BROADBAND OFFICE

1901 Main Street
Suite 1500
Columbia, SC 29201
(803) 737-0800
ors.sc.gov/broadband

Emergency Action Plan (EAP) Policy Notice

Background

Broadband is increasingly recognized as critical infrastructure due to its essential role in modern society. Reliance on broadband for essential services, social connectivity, and economic development, coupled with its interdependence on adjacent industries like energy and transportation sectors to support monitoring and operations means high-speed Internet is a vital component of the overall infrastructure ecosystem.

The ARPA 3.0 grant program includes provisions for following certain best practices with a commitment to deploying resilient networks as part of Grantee's proposed project build(s). Resilient broadband networks are crucial because they ensure consistent connectivity, even during disruptions like natural disasters or cyberattacks, which is vital for essential services like healthcare, emergency management, and response, all of which contribute to societal well-being before, during, and after a disaster, incident, or event.

Objective

The objective of this policy notice is to provide supplemental guidance on compliance with two specific resilient best practices included in all ARPA 3.0 grant agreements, they include:

- Establish an Emergency Action Plan (EAP)
- Conduct readiness drills and tabletop exercises leveraging the EAP, document lessons learned and update the EAP based upon findings.

Confidentiality Statement *(Sourced from [ARPA 3.0 Template Grant Agreement, page 27-28](#))*

All information designated or marked as confidential by Grantee in the performance of this Agreement will be treated as confidential, unless such information is in the public domain, except as otherwise required by law, or unless Grantee expressly, and in writing, agrees that such information may be made public.

All information provided to the SCBBO, regardless of whether it is marked Confidential, is subject to being shared with the U.S. Department of Treasury and other federal agencies. In addition, the SCBBO is subject to periodic audits and similar-type examinations by various federal and state agencies and may be required to allow access to information as part of such audits or similar-type examinations, regardless of whether it is marked Confidential. See, for example, 2 C.F.R. § 200.337 and S.C. Code Ann. § 11-7-35. In the event of such audits or similar type examinations, the SCBBO will make the agents, entities, or agencies performing the audit or examination aware of the confidential nature of the information.

Additionally, data and associated documentation (e.g. As-built GIS data and Emergency Action Plans), may be used in a secure manner as a planning resource to mitigate against cybersecurity threats, risks, and potential attacks to critical infrastructure, and to support the safety and continuity of state operations before, during,

and after a state or federally declared emergency, disaster, incident, or event.

Reporting

Grantees that may have been awarded more than one ARPA 3.0 grant <u>will not</u> be required to submit multiple EAPs, on a per award basis. Rather, Grantees should develop a single EAP that reflects active facilities deployed and maintained within their service territories throughout the State. The SCBBO has developed a template document which may serve as a resource for Grantees that may not have an existing EAP for which they can update to include their completed ARPA 3.0 build(s). At a minimum, all Grantees are encouraged to review the template document and ensure key elements identified in the template are included as part of their EAP submission to the SCBBO. Providing a single EAP with supplemental attachments to the SCBBO that reflect active facilities deployed and maintained in the State shall satisfy the EAP provision included in the ARPA 3.0 grant agreement for all awards a grantee may have received as part of this grant cycle.

All Grantees are responsible for independently conducting readiness drills and tabletop exercises leveraging their EAP, documenting lessons learned, and updating their EAP based upon findings. Grantees that may have been awarded more than one ARPA 3.0 grant <u>will not</u> be required to conduct multiple exercises and/or drills, on a per award basis. Rather, Grantees should plan for a minimum of one exercise and/or drill, following their EAP and utilizing a scenario that is regional in scope (e.g. category II or III hurricane event, cyberattack, etc.), within their service territory in the State. Grantees will have one year after their project completion date to conduct their drill and/or exercise (due on June 30, 2027) and should provide an updated EAP to the SCBBO as part of their annual report submission requirement for ARPA 3.0. Providing the updated EAP based on findings from a minimum of one readiness drill and/or tabletop exercise shall satisfy this provision in the ARPA 3.0 grant agreement.

How may this information be used

Information may be used to support the State Emergency Management Division (EMD) of South Carolina, Emergency Support Function (ESF) 2 – Communications. ESFs serve as a mechanism by which to group governmental and private sector capabilities to provide support, resources, and services during emergencies. They represent a key component of the National Response Framework (NRF), which outlines the roles and responsibilities of different agencies during a disaster.

Prior to sharing information designated as confidential with an agency, entity, or person outside the SCBBO, the SCBBO will obtain the Grantee's written consent to share the information or will require the agency, entity, person to execute an appropriate memorandum of understanding or nondisclosure agreement agreeing to protect the information from public disclosure before receiving the information.

Not Intended to Constitute-Regulation

Establishing an Emergency Action Plan (EAP) process is a contractual requirement for all Grantees that indicated they would do so as part of their ARPA SLFRF 3.0 Broadband Grant Program Application. See Grant Agreement, Section IV.F. It is not intended to constitute or serve as the basis of any form of broadband regulation of service providers in the State. This effort is based solely on the terms of the grant agreement and focused solely on encouraging preparedness and continuity of service during emergencies. The process is designed and limited to the support of resilience and public safety, not to establish regulatory obligations or oversight.

The template EAP provided by the SCBBO is for demonstrative purposes and is an example only. At a minimum, all Grantees are encouraged to review the template document and ensure key elements identified in the template are included as part of their EAP submission to the SCBBO.

Questions may be emailed to broadband@ors.sc.gov.