

State of Nevada

RESPONSE AND RECOVERY GUIDE
to EMERGENCIAS and DISASTERS
for
STATE, LOCAL and TRIBAL GOVERNMENTS



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Division of Emergency Management

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I am pleased to present the Nevada Division of Emergency Management (NDEM) Response and Recovery Guide (RRG). This guide was developed to provide an operational framework to coordinate, communicate, and function as a cohesive organization in the event of a classified incident exceeding the Local/Tribal, and State resource capabilities. The purpose of this guidance is to identify state-wide preparedness principles, concepts, and methodologies for efficient and consistent response and recovery operations.

When appropriate, this guide provides Nevada's operational entities with a means to effectively manage the incident while maintaining essential services for public safety. Concepts of the National Incident Management System (NIMS) provide the foundation for development of Nevada's standardized approach for response and recovery to any natural, technical, or human-caused situation resulting in a local or tribal declaration of emergency.

This guide serves to articulate the prescribed actions for the declaration process; conduct of damage assessments; plans, procedures, and requirements for acquiring resources and/or assistance of federal and state organizations; overview of the individual and public disaster assistance programs; and activities intended to mitigate against the effects of an incident.

All Local/Tribal and State organizations with emergency management roles and responsibilities are encouraged to review and incorporate the applicable sections of this guide within the reference section of response and recovery plans and procedures. Future revisions of this guide will be achieved through the collaborative efforts of State, Local, Tribal, public and private sectors, and volunteer organizations.

Sincerely,

A handwritten signature in blue ink that reads "James M. Wright".

James M. Wright
Interim Chief

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0.1 INTRODUCTION

Disaster response and recovery efforts will vary depending upon the magnitude and nature of an event. However, there are some commonalities that exist with all disasters such as measures undertaken for: the preservation of life, health and safety; alleviation of human suffering; minimization of damage to property; and significant restoration of communities to pre-disaster conditions.

To accomplish this, federal, state, local and tribal governments, business and industry, and volunteer organizations must function as a cohesive and seamless unit. Success in all efforts remains dependent on the ability to coordinate, communicate and respect each other's roles and responsibilities unilaterally. State, local and tribal emergency management functions serve as the catalyst for this process through a thorough understanding of disaster response and recovery procedures, use of mutual aid agreements/compacts, and knowledge of how disaster management and leadership supplement the entire process.

All disasters begin at the local and/or tribal level. Response and Recovery are graduated processes which begin at the local and/or tribal level and progress to the state and federal levels based upon magnitude and the levels at which resources and capabilities have been or are being exhausted.

The concepts of response and recovery, while operating within a multi-governmental/jurisdictional environment, dictates that local and tribal government roles become increasingly critical from the standpoint of on-scene coordination, communication, and reporting. The local and tribal roles remain critical due to their knowledge of resource requirements, logistical coordination, and existing as well as potential economic impacts.

This guide has been developed to provide emergency management concepts for response and recovery, and administrative procedures necessary to effectively respond and recover from a disaster, including activities intended to mitigate against the effects of future emergencies and disasters.

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0.2 OVERVIEW

The purpose of this guide is to provide state, local and tribal governments with a reference guide of procedures for effectively responding to and recovering from an emergency or disaster. The State has assumed and implemented an all-hazards approach in its efforts of prevention, mitigation, preparedness, response and recovery. Inasmuch, the basic details to pattern initial government response and recovery efforts for all potential disasters is incorporated within this guide.

0.2.1 Response

The response phase of a disaster involves actions taken to save lives, preserve health, protect public infrastructure, and prevent property damage. Typically, local and tribal resources are sufficiently committed to contend with confined emergency situations. However, depending upon the nature of an event, resources can rapidly become overwhelmed.

During the response phase, if it is determined additional help is necessary, local and/or tribal government may communicate to the State the severity of the situation, the extent to which its resources (and resources obtained under mutual aid) have been committed, what additional resources are required, and essential response time considerations.

Local and/or tribal governments may, and are encouraged to, request the deployment of a State Preliminary Damage Assessment (PDA) as soon as is reasonably possible to help assess damage and assist in determining if the disaster has escalated to the level that qualifies for a Governor's Declaration of Emergency.

Similarly, this would also assist the State in determining whether to seek a Presidential Declaration of Disaster. Expediency in obtaining State and Federal assistance (when applicable) is critical to a more efficient response and recovery process.

0.2.2 Recovery

There is no clearly defined time when response ends and recovery begins. Generally, the recovery phase begins when an emergency or disaster situation starts to stabilize. Due to it occurring during and following the response phase, it can often result in a significant strain on personnel and financial resources.

Recovery is established in two categories: short-term and long-term.

Short-term recovery typically includes: Sheltering, feeding, clothing, identification, contact numbers for relatives and friends, etc.

Long-term recovery includes such efforts as: debris removal, restoration of public infrastructure, contamination control,

temporary housing, unemployment assistance, individual assistance, etc.

Local and/or tribal governments play the lead role during the recovery phase as the first line of contact for the citizens and visitors within a community, as well as communication of local concerns and issues to be coordinated with State and Federal agencies.

Additionally, mitigation measures begin during this phase with intent to reduce the community's vulnerability to similar disasters that may occur in the future. Lessons learned from disasters will be considered when developing updated and improved protective measures for future disasters, and will be considered in the evaluation of local and tribal government emergency operations and Hazard Mitigation plans.

1.0 SECTION 1- Local/Tribal Government

1.1 Emergency/Disaster Occurs

Local/tribal government responds with all available resources to save lives, preserve health, protect public infrastructure and prevent damage to property. Resources are identified as equipment, personnel, and funding necessary to respond. When the depletion of resources becomes eminent, a request for assistance is forwarded to the State.

1.2 Local Response

1.2.1 Initial Response Procedure

- Obtain a copy of the local/tribal emergency operations plan
- Notify public officials
- Establish Incident Command
- Alert and warn citizens/visitors of safety measures and hazards respectively through utilization of public information systems or any other means necessary to ensure the safety of the public
- Assess public needs and establish evacuation, sheltering and feeding as necessary. ~ As soon as possible, conduct a rapid assessment

1.2.2 Rapid Assessment

A rapid assessment is normally conducted within the first 24 hours of an incident to determine injury/death of persons and damage to public infrastructure, essential lifelines, and property. This process may also be referred to as a "windshield assessment," "ground assessment," "rapid impact assessment," or "situation analysis." Information obtained through this process becomes the initial milestone for requesting assistance from the State, and for the preparation of a local/tribal declaration of emergency. This should not be interpreted as mandatory to obtain State assistance when there is the presence of a threat to life. While this process will have to be performed at some point, when reasonably possible, response for any threat to life will supersede any and all policy or procedural requirements until all threat to life is completely eliminated.

Procedures for a rapid assessment are typically as follows:

- ☑ Determine efficiency of initial response (i.e., life safety and preservation, infrastructure/property protection, utility restoration, transportation, sheltering, feeding, search and rescue, etc.)
- ☑ Determine the size of the area affected (typically identified through information gathered by first responders, emergency management staff, and staff of other governmental agencies involved in response)
- ☑ Determine the number of casualties to assist in establishing appropriate care and medical needs
- ☑ Determine extent of damage and assign an estimated cost for each category (i.e., public infrastructure, private property, business/industry, etc.)
- ☑ Record all information and supporting documentation (notes, pictures, video, etc.) as this information will also be helpful in identifying the potential for need of additional assistance

1.3 Factors for Determination of Further Need

To assist in determining whether there is a need for seeking additional resources external to a local/tribal government (i.e., State or Federal), there are three classifications that the State utilizes which are only intended to be used by local/tribal government as a guideline in assisting with determination and level of assistance anticipated to be necessary.

The three classifications are:

- 1) emergency
- 2) major disaster, and
- 3) catastrophic disaster.

SPECIAL NOTE:

Results of a human-caused incident could include special considerations of enforcement agencies. However, mission objectives for preservation of life, health, and safety remain paramount to the nature or cause of an event.

1.3.1 Emergency

"Any occasion or instance which, in the determination of the Governor of the State for disasters declared by the state, where assistance is needed to supplement local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a major or catastrophic disaster."

Emergency - Characteristics

- Exceeds local/tribal resource capabilities
- Results in local/tribal declaration of emergency
- Invokes use of mutual aid agreements and compacts
- State, upon exhaustion of mutual aid agreements and compacts, is able to respond within existing budgets
- Generally does not require a state declaration of emergency (Exception: local government anticipates need to seek financial assistance from the State's Disaster Relief Account [SDRA], refer to: "SECTION II - State Government, State Resources with Governor's Declaration of Emergency")

1.3.2 Major Disaster

"Any natural or human-caused catastrophe including any storm, high water, wind-driven water, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought, or, regardless of cause, any fire, flood, or explosion in any part of the State of Nevada which in the determination of the Governor causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement the efforts and available resources of local government, and disaster relief organization in alleviating the damage, loss, hardship, or suffering caused thereby."

Major Disaster - Characteristics

- Exceeds local/tribal resource capabilities
- Results in local/tribal declaration of emergency
- State, upon exhaustion of mutual aid agreements and compacts, is not able to respond within existing budgets
- Results in a State declaration of emergency due to exceeding state budgeted resources
- May require a request for federal resources that can be obtained without a Presidential Disaster Declaration

1.3.3 Catastrophic Disaster

The term implies an incident that produces severe and widespread damage resulting in the need for significant resources from outside the affected area, and state as a whole, necessary to provide response.

For the purpose of state, local and tribal response, a catastrophic disaster is defined as: "An event that results in large numbers of deaths and injuries, causes extensive damage or destruction to critical public and private infrastructure necessary to sustain human needs, produces overwhelming demand on State and local response resources, causes a severe long-term affect on general economic stability, and severely affects State, local, tribal, and private-sector capabilities to begin and sustain response and recovery activities."

Catastrophic Disaster - Characteristics

- Exceeds State/local/tribal resource capabilities
- Results in State/local/tribal declarations of emergency
- Generally qualifies for a Presidential Disaster Declaration

1.4 Requesting State and Federal Resources/Technical Assistance

1.4.1 Assessing State and local resources

It is imperative to first assess the current status of response. If resources deployed and/or obtained within State, local/tribal budgets have been determined to be sufficient to mitigate and eliminate any and all threats to life and property, and where the economy of the affected jurisdiction has not been impacted beyond its capability to recover, no further assistance is required.

If it is determined that local/tribal government resources are or will be exhausted and that a significant need exists for State and/or federal resources, it will be necessary to declare a local/tribal declaration of emergency. The process and considerations for issuing a local/tribal declaration of emergency is provided below.

1.4.2 Resources available without a State Declaration of Emergency

Assistance from the State and federal government may be made available when specific requirements are met.

A local/tribal declaration of emergency must be adopted by the governing body (e.g., Board of Commissions, City Council, City Supervisors, Tribal Council, etc.) declaring that an emergency exists within their jurisdiction.

NOTE: If for a city, a county declaration of emergency will also be required to access state disaster assistance accounts in the event that financial assistance is needed.

The local/tribal declaration of emergency should authorize utilization of all existing government assets, to include: monetary, physical and personnel resources.

Resources may be obtained from the State IMMEDIATELY for any efforts to augment local/tribal government response activities related to preservation of life.

State emergency/disaster response resources for search and rescue, air and ground transportation, health, communications, military, law enforcement, etc. are coordinated through the State Emergency Operations Center.

During non-declared disasters, expenses are generally the responsibility of the requesting jurisdiction. Limited State resources are available at little or no cost to local/tribal governments, provided that they are utilized within existing budgetary intent and monetary constraints.

1.4.3 Resource Request to State - Procedure

1. Identify necessary resources that cannot be obtained locally or through mutual aid agreements/compacts
2. Local/tribal Emergency Manager contacts the Nevada Department of Public Safety, Division of Emergency Management at (775)687-0300 to provide the following:
 - a) Description/type of event
 - b) Critical need (preservation of life, safety and health)
 - c) Size, amount, location and time frame in which resources are needed (as applicable)
 - d) Types of additional resources that will or may be needed
 - e) Description of anticipated and/or ongoing threats
 - f) Copy or verbal report of the rapid assessment information, if one has been completed
 - g) Contact names and information

NOTE: The local/tribal government is responsible for payment of resources obtained from the State, unless otherwise stipulated in writing by the Nevada Department of Public Safety, Division of Emergency Management.

1.4.4 Local/Tribal Declaration of Emergency Process

The process by which governing officials make the determination to declare an emergency is conceptually both factual and subjective. The purpose of this section is to assist with considerations that can impact the decision making process.

It is important to note, however, that the issues that tend to be subjective in determining need is not necessarily quantifiable and that the final decision to seek assistance or issue a declaration of emergency rests with those officials charged with the responsibility of evaluating all factors, many of which cannot be reduced to measurable terms.

Through consideration of each of the following, officials should be better prepared to make an informed decision as to whether a declaration of emergency should be issued:

1. Analyze/identify/confirm that an emergency or disaster has occurred
 - a) Does the event significantly exceed normal daily response activities?
 - b) Is the event widespread or isolated?
 - c) Are there mass fatalities or injuries?
 - d) Does there remain a continued threat to life, safety or health that is beyond the response capabilities of your jurisdiction?

2. Identify the nature, severity, and potential impact of the event
 - a) Have response capabilities been exceeded?
 - b) Are there people displaced without availability of assistance? If so, how many?
 - c) Are essential lifelines (water, power, natural gas, etc.) damaged or destroyed?
 - d) Are there any weather-related impacts that are prohibiting response capabilities?
 - e) Are the impacts of the event anticipated to go beyond the financial capabilities of the jurisdiction?

3. Other considerations

- a) Is it anticipated that State or federal resources may or will be needed?
 - b) If the financial impact of an emergency or disaster is expected to exceed the financial capability of a jurisdiction, it is recommended that a local government issue a declaration of emergency as this is a requirement for access to the State disaster assistance accounts
4. Draft of a local/tribal declaration of emergency - conclusive determination of **all the identified considerations could be unachievable. If it is determined that available resource capabilities have been exhausted, it is strongly recommended to consider issuing a declaration of emergency.**

See Appendix A - sample "Declaration of Emergency" for local/tribal government.

1.5 Local/Tribal Damage Assessment Teams

When assessment information is critical to on-going response efforts for the purpose of establishing priorities and identifying additional resource requirements, local/tribal emergency management personnel may wish to coordinate qualified personnel from the community to form damage assessment teams for deployment to disaster sites.

As a standard, teams should be comprised of at least two members from departments or agencies knowledgeable in areas of specific assignment. The teams should be equipped with a vehicle, communications and pre-established forms such as a "Damage Assessment Worksheet" (Refer to Appendix B).

Each team's purpose should be to verify the accuracy of the initial rapid assessment(s), solidify estimates of monetary impacts, and collect detailed data for use in planning short- and long-term recovery operations. The following is a list of agencies that could assist in providing damage assessment information based upon observation assignment respectively:

Building Inspectors	Public Works	Real Estate
Fire Department	Assessor's Office	American Red Cross
Agriculture	Small Business	Chamber of Commerce
Law Enforcement	Parks & Recreation	Public/Private Utilities

1.5.1 Estimation of Losses

To develop a summary of information gathered, the following guidelines are recommended in preparing an estimation of losses:

- Log descriptive locations and areas of observed damage. Use street names, building names, historical names, business names, commonly known names, etc.
- Create a hand tracing, take pictures, or video record visual damage at sites. Do not enter any area where the damage may be dangerous or hazardous.
- Print legibly or voice record clearly all observed damage. Identify assessment team member's name on all documents and recordings for future reference and testimony, if it should become necessary.

Market values may be established through utilization of the following sources:

The average market value for low, medium and high cost homes and multiple dwellings is assigned on the advice of the Assessor's Office and Realtors in the jurisdiction of the affected area(s). The average cost of each respective value is multiplied by the number of homes damaged in each category and then multiplied by the damage index describe below:

1.5.2 Damage Index

Destroyed - A structure is considered to be destroyed if the damages sustained are such that it is no longer economically repairable (i.e., the cost of repairs are more than 75% of its value, or in accordance with local ordinance.

Value = 0.90

Major Damage - A structure is considered to have received major damage if the cost of the repair is greater than 10% of its value, yet it is still economically feasible to repair.

Value = 0.45

Minor Damage - A structure is considered to have minor damage if the cost to repair is 10% or less (i.e., "Affected but habitable").

Value = 0.10

Example:

If the market value of low range homes is \$18,000, 100 low range homes were destroyed, and the index is .90, the damage total would be \$1,620,000 (\$18,000 x 100 x .90).

The average value of businesses destroyed or damaged should be derived from the advice and records of the local Small Business Administration and/or the Chamber of Commerce.

The average value of farm and agricultural properties should be assigned on the advice of the County Agriculture agency, Fanners Home Administration, and/or the U.S. Department of Agriculture.

Ordinarily, the same formula and percentages that are used in determination of damage to homes and multiple dwellings will be applied for losses to businesses, farms and agricultural properties. However, there may be local ordinances that outline specific guidelines. Adjustments in the value of damages may be necessary for these types of properties.

1.6 Assessing Local/tribal Preliminary Damage Assessment information

Based upon a factor of \$2.50 per capita of a jurisdiction's population, in comparison with the total dollar figure computed in the local preliminary damage assessment, may provide an indication in determining whether a jurisdiction(s) will qualify for federal disaster assistance. The dollar figure derived from the preliminary damage assessment must be greater than 2.5 dollars per capita of uninsured damages to qualify for federal financial assistance. This formula has been established by the Federal Emergency Management Agency for use as a base guideline for assistance qualification.

Where private property accounts for the majority of the damage, insurance and federal programs as well as volunteer organization programs are the primary means for obtaining assistance in lieu of a federal declaration.

Example:

For a jurisdiction with a population of 200,000 the amount of damages would have to exceed \$500,000 in uninsured damages.

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2.0 SECTION II - State Government Resources

2.1 Deployment of State Resources

Upon depletion of local/tribal government resources and exhaustion of resources available through mutual aid agreements/compacts, local/tribal government may seek resources from the State. As stated previously, however, if there is an eminent threat to life, state resources will be deployed IMMEDIATELY.

2.2 State Preliminary Damage Assessment

Under the authority of the Governor's Office and the Director of the Department of Public Safety, the Division of Emergency Management is assigned the primary responsibility for assembling, training and the deployment of Preliminary Damage Assessment (PDA) teams for assessing the damages within affected jurisdictions. The information compiled within a final damage assessment report by the Department of Public Safety, Division of Emergency Management is subsequently used for the following purposes:

- The PDA report is a requirement for inclusion with a local application for assistance from the State Disaster Relief Account pursuant to the provisions of Nevada Revised Statute, Chapter 353.2755(2)(e) which is submitted to the Department of Administration, Budget Division, and the Legislative Interim Finance Committee.
- In the event that the State seeks a Presidential Disaster Declaration, the information contained within the PDA report is utilized in the form of justification for the request.
- The PDA report can also be utilized for planning and coordination relative to the deployment of resources.

The guidance for PDA operations is contained in the Damage Assessment Annex of the State Comprehensive Emergency Management Plan as well as the FEMA Public Assistance Guide.

Federal agencies may also accompany the PDA teams to provide technical and resource support.

2.2.1 Damage survey steps for local/tribal government

To expedite the damage survey process and before arrival of the PDA team, local/tribal jurisdictions should be prepared to support the team, to the best of their ability, as follows:

1. Ensure that a knowledgeable person such as an engineer, superintendent, public works director or other appropriate representative accompanies the PDA team(s). This person must have knowledge of work already done as well as all damaged facilities needing work. Note: For larger scale emergencies and disasters, it may be necessary to provide more than one local representative as there may be more than one PDA team.
2. Prepare a list of damages and measure to be addressed to include:
 - a) Debris Removal
 - b) Emergency Protective Measures
 - c) Road Systems
 - d) Water Control Facilities
 - e) Public Buildings and Equipment
 - f) Public Utilities
 - g) Parks, Recreational, and Other
3. Mark damage locations on a suitable map and develop a route of travel to each site.
4. All damage sites should be identified by the applicant before the inspectors arrive.
5. Have photographs, site sketches or drawings of each damage site available for PDA team members, especially where work has already been performed.
6. Compile a detailed breakdown of the following costs:
 - a) Personnel and labor costs, including disaster response related overtime and fringe benefits
 - b) Equipment and material costs for each location where work has been done
 - c) Contract costs for emergency or permanent restorative work in progress or completed (separate all costs by work site)
7. Provide force account equipment use and mileage records for cars, pickups and vans.

Provide hourly use records for other types of equipment, categorized and described in a manner compatible with the State Schedule of Equipment Rates. Keep damaged equipment and parts for review and inspection by the survey team.
8. Provide evidence of insurance and policy information to include proceeds received or anticipated

9. If damaged facilities are to be restored in accordance with adopted codes or standards different for the original construction, provide inspectors with copies of appropriate standards
10. Notify the State as soon as possible, but no later than 60 days from the date of the initial State inspection, of any additional damage that has been identified

2.2.2 Requirements for state/federal financial assistance

General requirements include:

- a) Ownership - A damaged facility must be owned by a local government or eligible private non-profit organization. (For purposes of State financial assistance, the damaged facility must be owned by a local government). Where a leased facility is damaged, the lease must specify that the applicant has responsibility for repair and a copy must be attached to the request for assistance.
- b) Location - the damaged facility must be located within the affected area.
- c) Time of Damage - The damage must have been caused by the disaster.
- d) Cost Minimum- Each damage site must exceed \$1,000 in uninsured repair cost.
- e) Facility Use - At the time it was damaged, the facility must have been in active use.
- f) General Insurance - Disaster repair costs covered by insurance are not eligible. Total repair costs will be reduced by the amount of insurance coverage. Deductible and depreciation are eligible.
- g) Flood Insurance - Flood damages to an insurable structure that occur within the 100-year floodplain are eligible for assistance the first time if they are not insured. However, the recipient of assistance will be required to obtain flood insurance as a condition for receipt of such assistance. Therefore, as it would pertain to any future events, the amount of assistance will be reduced by the amount of flood insurance coverage or by the maximum amount of coverage that would have been available if insured, whichever is greater.
- h) Insurance Commitment - General hazard insurance commitment is required in an amount equal to the damages when repair costs exceed \$10,000.

- i) State Assistance Exclusion - Damage is not eligible for State funding, with the exception of matching funds, when covered by federal programs.
- j) Maintenance - Normal or heavy maintenance, such as potholes, routine filling of ditches, and minor gravel replacement are not eligible.
- k) Negligence - Any damage caused by negligence of the applicant is not eligible.
- l) Labor Eligibility - Regular hours (straight time) worked by in-house (force account) laborers are NOT eligible for reimbursement as it would relate to the debris removal and emergency protective measures categories. Overtime hours expended on these two categories are eligible.

2.3 Categories of Work and related definitions

The following is a list of categories and abbreviated sub-categories for work that is considered for financial assistance in both state and federal assistance accounts. The State Disaster Relief Account is modeled after the federal Public Assistance program. Please refer to the full definitions for clarity on eligibility issues.

2.3.1 Debris Removal

- Debris on Public Property - Eligible
- Debris on Private Property - Typically ineligible under most conditions
- Debris on Federal/State Roads - Eligible only if the Federal Highway Administration or NDOT is not active
- Garbage Pickup - Eligible only through end of period of incidence with eligibility for materials exceeding average volumes thereafter
- Idle Equipment Time - Ineligible
- Foreman and Supervisors - Eligible in small workforce actively engaged in field operations, excluding elected, appointed and administrative personnel
- High-Paid Personnel- Specialist are to be paid at the same rate as other personnel performing the same level of work
- Overtime - Eligible
- Compensatory Time - If compensatory time is utilized in place of overtime, than it is not eligible for reimbursement as overtime and must be part of the official time keeping system

- Mechanics - Ineligible because equipment rates include maintenance costs
- Tree Stumps/Root Systems - Ineligible unless uprooted
- Right of Entry - Required if entering private property
- Demolition of Public and Private Buildings - Buildings must be beyond repair and private buildings must pose a safety hazard
- Removal of Emergency Levees - Eligible only when the levees are removed to open roads or are in the best interest of the public
- Trees - Ineligible

2.3.2 Emergency Protective Measures

- Emergency Protective Levees - Eligible when built to protect life and property,
but not eligible when work by individuals to protect their own homes
- Sandbagging and Emergency Pumping - Eligible
- Safety Barricades and Signs - Eligible
- Health and Safety Hazards - Eligible as it would relate to the removal of
- Temporary Repairs - Eligible
- Fixed Pumps - Eligible
- Personnel Time - Eligible (please refer to full definition for inclusions and exclusions)
- Food and Shelter - Eligible
- Vehicle Damage - Eligible
- Idle Equipment Time - Ineligible

2.3.3 Road Systems

- Repairs and Replacements - Eligible only if damage is directly related to the disaster
- Road Repairs - Gravel replacement is eligible, potholes and rutted surfaces are not eligible
- Paving - Eligible
- Standards - Eligible if bridge and road standards were adopted and in effect prior to the project approval by the applicant

- Necessary Facilities - Eligible if facilities were functional prior to the disaster and necessary to the community and governmental entity
- On-System Facilities - Ineligible if funded by other state or federal agencies
- Aesthetics - Ineligible if they have no functional value
- Scheduled Replacement - Ineligible if scheduled for replacement within the next 24 months
- Culvert Washouts - Ineligible
- Maintenance - Ineligible

2.3.4 Water Control Facilities

- Levees/Dams - Eligible only if not under the authority of the Corps of Engineers or the Soil Conservation Service
- Drainage Channels - Eligible for restoration to pre-flood hydraulic capacity and manmade channels must show evidence of routine maintenance
- Natural Streams - Eligible only for debris removal foreign to that stream which constitutes an immediate threat to life and property (typically under Category A. Debris Removal)
- Seeding and Sodding - Eligible only in areas disturbed by the disaster
- Siltation - Limited eligibility (Please refer to full definition)

2.3.5 Public Buildings and Equipment

- Restoration - Eligible to be restored to pre-disaster capacity in accordance with present codes and standards
- Use and Occupancy - Only the part of a building that was occupied may be eligible
- Extensive Damages - Eligible only when the building is structurally sound and feasible to repair, otherwise building should be replaced
- Insurance - Deductibles and depreciation are eligible
- Relocation - If a building is totally destroyed, then relocation from the flood plain must be studied
- Equipment - Expected to be replaced with used or surplus, repair if feasible

- Supplies - Eligible for replacement of consumables to pre-disaster quantities
- Vehicles - Eligible (Please refer to full definition)
- Grounds - Eligible
- Cleaning - Eligible, to include painting
- Worship Facilities - Ineligible

2.3.6 Public Utilities

- Electrical - Eligible for restoration to pre-disaster condition utilizing most economical method
- Sewer Collapse - Eligible (Minimum repair should be estimated)
- TV Inspection - Limited eligibility (only when damage is apparent)
- Cleaning - Eligible for sewer lines only when necessary to restore adequate functioning of system in specific reaches
- Revenues - Loss of revenues not eligible

2.3.7 Parks, Recreational, and Other

- Trees - Eligible only when trees, on public property, have a functional value
- Grass - Eligible only in areas disturbed by the disaster
- Damage Estimates - All estimates must be prepared individually by facility
- Beaches - Eligible only if beach had been improved and regularly maintained prior to disaster (permanent restoration of sand on natural beaches is not eligible)

2.4 Emergency Assistance Account (EAA)

The Emergency Assistance Account was created during the 1999 Legislative Session and was subsequently incorporated into law as Nevada Revised Statute, Chapter 414.135. In addition, regulations were developed and adopted into Nevada Administrative Code, Chapter 414.

The Emergency Assistance Account is intended to provide small grants to state agencies and local government when necessary to assist with emergency/disasters costs exceeding the financial capabilities of the applicant. The maximum amount of a grant from this account is \$100,000 per event. For application requests exceeding this amount, the applicant will be referred to the application process for the State Disaster Relief Account.

Additionally, these funds are available to assist the Department of Public Safety, Division of Emergency Management with the administrative costs associated with administering an emergency/disaster. Please see Appendix C relative to Nevada Revised Statute, Chapter 414.135 and Nevada Administrative Code, Chapter 414 as reference, inclusive of application requirements.

NOTE: Consideration for all applications will be based upon availability of funding.

2.5 State Disaster Relief Account (SDRA)

The State Disaster Relief Account was created during the 1999 Legislative Session and was subsequently incorporated into law as Nevada Revised Statute, Chapter 353.2705-2771. Please see Appendix D for a copy of this statute for reference.

The State Disaster Relief Account is intended to assist state agencies and local government with grants/loans when necessary to assist with emergency/disaster related costs exceeding the financial capabilities of the applicant and may also be applied for to assist with match requirements that are a condition for receipt of federal disaster assistance funds. The application package, inclusive of requirements for submission, can be obtained on the Department of Public Safety, Division of Emergency Management website at www.dem.state.nv.us.

NOTE: Consideration for all applications will be based upon availability of funding.

3.0 SECTION III - Federal Government Assistance

3.1 Presidential Disaster Declaration

There are three primary federal disaster assistance programs: Public Assistance, Individual Assistance (inclusive the Individual and Household Program), and Hazard Mitigation Grant Program. Approval of a Presidential Disaster Declaration does not automatically ensure funding under all three programs and each requires a separate application. The following is a summarization of each of these programs:

3.1.1 Public Assistance

The objective of the Federal Emergency Management Agency's (FEMA) Public Assistance (PA) Grant Program is to provide assistance to State, local and tribal governments, and certain types of Private Non-Profit organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.

Through the PA program, FEMA provides supplemental federal disaster grant assistance for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain Private Non-Profit organizations. The PA Program also encourages protection of these damaged facilities from future events by providing assistance for hazard mitigation measures during the recovery process.

The federal share of assistance is not less than 75% of the eligible cost for emergency measures and permanent restoration. The grantee (usually the State) determines how the non-federal share (up to 25%) is split with the subgrantees (eligible applicants).

3.1.2 Individual Assistance

Individual Assistance (IA) Grant Program is direct assistance to individuals, families and business in an area whose property has been damaged or destroyed and whose losses are not covered by insurance. It is meant to help with critical expenses that cannot be covered in other ways. This assistance is not intended to restore damaged property to its pre-disaster condition.

While some housing assistance funds are available through the Individual and Households Program within the Individual Assistance Grant Program, most disaster assistance from the federal government is in the form of loans administered by the Small Business Administration.

3.1.3 Hazard Mitigation Grant Program

The Hazard Mitigation Grant Program (HMGP) provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

3.2 Other Federal Assistance

In some instances, federal assistance may be provided without a Presidential Disaster Declaration. Federal resources are available upon request under certain criteria as long as the request falls within the established mission of the federal agency requested to provide assistance. A list of some of the more common agencies providing emergency resources is as follows:

3.2.1 United States Army Corps of Engineers

The United States Army Corps of Engineers (COE) has the authority to conduct advance flood preparation measures, flood fighting and rescue operations and emergency repair and restoration of damaged flood control works. It may also assist in the repair of locally owned and operated flood control works if they meet eligibility criteria, however, locally incurred cost reimbursement is not available under this program unless they meet strict guidelines.

In the event that locally incurred costs do not meet these guidelines and it is determined that they are not eligible for assistance from the Natural Resources Conservation Service (NCRS), it may be considered for FEMA assistance. However, if it is determined that repairs and costs are within the applicant's maintenance responsibilities or that its functional capability has not been diminished then FEMA will abide by the COE determination and will not grant assistance.

The COE also has authority to construct and repair facilities and to protect the shorelines of the United States. The repair authority extends only to federally constructed shoreline works, however, and not to locally owned facilities. Therefore, locally owned shore protection facilities may be considered for FEMA assistance.

3.2.2 Dept. of Agric. - Natural Resources Conservation Service

The Natural Resources Conservation Service (NCRS) has authority to repair flood control works much the same as that of the COE for locally owned facilities. Because of the overlapping authorities of these two agencies, a Memorandum of Understanding (MOU) exists that provides guidance in dividing responsibilities when a disaster occurs. Basically, the COE authority covers works constructed for flood control purposes, and the NCRS authority covers works constructed to prevent erosion or damage from erosion. The two agencies review requests from the State or local government for repair assistance and advise FEMA on which projects are eligible for funding by each agency and those that are not eligible for either agency's assistance.

3.2.3 Federal Highway Administration

The Federal Highway Administration (FHWA) administers an Emergency Relief (ER) program (23 CFR, part 125) that is activated by the Secretary of Transportation upon request by the Governor. It is not automatic under a Presidential Disaster Declaration, as FEMA is not authorized to grant this type of assistance under the Robert T. Stafford Act. Consequently, there may be instances when no assistance is available for permanent repair of federal-aid roads. FEMA may assist with limited emergency repairs and debris removal for emergency access on a case-by-case basis. This also applies to certain roads on Indian reservations designated by the Bureau of Indian Affairs.

3.2.4 Small Business Administration

The Small Business Administration (SBA) lends money to homeowners and renters at low interest rates to repair or replace homes not covered by insurance. The SBA also offers low interest business loans to qualifying businesses and non-profit organizations that suffered physical and/or economic injury, damages and/or losses not covered by insurance.

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Appendix A - DECLARATION OF EMERGENCY

DECLARATION OF THE _____ [*County/City/Tribe*],

_____ [*Board of Commissioners/City Council/City
Supervisors/Tribal Council*], DECLARING A STATE OF DISASTER IN THE
_____ [*County/City/Tribal Territory*] OF
_____, NEVADA, DUE TO
_____ [*Type and Explanation of Emergency*].

WHEREAS, this _____ [*Type of Emergency*]
poses a serious threat to health and safety as well as property of the residents in
_____ [*County/City/Tribal Territory*] in Nevada,

and

WHEREAS, the _____ [*County/City/Tribal Territory*] of
_____ is a political subdivision of the State of Nevada;

and

WHEREAS, the _____ [*Board of Commissioners/City
Council/City Supervisors/Tribal Council*] finds that emergency conditions prevail and
threats to the life, health, safety, and welfare of persons and property due to this
_____ [*Type of Emergency*] are occurring
within the area(s).

NOW, THEREFORE, BE IT RESOLVED that the _____
[Board of Commissioners/City Council/City Supervisors/Tribal Council] of the
_____ [County/City/Tribal Territory] of
_____ does hereby resolve that, under the provisions of
the Nevada Revised Statutes, Chapter 414 and the
_____ [County/City/Tribal Territory] _____,
[Code/Ordinance/Chapter/By-Laws/Resolutions/Section] within the
_____, [County/City/Tribal Territory]
a state of emergency does exist due to conditions of peril arising from
_____ [Type of Emergency] within areas of the
_____ [County/City/Tribal Territory] of
_____ generally located within the
_____ area(s).

PASSED, ADOPTED AND APPROVED THIS _____ day of _____, 20____.

_____ [Name of] _____ [Board
of Commissioners/City Council/City Supervisors/Tribal Council] for
_____ [County/City/Tribal Territory], Nevada.

By: _____
Name

_____, Chair
[Name of-County Board/City Council/City Supervisors/Tribal Council]

ATTESTED TO BY: _____
Name

_____, Clerk
[County/City/Tribal]

Appendix B1 - PDA Site Estimate

Page ___ of ___

NEVADA DIVISION OF EMERGENCY MANAGEMENT	DATE:
PRELIMINARY DAMAGE ASSESSMENT SITE ESTIMATE	

PART I - APPLICANT INFORMATION

COUNTY	NAME OF APPLICANT	LOCAL CONTACT NAME	LOCAL CONTACT PHONE
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PART II - SITE INFORMATION

KEY FOR DAMAGE CATEGORY <i>(use appropriate letters in the "category" blocks below)</i>				
<i>a) DEBRIS REMOVAL</i>		<i>d) WATER CONTROL FACILITIES</i>		<i>g) OTHER</i>
<i>b) PROTECTIVE MEASURES</i>		<i>e) PUBLIC BUILDINGS</i>		
<i>c) ROADS AND BRIDGES</i>		<i>f) PUBLIC UTILITIES</i>		
SITE NO.	CATEGORY	LOCATION <i>(Map location, address, etc.)</i>	GPS Reading	Photo Reference: ___ - ___
DESCRIPTION OF DAMAGE				
GENERAL IMPACT: Identify and describe damages that constitute a health and/or safety hazard to the general public.				
% COMPLETE			COST ESTIMATE	

Illustrations:

Appendix B2 - DAMAGE ASSESSMENT WORKSHEET

Original Revision (Sequence Number): _____

Today's Date: _____ TIME (PST, 24-hr): _____

Summary of Area Affected (northeast, west side, etc.)

Photo(s)/Video of Damage Area Taken(if available, forward copies as soon as possible)

GPS Coordinates (if available): _____ ° _____ ' _____ " N _____ ° _____ ' _____ " W

Assessment Reported by: (NAME - PRINT)

Phone Number:

Incident Type: Natural Disaster (earthquake, wildfire, weather, flood, etc)

Technical/Human-Caused (spill, bridge/roadway, explosion)

Date(s) of Incident: _____

County/Tribal Area: _____

Sub-Jurisdiction (City, town, etc.): _____

Name of Owner, Resident, etc. (if available)

Title:

Address/Location:

Daytime Phone: _____

Evening Phone: _____

TURN PAGE TO COMPLETE DAMAGE ASSESSMENT INFORMATION

DAMAGE TO PUBLIC & PRIVATE FACILITIES

A	DEBRIS CLEARANCE (roads, streets, public buildings, private property (health hazard only), stream clearance, other* (see note at end of this section))	
B	EMERGENCY PROTECTIVE MEASURES (sandbags, barricades, signs, additional police service, fire service, health & safety)	
C	ROAD SYSTEMS (town or county roads, culverts, bridges)	
D	WATER CONTROL FACILITIES (town or county owned dikes, dams, levees, drainage channels, irrigation works, other* (see note at end of this section))	
E	BUILDINGS, FACILITIES, and EQUIPMENT (town or county buildings, supplies, inventory, vehicles, equipment)	
F	PUBLIC UTILITY SYSTEMS (water, sanitary-sewage, storm drains, lights, power other* (see note at end of this section))	
G	PARKS and RECREATION, OTHER (town or county park facilities, recreational facilities, docks, wharfs, other* (see note at end of this section))	
TOTAL of DAMAGES		

(*) NOTE: If 'other' - explain on a separate sheet

Continuation sheet attached

Possible Mitigation project(s) to reduce or prevent future damage: (PRINT)

**FORWARD THIS INFORMATION AS SOON AS POSSIBLE VIA PHONE or FAX TO THE
 NEVADA DIVISION OF EMERGENCY MANAGEMENT**

Phone: (775) 687-0498
 Fax: (775) 687-0322

Appendix C - State Disaster Relief Account Authorities NRS 353.2705-2771

NRS 353.2705 Definitions. As used in NRS 353.2705 to 353.2771, inclusive, unless the context otherwise requires, the words and terms defined in NRS 353.2707 to 353.2731, inclusive, have the meanings ascribed to them in those sections.
(Added to NRS by 1997, 2538; A 1999, 3129; 2003, 20th Special Session, 195)

NRS 353.2707 "Account" defined. "Account" means the Disaster Relief Account created by NRS 353.2735.
(Added to NRS by 2003, 20th Special Session, 195)

NRS 353.271 "Disaster" defined. "Disaster" means a fire, flood, earthquake, drought, explosion, civil disturbance, crisis involving violence on school property, at a school activity or on a school bus, or any other occurrence or threatened occurrence that, regardless of cause:

1. Results in, or may result in, widespread or severe damage to property or injury to or the death of persons in this State; and
2. As determined by:
 - (a) The Governor; or
 - (b) The governing body of a local government pursuant to NRS 414.090 and the Division pursuant to NRS 353.2753,
10+ requires immediate action to protect the health, safety and welfare of the residents of this State.
(Added to NRS by 1997, 2538; A 1999, 3129; 2001, 1335)

NRS 353.2712 "Division" defined. "Division" means the Division of Emergency Management of the Department of Public Safety.
(Added to NRS by 1999, 3128; A 2001, 2599)

NRS 353.2715 "Eligible project" defined. "Eligible project" means a project that:

1. Is related to a disaster; and
2. Is proposed, coordinated or conducted by a public or nonprofit private entity that has been designated and approved as qualifying and eligible to receive federal grant money for the disaster from a federal disaster assistance agency.
(Added to NRS by 1997, 2538)

NRS 353.2725 "Grant match" defined. "Grant match" means the share of a grant provided by a federal disaster assistance agency that must be matched by a state or local government.
(Added to NRS by 1997, 2538)

NRS 353.2731 "Local government" defined. "Local government" has the meaning ascribed to it in NRS 354.474.
(Added to NRS by 1997, 2538)

NRS 353.2735 Creation; administration; deposits; grants and loans.

1. The Disaster Relief Account is hereby created as a special account in the Fund to Stabilize the Operation of the State Government. The Interim Finance Committee shall administer the Account.
2. The Division may accept grants, gifts or donations for deposit in the Account. Except as otherwise provided in subsection 3, money received from:
 - (a) A direct legislative appropriation to the Account;
 - (b) A transfer from the State General Fund in an amount equal to not more than 10 percent of the aggregate balance in the Fund to Stabilize the Operation of the State Government, excluding the aggregate balance in the Disaster Relief Account and the Emergency Assistance Subaccount, made pursuant to NRS 353.288; and
 - (c) A grant, gift or donation to the Account, must be deposited in the Account. Except as otherwise provided in NRS 414.135, the interest and income earned on the money in the Account must, after deducting any applicable charges, be credited to the Account.
3. If, at the end of each quarter of a fiscal year, the balance in the Account exceeds 0.75 percent of the total amount of all appropriations from the State General Fund for the operation of all departments, institutions and agencies of State Government and authorized expenditures from the State General Fund for the regulation of gaming for that fiscal year, the State Controller shall not, until the balance in the Account is 0.75 percent or less of that amount, transfer any money in the Fund to Stabilize the Operation of the State Government from the State General Fund to the Account pursuant to the provisions of NRS 353.288.
4. Money in the Account may be distributed through grants and loans to state agencies and local governments as provided in NRS 353.2705 to 353.2771, inclusive. Except as otherwise provided in NRS 353.276, such grants will be disbursed on the basis of reimbursement of costs authorized pursuant to NRS 353.274 and 353.2745.
5. If the Governor declares a disaster, the State Board of Examiners shall estimate:
 - (a) The money in the Account that is available for grants and loans for the disaster pursuant to the provisions of NRS 353.2705 to 353.2771, inclusive; and
 - (b) The anticipated amount of those grants and loans for the disaster.

Except as otherwise provided in this subsection, if the anticipated amount determined pursuant to paragraph (b) exceeds the available money in the Account for such grants and loans, all grants and loans from the Account for

the disaster must be reduced in the same proportion that the anticipated amount of the grants and loans exceeds the money in the Account that is available for grants and loans for the disaster. If the reduction of a grant or loan from the Account would result in a reduction in the amount of money that may be received by a state agency or local government from the Federal Government, the reduction in the grant or loan must not be made. (Added to NRS by 1997, 2538; A 1999, 3129; 2001, 1335; 2003, 20th Special Session, 195; 2005, 2083)

NRS 353.274 Authorized grants to state agencies. Money in the Account may be distributed as a grant to a state agency because of a disaster for the payment of expenses incurred by the state agency for:

1. The repair or replacement of public roads, public streets, bridges, water control facilities, public buildings, public utilities, recreational facilities and parks owned by the State and damaged by the disaster;
2. Any emergency measures undertaken to save lives, protect public health and safety or protect public property, including, without limitation, an emergency measure undertaken in response to a crisis involving violence on school property, at a school activity or on a school bus, in the jurisdiction in which the disaster occurred;
3. The removal of debris from publicly or privately owned land and waterways undertaken because of the disaster; and
4. The administration of a disaster assistance program.
(Added to NRS by 1997, 2539; A 1999, 3130; 2001, 1336; 2003, 20th Special Session, 196)

NRS 353.2745 Authorized grants to local governments. Money in the Account may be distributed as a grant to a local government because of a disaster for:

1. The payment of not more than 50 percent of the expenses incurred by the local government for:
 - (a) The repair or replacement of public roads, public streets, bridges, water control facilities, public buildings, public utilities, recreational facilities and parks owned by the local government and damaged by the disaster; and
 - (b) Any emergency measures undertaken to save lives, protect public health and safety or protect public property, including, without limitation, an emergency measure undertaken in response to a crisis involving violence on school property, at a school activity or on a school bus, in the jurisdiction in which the disaster occurred; and

2. The payment of not more than 50 percent of any grant match the local government must provide to obtain a grant from a federal disaster assistance agency for an eligible project to repair damage caused by the disaster within the jurisdiction of the local government.
(Added to NRS by 1997, 2539; A 1999,3131; 2001, 1336; 2003, 20th Special Session, 197)

NRS 353.2751 Authorized loans to local governments. Money in the Account may be distributed as a loan to a local government because of a disaster for:

1. The payment of expenses incurred by the local government for:
 - (a) The repair or replacement of public roads, public streets, bridges, water control facilities, public buildings, public utilities, recreational facilities and parks owned by the local government and damaged by the disaster;
 - (b) Any overtime worked by an employee of the local government because of the disaster or any other extraordinary expenses incurred by the local government because of the disaster; and (c) Any projects to reduce or prevent the possibility of damage to persons or property from similar disasters in the future; and
2. The payment of not more than 50 percent of any grant match the local government must provide to obtain a grant from a federal disaster assistance agency for an eligible project to repair damage caused by the disaster within the jurisdiction of the local government. Before a loan may be distributed to a local government pursuant to this subsection:
 - (a) The Interim Finance Committee must make a determination that the local government is currently unable to meet its financial obligations; and
 - (b) The local government must execute a loan agreement in which the local government agrees to:
 - (1) Use the money only for the purpose of paying the grant match; and
 - (2) Repay the entire amount of the loan, without any interest or other charges, to the Account not later than 10 years after the date on which the agreement is executed.
(Added to NRS by 1997,2540; A 1999,3131; 2003, 20th Special Session, 197)

NRS 353.2753 Requests for grants and loans: Preliminary assessment of damages by Division; report of damages; determination of whether event constitutes disaster; regulations.

1. A state agency or local government may request the Division to conduct a preliminary assessment of the damages related to an event for which the state agency or local government seeks a grant or loan from the Account.

2. Upon receipt of such a request, the Division shall investigate the event or cause the event to be investigated to make a preliminary assessment of the damages related to the event and shall make or cause to be made a written report of the damages related to the event.
3. As soon as practicable after completion of the investigation and preparation of the report of damages, the Division shall:
 - (a) Determine whether the event constitutes a disaster for which the state agency or local government may seek a grant or loan from the Account; and
 - (b) Submit the report prepared pursuant to this section and its written determination regarding whether the event constitutes a disaster to the state agency or local government.
4. The Division shall prescribe by regulation the information that must be included in a report of damages, including, without limitation, a description of the damage caused by the event, an estimate of the costs to repair such damage and a specification of whether the purpose of the project is for repair or replacement, emergency response or mitigation.
(Added to NRS by 1999,3129; A 2003, 20th Special Session, 197)

NRS 353.2754 Requests for grants and loans: Determination that event constitutes disaster required as condition for local governments. A local government may request a grant or loan from the Account if:

1. Pursuant to NRS 414.090, the governing body of the local government determines that an event which has occurred constitutes a disaster; and
2. After the Division conducts a preliminary assessment of the damages pursuant to NRS 353.2753, the Division determines that an event has occurred that constitutes a disaster.
(Added to NRS by 1999, 3128; A 2003, 20th Special Session, 198)

NRS 353.2755 Requests for grants and loans: Conditions; contents; recommendation of State Board of Examiners.

1. A state agency or local government may submit a request to the State Board of Examiners for a grant or loan from the Account as provided in NRS 353.2705 to 353.2771, inclusive, if:
 - (a) The agency or local government finds that, because of a disaster, it is unable to pay for an expense or grant match specified in NRS 353.274, 353.2745 or 353.2751 from money appropriated or otherwise available to the agency or local government;
 - (b) The request has been approved by the chief administrative officer of the state agency or the governing body of the local government; and
 - (c) If the requester is an incorporated city, the city has requested financial assistance from the county and was denied all or a portion of the requested assistance.

2. A request for a grant or loan submitted pursuant to subsection 1 must be made within 60 days after the disaster and must include:
 - (a) A statement setting forth the amount of money requested by the state agency or local government;
 - (b) An assessment of the need of the state agency or local government for the money requested;
 - (c) If the request is submitted by a local government that has established a fund pursuant to NRS 354.6115 to mitigate the effects of a natural disaster, a statement of the amount of money that is available in that fund, if any, for the payment of expenses incurred by the local government as a result of a disaster;
 - (d) A determination of the type, value and amount of resources the state agency or local government may be required to provide as a condition for the receipt of a grant or loan from the Account;
 - (e) A written report of damages prepared by the Division and the written determination made by the Division that the event constitutes a disaster pursuant to NRS 353.2753; and
 - (f) If the requester is an incorporated city, all documents which relate to a request for assistance submitted to the board of county commissioners of the county in which the city is located .

Any additional documentation relating to the request that is requested by the State Board of Examiners must be submitted within 6 months after the disaster unless the State Board of Examiners and the Interim Finance Committee grant an extension.

3. Upon the receipt of a complete request for a grant or loan submitted pursuant to subsection 1, the State Board of Examiners:
 - (a) Shall consider the request; and
 - (b) May require any additional information that it determines is necessary to make a recommendation.
4. If the State Board of Examiners finds that a grant or loan is appropriate, it shall include in its recommendation to the Interim Finance Committee the proposed amount of the grant or loan. If the State Board of Examiners recommends a grant, it shall include a recommendation regarding whether or not the state agency or local government requires an advance to avoid severe financial hardship. If the State Board of Examiners recommends a loan for a local government, it shall include the information required pursuant to subsection 1 of NRS 353.2765. If the State Board of Examiners finds that a grant or loan is not appropriate, it shall include in its recommendation the reason for its determination.

5. The provisions of this section do not prohibit a state agency or local government from submitting more than one request for a grant or loan from the Account.
6. As used in this section, the term "natural disaster" has the meaning ascribed to it in NRS 354.6115.
(Added to NRS by 1997, 2540; A 1999, 1659, 3131; 2003, 20th Special Session, 198)

NRS 353.276 Requests for grants and loans: Action by Interim Finance Committee; limitation.

1. The State Board of Examiners shall submit a recommendation for each request for a grant or loan made pursuant to NRS 353.2755 to the Director of the Legislative Counsel Bureau. Upon receipt of the recommendation, the Director shall notify the Chair of the Interim Finance Committee of that recommendation. The Chair shall call a meeting of the Committee to consider the recommendation.
2. The Interim Finance Committee may reject any recommendation of the State Board of Examiners and independently evaluate and act upon any request submitted pursuant to NRS 353.2755.
3. If the Interim Finance Committee finds that a grant or loan from the Account is appropriate and may be made in accordance with the provisions of NRS 353.2705 to 353.2771, inclusive, it shall, by resolution:
 - (a) Establish the amount and purpose of the grant or loan.
 - (b) Except as otherwise provided in this paragraph, provide for the transfer of that amount from the Account to the appropriate state agency or local government. If the request is for a grant, the Interim Finance Committee shall authorize disbursement of the grant from the Account on the basis of reimbursement for costs unless it determines that disbursement in that manner would cause severe financial hardship to the state agency or local government. If the Interim Finance Committee determines that disbursement on the basis of reimbursement of costs would cause severe financial hardship, the Interim Finance Committee may authorize an advance of money to the state agency or local government in an amount not to exceed 25 percent of the total estimated cost of the projects for which the grant is requested.
4. No grant or loan from the Account may be made by the Interim Finance Committee to increase the salaries of any officers or employees of the State or a local government.
(Added to NRS by 1997, 2541; A 1999, 3133; 2003, 20th Special Session, 199)

NRS 353.2765 Repayment of loans by local governments: Schedule; use of money received from Federal Government.

1. In addition to any applicable requirements set forth in NRS 353.2751, if the Interim Finance Committee approves a loan to a local government pursuant to the provisions of NRS 353.2705 to 353.2771, inclusive, the approval must include a schedule for the repayment of the loan. The schedule must specify:
 - (a) A period of not more than 10 years for the repayment of the loan; and
 - (b) The rate of interest, if any, for the loan.
2. Except as otherwise provided in subsection 3, if a local government receives a loan from the Account and, before the loan is repaid, the local government receives money from the Federal Government for a grant match or any of the expenses set forth in subsection 1 of NRS 353.2751 for which the local government received the loan, the local government shall deposit with the State Treasurer for credit to the Account an amount of money equal to the money it received from the Federal Government for the grant match or the expenses.
3. Any money deposited with the State Treasurer for credit to the Account pursuant to subsection 2 must be used to pay the unpaid balance of the loan specified in subsection 2. If any money remains after that payment is made, the remaining money must be paid to the local government to whom the loan was made.

(Added to NRS by 1997, 2541; A 2003, 20th Special Session, 200)

NRS 353.2771 Provision of resources of agencies and local governments required for grant or loan.

1. Except as otherwise provided in this section, no grant or loan may be made from the Account to a state agency or local government unless, as a condition of making the grant or loan, the state agency or local government agrees to provide an amount of its resources equal to at least 25 percent of the grant or loan. The State Board of Examiners shall determine the type, value and amount of the resources, including money, labor, materials, supplies and equipment, that is required to be provided by the state agency or local government.
2. If a state agency or local government submits a request for a grant or loan pursuant to NRS 353.2755 and:
 - (a) It maintains a policy of insurance providing coverage for damages, injuries or other losses incurred because of a disaster; or

- (b) If the request is submitted by a local government, it has established a district for the control of floods pursuant to NRS 543.170 to 543.830, inclusive, the State Board of Examiners may recommend that the state agency or local government provide a portion of its resources in an amount that is less than the amount required pursuant to subsection 1.
3. The State Board of Examiners may, if it determines that the state agency or local government is unable to provide any portion of its resources as its contribution for the receipt of a grant or loan, recommend that the state agency or local government not be required to provide any portion of its resources as a condition for the receipt of the grant or loan.
(Added to NRS by 1997, 2542; A 2003, 20th Special Session, 200)

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Appendix D - Emergency Assistance Account Authorities

NRS 414.135

Emergency Assistance Subaccount

Creation; Administration by Division of Emergency Management; expenditures; report; regulations.

1. There is hereby created the Emergency Assistance Subaccount within the Disaster Relief Account created pursuant to NRS 353.2735. Beginning with the fiscal year that begins on July 1, 1999, the State Controller shall, at the end of each fiscal year, transfer the interest earned during the previous fiscal year on the money in the Disaster Relief Account to the Subaccount in an amount not to exceed \$500,000.
2. The Division of Emergency Management of the Department of Public Safety shall administer the Subaccount. The Division may adopt regulations authorized by this section before, on or after July 1, 1999.
3. All expenditures from the Subaccount must be approved in advance by the Division. Except as otherwise provided in subsection 4, all money in the Subaccount must be expended solely to:
 - (a) Provide supplemental emergency assistance to this state or to local governments in this state that are severely and adversely affected by a natural, technological or human-caused emergency or disaster for which available resources of this state or the local government are inadequate to provide a satisfactory remedy; and,
 - (b) Pay any actual expenses incurred by the Division for administration during a natural, technological or human-caused emergency or disaster.
4. Beginning with the fiscal year that begins on July 1, 1999, if any balance remains in the Subaccount at the end of a fiscal year and the balance has not otherwise been committed for expenditure, the Division may, with the approval of the Interim Finance Committee, allocate all or any portion of the remaining balance, not to exceed \$250,000, to this state or to a local government to:
 - (a) Purchase equipment or supplies required for emergency management;
 - (b) Provide training to personnel related to emergency management; and
 - (c) Carry out the provisions of NRS 392.600 to 392.656, inclusive.
5. Beginning with the fiscal year that begins on July 1, 1999, the Division shall, at the end of each quarter of a fiscal year, submit to the Interim Finance Committee a report of the expenditures made from the Subaccount for the previous quarter.
6. The Division shall adopt such regulations as are necessary to administer the Subaccount.
7. The Division may adopt regulations to provide for reimbursement of expenditures made from the Subaccount. If the Division requires such reimbursement, the Attorney General shall take such action as is necessary to recover the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130, computed from the date on which the money was removed from the Account, upon request by the Division.
(Added to NRS by 1997, 2543; A 1999, 1248, 3121; 2001, 1337, 2607; 2003, 180; 2003, 20th Special Session, 206)

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Appendix E - Emergency Management NAC CHAPTER 414

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- 414.125 Completion of project: General requirements.
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- 414.135 Requests for reimbursement from Account.
- 414.140 Applicant to reimburse Account from certain money received.

GENERAL PROVISIONS

NAC 414.010 Definitions. (NRS 414.135) As used in NAC 414.010 to 414.140, inclusive, unless the context otherwise requires, the words and terms defined in NAC 414.015 to 414.045, inclusive, have the meanings ascribed to them in those sections. (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.015 "Disaster" defined. (NRS 414.135) "Disaster" has the meaning ascribed to it in NRS 414.0335. (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.020 "Division" defined. (NRS 414.135) "Division" means the Division of Emergency Management of the Department of Public Safety.
(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.025 "Emergency" defined. (NRS 414.135) "Emergency" has the meaning ascribed to it in NRS 414.0345.
(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.030 "Emergency Assistance Account" defined. (NRS 414.135) "Emergency Assistance Account" means the Emergency Assistance Account created by NRS 414.135. (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.035 "Political subdivision" defined. (NRS 414.135) "Political subdivision" has the meaning ascribed to it in NRS 414.038.
(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.040 "Preliminary damage assessment" defined. (NRS 414.135) "Preliminary damage assessment" means:

1. A determination of the extent of damage caused by a natural, technological or man-made emergency or disaster; and
2. An estimation of the amount of financial assistance and payments for the deployment of physical resources needed to repair the damages.

(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.045 "Project" defined. (NRS 414.135) "Project" means any effort to provide a satisfactory remedy to a natural, technological or man-made emergency or disaster.
(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

EMERGENCY ASSISTANCE ACCOUNT

NAC 414.100 Use and distribution of money in Account. (NRS 414.135)

1. Pursuant to paragraph (a) of subsection 3 of NRS 414.135, all money in the Emergency Assistance Account must be expended to provide supplemental emergency assistance to this state or to political subdivisions in this state that are severely and adversely affected by a natural, technological or man-made emergency or disaster in the form of financial assistance or payment for the deployment of physical resources.
2. Pursuant to paragraph (b) of subsection 3 of NRS 414.135, money in the Account will be used to pay the actual expenses incurred by the Division for administration during a natural, technological or man-made emergency or disaster, including those costs necessary for the activation and continued operation of an official center for emergency operations.

3. The Division will use the money in the Emergency Assistance Account to reimburse a state agency that has contributed financial assistance or payments for the deployment of physical resources for costs exceeding their budgetary capabilities.

(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.105 Application for assistance: General requirements. (NRS 414.135)

1. Except as otherwise provided in subsection 3, a state agency or political subdivision that seeks assistance from the Emergency Assistance Account for an emergency or disaster must submit, in writing, an application for assistance to the Division in accordance with the requirements for the application set forth in this section.
2. A state agency or county submitting an application for assistance from the Emergency Assistance Account must submit the application for assistance directly to the Division.
3. Before a city may submit an application to the Division for assistance from the Emergency Assistance Account, the city must apply for any available assistance from the county in which the city is located.
4. An application for assistance from the Emergency Assistance Account for an emergency or disaster must be received by the Division:
 - (a) Within 30 days after the determination of an emergency or disaster, if the applicant is a state agency or county; or
 - (b) Within 45 days after the determination of an emergency or disaster, if the applicant is a city.
5. Each application for assistance from the Emergency Assistance Account must include the following:
 - (a) A copy of the declaration of emergency or disaster.
 - (b) Any official report of a governmental entity concerning any actual or potential threat to the life, health, safety or property of persons in this state.
 - (c) Any professional reports or certifications supporting the existence of an emergency or disaster.
 - (d) Any preliminary damage assessment conducted:
 - (1) If the applicant is a state agency, by officials of the agency and a preliminary damage assessment team deployed by the Division to arrive at a consensus pertaining to the preliminary damage assessment; or
 - (2) If the applicant is a political subdivision, by a preliminary damage assessment team.

- (e) A full disclosure of the financial records of the applicant for a determination of the financial need of the applicant by the Division.
 - (f) A certification that the existing financial or physical resources of the applicant are insufficient and no other funding sources are available to support all the estimated costs in providing a satisfactory remedy to the emergency or disaster. Such a certification from a state agency must be submitted by the Budget Division of the Department of Administration.
 - (g) A certification that all other available resources have been exhausted, including, without limitation, inter-local agreements, mutual aid agreements and private resources.
 - (h) A description of all the projects to be paid, in whole or in part, by any allocation from the Emergency Assistance Account.
- (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.110 Application for assistance: Duties of Division upon receipt.
(NRS 414.135)

Upon the receipt of an application for assistance from the Emergency Assistance Account, the Division will:

1. Verify the declaration of emergency or disaster.
2. Verify that the emergency or disaster meets the criteria as to a threat to the life, safety, health or property of persons in this state.
3. Review any professional reports or certifications supporting the existence of an emergency or disaster.
4. If the applicant is a state agency and a preliminary damage assessment team has not been deployed before application is made, appoint a preliminary damage assessment team to work with officials from the agency to conduct a preliminary damage assessment.
5. Review the financial records of the applicant for a determination that the applicant has exhausted or will exhaust the existing financial or physical resources as a result of the emergency or disaster.
6. Review the certification of financial need submitted by the applicant.
7. Verify that the applicant has exhausted all other available resources.
8. Review the projects submitted for approval by the Division.

(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

**NAC 414.115 Allocation and expenditure of money for emergency or disaster.
(NRS 414.135)**

1. Except as otherwise provided in subsection 2, an allocation from the Emergency Assistance Account for an emergency or disaster must be expended within 60 days after the approval of the allocation by the Division, unless such time is extended by the Division based upon a showing of good cause by the requesting entity.
 2. An allocation for a project that the Division reasonably determines to be a long-term project pertaining to the health or safety of human life must be expended within the fiscal year in which the allocation is approved by the Division, unless such time is extended by the Division based upon a showing of good cause by the requesting entity.
 3. A request for an extension of the time in which an allocation is required to be expended must be submitted to the Division in writing and approved by the Division before the expiration of the period in which the allocation is required to be expended pursuant to this section.
 4. Any money advanced but not expended within the period required pursuant to this section must be returned to the Emergency Assistance Account. Any money returned or obligated but not expended within the period required pursuant to this section will be made available for reallocation.
- (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

**NAC 414.120 Allocation and expenditure of money pursuant to subsection 4
of NRS 414.135.**

1. A state agency or political subdivision that seeks an allocation of money pursuant to subsection 4 of NRS 414.135 must submit, in writing, an application to the Division.
 2. Any money allocated from the Emergency Assistance Account pursuant to subsection 4 of NRS 414.135 must be expended within 60 days after the approval of the allocation by the Division, unless such time is extended by the Division based upon a showing of good cause by the requesting entity.
 3. A request for an extension of the time in which an allocation is required to be expended must be submitted to the Division in writing and approved by the Division before the expiration of the period in which the allocation is required to be expended pursuant to this section.
 4. Any money advanced but not expended within the period required pursuant to this section must be returned to the Emergency Assistance Account. Any money returned or obligated but not expended within the period required pursuant to this section will be made available for reallocation.
- (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.125 Completion of project: General requirements. (NRS 414.135)

1. Each project must be completed within 90 days after the date the application was approved by the Division, unless such time is extended by the Division based upon a showing of good cause by the requesting entity.
2. A request for an extension of time to complete a project must be submitted to the Division in writing and approved by the Division before the expiration of the period required pursuant to subsection 1.
3. If the period authorized for completion of a project is more than 90 days or is extended to more than 90 days, the applicant shall submit quarterly reports of each project to the Division. Every applicant shall submit a final report of each project to the Division not later than 30 days after the end of the period authorized to complete the project.

(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.130 Payments from Account on basis of reimbursement or advance funding. (NRS 414.135)

1. Except as otherwise provided in this section, all payments from the Emergency Assistance Account must be made on the basis of reimbursement.
2. Assistance will be provided from the Emergency Assistance Account on a basis of advance funding only if:
 - (a) The applicant is unable to begin recovery from the emergency or disaster without advance funding; and
 - (b) The amounts budgeted by the applicant for an emergency or disaster are not sufficient to support the purchase of equipment or supplies.
3. Advance funding will be provided at a maximum of 25 percent of the total cost of the project. Progressive advances will be provided based on the percentage of the project that has been completed and the submission of documentation evidencing all costs incurred to date. (Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.135 Requests for reimbursement from Account. (NRS 414.135)

An applicant submitting a final request for reimbursement shall submit documentation evidencing all costs incurred for the project not later than 60 days after the completion of the project. An applicant may submit periodic requests for reimbursement during a project that the Division determined to be a long-term project pursuant to NAC 414.115. Upon the receipt of a request for reimbursement, the Division will:

1. Review the eligibility of the project costs for money from the Emergency Assistance Account;
2. Require documentation evidencing all costs claimed on the request for reimbursement;

3. Verify the availability of money approved for the project; and
4. Process any claim that has been approved by the Division for payment to the applicant.
(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

NAC 414.140 Applicant to reimburse Account from certain money received.
(NRS 414.135)

An applicant receiving money from the Emergency Assistance Account shall reimburse the Emergency Assistance Account from any money the applicant receives from:

1. Any federal, state or local governmental agency or private source for the emergency or disaster;
 2. Legal action taken against any person or entity responsible for the emergency or disaster;
- or
3. Payments received as a result of coverage from a policy of insurance relating to the emergency or disaster, not later than 30 days after the applicant receives such money.
(Added to NAC by Div. of Emergency Mgt. by R202-01, eff. 4-24-2003)

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