grant programs. Monitoring activities may include, but are not limited to:
 - o Review of financial and performance reports;
 - o Monitoring and documenting the completion of Agreement deliverables;
 - o Documentation of phone calls, meetings, e-mails, and correspondence;
 - Review of reimbursement requests and supporting documentation to ensure compliance and consistency with this Agreement, budget, and federal requirements;
 - Observation and documentation of Agreement related activities, such as exercises, training, funded events, and equipment demonstrations; and
 - On-site visits to review equipment records and inventories, to verify source documentation for reimbursement requests and performance reports, and to verify completion of deliverables.
- Compliance will be monitored throughout the performance period to assess risk. Concerns will be addressed through a Corrective Action Plan as warranted.

ARTICLE X - CLOSEOUT

FY 2020 Emergency Management Performance Grant Program--Grant Number: EMF-2020-EP-00006 Subrecipient award - Grant Agreement Articles and Special Conditions Maui Emergency Management Agency

- Close out of your subrecipient award begins upon receipt of the final invoice or at the end of the EMPG period of performance. HI-EMA is required to liquidate encumbrances and submit the grant for closeout within 90 days after the period of performance ends.
- When deemed appropriate and in the best interest to the State, the HI-EMA will request extensions to
 the grant performance from DHS/FEMA. During the grant period, additional funds may be made
 available to the Subrecipient specifically as the grant is being closed out and time is critical to encumber
 funds. Conversely, there may be instances where funds are required to support statewide goals and
 objectives. If such a situation arises and funds are required, no funds will be withdrawn without
 coordination with the Subrecipient.
- Additional administrative guidance is provided to the Subrecipient. In addition to the terms stated in this Grant Agreement Articles and Special Conditions, the Subrecipient is obligated to comply with the requirements and procedures detailed in the FY 2020 EMPG Funding Opportunity Announcement.

Attachments:

- 1. FY 2020 EMPG Award Letter
- 2. FY 2020 EMPG Schedule and Dates
- 3. FY 2020 EMPG Budget Details
- 4. FFATA Form and Instructions

Attachment #2 - FY 2020 EMPG Schedule and Dates

FY 2020 EMPG - E	FY 2020 EMPG - EMF-2020-EP-00006 - Schedule and Significant Dates						
DATE	TASK						
July 1, 2020	Subrecipient award Start Date						
January 15, 2021	Submit Financial and Progress Report						
January 30, 2021	Submit reimbursement request						
April 15, 2021	Submit Financial and Progress Report						
April 30, 2021	Submit reimbursement request						
july 15, 2021	Submit Financial and Progress Report						
July 30, 2021	Submit reimbursement request						
October 15, 2021	Submit Financial and Progress Report						
October 30, 2021	Submit reimbursement request						
December 15, 2021	Submit final reimbursement request						
December 15, 2021	Grant Agreement End Date						
January 30, 2022	Submit final report, Training and Exercise Requirement report, and/or other deliverables.						

FY 2020 Emergency Management Performance Grant Program--Grant Number: EMF-2020-EP-00006 Subrecipient award - Grant Agreement Articles and Special Conditions Maul Emergency Management Agency