

Temporary Relocation of Essential Services

If the Applicant provides essential community services at a facility that is unsafe, inaccessible, or destroyed as a result of the incident, temporary relocation of these services to another facility is eligible.¹⁹⁷ Essential community services are those services of a governmental nature that are necessary to save lives, protect property and the public, and preserve the proper function and health of the community at large. These services differ from the list of eligible PNP essential governmental services.¹⁹⁸ FEMA evaluates the criticality of the service and safety of the facility to determine the need for temporary relocation.

(a) *Eligible for Temporary Relocation: State, Territorial, Tribal, and Local Government Applicants*

Essential community services provided by a State, Territorial, Tribal, or local government Applicant are eligible to be relocated. Services provided by these Applicants that are eligible for temporary relocation are:

- Police
- Fire protection
- Emergency services
- Medical care
- Education
- Election and polling
- Library
- Utility

¹⁹⁷ Stafford Act § 403(a)(3)(D), 42 U.S.C 5170b.

¹⁹⁸ Stafford Act § 102(11)(B), 42 U.S.C. 5122, and 44 CFR § 206.221(e)(7).

- Other essential community services

Services provided in administrative and support facilities essential to the provision of the essential community service, are also eligible for relocation.

If the Applicant provides the service at a leased, private facility prior to the incident, the service is still eligible to be relocated.

(b) *Eligible for Temporary Relocation: PNPs*

Certain essential community services provided by PNPs are eligible to be relocated, provided the PNP owns and operates the facility in which the services are provided. These services differ from the list of eligible PNP essential governmental services.¹⁹⁹ PNP services eligible for temporary relocation include:

- Alcohol and drug rehabilitation
- Child care
- Custodial care

- Fire protection and emergency services
- Education
- Homeless shelters
- Libraries
- Medical care
- Utilities
- Other facilities that provide public health and safety services of a governmental nature

Services provided in support facilities, such as administration buildings and hospital laundry facilities, essential to the operation of such facilities may also be eligible for relocation.

(c) Ineligible for Temporary Relocation

Facilities that do not provide essential community services are ineligible for temporary relocation. These include facilities such as museums, zoos, community centers, shelter workshops, performing arts centers, recreation and parking facilities, athletic stadiums, research and warehouse facilities, and student union buildings.²⁰⁰

(d) Determining Eligibility for Temporary Relocation

FEMA determines the eligibility of relocating services to another facility based on the safety of the damaged facility as follows:

- If the facility can be made usable with the performance of emergency protective measures or minor repairs, a temporary facility may not be eligible.
- If the damage is to the extent that it cannot be occupied safely and restoration cannot be completed without suspending operations of the facility for an unacceptable period of time, then a temporary facility may be eligible.
- If the facility is not damaged but lacks a critical utility or operational item, such as potable water, electricity, or road access, and a temporary facility will restore services to the community before the restoration of the disrupted critical utility or operational item at the current site, then a temporary facility may be eligible.

The capacity of the temporary facility must not exceed the pre-disaster capacity of the facility that housed the displaced services. The Applicant must use the temporary facility to provide the eligible service to the same extent and manner as was provided prior to the incident.

Relocation to a site that requires ground disturbance or alteration of an existing property requires EHP review before the Applicant implements the action.

FEMA does not require the Applicant to obtain and maintain insurance for temporary facilities.

If the Applicant has a facility that does not meet eligibility requirements for temporary relocation and the facility's damage is to such an extent that the contents are at risk, FEMA may provide PA funding for temporary space to store the contents as an emergency protective measure if the space is:

- Limited to an area necessary to house the contents;
- Used solely for storage; and

- Not intended for public access, alternate office space, exhibits, or other purposes. FEMA is not responsible for damage that may occur to contents in temporary storage.

(e) Lease, Purchase, or Construct

The Applicant may lease, purchase, or construct a temporary facility. The Applicant needs to make the decision to rent or purchase space and equipment based on the most cost-effective and practical option. The Applicant must provide FEMA with a cost analysis, which should include at least three proposals with cost estimates based on the timeline to restore the original facility. Cost estimates for leasing a facility must account for the entire timeline of the project.

FEMA does not mandate that the Applicant pursue a specific option for a temporary facility, but FEMA only provides PA funding for the most cost-effective option. *However, the contents purchased to enable the operation of the facility are considered permanent in nature and the applicant will be required to obtain and maintain insurance on such items.*”

If the Applicant relocates a service from a facility it owns, the lease costs of a temporary facility are eligible provided that leasing is the most cost-effective option. If the Applicant was leasing the damaged facility and had to temporarily relocate to another leased facility, the increase in rent is eligible.

Purchasing or constructing a temporary facility is eligible if FEMA confirms that it is the most cost-effective option. With the exception of modular or manufactured units, the Applicant must obtain FEMA approval prior to purchasing or constructing the facility.