



**STATE OF NEVADA
MEETING NOTICE AND AGENDA
NEVADA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF EMERGENCY MANAGEMENT**

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the Amendment of Regulations in Chapter 353 of the
Nevada Administrative Code Related to the Disaster Relief Account**

The Department of Public Safety, Division of Emergency Management (“Division”) will hold a public hearing on Wednesday, June 1, 2016, at 2:30 p.m. at the Legislative Counsel Bureau, Room 3138, Carson City, NV, 89701 and through video or teleconference at the Legislative Counsel Bureau, Room 4401, Las Vegas NV, 89119. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapter 353 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

LCB File No. R047-16

1. The need for and the purposes of the proposed regulation.

Existing law requires that the Division prescribe by regulation the information that must be included in a report of damages prepared by the Division upon request by a state agency or local government when seeking a grant or loan from the Disaster Relief Account. This proposed regulation sets forth the requirements that must be contained in the report of damages.

2. The terms or the substance of the proposed temporary regulation to be adopted, amended or repealed, or a description of the subject and issues involved.

This proposed regulation will be a permanent regulation.

3. A statement explaining how to obtain the approved or revised text of the proposed permanent regulation.

The proposed regulation text may be obtained by going to the Register of Administrative Regulations for 2016 and clicking this link:

<http://www.leg.state.nv.us/Register/2016Register/R047-16P.pdf>

The proposed regulation text is also available by contacting Chris Molnar at cmolnar@dps.state.nv.us or by telephone at 775-687-0300.

4. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**
 - (a) **Both adverse and beneficial effects; and**
 - (b) **Both immediate and long-term effects.**

This proposed regulation only applies to the Division. This proposed regulation does not involve any adverse or beneficial effects on any business or on the public. This proposed regulation will not involve any immediate or long-term effects on businesses or the public.

5. **The methods used by the agency in determining the impact on a small business.**

This proposed regulation will have no impact on small business since it only applies to the Division.

6. **The estimated cost to the agency for enforcement of the proposed regulation.**

The Division will not incur costs for implementation and enforcement of this proposed regulation.

7. **A description and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

This proposed regulation does not overlap or duplicate regulations of other state or local government agencies. This proposed regulation does not overlap or duplicate federal regulations.

8. **If the regulation is required pursuant to federal law, a citation and description of the federal law.**

This proposed regulation is not required pursuant to federal law.

9. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.

10. **Whether the proposed regulation established a new fee or increases an existing fee.**

This proposed regulation does not establish a fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Division may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Division of Emergency Management, 2478 Fairview Drive, Carson City, NV 89701. Written submissions must be received by the Division at least 14 days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to make an oral presentation, the Division may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at 2478 Fairview Drive, Carson City, Nevada 89701 and on the Division website, http://dem.nv.gov/DEM/DEM_Public_Meeting_Information/, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of Hearing has been posted at the following locations:

Nevada Division of Emergency Management
2478 Fairview Drive
Carson City, NV 89701

Las Vegas Governor's Office
555 E. Washington Avenue
Las Vegas, NV 89101

Carson City Governor's Office
101 N. Carson Street
Carson City, NV 89701

Clark County Fire Department
575 E. Flamingo Road
Las Vegas, NV 89119

Nevada State Library
100 North Stewart Street
Carson City, Nevada 89701

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Churchill County Library
553 South Maine Street
Fallon, Nevada 89406-3306

Las Vegas-Clark Co. Library Dist. Hdqtrs.
833 Las Vegas Blvd. North
Las Vegas, Nevada 89101

Douglas County Public Library
1625 Library Lane
Post Office Box 337
Minden, Nevada 89423-0337

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Esmeralda County Library
Corner of Crook & Fourth Street
Post Office Box 430
Goldfield, Nevada 89013-0430

Eureka County Library
10190 Monroe Street
Post Office Box 293
Eureka, Nevada 89316-0293

Humboldt County Library
85 East Fifth Street
Winnemucca, Nevada 89445-3095

Battle Mountain Branch Library (Lander
County)
625 South Broad Street
Post Office Box 141
Battle Mountain, Nevada 89820-0141

Lincoln County Library
63 Main Street
Post Office Box 330
Pioche, Nevada 89043-0330

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Mineral County Library
110 First Street
Post Office Box 1390
Hawthorne, Nevada 89415-1390

Tonopah Public Library
(Nye County)
167 South Central Street
Post Office Box 449
Tonopah, Nevada 89049-0449

Pershing County Library
1125 Central Avenue
Post Office Box 781
Lovelock, Nevada 89419-0781

Storey County Treasurer & Clerk's Office
Drawer D
Virginia City, Nevada 89440

Washoe Co. Library System
301 S. Center St.
Reno, NV 89501

White Pine Co. Library
950 Campton St.
Ely, NV 89301

<http://notice.nv.gov>.

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements for the meeting are necessary, or if there is a need to obtain copies of any supporting meeting materials, please contact Chris Molnar at the Nevada Division of Emergency Management at (775) 687-0300. 24-hour advance notice is requested. Thank you.

**PROPOSED REGULATION OF THE
DIVISION OF EMERGENCY MANAGEMENT OF
THE DEPARTMENT OF PUBLIC SAFETY**

LCB File No. R047-16

April 6, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 353.2753.

A REGULATION relating to disaster relief; setting forth the requirements for a certain report of damages prepared by the Division of Emergency Management of the Department of Public Safety; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of Emergency Management of the Department of Public Safety to prescribe by regulation the information that must be included in a report of damages prepared by the Division upon the request by a state agency or local government for an assessment by the Division of the damages related to an event for which the state agency or local government seeks a grant or loan from the Disaster Relief Account. (NRS 353.2753) This regulation sets forth the requirements for such a report.

Section 1. Chapter 353 of NAC is hereby amended by adding thereto a new section to read as follows:

A written report prepared by the Division of Emergency Management of the Department of Public Safety pursuant to NRS 353.2753 will set forth, without limitation:

1. A description of:

(a) The event resulting in damage, including, without limitation:

(1) The location of the event;

(2) Each state agency or local government affected by the event;

(3) Any resources requested and used by the state agency or local government affected by the event; and

(4) Any declarations requested by the state agency or local government affected by the event and an indication of any such declarations which have been approved, signed or provided.

(b) Any damage caused by the event to public infrastructure, including, without limitation, information relating to:

(1) Roads and bridges;

(2) Water control facilities;

(3) Public buildings and equipment;

(4) Utilities; and

(5) Public land, including, without limitation, parks and recreation areas.

(c) Any damage caused by the event to homes, businesses and other privately owned land and structures.

(d) Any responses by the state agency or local government to the event and any resulting damages, including, without limitation:

(1) Debris removal; and

(2) Emergency protection measures.

(e) Any other assistance requested by the state agency or local government affected by the event, including, without limitation, whether such assistance is granted and the nature and value of such assistance.

2. An itemized list of the estimated monetary value of:

(a) Any damage listed pursuant to paragraphs (b) and (c) of subsection 1;

(b) Any cost of responses by a state agency or local government listed pursuant to paragraph (d) of subsection 1; and

(c) Any cost to repair damaged public infrastructure and public land.

3. The purpose of each proposed eligible project submitted to the Division by a state agency or local government related to the event, including, without limitation:

(a) Repair;

(b) Replacement;

(c) Emergency response; or

(d) Mitigation.