

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

LCB File No. R047-16

Effective June 28, 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.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R047-16**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 353.

1. A clear and concise explanation of the need for the adopted 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. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of emergency management as well as any persons who had specifically requested such notice. These documents were also made available at the website of the http://dem.nv.gov/DEM/DEM_Public_Meeting_Information/, mailed to all county libraries in Nevada and 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

<http://notice.nv.gov>

There was no public response to any of these public outreach efforts—public posting, the workshop, and the public hearing.

3. The number persons who:

- (a) Attended each hearing: 3**
- (b) Testified at each hearing: 0**
- (c) Submitted to the agency written comments: 0**

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

This proposed regulation only applies to the Nevada Division of Emergency Management. 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. These facts were noted on the “Notice of Intent to Act upon Regulation,” which was posted as described in item number 2, above.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

No suggested changes were made by the public through written or oral comment. Therefore, the proposed regulation was adopted without change.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

The proposed regulation only applies to the Department of Public Safety, Division of Emergency Management. 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.

8. The estimated cost to the agency for enforcement of the adopted regulation.

The Department of Public Safety, Division of Emergency Management will not incur significant costs for implementation and enforcement of this proposed regulation.

- 9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, 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.

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

This proposed regulation does not include a provision which is more stringent than a federal regulation that regulates the same activity.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

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