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# MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

*A Collaborative Approach to  
Disaster Recovery in Minnesota*



**Minnesota Department of Public Safety**

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## EXECUTIVE SUMMARY

A natural or manmade disaster has the potential to affect Minnesota in many ways. When a disaster occurs, federal, state, and local governments work with the affected businesses, community organizations, tribal communities, private non-profit entities, and individuals to meet the most pressing health and safety needs. After those immediate needs are met, the recovery and rebuilding efforts begin.

The recovery phase will occupy the days, weeks, months, and years to follow. An efficient and effective recovery requires the cooperation, coordination, and communication of various federal, state, and local government agencies; private and community organizations; and individuals.

The Minnesota Disaster Recovery Assistance Framework is a resource document that provides assistance program information from state, federal, local, and voluntary agency resources following a disaster. This guide is intended to be of assistance to government officials and community leaders involved in managing, organizing, or leading disaster recovery efforts. It provides a comprehensive overview of the roles, responsibilities, and assistance programs that may be available. The guide briefly presents overview information, accompanied by contacts, Web sites, and other references, so that the user may seek out more details.

By providing recovery assistance information in many areas, as well as the contact information for those responsible for providing assistance, this guide serves to develop a network of leaders and service providers, facilitating a better exchange of information between different organizations and levels of government. This sharing will facilitate a stronger and speedier recovery.

The Framework describes and highlights assistance often provided after disasters. Many disaster programs are not permanent programs, and therefore require a special provision of funds and/or other actions to make them available. Although this guide highlights programs generally available for disasters, assistance described in this guide is not guaranteed to be available for any given future event.

The Minnesota Department of Public Safety Division of Homeland Security and Emergency Management (HSEM) will continually update the Framework as additional recovery issues/resources are identified.

## OVERVIEW OF DISASTER RECOVERY

Upon the declaration of a state of emergency, the governor has special authority and responsibilities, several of which he may delegate to HSEM. Those responsibilities include, but are not limited to:

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- Coordinating a multiple state agency response to a disaster or emergency.
- Acting as the governor's authorized representative for all presidentially declared disasters and emergencies.
- Activating the State Emergency Operations Center when any major emergency/disaster occurs.
- Obtaining initial damage assessment information from state agencies and local governments.
- Administering or supporting the Federal Emergency Management Agency (FEMA) disaster assistance programs when made available following a declared disaster.

The HSEM disaster recovery staff administers and/or supports the FEMA disaster assistance programs that help state agencies, local governments, tribal communities, certain private-nonprofit entities, and individuals recover from the effects of disaster. The FEMA recovery programs are: the Public Assistance Program (PA), Individual Assistance Program (IA), and Hazard Mitigation programs. HSEM staff also coordinates the state's overall disaster recovery effort, by chairing the Minnesota Recovers Task Force.

Four types of disaster/emergency declarations result in the implementation of various assistance programs:

- Presidential declaration of an emergency or major disaster (makes FEMA assistance available),
- Governor declaration of an emergency or disaster (makes state programs available),
- Small Business Administration (SBA),
- Fire Management Assistance, and
- United States Department of Agriculture (USDA)

Depending upon the type of declaration, government entities, businesses, tribal communities, private non-profit entities, and individual disaster victims register and apply for assistance from these programs.

The state of Minnesota may also provide assistance following a disaster. Funds may be allocated to meet specific disaster needs or eligibility requirements on certain programs may be adjusted or waived. Many state assistance programs are not specific to disaster recovery but are made available on an ongoing basis. Some of those programs are:

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### **AGRICULTURE**

The Minnesota Department of Agriculture and local Farm Service agents are the state's key points of contact for assessing agricultural damage and working to deliver federal assistance. The USDA Farm Service Agency (FSA) county offices provide a local point of contact, and FSA may provide programs for crop loss, livestock, farm structures, trees, cropland, waterways, and other needs. The Minnesota Department of Agriculture may provide additional assistance to address highly catastrophic losses.

### **BUSINESS AND WORKFORCE**

The Department of Employment and Economic Development (DEED) provides varying business and economic assistance depending on the severity of the disaster. That assistance may include: business counseling, unemployment assistance and state-funded low-interest loans. DEED manages the Disaster Unemployment Assistance (DUA) program, and works with the United States Department of Labor if the state receives a National Emergency Grant (NEG) to provide employment assistance.

### **COMMUNICATIONS AND OUTREACH**

During and following a major emergency/disaster, a Joint Information Center (JIC) may be activated. A JIC is a location where personnel with public information responsibilities perform critical emergency information functions, crisis communications, and public affairs functions. JICs may be established at various levels of government, the SEOC, or at incident sites. The JIC helps coordinate and manage all communications between FEMA and the Department of Public Safety Office of Communications. A primary responsibility of the JIC is the dissemination of public information regarding state agency disaster response and recovery activities. The Minnesota Office of MN.IT Services provides technological resources in communicating this information.

### **ENVIRONMENT**

The Minnesota Department of Natural Resources (DNR), Board of Water and Soil Resources (BWSR), and the Pollution Control Agency (PCA) coordinate environmental assessments with FEMA, HSEM, the Minnesota Department of Health (MDH), the Minnesota Department Human Services (DHS), and others. Included are initial assessments, joint preliminary damage assessments, follow-up public health assessments, and additional monitoring.

The DNR facilitates the delivery of assistance relative to forestlands, lakes, rivers, streams, debris cleanup, and mitigation concerns. The USDA Natural

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Resource Conservation Service (NRCS) delivers the Emergency Watershed Protection program to clear debris and restore waterways.

### **FINANCE**

Minnesota Statutes, Chapters 12, 12A, and 12B serve as the primary legal basis and provide a framework for the governor and the state of Minnesota to assist local governments, tribal communities, citizens, and others to respond to and recover from a major emergency or disaster.

Following some disaster events, state assistance may be made available for relief in a disaster area for costs that are not eligible for assistance through the FEMA Public Assistance and/or Individual Assistance Programs. Such assistance is not intended to duplicate or replace assistance available from other federal government agencies, including the Small Business Administration, or insurance.

### **HEALTH AND HUMAN SERVICES**

MDH conducts public health assessments and surveillance, and coordinates the provision of behavioral health services to those communities which are overwhelmed by a major disaster or emergency. When MDH is overwhelmed, DHS may request assistance through the Crisis Counseling Program.

DHS also coordinates the USDA Food Stamp program and monitors the safety and availability of emergency shelters and the impact on housing.

### **HOUSING**

HSEM is the state contact for FEMA housing assistance. DEED implements U.S. Department of Housing and Urban Development (HUD) Community Development Block Grants (CDBG). Minnesota Housing provides loan monies for urgent repair, single-family rehabilitation, and rental assistance.

The USDA Rural Development Administration provides assistance with multifamily and single family homes, and community facilities.

Minnesota Voluntary Organizations Active in Disaster (MNVOAD) includes many nonprofit organizations that provide housing assistance.

### **TRANSPORTATION AND INFRASTRUCTURE**

The Minnesota Department of Transportation (MnDOT) ensures that transportation and other infrastructure are safely restored, including the removal of debris, after a disaster. The Federal Highway Administration Emergency Relief program, FEMA Public Assistance Program, and the state Public Assistance Program provide funds for restoration, including assistance

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to private, non-profit electric cooperatives, for power generation and distribution facilities.

### **VOLUNTEERS AND DONATIONS MANAGEMENT**

Following a major emergency/disaster, HSEM's Volunteer Resource Coordinator helps ensure that the provision of volunteers and donations (including donated funds and goods) is coordinated. The Minnesota Voluntary Organizations Active in Disaster (MNVOAD) coordinates the efforts of its statewide voluntary member organizations.

## INTRODUCTION

### PURPOSE

The Minnesota Disaster Recovery Assistance Framework is a critical component of the state of Minnesota's commitment to delivering state and federal assistance to individuals, local governments, businesses, and other entities adversely impacted by disaster. The Framework will provide state and local emergency management personnel with operational guidance in order to successfully manage disaster recovery activities in the event of a major emergency or disaster.

The Framework is based on the premise that the top priorities during disaster recovery are: public health and safety, protection of property, and the restoration of the economic vitality of the disaster area.

This document is designed to identify the types of assistance available and the responsible state and federal agencies; thereby providing the framework for implementing the key recovery programs. Also identified in this document are the principal voluntary organizations and private entities involved in disaster recovery.

### SCOPE

The intent and purpose of this Framework is as follows:

- Identify and designate the responsibilities, rules, policies, and missions of federal and state agencies, voluntary and private organizations;
- Provide the necessary resources for a coordinated effort to efficiently deliver disaster recovery programs and services; and
- Outline required actions and administrative procedures for state and local governments prior to and during a governor's declaration of a state of emergency, or a presidential declaration of an emergency or major disaster.

### RECOVERY STRATEGY

With this Framework, HSEM is providing an approach that will help ensure that Minnesota's disaster recovery efforts are coordinated, appropriate, reliable, and communicated to the principals involved.

The recovery strategy recommended in this Framework reflects the opportunities for both short and long-term action, and places each in a context of cooperation between public, private, and volunteer organizations. The goal is to return a sense of normalcy to the lives of those residents impacted by a natural, accidental, or intentional event. This goal will be achieved through the following means:

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- Identification of the short-term and long-term strategic priorities, processes, vital resources, and appropriate timeframes for recovery.
- Recognition of the procedures for restoration and recovery of services, facilities, programs, and infrastructure.
- Identification of opportunities to mitigate the impact of future disasters.

These objectives are designed to take advantage of local, state, and national expertise within the public, private, and volunteer organizations charged with the recovery responsibilities identified in this Framework.

### PRIORITIES

Looking at disaster incidents from a broad perspective, recovery priorities fall into the following general categories:

- Provide a safe environment for the public, federal, state and local government personnel responding to the disaster area.
- In the deployment of recovery operations and the activation of its missions, it is paramount that a safe and secure environment exists at the location(s) where these activities will take place. No activities should be commenced until a stable and safe environment has been established.
- Provide an accurate and concise assessment of damages, and the impact of those damages.

As soon as an affected area has been deemed safe to do so, an assessment will be conducted by the Minnesota Rapid Needs Assessment (RNA) team, in coordination with the local authorities, to provide initial information and intelligence about the overall magnitude and severity of the disaster.

Refer to **CONCEPT OF DISASTER RECOVERY OPERATIONS** for additional information on RNA.

- Assist individuals, families, businesses, and local governments in accessing disaster recovery resources that may be available to them.

The HSEM disaster recovery staff will initiate the actions necessary to request state and federal assistance, and if appropriate, draft a state of emergency declaration for the governor's review and approval.

The disaster recovery staff is knowledgeable regarding the disaster assistance programs that are available. These programs include, but are not limited to, the FEMA Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation programs.

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- Create and maintain a communication network involving the dissemination of information to the public and all principal agencies and organizations involved in the recovery efforts.

As in any significant event or disaster, communications — both internal and external — are a critical component to any successful outcome. This goal will be achieved by:

- Creating “A Citizen’s Guide to Disaster Assistance and Recovery.” This will be a pocket-sized general resource document that can be utilized in all disasters and made available to the public on-line or at the Disaster Assistance Center (DAC). This document will take disaster victims step-by-step through the common disaster assistance programs and the process required accessing those programs.
- Creating a “dark Web site” that will be used as a communication portal. The site will be held in reserve and “turned on” in response to any disaster recovery effort. Disaster specific information can include, but is not limited to:
  - DAC locations
  - State and federal assistance programs
  - FEMA application information
  - Recovery situation reports
  - Date, time, and location of public briefings
  - Link to WEBEOC Status Board for state agencies
  - Other public notifications
- Conducting daily or ad hoc recovery briefings and conference calls as required and disseminating the minutes of those meetings/calls in a timely manner to those involved in the recovery effort.
- Conducting public briefings on a consistent schedule to keep the public informed on the disaster recovery efforts.
- Creating a DAC operations guide that will identify the primary goals and responsibilities of state agencies.

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## FRAMEWORK ORGANIZATION

Minnesota, through the Minnesota Emergency Operations Plan (MEOP) has adopted a multi-functional approach to managing the consequences of an emergency or disaster. This approach is designed to facilitate an efficient and effective response and recovery for the state, counties, and local communities. Understanding this, the Framework is organized, not by type of hazard or type of incident, but first along functional lines, then by the agency or organization that maintains the primary responsibility to see that programs and plans within the functional area are carried out.

Information and resources are organized in this Framework as one of three components:

### THE BASIC FRAMEWORK

The Basic Framework provides a broad operational blueprint of the state of Minnesota's approach to disaster recovery. Presented in the Basic Framework are:

- The purpose, organization, and scope of the Disaster Recovery Assistance Framework,
- The activating mechanism for using the Framework,
- The legal authority for both plan development and implementation,
- Planning considerations to be understood while using the Framework,
- The concept of recovery operations, and
- The necessity of Framework assessment.

### RECOVERY FUNCTIONS (RF)

Guidance contained in the Recovery Functions focus on information needed to address specific disaster recovery tasks, such as assessing damages, individual and public assistance, and information dissemination. The intended audiences are the principal federal agencies, state agencies, voluntary organizations, and private entities that provide a primary or supporting role in implementing the function in the local community affected by the significant event.

With respect to recovery functions and specific disaster-related programs, the Framework focuses on:

- The assessment process,
- The state and federal disaster assistance programs,
- The delivery of services, and
- The dissemination of information.

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The Recovery Functions also address general roles and responsibilities of the principals involved and describe the appropriate activating mechanism(s) for each specific recovery program.

The disaster recovery functions identified are interdependent with each other and with the Basic Framework, and therefore should not be viewed as standalone plans.

### **SUPPORTING DOCUMENTS**

The Basic Framework and Recovery Functions are supported by additional documents. These documents may provide information in a condensed form (such as in a table or checklist), or may represent an entire document that is interrelated with recovery efforts.

## FRAMEWORK ACTIVATION

The Disaster Recovery Assistance Framework goes into effect immediately and automatically upon the issuance of a declaration of disaster/emergency by the governor, however, some of the recovery resources described in this Framework may be used without a formal order, or may be performed as part of the day-to-day duties of relevant agencies or organizations. The Framework is also a resource for local emergency management professionals who may need additional references and resources to help with their own recovery efforts.

Activation of the Framework will generally be concurrent with activation of the State Emergency Operations Center; however, certain recovery efforts can be activated under separate authorities. The governor may request specific assistance from state agencies outside of the sphere of a declaration of disaster/emergency. The U.S. Secretary of Agriculture and the Small Business Administration may also activate specific recovery functions outside of, or in addition to, a presidential declaration.

Activation of specific functions of the Framework may also be deployed in anticipation of an event. For example, a Rapid Needs Assessment Team may be deployed to the area potentially impacted by an impending flood, so that potential impacts and preliminary demographic data can be compiled.

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## FRAMEWORK AUTHORITY

### STATE STATUTES

Minnesota Statutes, [chapter 12 – Emergency Management](#), sets forth the powers of the governor during a disaster and the authority to request federal financial assistance. Chapter 12 also describes the duties and responsibilities of HSEM to ensure the coordination of disaster management as established in the Minnesota Emergency Operations Plan.

Minnesota Statutes, [chapter 12A](#) and [12B](#) are acts relating to:

- State government operations; and
- Establishing procedures for state agencies to assist communities to recover from a natural disaster.

### GOVERNOR’S EXECUTIVE ORDER 15-13

Executive Order 15-13 requires each department within the state of Minnesota to designate a point of contact to HSEM for the purpose of coordinating a disaster response and recovery. It places the overall responsibility of disaster coordination and the maintenance of the Minnesota Emergency Operations Plan with HSEM. However, individual state agencies shall be prepared to direct the activities of their own personnel as necessary during recovery operations. This executive order also commits state resources to the development and maintenance of an all-hazards emergency response plan.

This order authorizes state agencies to provide appropriate personnel to assist with the damage assessment activities associated with the Public Assistance, Individual Assistance, and Hazard Mitigation programs, and to provide staff to the Disaster Assistance Center (DAC), following a presidential declaration of a major disaster. In addition, it allows state agencies to participate on the Minnesota Recovers Task Force and to be prepared to commit and combine resources toward the long-term recovery/mitigation effort.

### FEDERAL LAW/REGULATIONS

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended by Public Law 100-707, explains how states request a major disaster or emergency declaration from the president, which authorizes various types of assistance from the federal government. In addition, it describes the types of assistance, and lists federal disaster assistance available without a presidential declaration (see [Title 44 Code of Federal Regulations](#)).

## PLANNING CONSIDERATIONS

### SITUATION ANALYSIS

The state of Minnesota has resources and capabilities that can maximize the preservation of life and property, if effectively used in the event of natural disasters, technological disasters, major accidents, radiological events, civil disturbances, or terrorism. Those resources and capabilities include the personnel, equipment, facilities, and skills of federal, state, county, and local government forces, and medical, health, and allied professions and organizations.

### PLANNING ASSUMPTIONS

#### Primary

- Local governments will not request assistance from the state until local capabilities and resources for the execution of disaster recovery have been overwhelmed or exhausted.
- County emergency operation plans are in place and address the interface between state and local recovery operations.
- Federal recovery assets and programs, when requested by the state will not be immediately available. Depending upon the severity of the disaster and recovery assets requested, the assistance might take a few hours or a few days to become fully operational along with the ability to deliver recovery assistance.

#### Secondary

- The state of Minnesota will experience disaster incidents, which will result in property damage, a decrease in economic vitality, personal injuries, and fatalities.
- Some natural disaster incidents will occur annually and cause damage to roads, bridges, buildings, utilities, and agricultural livestock and crops.
- Accidental or intentional releases of radiological, biological or other hazardous substances may occur openly, in a facility, or during vehicular transportation resulting in an environmental impact that may also necessitate the evacuation and subsequent recovery of the impacted area(s).

## CONCEPT OF DISASTER RECOVERY OPERATIONS

The state of Minnesota, its counties, and its communities will utilize the processes, protocols, and procedures established through the National Incident Management System (NIMS). The NIMS includes the Incident Command System (ICS) and the Unified Command System (UCS) for command and management of emergency responses. The NIMS standardizes incident management across mitigation, preparedness, response, and recovery, for all hazards, and across all levels of government.

### ROLES, RESPONSIBILITIES AND THE LOCATION OF OPERATIONS

The following list of positions and locations are commonly involved or activated during a disaster recovery operation where either a presidential declaration or an emergency proclamation is declared or when an emergency incident requires it.

#### **Governor's Authorized Representative (GAR)**

The governor's authorized representative is the person named by the governor to execute, on behalf of the state, all requests and/or documents for disaster assistance following the declaration of an emergency or a major disaster, or a request by the governor.

#### **State Incident Manager (SIM)**

The state incident manager is responsible for the overall command and operation of the State Emergency Operations Center. This person coordinates all SEOC functions, maintains communications with on-scene commanders, and implements the policies determined by the governor (or designee). The SIM (with the HSEM director) determines the activation level of the SEOC and the functions to be performed there, then assigns staff to perform those functions as needed.

#### **State Coordinating Officer (SCO)**

The state coordinating officer is an official designated by the governor or official representative, upon a declaration of a major disaster or emergency, to coordinate state and local disaster assistance efforts with those of the federal government, and to act in cooperation with the federal coordinating officer to administer disaster recovery efforts.

#### **Federal Coordinating Officer (FCO)**

The federal coordinating officer is the senior federal official appointed to coordinate the overall federal disaster response and recovery assistance efforts in the affected area. The FCO works closely with the state coordinating officer

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to assure effective implementation of assistance programs. The FCO is generally located in the Joint Field Office.

### **Principal Federal Official (PFO)**

The principal federal official provides senior leadership, strategic guidance, and operations integration for catastrophic events, terrorist incidents, and other high visibility, multi-state, multi-jurisdiction events. It is most likely that a PFO will be appointed only for incidents or high visibility events with significant national or regional implications, such as significant terrorist events causing considerable destruction, catastrophic natural disasters, and complex non-Stafford Act emergencies.

### **State Emergency Operations Center (SEOC)**

The State Emergency Operations Center is the location in Minnesota where emergency management personnel and government officials (primarily state) exercise direction and control in an emergency or disaster.

### **Joint Field Office (JFO)**

When a presidential declaration is made, the FCO establishes a Joint Field Office to coordinate recovery efforts during a disaster recovery period. This office is the primary field location for the coordination of federal and state short and long-term recovery operations.

### **Disaster Assistance Center (DAC)**

A Disaster Assistance Center is a facility established in, or in close proximity to, the community affected by the disaster where persons can meet face-to-face with representatives of federal, state, local, and voluntary organizations to:

- Report and discuss their disaster-related needs;
- Obtain information about disaster assistance programs;
- Attend public disaster recovery briefings as scheduled by the DAC manager;
- Register for assistance;
- Update registration information;
- Learn about measures for rebuilding that can eliminate or reduce the risk of future loss;
- Learn how to complete the SBA loan application; and
- Request the current status of their application for assistance.

### **Joint Information Center (JIC)**

A Joint Information Center is a co-located group of representatives from agencies and organizations involved in an event that are designated to handle public information needs. The JIC structure is designed to work equally well for

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large or small situations and can expand or contract to meet the needs of the incident.

The JIC is coordinated by the public information officer.

### **DAMAGE ASSESSMENT AND COMMUNITY IMPACT**

#### **Rapid Needs Assessment Team**

Immediately following the onset of a disaster, the State Emergency Operations Center, if activated, or the HSEM director may deploy a Rapid Needs Assessment (RNA) team to the affected community to provide immediate situational awareness to the governor, the director of HSEM, and other state/federal leadership.

The duties and responsibilities of the RNA include, but are not limited to the assessment of:

- The public infrastructure affected,
- An estimate of the number of homes affected,
- An estimate of the number of businesses affected,
- The number of citizens reported to be killed or injured,
- The demographics of the affected community,
- The overall impact of the disaster on the community,
- The impact on housing and the sheltering efforts currently in place,
- The nature of resources activated,
- The amount of resources activated,
- The projected resource needs,
- The projected unmet needs which may be anticipated.

The Rapid Needs Assessment is a “snapshot” of the overall impact of the disaster. As the assessment process moves to the Preliminary Damage Assessment, it becomes more refined and specific in its content to the extent of damages and community impact.

The RNA team will consist of individuals from state agencies skilled and experienced in the areas of housing, economic development, and public infrastructure, including disaster-specific recovery assessments, programs, and mitigation.

#### **Initial Damage Assessment (IDA)**

When deemed necessary, following the rapid needs assessment and to identify appropriate recovery programs, an Initial Damage Assessment will be performed by the local jurisdiction. The purpose of the IDA is to determine the specific impact and magnitude of damage from the disaster and the resulting unmet needs of individuals, businesses, the public sector, and the community

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as a whole. Following the accurate collection of this data, the director of HSEM and the governor of Minnesota will determine whether to pursue and request supplemental state and/or federal recovery assistance and/or to request a joint federal-state-local Preliminary Damage Assessment.

### **Preliminary Damage Assessment**

When a disaster occurs in Minnesota, the governor or acting governor may request a major disaster declaration.

The basis for the request shall be a finding that:

- The situation is of such severity and magnitude that effective response is beyond the capabilities of Minnesota and the affected local government; and
- Federal assistance under the Stafford Act is necessary.

To make the above determination, a Joint Preliminary Damage Assessment needs to be conducted to identify the:

- Scope and degree of damage;
- Staff and funding needs; and
- Special needs of the impacted community

The PDA team will normally include a combination of representatives from HSEM and other state agencies, FEMA, the Small Business Administration (SBA), and local government personnel.

The PDA will typically be performed prior to a governor's request for federal assistance; however, in cases where the disaster is catastrophic, the PDA may be conducted after the governor's request.

### **Review of Findings**

At the close of the PDA, FEMA will consult with state officials to discuss findings and reconcile any differences.

### **Exceptions**

The requirement for a joint PDA may be waived for those incidents of unusual severity and magnitude that do not require field damage assessments to determine the need for supplemental federal assistance under the Stafford Act, or in other instances determined by the FEMA Regional Administrator upon consultation with the state.

### **LOCAL, STATE, AND FEDERAL RECOVERY OPERATIONS**

Each local government carries with it the responsibility for the welfare of its citizens to the extent of its capabilities and resources. Through either the State

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Emergency Operations Center (SEOC) or the Joint Field Office (JFO), a clear channel of communication will exist between the state of Minnesota and the affected county(ies) during its recovery efforts with the county emergency manager serving as the point of contact for the county.

### **Local Emergency**

After committing all available local resources to the recovery efforts of the affected community(ies), the city or township, will declare an emergency. Once the disaster has grown beyond the capabilities of the county, they will also declare an emergency. At that point, the county emergency manager, acting on the behalf of the local jurisdiction(s), will forward an official request for state assistance to HSEM and provide the following:

- A description of the disaster incident;
- Its impact on the community and/or county;
- Indication or estimate of the of the committed local resources;
- A specific request for the type(s) of state assistance needed.

The county may present this information in a local disaster declaration; an example is included as **Supporting Document SD 11.3**. If necessary, a county disaster assessment team may be formed under the leadership of the county emergency manager. If a local disaster assessment team exists, it should provide disaster information to HSEM and/or the Minnesota Rapid Needs Assessment Team, as support documentation and further consideration of additional recovery assistance.

The adoption of and adherence to the Minnesota Disaster Recovery Assistance Framework by any local jurisdiction should provide them with guidance prior to a disaster incident and assist them in any future disaster recovery effort.

### **Governor's Disaster Recovery Operations**

#### **Governor's State of Emergency Declaration**

Upon receipt of a county's request for state recovery assistance, the governor may, at the recommendation of the director of HSEM, declare the affected county as in a state of emergency.

A declaration of a state of emergency shall activate the disaster response and recovery aspect of the Minnesota Emergency Operations Plan applicable to the political subdivision or area in question and be authority for the deployment and use of any forces to which this Framework and/or the Minnesota Emergency Operations Plan applies, and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available.

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State resources may be available without a formal governor's declaration. Technical assistance from state resources may become available before local resources are exhausted.

### **Governor's Request for Federal Recovery Assistance**

#### **Presidential *Major* Disaster Declaration Request**

The governor may (usually with the recommendation of the director of HSEM) submit a written request that the president of the United States declare the affected counties in Minnesota, as a "major disaster."

The declaration of a "major disaster" refers to any catastrophe that, in the determination of the president, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act, to supplement the efforts and available resources of Minnesota, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

This request for federal assistance will be based on the information obtained by a FEMA and HSEM coordinated joint preliminary damage assessment (PDA). The governor's basis for this request shall be a finding that:

- The situation is of such severity and magnitude that effective implementation of a recovery process is beyond the capabilities of Minnesota and the affected local governments; and
- Federal assistance under the Stafford Act is necessary to supplement the efforts and available resources of Minnesota, local governments, disaster relief organizations, and compensation by insurance for disaster related losses.

In addition to the findings above, the governor's request shall include:

- Confirmation that the governor has declared a state of emergency and directed the execution of the Minnesota Emergency Operations Plan;
- An estimate of the amount and severity of damages and losses stating the impact of the disaster on the public and private sector;
- Information describing the nature and amount of state and local resources that have been or will be committed to alleviate the results of the disaster;
- Preliminary estimates of the types and amounts of supplementary federal disaster assistance needed under the Stafford Act;
- Certification by the governor that Minnesota and local government obligations and expenditures for the current disaster will comply with all applicable cost sharing requirements of the Stafford Act; and
- A statement identifying the unmet, disaster-related needs that exist.

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This request will be forwarded to the FEMA Region V regional administrator in Chicago, and then to FEMA headquarters in Washington DC, for a final recommendation. This final recommendation, along with the governor's request, shall be forwarded to the president of the United States for determination.

A declaration of a major disaster shall activate the federal response and/or recovery aspect of the National Response Framework applicable to the political subdivision or area(s) affected, and authorize the director of FEMA to allocate funds in the amount deemed necessary to assist the declared areas in the recovery process.

### **Presidential *Emergency Declaration Request***

The governor may (usually with a recommendation from the director of HSEM) submit a written request that the president of the United States declare an emergency when an incident occurs or threatens to occur in Minnesota, which would not qualify under the definition of a "major disaster."

An emergency declaration covers any occasion or instance for which, in the determination of the president, federal assistance is needed to supplement state and 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 catastrophe.

This request for a presidential declaration of an emergency shall be based on the finding that:

- The situation is of such severity and magnitude that effective response is beyond the capability of Minnesota and the affected local government(s); and
- Requires supplementary federal emergency assistance to save lives and protect property, public health, and safety, or to lessen or avert the threat of a disaster.

In addition to the findings above, the governor's request shall include:

- Confirmation that the governor has taken appropriate action under Minnesota law and directed the execution of the Minnesota Emergency Operations Plan;
- Information describing the state and local efforts and resources that have been or will be used to alleviate the emergency;
- Information describing other federal agency efforts and resources which have been or will be used in responding to this incident; and
- Identification of the type and extent of additional federal aid required.

This request will be forwarded to the FEMA Region V regional administrator in Chicago, and then to FEMA headquarters in Washington DC, for a final

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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recommendation. This final recommendation, along with the governor's request, shall be forwarded to the president of the United States for determination.

A declaration of an emergency shall activate the federal response and recovery aspect of the National Response Framework applicable to the political subdivision or area affected or anticipated to be affected, and authorize the administrator of FEMA to allocate funds in the amount deemed necessary to assist the declared areas in the emergency process.

### **Presidential Declaration of a Major Disaster**

After thoroughly reviewing the governor's request, the president shall determine if the disaster incident is of the severity and magnitude to justify the use and authorities of the Stafford Act.

Should the governor's request be determined by the president not to meet the requirements of the Stafford Act, the director of FEMA will promptly notify the governor that the governor's request does not justify the use of the authorities of the Stafford Act.

Should the governor's request be determined to meet the requirements of the Stafford Act, the director of FEMA will notify the governor or his authorized representative of a declaration by the president that a major disaster exists. FEMA also will notify other federal agencies and other interested parties. The regional administrator of FEMA has the responsibility to notify the governor of the designations of assistance and eligible areas.

### **Other Federal Declarations**

- Independent SBA Declaration (See **Supporting Document SD 8.1**)
- Fire Management Assistance Declaration
- Agriculture Disaster Declaration (See **Supporting Document SD 13**)

### **State-to-State and Local Interface**

State-to-state and local interface and/or assistance remains a viable means of delivering support to impacted areas either within the state of Minnesota or across the nation. To supplement these efforts, Minnesota has pursued and adopted the following legislation and/or policies:

### **The Emergency Management Assistance Compact (EMAC)**

EMAC is a mutual aid agreement and partnership between states. The partnership exists because all member states and territories share the constant threat of disaster. Minnesota Statutes, section 192.89 governs inter-state mutual aid, as it pertains to EMAC.

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Specifically, EMAC is designed to:

- Allow states and territories to assist one another during emergencies.  
EMAC offers a quick and easy way for states to send personnel and equipment to help disaster relief efforts in impacted states. There are times when state and local resources are overwhelmed and federal assistance is inadequate or unavailable. Out-of-state aid through EMAC assists in filling such shortfalls;
- Establish a firm legal foundation.  
Requests for EMAC assistance are legally binding, contractual arrangements, that make states requesting assistance responsible for reimbursing all out-of-state costs and liable for out-of-state personnel.
- EMAC provides fast and flexible assistance.  
EMAC allows states to ask for whatever type of assistance they require for any emergency response and recovery effort, however, states are not forced to send any resources unless they are capable and willing to do so. The EMAC system has been adopted nationally, which makes the process consistent for each participating state.

### **Intra-state Mutual Aid**

Minnesota Statutes, **Chapter 12 – Emergency Management**, allows each county emergency manager to collaborate with other public and private agencies within the state, to develop or cause to be developed mutual aid arrangements (**SD 19 Mutual Aid Packet**) for reciprocal emergency management aid and assistance in an emergency or disaster too great to be managed without additional assistance.

These arrangements must be consistent with local emergency operation plans, and in time of an emergency, each local organization for emergency management shall render aid in accordance with the provisions of the mutual aid agreement.

### **State-to-Local Interface**

With respect to local interface, HSEM may provide liaisons to assist local communities and counties in identifying and accessing applicable assistance. Specifically, the field staff may:

- Serve as primary point of contact between local jurisdiction and State Emergency Operations Center.

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- Coordinate with federal, state, and volunteer organizations in information exchange and identification of resources.
- Serve as a liaison between HSEM, FEMA, voluntary organizations, and the impacted community/county, and communicate appropriate actions pertaining to recovery efforts and strategies.

The Disaster Management Handbook looks more closely at mutual aid and assistance provided to other jurisdictions.

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## FRAMEWORK REVIEW AND REVISION

The Minnesota Disaster Recovery Assistance Framework is based on assumptions and the existence of, and access to, resources and capabilities that may be subject to frequent change. Specific measures taken by the state to support individuals, families, businesses, local governments, and other entities will be adapted to each emergency. As such, flexibility is an essential component for the implementation of this Framework.

In addition to understanding the need for flexibility in the application of the Framework during a disaster recovery effort, it needs to be understood that the document itself is an ever-evolving guide that will undergo continuous changes as new policies are enacted, new technologies and recovery protocols are created, and duties and responsibilities are reassigned.

This “living document” will be assessed as necessary, to ensure changes in the scope of responsibility of the principals involved in disaster recovery are appropriately reflected.

## FRAMEWORK MAINTENANCE AND DISTRIBUTION

The director of HSEM has the overall authority and responsibility for maintenance of this Framework. Agencies identified in this document must re-evaluate their responsibilities, in light of the changing world situation, technology, etc., and provide updated information about their disaster recovery assistance and responsibilities to HSEM, so that Framework revisions can be developed.

A copy of the official Minnesota Disaster Recovery Assistance Framework is available from HSEM upon request.

## Framework Distribution

This Framework is a controlled document maintained by HSEM. The Framework shall be made available to state agencies and departments that have been assigned Recovery Functions and to all county emergency managers. Any changes in Recovery Functions by participating state agencies should be reported to the HSEM disaster recovery coordinator as soon as they are known, so that the Framework may be edited to accurately reflect those changes.

The following individual state agencies, in various combinations, form the Recovery Functions (RF).

- Office of the Governor
- Department of Administration
- Department of Agriculture

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- Board of Animal Health
- Attorney General
- Department of Commerce
- Department of Corrections
- Department of Education
- Department of Employment and Economic Development
- Emergency Medical Services Regulatory Board
- Minnesota Management and Budget
- Department of Health
- Minnesota Housing
- Department of Human Services
- Department of Labor and Industry
- Department of Military Affairs
- Department of Natural Resources
- Board of Water and Soil Resources
- Office of Enterprise Technology
- Minnesota Pollution Control Agency
- Department of Public Safety
- Department of Revenue
- Department of Transportation
- Metropolitan Council
- Public Facilities Authority
- Rural Finance Authority

### REVIEW SCHEDULE

Original Issue ..... March 2010

First Revision ..... March 2011

Second Revision ..... April 2018

## GLOSSARY

### **DECLARATION OF EMERGENCY**

A national security or peacetime emergency declared by the governor under Minnesota Statutes, section [12.31](#), subdivision 2.

### **DISASTER**

A situation that creates an actual or imminent serious threat to the health and safety of persons, or a situation that has resulted or is likely to result in catastrophic loss to property or the environment, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

### **EMERGENCY (FEDERAL DEFINITION)**

Any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and 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 catastrophe in any part of the U.S.

### **LONG-TERM RECOVERY**

Long-term recovery is the process of returning a community, to the extent possible, to the condition that existed prior to the incident. The primary goals of Long-term recovery are to reestablish a community's economic, social, and physical condition to normal. This phase addresses reconstruction and repair of damaged homes and businesses, restoration of public infrastructure, application, and delivery of state, federal, and private assistance programs. This community support may continue for several years after the initial disaster and may include hazard mitigation programs which are intended to lessen the affects from future events.

Long-term recovery efforts may be coordinated from the Joint Field Office (JFO), or local community depending on the nature, severity, and scope of the disaster.

Long-term recovery operations include:

- Establishing a time frame for the delivery of temporary services
- Continue to coordinate and monitor the application and delivery of state and federal assistance programs
- Restoration and reconstruction of public facilities
- Restoration of economic, social, and institutional activities
- Developing, coordinating, and replacing debris disposal capacity
- Repairing infrastructure
- Reviewing and implementing hazard mitigation measures

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- Restoration of public utility services
- Building and property condemnation
- Reviewing building codes and zoning laws for mitigation opportunities

### **MAJOR DISASTER (FEDERAL DEFINITION)**

Any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the U.S. which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under Chapter 44 CFR to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

### **RECOVERY**

Recovery is the process by which local, state, and federal agencies, along with voluntary organizations and private entities, work collaboratively to return a community, affected by a disaster, to a pre-disaster condition or as close to a pre-disaster condition as possible.

Recovery activities generally incorporate programs designed for implementation beyond the initial onset of an emergency or major disaster, but may also be response oriented in nature. Examples of recovery activities include, but, are not limited to, crisis counseling, damage assessment, debris management, decontamination, disaster insurance payments, disaster loans and grants, disaster unemployment assistance, public information, community outreach, temporary housing, and reconstruction.

### **SHORT-TERM RECOVERY**

Short-term recovery activity is taken to return basic life support systems to functioning operating standards. This phase is response-oriented and taken to stabilize affected areas and protect these areas from further damage and/or loss of life. Short-term recovery returns essential systems to minimum operating standards, seeks to restore critical services to the community, and provides for the basic needs of the public.

Depending on the nature and origin of the disaster, short-term recovery operations include, but, are not limited to, identify principal contacts and liaisons, Rapid Needs Assessment (RNA) team deployment, Initial Damage Assessments, Joint Preliminary Damage Assessments, declaration requests, consultation, documentation, planning, and prioritization and exchange of information to develop appropriate long-term activities.

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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Short-term recovery is generally coordinated from the activated State Emergency Operations Center and generally does not include activities such as reconstruction of houses and buildings.

Short-term recovery operations may include:

- Provide for the safety of the public and their property
- Provide a safe environment for first responders
- Stabilizing the event
- Re-entry into the affected area
- Concise damage assessments
- Re-establishment and stabilization of government operations
- Restoring critical infrastructure and utilities
- Debris removal and general clean-up
- Acquisition of resources
- Delivering social, medical, and behavioral health services
- Sheltering and mass feeding of displaced citizens
- Structural integrity assessments
- Voluntary Organization coordination
- Volunteer and Donation management

### STATE OF EMERGENCY

When an act of nature, an industrial accident, a hazardous materials accident, a major health threat or a civil disturbance endangers life and property and local governments cannot adequately handle the situation, the governor may declare a state of emergency.

This declaration cannot be continued for more than five days, unless extended for up to 30 days by the state Executive Council. A declaration of emergency shall invoke necessary portions of the Minnesota Emergency Operations Plan and authorize aid and assistance there under. The governor may also declare a state of emergency if a threat of armed violence, sabotage, or act of terrorism is imminent.

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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### ACRONYMS

<b>AOA</b>	Administration on Aging	<b>CISM</b>	Critical Incident Stress Management
<b>ABFE</b>	Advisory Base Flood Elevation	<b>CMHS</b>	Center for Mental Health Services
<b>ACRRA</b>	Agricultural Chemical Response and Reimbursement Account	<b>DAR</b>	Damage Assessment Report (Ag)
<b>AGI</b>	Adjusted Gross Income	<b>DEED</b>	Department of Employment and Economic Development
<b>AGVIC</b>	Agricultural Voluntary Investigation and Cleanup	<b>DHS</b>	Department of Human Resources
<b>APLN</b>	Administrators Physical Loss Notification (Ag)	<b>DPS</b>	Department of Public Safety
<b>APRN</b>	Advance Practice Registered Nurse	<b>DNR</b>	Department of Natural Resources
<b>ARES</b>	Amateur Radio Emergency Services	<b>DOC</b>	Department of Commerce or Corrections
<b>ATF</b>	Alcohol, Tobacco, and Firearms	<b>DOE</b>	Department of Energy
<b>BAH</b>	Board of Animal Health	<b>DOLI</b>	Department of Labor and Industry
<b>BFE</b>	Base Flood Elevation	<b>DOR</b>	Department of Revenue
<b>BIA</b>	Bureau of Indian Affairs	<b>DAC</b>	Disaster Recovery Center
<b>BWSR</b>	Board of Water and Soil Resources	<b>DSA</b>	Debt Set-Aside Program (FSA)
<b>CAT</b>	Chemical Assessment Team	<b>DSR</b>	Damage Survey Report (Aviation)
<b>CCP</b>	Crisis Counseling Program	<b>DUA</b>	Disaster Unemployment Assistance
<b>CDBG</b>	Community Development Block Grants	<b>EBT</b>	Electronic Benefit Transfer
<b>CEB</b>	County Emergency Board	<b>ECP</b>	Emergency Conservation Program
<b>CERCLA</b>	Comprehensive Environmental Response, Compensation and Liability Act	<b>EIDL</b>	Economic Injury Disaster Loan (SBA)
<b>CFR</b>	Code of Federal Regulations		

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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<b>EM</b>	Emergency Loan Program (FSA)	<b>GAR</b>	Governor's Authorized Representative
<b>EMAC</b>	Emergency Management Assistance Compact	<b>HMGP</b>	Hazard Mitigation Grant Program
<b>EMMIE</b>	Emergency Management Mission Integrated Environment	<b>HSEM</b>	Homeland Security and Emergency Management
<b>EOC</b>	Emergency Operations Center	<b>HUD</b>	Housing and Urban Development
<b>EQIP</b>	Environmental Quality Incentives Program	<b>HWWTTP</b>	Hazardous Waste Worker Training Program
<b>ERT</b>	Emergency Response Team	<b>IA</b>	Individual Assistance
<b>EWP</b>	Emergency Watershed Protection (NRCS)	<b>IC</b>	Incident Command
<b>FAC</b>	Family Assistance Center	<b>ICS</b>	Incident Command System
<b>FBI</b>	Federal Bureau of Investigations	<b>IDA</b>	Initial Damage Assessment
<b>FCCE</b>	Flood Control and Coastal Emergency	<b>IGA</b>	Intergovernmental Agreement
<b>FCO</b>	Federal Coordinating Officer	<b>IHP</b>	Individuals and Households Program
<b>FDR</b>	Flood Damage Reduction (Grant)	<b>ISP</b>	Immediate Services Program
<b>FEMA</b>	Federal Emergency Management Agency	<b>JFO</b>	Joint Field Office
<b>FHA</b>	Federal Housing Administration	<b>JIC</b>	Joint Information Center
<b>FHWA</b>	Federal Highway Administration	<b>LGU</b>	Local Governmental Unit
<b>FLAG</b>	Farmers Legal Action Program	<b>LTRC</b>	Long Term Recovery Committee
<b>FMA</b>	Flood Mitigation Assistance (Grant)	<b>MCC</b>	Minnesota Conservation Corps
<b>FNS</b>	Food and Nutrition Service	<b>MDA</b>	Minnesota Department of Agriculture
<b>FSA</b>	Farm Service Agency	<b>MDE</b>	Minnesota Department of Education
		<b>MDH</b>	Minnesota Department of Health

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<b>MDO</b>	Minnesota Duty Officer	<b>NIEHS</b>	National Institute of Environmental Health Science
<b>MEOP</b>	Minnesota Emergency Operations Plan		
<b>MERS</b>	Mobile Emergency Response Support	<b>NIMS</b>	National Incident Management System
<b>MIFC</b>	Minnesota Interagency Fire Center	<b>NRCS</b>	Natural Resource Conservation Service
<b>Mn/DOT</b>	Minnesota Department of Transportation	<b>NRF</b>	National Response Framework
<b>MNOPS</b>	Minnesota Office of Pipeline Safety	<b>NSS</b>	National Shelter System
<b>MNVOAD</b>	Minnesota Voluntary Organizations Active in Disaster	<b>NTC</b>	Net Tax Capacity
<b>MPCA</b>	Minnesota Pollution Control Agency	<b>NTSB</b>	National Transportation Safety Board
<b>MRTF</b>	Minnesota Recovers Task Force	<b>OET</b>	Office of Enterprise Technology
<b>NAP</b>	Non-Insured Crop Disaster Assistance Program (FSA)	<b>OIM</b>	Office of Investment Management
<b>NASULGC</b>	National Association of State Universities and Land Grant Colleges	<b>OSHA</b>	Occupational Safety and Health Administration
<b>NEG</b>	National Emergency Grant	<b>PA</b>	Public Assistance
<b>NEIFC</b>	Northeast Interagency Fire Center	<b>PACL</b>	Public Assistance Crew Leader
<b>NEST</b>	Nuclear Emergency Support Team	<b>PAO</b>	Public Assistance Officer
<b>NFES</b>	National Fire Equipment System	<b>PAO</b>	Public Affairs Officer
<b>NFIP</b>	National Flood Insurance Program	<b>PCA</b>	Pollution Control Agency
<b>NFIRA</b>	National Flood Insurance Reform Act	<b>PDA</b>	Preliminary Damage Assessment
<b>NHPA</b>	National Historic Preservation Act	<b>PDM</b>	Pre-Disaster Mitigation (Grant)
		<b>PHA</b>	Public Housing Authority
		<b>PIO</b>	Public Information Officer
		<b>PFA</b>	Psychological First Aid
		<b>PFA</b>	Public Facilities Authority
		<b>PFO</b>	Principal Federal Official

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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<b>PKEMRA</b>	Post Katrina Emergency Management Reform Act	<b>SED</b>	State Executive Director (FSA)
<b>PNP</b>	Private Non-Profit	<b>SEOC</b>	State Emergency Operations Center
<b>PPI</b>	Pre-Placement Interview	<b>SHPO</b>	State Historical Preservation Office
<b>PSA</b>	Public Service Announcement	<b>SIM</b>	State Incident Manager
<b>PW</b>	Project Worksheet	<b>SRL</b>	Severe Repetitive Loss (Grant)
<b>RACES</b>	Radio Amateur Civil Emergency	<b>SWCD</b>	Soil and Water Conservation District
<b>RF</b>	Recovery Function	<b>THPO</b>	Tribal Historical Preservation Office
<b>RFA</b>	Rural Finance Authority	<b>THU</b>	Temporary Housing Unit
<b>RFC</b>	Repetitive Flood Claims	<b>TSA</b>	Transitional Shelter Assistance
<b>RIM</b>	Re-Invest in Minnesota	<b>USACE</b>	United States Army Corps of Engineers
<b>RMD</b>	Risk Management Division	<b>UCS</b>	Unified Command System
<b>RNA</b>	Rapid Needs Assessment	<b>USC</b>	United States Code
<b>RSP</b>	Regular Services Program	<b>USDOE</b>	United States Department of Energy
<b>SALT</b>	State Aid for Local Transportation	<b>USDA</b>	United States Department of Agriculture
<b>SARA</b>	Superfund Amendments and Reauthorization Act	<b>VAL</b>	Voluntary Agency Liaison
<b>SAMHSA</b>	Substance Abuse and Mental Health Services	<b>VCR</b>	Victim Reception Center
<b>SBA</b>	Small Business Administration	<b>WAP</b>	Weatherization Assistance Program
<b>SCDP</b>	Small Cities Development Program	<b>WMD</b>	Weapons of Mass Destruction
<b>SCO</b>	State Coordinating Officer		
<b>SEB</b>	State Emergency Board (Ag)		

**RECOVERY FUNCTION 1: HAZARD MITIGATION**

**PURPOSE**

Mitigation is the cornerstone of emergency management. It is the ongoing effort to prevent or lessen the impact that disasters have on families and homes in the state of Minnesota. Mitigation involves keeping structures, homes and businesses out of floodplains; anchoring and blocking manufactured homes to better withstand high winds; building safe rooms in structures for protection from tornadoes; enforcing building and fire codes to protect people and property from disasters; and more.

**SCOPE**

This Recovery Function (RF) discusses the roles of agencies and organizations that are responsible for pre- and post-disaster hazard mitigation grant assistance, activities developed to provide hazard mitigation assistance, and the activating mechanisms of those activities.

**ACTIVATING MECHANISM/AUTHORITY**

The Hazard Mitigation Grant Program (HMGP) activation requires a presidential declaration of major disaster under the Stafford Act. HMGP eligibility requires the jurisdiction requesting assistance to have adopted a FEMA-approved all-hazard mitigation plan.

Other federal mitigation programs (PDM/FMA) and the state Flood Damage Reduction (FDR) program do not require a declaration.

**STATE ASSISTANCE**

The Minnesota State All-Hazard Mitigation Plan addresses the state’s hazard mitigation goals and responsibilities in a comprehensive manner. This RF will briefly identify some of the common programs and the agencies that manage them.

**Summary**

<b>State Agency</b>	<b>Level</b>	<b>Responsibility</b>
Agriculture	Coordinate	Disaster Recovery Loan Program
Natural Resources	Primary, Coordinate	Manage the Flood Damage Reduction Program
Homeland Security and Emergency Management	Primary	Manage federal mitigation grant programs
Water and Soil Resources	Primary	Manage the State Cost Share Program
Water and Soil Resources	Primary	Manage the Re-invest In Minnesota (RIM)

# MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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## Minnesota Department of Agriculture

### Disaster Recovery Loan Program

The **Disaster Recovery Loan Program** helps farmers pay the cost of clean-up and debris removal, lost seed or other crop inputs (including machinery repair), feed and livestock when damaged by high winds, hail, tornado or flood and not covered by insurance. The program offers affordable financing to repair existing agricultural buildings to pre-disaster conditions. To replace means to construct a structure of the same functional purpose and capacity as the structure(s) that was destroyed.

Current technologies may be utilized in the replacement structure. Loan proceeds may also be used to repair or replace septic and water systems, and replace destroyed agricultural buildings with similar capacity and function.

This program may also be utilized to purchase water systems for livestock and other drought mitigation systems and practices when drought is the cause of the purchase. Cost of drilling a replacement well and other parts of an existing irrigation system is also eligible when drought causes the expense.

This is a loan participation program available through the Rural Finance Authority (RFA). Farmers will work through their local lender. Upon completion of an application, the lender will apply for RFA participation. The RFA must have a completed Master Participation Agreement with the lender on file.

#### *Eligibility Requirements*

The farmer candidate must meet the following criteria:

- Be an individual who is a resident of Minnesota or a domestic family farm corporation or family farm partnership as defined in Minnesota Statutes, **section 500.24, subd. 2**;
- Certify that the damage or loss was sustained within a county that was the subject of a state or federal disaster declaration;
- Demonstrate an ability to repay the loan;
- Have a total net worth, including assets and liabilities of the borrower's spouse and dependents, of less than \$750,000; and
- Have received at least 50 percent of average annual gross income from farming for the past three years.

#### *Participating Lenders*

While all lending institutions are eligible to be part of the program, they are not required to do so. Their decision to join the program is voluntary.

Each lender must enter into an agreement with the RFA and offer farm loans based upon certain pre-established rules in order to qualify for RFA participation.

### *Loan Terms*

The RFA participation in a qualifying loan is limited to 45 percent of the principal amount up to a maximum of \$50,000. Interest rate on the RFA portion of the loan must not exceed

4.0 percent, and is currently set at 3.0 percent. Down payment and collateral requirements will be determined by the agricultural lender and the authority. Loan amortization will be scheduled on flexible terms not to exceed 10 years. Loan payments of interest only are permitted for the first two years. There is no maximum on the size of loan that a participating lender may make under the program.

The originating lender will retain the balance of each loan. The borrower must satisfy the local lender's guidelines. The local lender will control the day-to-day operation of the loan.

Participating lenders are allowed to charge a fixed or adjustable interest rate consistent with their normal lending practices and their agreement with the RFA.

### **Department of Natural Resources (DNR)**

#### **Flood Damage Reduction Program (FDR)**

The **Flood Damage Reduction Grant Assistance Program** was created by the Legislature in 1987 to provide technical and financial assistance to local government units for reducing the damaging effects of floods. Under this program the state can make cost-share grants for up to 50 percent of the total cost of a project. The goal of existing regulations and programs for flood damage reduction is to minimize the threat to life and property from flooding. In addition to property loss, people can be killed or injured fighting floodwaters.

The Floodplain Management regulations in the state of Minnesota reflect a belief that people and their structures should not be located in high hazard floodway areas. The FDR Grant Assistance Program places a high priority on removing structures and protecting lives from the path of naturally occurring waters. Although the DNR funds both structural and nonstructural projects, efforts have shifted to finding nonstructural flood mitigation solutions if possible.

Nonstructural mitigation approaches increase in effectiveness when they are part of a broader watershed plan. This approach is better than attempting to control our rivers and their natural forces with structures like dikes, levees, and diversion ditches.

The majority of badly flooded areas are older developments built before floodplain management ordinances were in place. When large portions of a community, or the whole community, is located within the 100-year floodplain, structural measures may be the only feasible and prudent solution. The DNR has assembled the following

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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FDR goals to guide the program and to help prioritize the applications for grant assistance.

- Prevent Loss of Human Life
- Promote the development of flood plain management plans and land use ordinance administration and enforcement.
- Promote the development of community flood warning systems and emergency response plans.
- Ensure state oversight of project design and technical criteria.
- Prevent damages to structures, homes, and communities.
- Promote the acquisition and permanent removal of flood prone structures and establishment of green ways within the 100-year flood plain.

Note: A 100-year flood is calculated to be the level of flood water expected to be equaled or exceeded at least once in a 100-year period. The 100-year flood is more accurately referred to as the one percent flood, since it is the event which has a one percent chance of being equaled or exceeded in any single year. Based on the expected water level, an expected area of inundation may be mapped out according to elevation above sea level. These mapped out areas are known as Flood Plains. Flood Plains figure very importantly in building permits, environmental regulations, and flood insurance.

- Promote the development of flood insurance studies, flood plain remapping and hydraulic/hydrologic studies and Section 22 studies in poorly defined or unmapped areas.
- Promote the development of comprehensive watershed and systems approaches to basin management.
- Promote the construction of farmstead ring dikes built to a minimum of 2 a feet of free board over the flood of record, or 1 foot above the administrative 100-year flood, whichever is greater.
- Promote the construction of community setback levees and floodwalls built to the flood of record plus uncertainty (3 feet) or the 100-year flood, plus uncertainty, whichever is greater.
- Discourage the development of structures within the 100- year flood plain, with the exception of those approved in a community's flood plain ordinance.
- Reduce damages to farmland, transportation, and water quality.
- Provide protection against a ten-year summer storm event for intensively farmed agricultural land.
- Maintain existing levels of flood protection when consistent with a comprehensive watershed management plan.
- Avoid, minimize, and mitigate environmental impacts caused by flood control projects.

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- When advancing a project that requires a permit, select the least environmentally damaging (or most environmentally enhancing), feasible and prudent alternative that accomplishes the flood damage reduction goals in accordance with the procedures developed by the Red River Mediation Process.
- Where possible, design projects or packages of projects that provide net natural resource enhancement.
- A planned response to a flooding problem should take into account natural resource benefits, as well as negative impacts, in a watershed context.
- Reduce social and economic loss and/or lost income due to flooding.
- Remove communities from the disaster/repair cycle by implementing flood damage reduction projects.
- Promote projects that are cost beneficial.
- Discourage projects that are not cost effective.
- Reduce flood losses on a watershed basis.
- Where possible, projects should be identified in a comprehensive watershed management plan and provide watershed benefits to flood damage reduction in accordance with the project development procedures of the Red River Mediation Process.
- Promote studies that will link watersheds from minor basins to major basins.
- Promote hydrologic/hydraulic studies of the major river basins and their tributaries.
- Reduce disruption of human and natural systems.
- Projects should be developed as part of a systems approach to resource management and flood damage reduction in accordance with the project development procedures of the Red River Mediation Process.
- Projects should be developed by interdisciplinary resource teams.
- Projects should go through sequencing and alternatives analysis.
- Promote an increased awareness of the FDR program and the benefits it provides to local units of government.
- Provide training to local units of government and agency staff.
- Develop a program database, ArcView information system, and Web site to improve access to data and accountability of the program.

### *Resource Management Goals*

- Manage lakes and streams for natural characteristics.
- Promote a diverse mix of permanent vegetation in riparian corridors (meander belt width).
- Where possible, promote restoration toward natural characteristics.
- Enhance and restore riparian and in-stream habitats and natural flood plains.
- Establish native species of permanent vegetation along ditch, stream and river banks.

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- Incorporate riparian areas into watershed wide connective corridors.
- Promote multi-disciplinary approaches to problem solving.
- Provide recreational and green space opportunities and natural riparian corridors. Promote recreational opportunities as a part of flood damage reduction activities, including parks and green ways.
- Manage water quality to reduce erosion, toxics, sediments, and nutrients. Promote the use of best management practices during the construction and implementation of flood damage reduction projects.
- Promote the restoration of natural flood plains through setback levees and the acquisition of flood prone structures. Require, where possible, a meander width belt for levee and flood wall projects.
- Promote the creation or enhancement of wildlife habitat as a part of flood damage reduction activities. Promote the establishment of corridors and the planting of native vegetation and cover species.

### *Impacts*

The efforts of local governments to enforce their zoning ordinances and to sponsor projects and acquire or relocate flooded buildings have helped to reduce risk to lives and flood damages.

Under **Minnesota Statutes, section 103F.111**, the floodplain is considered to be the land adjoining lakes and rivers which is covered by a “100-year” flood (flood that has a one percent chance of occurring in any one year). Floodway and flood fringe areas are officially identified on maps published by the Federal Emergency Management Agency (FEMA).

### *Definitions*

**Floodway:** This is the land immediately adjoining the river channel that is the natural conduit for flood waters. The floodway must remain open to allow flood waters to pass. When the floodway is obstructed by buildings, structures, or debris, flood waters will be damned up and will flood areas upstream. Only open space areas, like parks, are normally allowed in the floodway.

**Flood fringe:** This is the remainder of the floodplain lying beyond the floodway. This area is generally covered by shallow, slow moving flood waters. Development is normally allowed in the flood fringe provided that buildings are placed on fill so that the structure including the basement is above the 100-year flood level.

*State laws in place include:*

**Minnesota Statutes, section 103A.207** is the state’s policy to reduce flood damages through floodplain management, stressing nonstructural measures such as floodplain zoning and flood proofing (like protective elevation) along with flood warning practices.

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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**Minnesota Statutes, section 103F.161**, The Flood Damage Reduction Grant Assistance Program provides a grant program to assist local governments undertaking both structural and nonstructural flood damage reduction projects. It also supplements the local share for projects receiving federal funding. Throughout the existence of this program, FDR grants have been made to various local communities across the state.

Since the FDR Program was instituted in 1987, a significant number of projects have been completed to minimize the threat of loss of life and property damage from flooding. Funds have been provided for floodplain analysis, structural acquisition, flood proofing, emergency levee analysis, storm sewer construction, and watershed analysis. This document will help to explain who is eligible for a grant and how the list of projects to be funded is developed by the DNR.

### *Who is eligible for a grant?*

Any local government unit (LGU) is eligible to apply for a grant to plan or to implement some type of flood damage reduction measure. LGUs are eligible for FDR grants independent of a Presidential disaster declaration. LGUs are defined as counties, cities, towns, conservation districts, watershed districts, or lake improvement districts. Local governments also include joint powers organizations composed of these units. The commissioner may make grants to local governments to conduct flood damage reduction studies to determine the most feasible, practical, and effective methods and programs for mitigating the damages due to flooding within flood prone rural and urban areas and their watersheds and plan and implement flood mitigation measures. For more information, refer to the **DNR Application Information Guidebook**.

### *Available Grants*

There are currently two different classes of grants available through the FDR program.

- Small grants are for projects with a total cost of less than or equal to \$300,000 (state share less than \$150,000). Small grants are made directly by the DNR from funds appropriated by the Legislature.
- Large grants are for projects with a total cost greater than \$300,000 (state share greater than \$150,000). Large grant applications are received and prioritized by the DNR and then presented to the Governor and the Legislature for consideration in a capital bonding bill. A project will be funded based upon its rank after prioritization and the amount of program funding made available by the Legislature.

If a presidential declaration has been issued in Minnesota, FEMA pays for 75 percent of the cost of structural acquisition, with the remaining 25 percent to be provided by the local governments. The FDR program will pay half the local share

leaving the local government unit with only a 12.5 percent share. The FDR program will also pay for half of the 35 percent nonfederal share of federal flood hazard mitigation projects.

### *Criteria for Prioritizing Projects*

Local government unit interest in this program is such that funding requests are two to three times greater than the funding available. This discrepancy is even greater for projects that require bonding funds. Because such a wide variety of proposals are received during each application period, prioritizing them has been somewhat problematic. Therefore, priorities were developed for the projects to determine who will receive a grant. Criteria for prioritizing projects comes from [Minnesota Statutes, section 103F.161, subd. 2](#).

### **Minnesota Department of Public Safety Homeland Security and Emergency Management Division (HSEM)**

HSEM is responsible for administering the following federal mitigation grant programs in Minnesota. The Hazard Mitigation Assistance (HMA) programs are funded by the Federal Emergency Management Agency (FEMA).

#### **Hazard Mitigation Grant Program (HMGP)**

The [Hazard Mitigation Grant Program](#) (HMGP) assists states and local communities in implementing long-term hazard mitigation measures following a major disaster declaration, including buyouts of residential property in flood plains. (See more detail under Federal Assistance.)

#### **Pre-Disaster Mitigation Program**

The [Pre-Disaster Mitigation Program](#) (PDM) assists states and local communities in implementing hazard mitigation plans and mitigation projects prior to a disaster. (See more detail under Federal Assistance.)

#### **Flood Mitigation Assistance Program**

The [Flood Mitigation Assistance Program](#) (FMA) assists local communities in implementing measures that reduce or eliminate the long-term risk of flood damage to structures insured under the National Flood Insurance Program (NFIP). Federal funding for projects and plans can be up to 75 percent of the project's total.

The HMA program's objectives are to:

- Prevent future loss of life and property due to disaster;
- Implement state or local hazard mitigation plans;
- Enable mitigation measures in the disaster area to be implemented during immediate recovery from a disaster; and

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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- Provide funding for previously identified mitigation measures that reduce damages throughout the state.

All applicants must have an approved Hazard Mitigation Plan to be eligible for federal program funds. Applicants who are eligible for the projects are:

- State and local governments
- Certain private non-profit organizations or institutions
- Native American tribes or authorized tribal organizations

All projects must be eligible and cost-effective. Examples of projects include:

- Acquisition and demolition of structures from hazard-prone areas (buyouts)
- Acquisition and relocation of structures from hazard-prone areas
- Retrofitting, such as elevating structures to protect them from future damage
- Minor flood control, such as drainage improvements
- Conversion of overhead power lines to underground
- All-Hazard Mitigation Plans

### **Board of Water and Soil Resources (BWSR)**

The Minnesota Board of Water and Soil Resources is the state's administrative agency for 91 soil and water conservation districts, 46 watershed districts, 23 metropolitan watershed management organizations, and 80 county water managers. The agency's purpose, working through local government, is to protect and enhance the state's soil and water resources by implementing the state's soil and water conservation policy, comprehensive local water management, and the Wetland Conservation Act as it relates to the 41.7 million acres of private land in Minnesota.

The agency has a unique service delivery system using the staff and resources of local government, along with the state staff and resources, to work with private landowners to implement conservation on the ground. This provides an opportunity to partner state, federal, local, and private resources to private lands projects that help maintain water quality, prevent soil loss and erosion, plan for land use, and protect wetlands. These partnerships in service delivery ensure that the interest of state policy is implemented with local issues and problems in mind.

During disaster recovery, BWSR, in partnership with the DNR, manages programs to assist victims with water and land management programs. Some of the programs available through BWSR are:

### **State Cost-Share Program**

The purpose of the State Cost-Share Program is to provide grants to Soil and Water Conservation Districts (SWCDs) so they can help local landowners or land occupiers offset the costs of installing conservation practices that protect and improve water quality by controlling soil erosion and reducing sedimentation.

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Through the State Cost-Share Program, landowners or occupiers can request financial and technical assistance from their local SWCD to implement state-approved conservation practices. The program, which was originally approved by the Minnesota Legislature in 1977, provides up to 75 percent of the total eligible costs of a practice.

Grant funds are available annually to SWCDs at the beginning of the state's fiscal year. In order for SWCDs to receive these grants, they must have on file at BWSR an approved annual plan of work, an annual report, and a comprehensive plan or a resolution to adopt the county's comprehensive local water management plan.

The projects are selected by local SWCDs that identify high priority erosion and water quality problems.

### *Eligible projects*

BWSR has approved 12 conservation practices that are eligible for this program. Those practices include:

- Critical area stabilization
- Diversions
- Field windbreaks
- Shelterbelts
- Grassed waterway
- Wastewater and feedlot runoff control
- Filter strips
- Sediment basins
- Streambank, shoreland, and roadside protection
- Stripcropping
- Terraces
- Unused well sealing

### **Re-Invest in Minnesota (RIM)**

In 1986, the [Reinvest in Minnesota Program](#) was established by a recommendation from the Citizen's Commission to Promote Hunting and Fishing in Minnesota. Since that time, the Minnesota Legislature has appropriated \$23 million and the Critical Habitat Conservation License Plate has generated over \$3 million for acquisition and enhancement of critical habitat, and private donors have contributed land and cash totaling over \$26 million. Land donations and buyouts are specific to; crop, non-crop farmland, riparian (the interface between land and a flowing surface water body) cropland, and wetland restoration.

The RIM Program encourages private citizens and organizations to help fund the acquisition and development of critical fish and wildlife habitat by having their donations of land or cash matched from a special state fund.

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The acquisition and enhancement of critical habitat, which includes but is not limited to restoring wetlands, improving forest habitat, planting critical winter cover, protecting undisturbed plant communities, preserving habitat for rare plant and animal species, protecting native prairie and grasslands, and preserving spawning and reproduction areas for fish.

The first priority is given to the maintenance or enhancement of endangered or threatened populations of native plant, fish and wildlife species. Second priority is given to the protection or enhancement of native ecological communities that are now uncommon or diminishing.

The program provides for state acquisition or enhancement of critical habitat on state lands by matching dollar for dollar donations of land, easements, or cash. The majority of the donations are restricted for projects of mutual interest between the donor and the Department of Natural Resources. Some projects are unrestricted, which allow the Department of Natural Resources to identify the "match" project.

### **FEDERAL ASSISTANCE**

#### **Federal Emergency Management Agency (FEMA)**

As part of the Joint Field Office (JFO), FEMA Hazard Mitigation Teams may be deployed to areas impacted by disaster. HSEM and FEMA, in partnership with local home supply stores, may offer outreach teams to assist people with mitigation and disaster assistance information following a disaster, mostly flooding.

Specialists can explain techniques that can help lessen damage to homes, businesses and property from future flooding. Information on retrofitting buildings and elevating utilities will be available.

The teams provide flood safety clean-up tips for mold and mildew. Home and business owners should be aware that in addition to causing structural damage, mold spores can grow in a short period, aggravating asthma or respiratory problems in adults and children.

Residents can also get information about:

- Relocating electric outlets, switches, and boxes above potential floodwaters
- Moving washers and dryers to a higher floor
- Elevating furnaces and water heaters
- Having a licensed plumber install a backflow valve to prevent sewer backup

Information also is available on how to find answers to other disaster- related questions.

FEMA coordinates the federal government's role in preparing for, preventing, mitigating the effects of, responding to, and recovering from all domestic disasters, whether natural or man-made, including acts of terror.

## **Hazard Mitigation Grant Program (HMGP)**

The FEMA **Hazard Mitigation Grant Program** (HMGP) provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster or emergency 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.

The purpose of the program is:

- To prevent future losses of lives and property due to disasters,
- To implement state or local hazard mitigation plans,
- To enable mitigation measures to be implemented during immediate recovery from a disaster, and
- To provide funding for previously identified mitigation measures to benefit the disaster area.

FEMA reviews each project application to ensure projects meet environmental regulations and minimum eligibility requirements. HSEM submits a funding request to the Regional Director after the application review.

HSEM will:

- Solicit, review, prioritize, and select applications from the community for funding (SD 1 Hazard Mitigation Notice of Interest).
- Forward the applications to FEMA for review.
- Submit a certification that the state has evaluated the projects and that they meet all HMGP eligibility criteria.

## **Flood Mitigation Assistance Program (FMA)**

The FEMA FMA program was created as part of the National Flood Insurance Reform Act (NFIRA) of 1994 (42 U.S.C. 4101) with the goal of reducing or eliminating claims under the **National Flood Insurance Program** (NFIP).

FEMA provides FMA funds to assist States and communities implement measures that reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insurable under the National Flood Insurance Program.

## **Pre-Disaster Mitigation Program (PDM)**

The FEMA Pre-Disaster Mitigation (PDM) program provides funds to states, territories, Indian tribal governments, communities, and universities for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event.

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Funding these plans and projects reduces overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. PDM grants are to be awarded on a competitive basis and without reference to state allocations, quotas, or other formula-based allocation of funds.

FEMA's mitigation grants, including PDM, are provided to eligible applicant states, tribes, and territories that, in turn, provide sub-grants to local governments. The applicant selects and prioritizes applications developed and submitted to them by local jurisdictions to submit to FEMA for grant funds.

### **U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)**

#### **Emergency Watershed Program (EWP)**

The **Emergency Watershed Protection** program is administered by the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). The purpose of the program is to undertake emergency measures — including the purchase of flood plain easements — for runoff retardation and soil erosion prevention to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood or any other natural occurrence is causing or has caused a sudden impairment of the watershed.

It is not necessary for a national emergency to be declared for an area to be eligible for assistance. The program objective is to assist sponsors and individuals in implementing emergency measures to relieve imminent hazards to life and property created by a natural disaster. Activities include providing financial and technical assistance to remove debris from streams, protect destabilized stream banks, establish cover on critically eroding lands, use repairing conservation practices, and purchase flood plain easements. The program is designed for installation of recovery measures.

EWP provides funding to project sponsors for such work as clearing debris from clogged waterways, restoring vegetation, and stabilizing river banks. The measures that are taken must be environmentally and economically sound and generally benefit more than one property owner.

NRCS provides up to 75 percent of the funds needed to restore the natural function of a watershed and up to 90 percent in limited resource areas. The community or local sponsor of the work pays the remaining cost-share, which can be provided by cash or in-kind services.

EWP work is not limited to any one set of prescribed measures. A case by case investigation of the needed work is made by NRCS.

EWP work can include:

- Removing debris from stream channels, road culverts, and bridges;

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- Reshaping and protecting eroded banks;
- Correcting damaged drainage facilities;
- Repairing levees and structures;
- Reseeding damaged areas; and
- Purchasing floodplain easements.

EWP funds cannot be used to solve problems that existed before the disaster or to improve the level of protection above that which existed prior to the disaster. EWP cannot fund operation and maintenance work, or repair private or public transportation facilities or utilities. EWP work cannot adversely affect downstream water rights, and EWP funds cannot be used to install measures not essential to the reduction of hazards. In addition, EWP funds cannot be used to perform work on measures installed by another federal agency.

Applicants who have suffered severe damage and may qualify under the EWP program should contact their local general improvement district or county supervisor to request assistance. City and county governments, general improvement districts, conservation districts, and tribal governments are the most common sponsors of EWP projects. The sponsor's application should be in the form of a letter signed by an official of the sponsoring organization. The letter should include information on the nature, location, and scope of the problem for which assistance is requested. Information is available from NRCS offices to explain the eligibility requirements for the EWP program. Send applications for assistance to the local **USDA Service Center** or the **NRCS State Office**.

All applications must be submitted within 10 days of the disaster for exigent situations and within 60 days of the disaster for non- exigent situations.

### **Environmental Quality Incentives Program (EQIP)**

The **Environmental Quality Incentives Program (EQIP)**, reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill), is a voluntary U.S. Department of Agriculture conservation program for farmers and ranchers to treat identified soil, air, water, and related natural resource concerns on eligible land. It provides technical and financial assistance to eligible producers. This program is managed by the Natural Resource Conservation Service (NRCS).

Although the maximum cost-share rate remains at 75 percent, limited resource producers and beginning farmers and ranchers may be eligible for up to 90 percent cost-share.

### **U.S. Department of Agriculture Farm Service Agency (FSA)**

USDA Farm Service Agency's (FSA) Emergency Conservation Program (ECP) provides emergency funding and technical assistance for farmers and ranchers to rehabilitate farmland damaged by natural disasters and for carrying out emergency

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water conservation measures in periods of severe drought. Funding for ECP is appropriated by Congress.

ECP is administered by state and county FSA committees. Subject to availability of funds, locally-elected county committees are authorized to implement ECP for all disasters except drought, which is authorized at the national office of FSA.

### **Land Eligibility**

County FSA committees determine land eligibility based on on-site inspections of damage, taking into account the type and extent of damage. For land to be eligible, the natural disaster must create new conservation problems that, if untreated, would:

- Impair or endanger the land;
- Materially affect the land's productive capacity;
- Represent unusual damage which, except for wind erosion, is not the type likely to recur frequently in the same area; and
- Be so costly to repair that federal assistance is required to return the land to productive agricultural use.

Conservation problems existing prior to the applicable disaster are ineligible for ECP assistance.

ECP program participants receive cost-share assistance of up to 75 percent of the cost to implement approved emergency conservation practices, as determined by county FSA committees.

Individual or cumulative requests for cost-sharing of \$50,000 or less per person, per disaster, are approved at the county committee level. Cost-sharing from \$50,001 to \$100,000 is approved at the state committee level. Cost-sharing over \$100,000 must be approved by FSA's national office.

Technical assistance may be provided by USDA's Natural Resources Conservation Service.

### **Emergency Conservation Practices**

To rehabilitate farmland, ECP program participants may implement emergency conservation practices, such as:

- Remove debris;
- Restore fences and conservation structures; and
- Provide water for livestock in drought situations.

Other conservation measures may be authorized by county FSA committees, with approval from state FSA committees and FSA's national office.

Producers should check with their local county FSA offices regarding ECP sign-up periods, which are set by county FSA committees.

## **SUPPORTING ORGANIZATIONS**

Numerous voluntary organizations provide awareness training on a variety of personal preparedness and mitigation topics.

## RECOVERY FUNCTION 2: FLOODPLAIN MANAGEMENT

### PURPOSE

The lake and river floodplains of Minnesota are highly desirable and rewarding sites for most kinds of human activities and contain a wealth of natural and cultural resources of immense importance and value to the state. Yet they are the source of costly and frequently unnecessary losses of human life and property as well as losses of resources afforded by floodplain environments.

In terms of areas affected and annual economic losses, flooding remains the greatest and most persistent natural disaster facing our state, despite concerted efforts at all governmental levels and within the private sector to moderate, account for, or mitigate the flood risk. These efforts go back at least to the turn of this century, when initially they were focused on controlling the paths of flood waters. Other flood loss reduction strategies and a myriad of programs have since evolved to complement these initial efforts. More recently, increased attention has been given to preserving the natural functions and resources of floodplains.

### SCOPE

This Recovery Function (RF) discusses the agencies and organizations responsible for floodplain management with their roles and responsibilities, and activating mechanisms and descriptions of activities developed to provide floodplain management.

### ACTIVATING MECHANISM/AUTHORITY

The **Floodplain Management Law** (see Minnesota Statutes, sections 103F.101 to 103F.155), was adopted soon after the National Flood Insurance Act of 1968 became law. **Floodplain Management Rules** (see Minnesota Rules, parts 6120.5000 to 6120.6200) were initially adopted in 1970.

The state's Flood Damage Reduction grant program was authorized in 1987 by Minnesota Statutes, section 103F.161, **Flood Hazard Mitigation Grants**. **Minnesota Statutes, chapter 103G** and **Minnesota Rules, part 6115.0150** to 6115.0280 regulate changes to the course, current, or cross-section of public waters in the state, which includes the types of projects (bridge, culvert, dam projects, etc.) that have the greatest impact on the floodplain.

Under **Minnesota Statutes, section 103F.11**, the floodplain is considered to be the land adjoining lakes and rivers that is covered by the "100-year" or "regional" flood. This flood is considered to be a flood that has a one percent chance of occurring in any given year. Floods of this magnitude occurred throughout the state in 1965, 1969, 1997 and 2001, and in various parts of the state in 1972, 1975, 1978, 1979, 1987 and 1993. Using sophisticated engineering and meteorological techniques, it is possible to estimate to an acceptable degree of accuracy the magnitude of such a

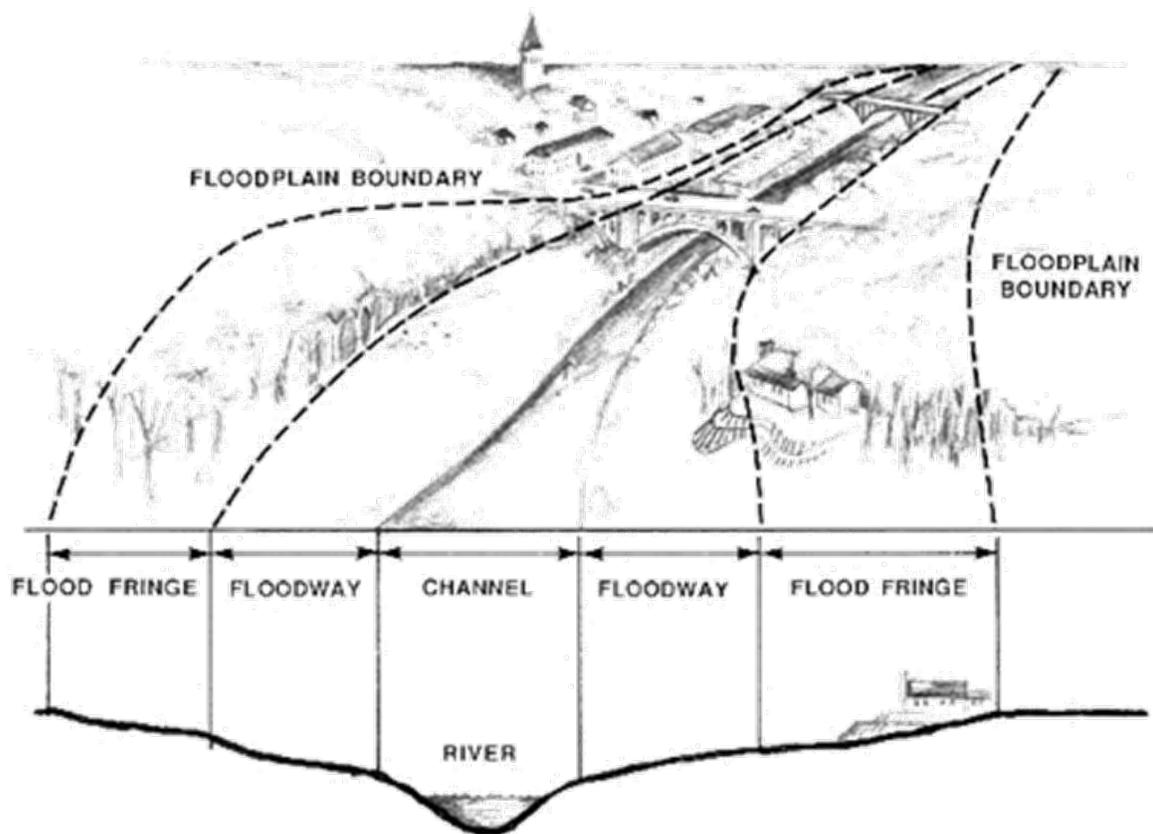
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flood along those rivers where long- term flood records have been kept. Various government agencies conduct these studies, and as they become available, local communities are required by [Minnesota Statutes, section 103F.121](#) to adopt this technical data in their floodplain zoning ordinances.

### OVERVIEW

#### Floodplain

The natural floodplain is an important part of our water system. It affects storm runoff, water quality, vegetative diversity, wildlife habitat, and aesthetic qualities of our rivers and lakes. Any alteration of the floodplain should be carefully evaluated. A person's intended use should be appropriate to the site selected. The following information about floodplains and local zoning codes deals with restrictions on developing in or near floodplains. However, remember that the least amount of alteration to the natural system is usually the most ecologically sound development decision.



If a person is buying or already owns property on a river shoreline in a community that has adopted floodplain zoning, they should consider the following points: floodway location, flood fringe location, flood protection elevation, flood proofing, and flood insurance, which is discussed in Recovery Function 3.

### **Floodway**

The floodway is the land immediately adjoining the river channel that is the natural conduit for flood waters. The floodway must remain open in order to allow flood waters to pass. When the floodway is obstructed by buildings, structures, or debris, flood waters will be dammed up and will flood even greater areas. Large portions of the floodplain store and later release flood waters, which reduce river flood stages. Under statewide floodplain management standards, local communities can designate areas for development in the floodplain, called flood fringe areas, which would cumulatively cause no more than a half-foot (six inch) stage increase in the 100-year flood. A lesser stage increase than 1/2-foot (six inches) would be appropriate where filling/development of proposed flood fringe areas would increase flood damage potential to nearby properties. Many communities have delineated the boundary of the floodway and flood fringe on zoning maps. If the property a person owns or is interested in buying lies within this mapped floodway, they will not be permitted to construct a dwelling or other enclosed structure, place fill material, or obstruct flood flows in any other way. Since this area must be left open to pass flood waters, only open space uses, such as farm land, residential yards or gardens, golf courses, parks, playgrounds, or parking areas, are normally allowed in the floodway.

### **Flood Fringe**

The flood fringe is the remainder of the floodplain lying outside of the floodway. This area is generally covered by shallow, slow moving flood waters. Development is normally allowed in the flood fringe provided that residential buildings are placed on fill so that the lowest floor, including the basement, is above the flood protection elevation. In communities that have not delineated separate floodway and flood fringe areas on their zoning map, a permit applicant will likely be asked to provide certain engineering information before they could build a structure in the floodplain. An engineer/surveyor will have to evaluate the proposed building site and furnish local officials with the necessary data to determine the property's flood protection elevation and whether the proposed structure is in the floodway. Professional services and special construction methods can be a substantial expense so a person should always check with the local zoning official before they buy property in a floodplain.

### **Flood Protection Elevation**

The flood protection elevation refers to an elevation one foot above the 100-year flood plus any stage increase due to the designation of flood fringe areas. The elevation of the lowest floor of a dwelling must be at or above the flood protection elevation. Local regulations will also require the top of the access road elevations to be within two feet of the flood protection elevation.

## Flood Proofing

Flood proofing includes a variety of construction methods, such as watertight doors, windows, walls, and bulkheads, which can be used to prevent flood waters from entering a structure. This method of flood protection, called "dry" flood proofing is not a sure deterrent to flooding and is used only in very special circumstances where it may not be possible to place the building or accessory structure on fill. Local floodplain regulations restrict dry flood proofing to non-residential structures. New residential basements are prohibited unless the community has been granted a residential basement exemption from the **Federal Emergency Management Agency** (FEMA). "Wet" flood proofing, which involves intentional internal flooding of areas constructed of flood resistant materials, may be allowed for minor additions to structures and certain accessory structures that constitute a minimal investment. State and federal floodplain management standards require all flood proofed structures to be designed and certified by a registered architect or engineer.

## STATE ASSISTANCE

To prevent future losses of life and property due to flooding, certain local, state, and federal government agencies implement floodplain management programs. In Minnesota, the Department of Natural Resources (DNR) is the primary agency responsible for implementing these programs and regulating construction within the floodplains.

### Department of Natural Resources (DNR)

The Floodplain Management Unit of the DNR oversees the administration of the state Floodplain Management Program by promoting and ensuring sound land use development in floodplain areas in order to promote the health and safety of the public, minimize loss of life, and reduce economic losses caused by flood damages. This unit also exists to oversee and administer the **National Flood Insurance Program** (NFIP) for the state of Minnesota.

In 1969, the Minnesota Legislature enacted the State Floodplain Management Act (Minnesota Statutes, chapter 103F). This act and sound floodplain management principles stress the need for a comprehensive approach to solving flood problems by emphasizing nonstructural measures, such as floodplain zoning regulations, flood insurance, flood proofing, and flood warning and response planning.

**Minnesota Statutes, sections 103F.121 and 103F.165**, requires Minnesota's flood prone communities to:

- Adopt floodplain management regulations when adequate technical information is available to identify floodplain areas; and
- Enroll and maintain eligibility in the National Flood Insurance Program (NFIP) so that the people of Minnesota may insure themselves from future losses through the purchase of flood insurance.

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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In 1987, the Flood Plain Management Act was amended to establish a state cost-sharing grant program to help local government units plan for and implement flood hazard mitigation measures. The DNR is the state agency with overall responsibility for implementation of the State Flood Plain Management Act.

At the state level, the DNR has promulgated minimum standards for floodplain management entitled "Statewide Standards and Criteria for Management of Flood Plain Areas of Minnesota" ([Minn. Rules 6120.5000 - 6120.6200](#)). These standards have two direct applications:

- All local floodplain regulations adopted after June 30, 1970, must be compliant with these standards; and
- All state agencies and local units of government must comply with Minnesota regulations in the construction of structures, roads, bridges, or other facilities located within floodplain areas delineated by local ordinance.

Local floodplain regulatory programs, administered by county government, predominately for the unincorporated areas of a county, and by municipal government for the incorporated areas of a county, must be compliant with federal and state floodplain management standards. Both federal and state standards identify the 100-year floodplain as the minimum area necessary for regulation at the local level. These regulations are intended to protect new development and modifications to existing development from flood damages when locating in a flood prone area cannot be avoided.

It is the DNR Waters Division's vision to continue to emphasize sound floodplain management practices: for the safety of occupants in the floodplain, to minimize property damage in the floodplain, and to retain the natural character of the floodplain for purposes of making open spaces available to the public and to retain/enhance the habitat.

DNR Waters sees two key areas for an effective floodplain management program: trained and knowledgeable local officials, and good maps.

### **FEDERAL ASSISTANCE**

#### **Federal Emergency Management Agency (FEMA)**

##### **Community Assistance Program-State Support Services Element**

The Community Assistance Program –State Support Services Element (CAP-SSSE) program derives its authority from the National Flood Insurance Act of 1968, as amended, the Flood Disaster Protection Act of 1973, and from 44 CFR Parts 59 and 60. This program provides funding to states to provide technical assistance to communities in the National Flood Insurance Program (NFIP) and to evaluate community performance in implementing NFIP floodplain management activities. In this way, CAP-SSSE helps to:

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- Ensure that the flood loss reduction goals of the NFIP are met,
- Build State and community floodplain management expertise and capability, and
- Leverage State knowledge and expertise in working with their communities.

The National Flood Insurance Act of 1968 prohibits the director of the program from providing flood insurance in a community unless that community adopts and enforces floodplain management measures that meet or exceed minimum criteria in 44 CFR Part 60.3. These floodplain management measures can take the form of floodplain management ordinances, building codes, or zoning provisions.

FEMA Regional Offices and the designated state agency negotiate a CAP-SSSE Agreement (Agreement) that specifies activities and products to be completed by a state in return for CAP-SSSE funds. In addition, each state is required to develop a Five-Year Floodplain Management Plan (Five-Year Plan) describing the activities to be completed using CAP-SSSE funding, as well as how the required performance metrics will be met. Performance standards that address quality of service are to be developed and measured. There is a 25 percent nonfederal match for all states receiving CAP-SSSE funds.

The fundable CAP-SSSE activities for may include:

- Performance Measurement/Five-Year Plan Updates
- State Model Ordinance Research and Development
- Ordinance Assistance
- Tracking and Reporting Floodplain Management Data
- Community Assistance Visits and Community Assistance Contacts
- Outreach, Workshops, and Other Training
- General Technical Assistance
- Mapping Assistance
- Coordination with Other State Programs and Agencies
- Assistance to Communities in Responding to Disaster

## RECOVERY FUNCTION 3: INSURANCE ASSISTANCE

### PURPOSE

This Recovery Function (RF) identifies the need for, and importance of, obtaining pre-disaster insurance coverage and how that coverage, or lack of coverage, affects eligibility for state and federal assistance programs, and other independent services.

### SCOPE

This Recovery Function (RF) discusses the roles of agencies and organizations responsible for disaster related insurance and the criteria for obtaining certain insurance coverage.

### ACTIVATING MECHANISM/AUTHORITY

Certain disaster assistance programs require a particular level or category of insurance when determining eligibility. Personal capabilities to recover and levels of insurance coverage are always considered initially before further state and federal assistance can be addressed.

### OVERVIEW

The first source of disaster assistance, following initial life safety assistance, is always private insurance, whether or not state or federal disaster assistance is provided. The extent to which private insurance will cover rebuilding will vary by the type of disaster. For example, homeowners insurance generally provides good coverage for wind damage, but not for damage caused by flooding. Flooding is the number one cause of major disaster in Minnesota and is the primary reason additional insurance is obtained.

A standard flood policy will cover structural, furnace, water heater, and air conditioner damage; flood debris clean-up; and floor surface damage such as to carpeting and tile. In order for your personal items to be covered such as: collectibles, clothing, jewelry, and furniture- you will need to purchase content coverage.

When providing assistance, FEMA must ensure that a “duplication of benefits” does not occur between its own programs and insurance coverage. A duplication of benefits most commonly occurs with insurance benefits. If a damaged facility is insured, FEMA is required to reduce the amount of the grant by any insurance proceeds that the applicant receives for the insured facility or home. The applicant is required to provide information concerning any insurance recovery to FEMA. FEMA will review the insurance information and determine whether the settlement will be sufficient to cover the applicant’s loss or need.

# MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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## STATE ASSISTANCE

### Summary

State Agency	Level	Responsibility
Administration	Primary	Process claims through the state self-insurance program
Commerce	Primary	Activate insurance disaster recovery teams
Natural Resources	Primary	Oversee and administer the <b>National Flood Insurance Program</b>

### Department of Administration (ADMIN)

The Department of Administration administers the state self-insurance program as it relates to federal disaster and emergency assistance, as set forth under the Robert T. Stafford Disaster Relief Act. This is accomplished in conformance with FEMA guidance, as it relates to insuring public buildings for eligibility considerations under the Public Assistance Program following a presidential or state declaration.

ADMIN provides insurance assessments for state owned buildings which have been damaged or destroyed as a result of a disaster.

### Department of Commerce (DOC)

The Department of Commerce may activate Insurance Disaster Recovery Teams to areas which have been impacted by a disaster. The purpose of these teams is to contact the local insurance providers to make sure they have enough adjusters on the ground and to encourage prompt and fair settlement of all claims. They will help victims affected by the event with the insurance process.

DOC staff will be visiting directly with homeowners and business owners that incurred damage and will provide them with information about the consumer assistance services available from the Department of Commerce. The teams will conduct assessments to determine the level of their response.

The Insurance Disaster Recovery Teams will also hand out written materials containing detailed information on both homeowners and automobile insurance coverage. They will also hand out Disaster Recovery Team cards with a toll free number and e-mail address for consumers to use if they experience difficulties resolving their insurance claims.

As part of its assistance efforts, Commerce has prepared standard insurance information regarding certain emergencies (flood, tornadoes, and hail storms) as well as more general topics (homeowners, auto), which it plans to release to the media in the affected areas via its Communication Officer within 24 hours after each incident.

Consumers who have questions or concerns about their insurance coverage can call the Consumer Response Team at the Minnesota Department of Commerce at 1-800-657-3602.

### **Department of Natural Resources (DNR)**

The Floodplain Management Unit of the DNR oversees the administration of the state Floodplain Management Program by promoting and ensuring sound land use development in floodplain areas in order to promote the health and safety of the public, minimize loss of life, and reduce economic losses caused by flood damages. This unit also exists to oversee and administer the **National Flood Insurance Program** (NFIP) for the state of Minnesota.

In 1969, the Minnesota Legislature enacted the State Floodplain Management Act (**Minnesota Statutes, chapter 103F**). This act and sound floodplain management principles stress the need for a comprehensive approach to solving flood problems by emphasizing nonstructural measures, such as floodplain zoning regulations, flood insurance, flood proofing, and flood warning and response planning.

**Minnesota Statutes, section 103F.121** and **103F.165** requires Minnesota's flood prone communities to enroll and maintain eligibility in the National Flood Insurance Program (NFIP) to insure themselves from future losses through the purchase of flood insurance.

### **FEDERAL ASSISTANCE**

#### **National Flood Insurance Program (NFIP)**

The U.S. Congress established the National Flood Insurance Program (NFIP) with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance provides assistance for repairing damage to buildings and their contents caused by floods.

In 1994, Congress amended the 1968 Act and the 1973 Act with the National Flood Insurance Reform Act (NFIRA). The 1994 Act included measures, among others, to:

- Increase compliance by mortgage lenders with the mandatory purchase requirement and improve coverage;
- Increase the amount of flood insurance coverage that can be purchased;

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- Provide flood insurance coverage for the cost of complying with floodplain management regulations by individual property owners (Increased Cost of Compliance coverage);
- Establish a Flood Mitigation Assistance grant program to assist States and communities to develop mitigation plans and implement measures to reduce future flood damages to structures;
- Codify the NFIP's Community Rating System; and
- Require FEMA to assess its flood hazard map inventory at least once every five years.

Funding for the NFIP is through the National Flood Insurance Fund, which was established in the Treasury by the 1968 Act. Premiums collected are deposited into the fund, and losses and operating and administrative costs are paid out of the fund. In addition, the Program has the authority to borrow up to \$1.5 billion from the Treasury, which must be repaid along with interest.

The three basic components of the program are identifying and mapping flood-prone communities, the requirement that communities adopt and enforce floodplain management regulations, and the provision of flood insurance. Other aspects and components of the program include the Mandatory Purchase Requirement, the Community Rating System, and the Flood Mitigation Assistance program.

For more information about purchasing flood insurance, visit the [National Flood Insurance Program's \(NFIP\) website](#) or call 1-888-379-9531.

If you have flood insurance and want information about filing claims, or if you are having trouble applying for flood insurance, call NFIP's national information line at 1-800-427-4661

## RECOVERY FUNCTION 4: DAMAGE ASSESSMENTS

### PURPOSE

The purpose of this recovery function is to provide a general description of the damage assessment responsibilities assigned to state agencies.

### SCOPE

This recovery function describes the resources and responsibilities of state agencies regarding the assessment of disaster damages. Although the initial responsibility in assessing damages lies with the local government, several agencies – including HSEM – will be available to assist local governments in this process.

### ACTIVATING MECHANISM/AUTHORITY

Resources from the state may be deployed in the following manner:

- When requested by the local government,
- At the direction of the governor or the governor's authorized representative (GAR),
- At the direction of the director of the Minnesota Department of Public Safety Division of Homeland Security and Emergency Management (HSEM), or
- In accordance with internal policies and procedures.

Governor's Executive Order 15-13 requires that when requested by HSEM, state agencies shall provide appropriate personnel to assist with the damage assessment activities associated with the Public Assistance, Individual Assistance, and Hazard Mitigation Programs.

### OVERVIEW

Damage assessments determine the magnitude and severity of damages identified following a natural disaster or significant event and how those damages will impact the community involved.

Major disasters/emergencies may result in the following damage assessment efforts, in the order shown:

#### **Rapid Needs Assessment (RNA)**

Immediately following a disaster, HSEM may deploy subject matter experts to the affected community to provide immediate technical assistance.

#### **Initial Damage Assessment (IDA)**

Since most disasters involve damage to local property, local government normally has the primary responsibility for its assessment. Therefore, state agencies may not be directly involved. There are three exceptions:

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- State agencies have the primary responsibility to assess the damage to state-owned property and facilities such as state roadways, state-owned public buildings, and state parks.
- State agencies may be asked to supplement local government efforts to assess disaster damages, particularly during major disasters when local government may not have adequate resources.
- State agencies may be responsible for assisting with the repair and rehabilitation of facilities that they regulate, which could include water treatment facilities and distribution systems, wastewater treatment facilities and collection systems, nursing homes, hospitals, restaurants, and lodging facilities. This responsibility typically includes plan review and approval of any corrective action needed after disaster damage.

HSEM has developed tools to assist local officials in recording their damages. These documents are listed below:

### **Reporting Damages**

#### ***SD 4 Local Damage Assessment Reporting Packet***

- Local Damage and Impact Assessment Report Assistance Guide which takes the local official step-by-step through the process of completing the Damage and Impact Assessment Report and provides examples where summary statements are requested.
- Local Damage and Impact Assessment Report which is used by local officials (cities, townships, school districts, tribal communities, cooperatives, and other private non-profits that provide essential government services) to tabulate their damages and the impact of those damages on their community. This report is then forwarded to the county emergency manager.

#### ***SD 4.1 County Damage Assessment Packet***

- County Damage and Impact Assessment Report Assistance Guide takes the county official step-by-step through the process of completing the Damage and Impact Assessment Report and provides examples where summary statements are requested.
- County Damage and Impact Assessment Report is used by the county emergency manager to tabulate their damages and the impact of those damages on their county. This report is then forwarded to HSEM Operation Chief.

#### ***SD 4.2 Damage Assessment Tabulation Packet***

- **Impact Summary Checklist** (SD 4.2.1), which is used to quantify factors reported in the Local Damage and Impact Assessment Report

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- **Damage Assessment Field Guide** (SD 4.2.2), which assists assessors in determining the level of damages using criteria established by FEMA. The level of damage will need to be recorded on the Individual/Business Damage Assessment Tally Sheet and other damage reporting documents.
- **Individual Damage Assessment Quick Reference Sheet** (SD 4.2.3), which is a quick fact sheet explaining the four criteria to determine Individual Assistance home damages.
- **Individual Damage Assessment Street Sheet** (SD 4.2.4), which is the form to document damages by category and address.
- **Public Infrastructure Damage Assessment Quick Reference Sheet** (SD 4.2.5), which assists in identifying surveyed damages.
- **Public Infrastructure Damage Assessment Calculation Sheets** (SD 4.2.6), which assists documenting damages by category.
- **Public Infrastructure Damage Assessment Checklist** (SD 4.2.7), which is a guide in assessing and surveying damages.
- **Historical Property Recovery Checklist and Photo Log** (SD 4.2.8), which can be used to track and document site photos and damages.

### **Preliminary Damage Assessment (PDA)**

The Preliminary Damage Assessment (PDA) is performed to document the impact and magnitude of the disaster on individuals, families, businesses, and public property and to gather information for disaster management purposes. FEMA, HSEM, and a local representative may participate in this effort. The information gathered during the PDA process is used to determine whether federal or state disaster assistance is warranted.

While conducting the PDA, urgent needs in the immediate aftermath of the disaster may be identified. If the president declares a disaster and if Minnesota has requested it, FEMA may provide assistance for emergency work. Prior to the declaration of a major disaster, the governor may request an Emergency Declaration, which may provide assistance under Categories A (Debris Removal) and B (Protective Measures) of the Public Assistance Program. This assistance may be used to cover such costs as overtime payroll, equipment costs, materials purchases, and contracts when these costs are incurred for emergency work.

For damages to the public infrastructure, the PDA process divides damages into seven categories, representing the types of damages that typically occur as a result of a disaster:

- Category A - Debris Clearance
- Category B - Protective Measures
- Category C - Road Systems
- Category D - Water Control Facilities
- Category E - Public Buildings and Equipment

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- Category F - Public Utilities
- Category G - Other

Several factors are used in determining eligibility for assistance. For assistance under the Public Assistance Program, two primary factors are considered: the magnitude of damages and the impact those damages have on the local community.

A formula that is based on the state and county populations to determine if the damages reach a level that FEMA and/or the State believes is beyond the capability of the community to recover unassisted. Each county has a level of damage threshold that is based on those populations.

Per Capita Damage Indicators gives state and county officials a barometer to determine if their level of damages is at an amount that may make them eligible for assistance. If a single county receives damages from a disaster, such as a tornado, FEMA looks at both the state and county numeric indicators to determine if the damage amounts have reached those indicator amounts. If several counties receive damages from a more regional disaster like a flood, all the counties involved may collectively figure into the state damage indicator, however, they must still reach their county numeric indicator independently. The State only looks at the county indicator to determine eligibility.

Damage estimates for the public infrastructure are reflected in dollar amounts of damages. Damages assessed for homes and businesses are recorded by number of structures damaged and the level of damage sustained.

The numeric indicators for the Individual Assistance Program are not as clear and defined as they are for the Public Assistance Program. The overall impacts of the disaster on the community are an important factor as they are under Public Assistance. The best practice in assessing damages to homes and businesses is to be as accurate and inclusive as possible and to reflect the overall impacts the damages have on the community and its residence. Those impacts may include:

- Lack of supplemental housing in the area,
- Loss of essential businesses such as grocery stores, gas stations, etc., or
- Loss of access to and from residential areas.

*REMEMBER:* Magnitude of damages and numeric indicators are not the only factors FEMA takes into consideration when determining whether a presidential declaration is warranted.

The Disaster Impact Summary Checklist, which can be found in SD 4.2.1, lists the additional factors FEMA and the State considers:

- Trauma (injuries and fatalities)
- Special populations (low income, elderly, tribal communities, etc.)
- Voluntary organization involvement

- Lack of insurance coverage in the area
- Critical infrastructure affected
- Concentration of damages

It is important to address these issues in drafting a Damage and Impact Assessment Report.

### **Historic Buildings and Properties**

Historical facilities may involve special concerns due to their prominence of location, design, construction, and connection to the community. Because of this, special considerations need to be addressed to minimize further damage or to request financial assistance to restore the facility.

Historic properties are defined as those listed on the **National Register of Historic Places** individually or a contributing property in a district, determined to be eligible to the National Register, or locally designated by a **Minnesota Heritage Preservation Commission**.

To be eligible for listing on the National Register, buildings generally must be at least 50 years old and embody distinctive design characteristics, or have associations with events or persons significant in state or local history.

Knowing where historic properties are located can help speed the damage assessment and request for assistance process following a disaster. Keeping accurate and current documentation and photographs of historic facilities will pay tremendous dividends when a community's recovery begins.

The following are some guidelines to consider when addressing historic facilities:

- Contact the State Historic Preservation Officer and/or the local Historic Preservation Commission/Society for assistance in developing a pre-disaster survey or post disaster damage assessment.
- Identify the buildings and properties with potential historic significance.
- Document those facilities that have been identified as being eligible for placement on the National Register of Historic Places. Include a floor plan which includes elevations and unique details to the facility.
- Document the building materials used in the construction of the facility.
- Determine if the site is an archaeological property.
- Photograph the exterior and interior of the property.
- Map the location of all historic buildings and properties.
- Make sure that damaged historic properties are listed in the Local and County Damage and Impact Assessment Reports submitted to the county emergency manager and HSEM.

The **National Historic Preservation Act** (NHPA), Section 106 requires federal agencies to take into account the effects a project will have on historic resources

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and allow the Advisory Council on Historic Preservation the opportunity to comment on the effects of the project. Historic resources include districts, structures, objects, landscapes, archaeological sites, and traditional cultural properties included on, or eligible for inclusion on, the National Register of Historic Places. Restoration of historic landscapes and other facilities are limited by FEMA eligibility policies.

FEMA activities requiring NHPA compliance include repair or restoration of historic structures, demolition, or removal of historic structures, and improved, alternate, or relocated projects affecting undisturbed areas that may contain archeological sites or have cultural, historic, or pre-historic significance. FEMA is required to make a good faith effort to identify historic properties within a given project area's potential effect.

The NHPA requires FEMA to:

- Identify historic properties that may be affected by federally funded activities.
- Evaluate the effects of the proposed work on historic properties.
- Consult with the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO), the Advisory Council on Historic Preservation and other interested parties.
- Proceed with the work only after completing the historic review process

The NHPA encourages FEMA to establish “programmatic agreements” with the state emergency management agencies, SHPOs/THPOs, and the Advisory Council. A “programmatic agreement” outlines roles and responsibilities, streamlines the process for compliance with Section 106 of the NHPA for certain types of projects, and identifies types of projects that are excluded from NHPA review.

### STATE ASSISTANCE

Executive Order 15-13 requires the following state agencies to participate in a Preliminary Damage Assessment effort:

- Pollution Control Agency (MPCA)
- State Patrol
- Department of Agriculture (MDA)
- Department of Commerce
- Department of Natural Resources (DNR)
- Department of Health (MDH)
- Department of Public Safety Division of Homeland Security and Emergency Management (HSEM)
- Department of Transportation (Mn/DOT)

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

### Summary

State Agency	Level	Responsibility
Administration	Primary	Coordinate and manage architectural/engineering services for state owned buildings
Administration	Support	Provide insurance information related to state facilities
Agriculture	Primary	Coordinate assessments of public issues during disasters, such as safe food and water, and disease prevention
Agriculture	Support	Environmental sampling activities
Agriculture	Support	Provide qualified personnel to participate in Preliminary Damage Assessments
Animal Health	Primary	Assess animal disease outbreak situations to control and prevent further occurrence of disease, including disease outbreaks related to foreign animal diseases, such as foot and mouth disease and exotic Newcastle disease
Commerce	Support	Assist with assessment of damage to, and insurance coverage of, homes and businesses
Commerce	Support	Provide personnel to assist with damage assessment and Preliminary Damage Assessments
Commerce	Support	Activate Insurance Disaster Recovery Teams
Education	Coordinate	Conduct damage assessment of public school facilities
Employment and Economic Development	Primary	Provide an estimate of the economic impact following a disaster
MN.IT	Support	Assist with damage assessment of telecommunications infrastructure
Health	Primary	Coordinate assessments of public health issues during all phases of disaster relief and recovery, such as the provision of safe food and water supplies, disease prevention, proper delineation and security of zones where exposures could cause human health consequences, safe and appropriate treatment, and decontamination of victims,

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State Agency	Level	Responsibility
		protection of public with appropriate protective action decisions
Health	Primary	Assess disease outbreak situations to control and prevent further occurrence of disease, including disease outbreaks and bio-terrorism attacks
Health	Primary	Assess Disaster Behavioral Health Issues that many become noticeable during assessments
Health	Support	For non-nuclear generating plant emergencies, provide technical assistance to damage/accident assessment teams during biological, chemical, or radiological accidents/incidents
Health	Support	For nuclear generating plant accidents/incidents, assist with radiological accident assessment; provide technical assistance to damage assessment teams
Historical Preservation	Primary	Provide technical assistance to owners of historical facilities
Labor and Industry	Support	Assessment of disaster-related employee injury/fatality
Labor and Industry	Support	Accident/damage assessment activities related to buildings
Military Affairs	Support	Provide equipment and personnel as needed
Natural Resources	Support	Participate in damage assessment of public buildings, facilities, and road systems
Natural Resources	Support	Provide assistance in debris removal from state land and waterways
Pollution Control	Support	Assess environmental impact and damage to publicly-owned waste disposal systems
Pollution Control	Support	Assist local governments with debris management
Fire Marshal and Office of Pipeline Safety	Support	Assist local governments with fire and pipeline safety issues
Homeland Security and Emergency Management	Coordinate	Overall responsibility for coordinating accident/damage assessment activities

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State Agency	Level	Responsibility
State Patrol	Support	Provide aerial assessment of impacted areas
Revenue	Primary	Assist with damage assessments of homes and businesses
Revenue	Support	Coordinate with county assessment officials to assist local government in assessment of private homes and businesses
Transportation	Support	Provide personnel and engineers to assist with accident/damage assessment

### Department of Administration (ADMIN)

#### Risk Management Division (RMD)

RMD will process insurance claims through the state’s self- insurance program if the government entity impacted is participating in the program. If the government entity is not participating in the program, RMD will provide insurance advice. If the impacted entity is in the private sector, they must contact their own insurance company. Duties and responsibilities include:

- Assisting state agencies with their property insurance needs, including processing claims, in coordination with reinsurance and FEMA, if applicable.
- Conducting or coordinating the damage assessments for agencies that have damaged property covered by RMD insurance.
- Assisting the Departments of Revenue, Commerce, and Labor and Industry, as necessary, in assessing damage to public buildings, private homes and businesses.

#### Real Estate and Construction Services

Real Estate and Construction Services is responsible for coordinating and managing architectural/engineering services and associated construction for the reconstruction of state owned buildings.

#### Minnesota Department of Agriculture (MDA)

MDA will assist in the preparation of an assessment of agricultural losses incurred during a disaster by providing any supporting data that may be appropriate. The primary responsibility for conducting an agricultural damage assessment rests with each county emergency board (CEB). Such boards normally consist of a representative from each of the following: the Natural Resource Conservation Service (NRCS), the Farm Service Agency (FSA) and the County Agricultural Extension Agent. (The CEB, NRCS, FSA and, in most cases, the county Ag Extension Agency are USDA organizations.)

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Executive Order 15-13 requires MDA to provide qualified personnel to participate in preliminary damage assessments.

### **Board of Animal Health (BAH)**

BAH will assess animal disease outbreak situations to control and prevent further occurrence of disease, including disease outbreaks related to foreign animal diseases, such as foot-and-mouth disease and exotic Newcastle disease. Duties and responsibilities include:

- Assisting in an investigation to define the cause of an event, whether it is a natural occurrence or an act of bioterrorism.
- Assisting in the preparation of assessments of livestock losses and disease containment costs.

### **Department of Commerce (DOC)**

DOC will assist state and local government with Preliminary Damage Assessments and damage assessment of private or individual dwellings and businesses, which may include seeking cooperation from insurance underwriters' adjustment resources, as requested by HSEM.

DOC will provide information regarding the extent of insurance coverage in the affected area and provide staff to conduct damage assessments and to serve as the point of contact for coordinating the assessment of damages sustained by municipal and private non-profit electrical cooperatives.

DOC may activate Insurance Disaster Recovery Teams to areas that have been impacted by disaster. The purpose of these teams is to contact the local insurance providers to make sure they have enough adjusters on the ground and to encourage prompt and fair settlement of all claims. They will help victims affected by the event with the insurance process.

DOC staff will visit directly with homeowners and business owners who incurred damage and will provide them with information about the consumer assistance services available. The teams will conduct assessments to determine the level of their response.

The Insurance Disaster Recovery Teams will also hand out written materials containing detailed information on both homeowners and automobile insurance coverage. They will also hand out Insurance Disaster Recovery Team cards with a toll free number and e-mail address for consumers to use if they experience difficulties resolving their insurance claims.

Consumers who have questions or concerns about their insurance coverage can call the Consumer Response Team at the Minnesota Department of Commerce at 1-800-657-3602.

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## **Department of Education (DOE)**

Following a major disaster or emergency, the Department of Education may assist local school districts in assessing damages and impact to local school districts.

## **Department of Employment and Economic Development (DEED)**

When requested by HSEM, the commissioner of DEED will provide an estimate of the immediate economic impact of a disaster or emergency.

Where possible and applicable, DEED will provide estimated projections of long range effects of a major disaster or emergency, using relevant data from a variety of sources including: residents; businesses; and local, state, and federal agencies, if needed.

## **Office of MN.IT Services**

MN.IT will coordinate a damage assessment of the telecommunication infrastructure in state-owned buildings in the affected area.

## **Minnesota Department of Health (MDH)**

MDH will provide, as needed, assistance in the Preliminary Damage Assessment (PDA) process for health and public water facilities damaged by a disaster or emergency.

MDH will assist impacted communities to determine the cost to repair or replace damaged health facilities and public water distribution systems.

MDH will provide, as needed, disaster behavioral health staff to conduct assessments of a community following an event.

MDH will determine, when appropriate, the potential for epidemic conditions following a disaster by conducting an assessment of ill or injured persons, using interview, sample and statistical techniques.

MDH will provide technical assistance personnel (engineers and environmental health specialists) to staff federal/state damage assessment teams.

## **Department of Labor and Industry (DOLI)**

### **Occupational Safety and Health Division (MN OSHA)**

#### *Accident inspection:*

- MN OSHA must respond to a catastrophe when employee fatalities or serious injuries are involved. It is MN OSHA's responsibility to determine the cause of such incidents, so that similar hazards to workers are prevented or minimized in the future. The MN OSHA investigation will determine if occupational safety and health standards were violated. MN OSHA will not take actions during the

emergency response phase that detract from the authority of the incident commander or interfere with the activities of other response agencies. Imminent danger situations noted by a MN OSHA investigator will be pointed out to the incident commander. In the post-emergency phase, MN OSHA will work cooperatively with other agencies to gather evidence to determine the cause of the incident that affected worker safety and health.

- The Construction Codes and Licensing Division must respond to an emergency involving damage to state owned buildings. It must also respond when requested by a local agency to assist in damage inspections. The division also has completed a Disaster Preparedness Manual for building officials and maintains a response team

### **Facilities Response Team**

The team will assist state, county, and local government entities with damage inspections and building evaluation when a public building is affected by a disaster, when requested. This team will also identify resources that are available to assist with other related activities. If multiple buildings are affected, they will be prioritized based on the health, safety, and welfare of the occupants. Under this scope, a disaster is defined as any event that would cause damage to a publicly-owned building that would prevent safe occupancy.

### **Department of Military Affairs (National Guard)**

The National Guard may be requested to support the damage assessment process by providing equipment and personnel, as needed.

### **Department of Natural Resources (DNR)**

The Department of Natural Resources will:

- Provide aircraft to assist in damage assessment efforts;
- Provide technically qualified personnel, as needed, to participate in a Preliminary Damage Assessment effort following a disaster;
- Assist the Department of Administration in the inspection of damaged public buildings and facilities; and
- Assist the Department of Transportation in the inspection of damaged road systems.

### **Pollution Control Agency (PCA)**

#### **Accident assessment**

- Assess environmental impact of conventional pollutants, through the use of air or water release monitoring, soil sampling, product sampling, spill monitoring and other assessment methods.

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- Assist, to the extent trained and equipped, in assessing releases of biological or chemical weapons of mass destruction (WMD) agents.
- Make recommendations on actions required to mitigate environmental damage.

### **Damage assessment:**

PCA will provide engineers to conduct damage assessments to publicly-owned waste disposal systems affected by a disaster.

### **Department of Public Safety (DPS)**

#### **Accident assessment**

##### *Fire Marshal Division*

The Fire Marshal Division will investigate the cause and origin of fires, when requested by local authorities or when deemed necessary by the State Fire Marshal ([Minnesota Statutes, section 299F.04, subd. 2](#)).

##### *The Office of Pipeline Safety (MNOPS)*

MNOPS will provide technical guidance to local government, regarding the advisability of recommending evacuation due to an actual or potential pipeline incident.

### **Damage assessment:**

##### *Fire Marshal Division*

When requested by local authorities or deemed necessary by the State Fire Marshal, personnel will be assigned to conduct fire and life safety inspections of jurisdictional facilities damaged or otherwise impacted during a major disaster or emergency.

##### *Office of Pipeline Safety (MNOPS)*

MNOPS will assist in assessing damage to pipelines, when called upon to do so.

##### *Division of Homeland Security and Emergency Management (HSEM)*

- In coordination with FEMA and County Emergency Managers, determine which state agencies need to participate in a PDA.
- Coordinate damage assessment efforts undertaken in conjunction with state and local government requests for state and federal disaster assistance.
- Provide, on a periodic basis, damage assessment training and guidance to state and local government officials.

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### *State Patrol Division, Air Wing*

At the time of a disaster or large-scale emergency, the State Patrol Air Wing will immediately provide aerial photography and assessment of the disaster or emergency area. State Patrol helicopters with cameras will be utilized to do aerial filming and that information will be provided directly to the State Emergency Operations Center.

When requested, the Flight Section will, in conjunction with the Department of Transportation and the Department of Natural Resources, provide personnel to participate in a Preliminary Damage Assessment (PDA) effort and prepare damage survey reports (DSRs) for airports and airport facilities damaged in any type of major disaster.

### **Department of Revenue (DOR)**

DOR will assist local government in conducting damage assessments of private homes and businesses. DOR will also assist local governments and help citizens determine value of losses sustained as a result of a major disaster or emergency.

### **Department of Transportation (Mn/DOT)**

Following a major disaster or emergency, Mn/DOT will provide:

- Personnel with the appropriate credentials to conduct damage assessments and serve as state inspectors on federal/state damage assessment teams, covering damage to airports and airport facilities. When requested, the Aeronautics Section will, in conjunction with the Minnesota State Patrol and the Department of Natural Resources, provide personnel to participate in a preliminary damage assessment (PDA) effort and prepare damage survey reports (DSRs) for airports and assist with the preparation of Project Worksheets for airport facilities damaged in any type of major disaster.
- Personnel with the appropriate credentials to conduct damage assessments and assist in the preparation of Project Worksheets, covering disaster-related political subdivision roadways damages.
- Technically qualified personnel to respond to hazardous material transportation incidents as part of the State Agency Hazardous Material Responders Group.

### **OTHER STATE AGENCIES**

#### **State Historical Preservation Office**

The State Historic Preservation Office (SHPO) can provide technical and financial assistance in addressing historical facilities that have been damaged or destroyed as a result of a disaster.

SD 4.2.8 - Historic Facility Recovery Checklist can assist local emergency management officials request assistance in the restoration of historical facilities.

### **FEDERAL ASSISTANCE**

#### **FEMA**

The Preliminary Damage Assessment (PDA) is an assessment used to determine the magnitude and impact of an event's damage. A

FEMA/state team will usually visit local applicants and view their damage first-hand to assess the scope of damage and estimate repair costs. FEMA uses the results of the PDA to determine if the situation is beyond the combined capabilities of the State and local resources and to verify the need for supplemental federal assistance. The PDA also identifies any unmet needs that may require immediate attention.

### **SUPPORTING ORGANIZATIONS**

Depending upon the nature, location, and extent of the disaster, numerous private-sector organizations and other nongovernmental agencies may be able to provide assistance with damage assessment. These organizations/agencies may include one or more of the following:

- American Red Cross
- Salvation Army
- Civil Air Patrol

## RECOVERY FUNCTION 5: DEBRIS MANAGEMENT

### PURPOSE

The purpose of this recovery function is to indicate which agencies are responsible for the various aspects of debris clearance and management including, the management of contaminated debris and the minimization of health effects arising from the handling and disposition of these materials.

### SCOPE

This recovery function discusses the agencies and organizations responsible for debris removal assistance along with their roles and responsibilities, and activating mechanisms and descriptions of activities developed to provide for the removal of debris and wreckage.

Persons or entities, if known, who are responsible for the events causing debris and/or wreckage, will normally be expected to remove it. When there is no responsible party, such as in a natural disaster, or when a responsible party cannot be identified, the following will occur:

- Debris/wreckage clearance on county and/or municipal government property will normally be the responsibility of local government officials.
- Debris/wreckage clearance on privately owned property would normally be the responsibility of the property owner.
- Records of labor and equipment expenses incurred as a result of debris/wreckage clearance will be maintained as accurately and thoroughly as possible by each responding organization participating in the cleanup activity. Such records are needed when requesting reimbursement for expenses related to debris management.

### ACTIVATING MECHANISM/AUTHORITY

Initial assistance for debris removal and disposal may be initiated by a governor's declaration of an emergency or direct request by the governor, for state of Minnesota resources. A presidential declaration of major disaster or emergency under the Stafford Act may make eligible debris removal under Category A of the FEMA Public Assistance program.

Governor's Executive Order 15-13 also directs state agency duties and responsibilities for debris management.

### OVERVIEW

Disasters create large amounts of debris. There are preparations that a jurisdiction can make before an event that will make debris removal and disposal go more smoothly. In preparing the community's emergency plan, a variety of hazards should be examined with an assessment of what types of debris would be generated by

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each. Once the likely types of debris have been identified, a debris plan can be developed. The plan would include the naming of a debris management team, tentative site identification for storage (both temporary and permanent), reduction methods, a list of qualified contractors, sample contract language if permitted by the city or county attorney, and any environmental issues identified. SD 5 – Debris Management Guidebook can assist you in creating a debris management plan.

Local elected officials should decide ahead of time to what extent the jurisdiction will be responsible for debris, including how much will be picked up and paid for by the local government. They are also involved in decisions on demolishing structures made unsafe by the disaster, as their demolition will change the very face of the community. They must take into consideration in making these decisions the fact that federal help may not be available.

Proper sorting of debris at the point of collection can save time and money. If citizens have sorting information early in the event, they can put items at the curb in appropriate piles. This practice avoids mixed loads that can be not only costly but can legally be refused at demolition landfills. Sanitary landfills are much more expensive to use than demolition ones, but may be the only appropriate choice for unsorted loads. SD 5.1 – Debris Fact Sheet can assist local officials in communicating proper disposal methods to the community.

The Public Information Officer (PIO) should pre-script public service announcements (PSAs) advising the public on how to sort its debris, when debris will be picked up, where there are drop-off sites, and other pertinent information. Once a debris-generating event has happened, it is critical to disseminate the PSAs as soon as possible. Sorting categories include:

- Trees and brush
- Demolition (construction materials)
- Household garbage (what is collected on a normal trash day)
- Household hazardous waste
- White goods (refrigerators, water heaters, etc.)
- Metal

### STATE ASSISTANCE

When a major disaster or significant event occurs in Minnesota, which results in an overwhelming amount of debris and damage to a local community, certain state and federal agencies will assist local emergency management with guidance and resources to safely and properly evaluate and dispose of the debris.

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### Summary

State Agency	Level	Responsibility
Animal Health	Support	Assist state, county, and local units of government with livestock carcass disposal
Health	Coordinate	Provide health protection input to risk management decision making regarding site decontamination and management of debris contaminated with chemical, biological, or radiological materials, following a terrorist incident
Health	Coordinate	Provide health protection input into planning and on-scene guidance in technical matters related to site decontamination and management of debris contaminated with chemical, biological, and radiological materials in a terrorism incident
Health	Support	Support PCA in the management of on-scene operations, including providing technical input to PCA's supervision of contractor operations
Health	Coordinate	Coordinate public information and communications related to health risks of contamination
Health	Support	Assist with waste characterization and handling/disposal advice
Military Affairs	Support	Assist with conventional debris clearance, if requested
Military Affairs	Support	Provide planning, guidance and on-scene technical support to characterize debris at sites contaminated with hazardous chemical, biological, and radiological material, resulting from suspected terrorist activities
Military Affairs	Support	Provide technical advice and guidance on decontamination and site clean-up in areas contaminated by hazardous chemical, biological, and radiological

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State Agency	Level	Responsibility
		materials as a result of possible terrorist activities
Natural Resources	Support	Provide technical assistance for debris and wreckage removal from state waterways and state-owned lands
Pollution Control	Primary	In a natural disaster incident, provide guidance and support to local units of government defining waste streams and disposal alternatives
Pollution Control	Support	In a terrorism incident, support MDH in developing response procedures, protocols and on-scene guidance for site decontamination and management of debris contaminated with chemical, biological, and radiological materials
Pollution Control	Primary	Manage on-scene state contractor operations, including hiring and supervising contractor operations and fiscal management
Pollution Control	Support	Support local debris management operations
Homeland Security and Emergency Management	Support	Ensure that federal requirements are identified/addressed, as applicable, in debris removal operations
Homeland Security and Emergency Management	Support	Assist the voluntary resources involved debris removal and clean-up
Transportation	Coordinate	Responsible for debris removal on interstate and state trunk highways; provide assistance to local authorities; issue necessary transport permits

### **Board of Animal Health (BAH)**

The BAH will assist state and federal agencies having responsibilities relating to the disposition of companion, farm, and wildlife animal carcasses.

### **Department of Health (MDH)**

In the event of an incident involving chemical, biological, or radiological materials, MDH will:

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- Provide health protection input to risk management decision making regarding site decontamination and management of debris contaminated with chemical, biological, or radiological materials that may pose a risk to human health. Guidance will be based on federal procedures and guidelines.
- Provide health protection input into planning and on-scene guidance related to site decontamination and management of chemically, biologically, or radiologically contaminated debris that may pose a risk to human health. On-scene guidance will include: direction in sampling environmental media to characterize the nature and extent of contamination, Public Health Laboratory Division analysis of samples of contaminated material, and qualitative analysis of potential health risks.
- Coordinate with PCA in identifying and compiling a list of qualified contractors to carry out site decontamination and management of debris contaminated with chemical, biological, and radiological materials.
- Support PCA in the management of state contracted on-scene operations, including providing technical input into PCA's supervision of contractors' operations.
- Coordinate public information and communications related to health risks of sites and debris contaminated with chemical, biological, and radiological materials.
- Serve as the contact and liaison to the appropriate federal agency counterpart for obtaining federal guidance and direction, regarding the technical matters of site decontamination and management of debris.
- May assist with waste characterization or identification, for assisting in the condemnation of damaged and/or distressed foods, and for determining appropriate handling and disposal procedures for certain types of debris or wreckage, in order to protect the public from food-borne disease.

### **Department of Military Affairs (National Guard)**

When properly requested, the Minnesota National Guard will assist local and state authorities with conventional debris clearance and management efforts following a significant disaster or emergency.

For debris that may result from possible terrorist efforts, the Minnesota National Guard may assist federal, state, and local authorities to characterize the identity, area, and overall risk of such contamination. Further, the Minnesota National Guard may also provide technical advice and assistance on-scene to assist efforts to decontaminate and clean-up areas contaminated by activities associated with improvised or military-grade chemical, biological, and radiological weapons activity.

### **Department of Natural Resources (DNR)**

The DNR is responsible for providing technical assistance for debris and wreckage removal from state waterways and state-owned lands, as required, in the event of a

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major disaster or emergency. The Forestry Division will assist state and local governments with tree disposal recommendations following a major wind event. The Fish and Wildlife Division will assist state and local governments with the incineration and disposal of animal carcasses, as required, in the event of a disaster or emergency.

### **Pollution Control Agency (PCA)**

PCA may be called upon for waste characterization or identification, and for determining appropriate handling and disposal alternatives for certain types of debris or wreckage. PCA will also develop and provide guidelines and procedures for assisting local authorities with debris management and disposal.

In the event of a natural disaster, PCA will provide guidance to assist local authorities with debris management and disposal.

In the event of an incident involving chemical, biological, or radiological materials, the PCA will:

- Support MDH in the development of response guidelines and procedures for managing debris contaminated with chemical, biological, or radiological materials. Assist MDH in conducting training and exercising these procedures.
- Coordinate with MDH in identifying and compiling a list of qualified contractors to carry out site decontamination and management of debris contaminated with chemical, biological, and radiological materials.
- Act as the lead state agency in the management of on-scene contracted operations, including hiring and supervising contractors' operations and fiscal management.
- Participate in the Joint Information Center (JIC) and provide public information and communication support related to environmental contamination.
- Serve as the contact and liaison to the appropriate federal agency counterpart for federal guidance and direction in on-site decontamination and management of debris.

### **Department of Public Safety**

#### **Division of Homeland Security and Emergency Management (HSEM)**

HSEM is responsible for ensuring that the Federal Emergency Management Agency (FEMA) requirements in debris management and all debris removal operations comply with CFR 44, Part 206.224.

The HSEM Public Assistance staff will coordinate the FEMA and State Public Assistance program.

The HSEM Volunteer Resource Coordinator will:

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- Bring together faith-based, voluntary, and governmental organizations active in disaster services to foster a more effective response and recovery for the people of Minnesota in times of disaster.
- Identify lead voluntary organizations involved in recovery.
- Assist with conference calls to discuss disaster impacts and possible assistance available.
- Identify unmet community needs and possible ways to address those needs.
- Coordinate the sequence of delivery of goods and services.
- Monitor duplication of benefits.
- Monitor the special needs population.

### **Department of Transportation (Mn/DOT)**

The Department of Transportation will be responsible for debris and wreckage removal from all interstate and state trunk highways, and for assistance to political subdivisions on other roadways, as requested and as resources permit.

### **FEDERAL ASSISTANCE**

#### **Important**

Since it is typically unknown at the onset of a disaster if federal assistance will become available, it is important that damages are documented before removal is begun. Requirements for federal and state debris removal assistance are the same.

#### **FEMA**

In a major disaster or emergency declaration, Category A - Debris Removal assistance under the Public Assistance Program may be made available to eligible applicants. The severity and magnitude of the disaster or emergency must be such that it exceeds the capabilities of the state and local jurisdiction to recover unassisted.

For “Emergency Work” to be eligible for reimbursement, it must be on public property or within the public right-of-way and be performed to:

- Reduce or eliminate an immediate threat to life,
- Protect public health and safety, and
- To protect improved property that is threatened in a significant way as a result of the disaster

### **United States Army Corps of Engineers (USACE)**

USACE also has authority under PL 84-99, Flood Control and Coastal Emergencies (FCCE) (33 U.S.C. 701n) (69 Stat. 186) for emergency management activities. Under PL 84-99, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities including disaster preparedness, advance measures, emergency operations (flood response and post flood response),

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rehabilitation of flood control works threatened or destroyed by flood, protection or repair of federally authorized shore protective works threatened or damaged by coastal storm, and provisions of emergency water due to drought or contaminated source.

- Clearance of drainage channels, bridge openings, or structures blocked by event-generated debris.
- Clearance of blockages to critical water supply intakes and sewer outfalls
- Debris removal necessary to reopen vital transportation routes

### SUPPORTING ORGANIZATIONS

#### Minnesota Conservation Corp (MCC)

The **Minnesota Conservation Corps** provides hands-on environmental stewardship and service learning opportunities to youth and young adults while accomplishing priority cost-effective conservation, natural resource management projects and emergency response and recovery work.

MCC is an AmeriCorp National Service Program but does not receive federal AmeriCorp funding. It is a large state-wide program with a trained and equipped self-sufficient labor force ready for immediate mobilization. MCC is a fee-for-service organization with established state and federal partnerships, including the DNR, Corporation for National and Community Service, and BWSR.

MCC has been granted Joint Powers Authority, by the state legislature, which allows them to enter into agreements with any public agency. As a result, local governments affected by disaster can enter into contracts with MCC directly and do not have to put projects out to bid if MCC is utilized.

Types of assistance that MCC can provide, include, but are not limited to:

- Sandbagging
- Tree removal
- Debris removal
- Basic carpentry

Numerous voluntary organizations specialize in general debris clean-up from private property. Those organizations listed below may be able to provide essential debris clearance assistance, depending on the nature, location, and extent of the disaster. Assistance in contacting such organizations can be obtained through the Minnesota Duty Officer (MDO), the HSEM Volunteer Resource Coordinator, MNVOAD, or directly with the service organization.

- American Baptist Men
- Church of the Brethren
- Mennonite Disaster Service

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- Christian Reformed World Relief-Disaster Response Services
- Minnesota-Wisconsin Baptists Convention (general clean-up and chain saw support)
- NECHAMA (general clean-up and chain saw support)
- Salvation Army
- United Methodist Committee on Relief (UMCOR)

RECOVERY FUNCTION 6: HEALTH PROTECTION

PURPOSE

The purpose of this Recovery Function (RF) is to provide a general description of the various human and animal health protection responsibilities of state government, during disaster recovery. This RF also provides specific administrative and technical guidance for recovering from significant events involving mass casualties and fatalities.

SCOPE

This RF discusses the agencies and related programs responsible for the provision of health services and their roles and responsibilities, activating mechanisms and descriptions of activities developed to provide for the health of individuals and families within an affected area.

ACTIVATING MECHANISM/AUTHORITY

Resources from the state may be deployed in the following manner:

- When requested by the local government,
- At the direction of the governor or the governor’s authorized representative (GAR),
- In accordance with Governor’s Executive Order 15-13,
- At the direction of the director of the Minnesota Department of Public Safety Division of Homeland Security and Emergency Management (HSEM), or
- In accordance with internal policies and procedures.

STATE ASSISTANCE

Summary

State Agency	Level	Responsibility
Agriculture	Primary	Lead role when agricultural chemicals involved; will recommend protective/remedial actions; assure food safety
Agriculture	Primary	Assure food product safety in regards to a human, animal or plant disease outbreak
Animal Health	Support	Advise veterinarians and meat inspectors on the disposition of animal carcasses
Animal Health	Support	Advise on the health of livestock presented for processing

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State Agency	Level	Responsibility
Animal Health	Primary	Animal health protection role, when the incident involves an animal disease outbreak
Health	Primary	Manage Human health protection role in the event of a public health disaster involving hazardous materials (chemical & radiological) and infectious agents (biological)
Health	Support	Provide technical assistance to the delivery of health protection services by the behavioral health, food service providers, and medical providers including hospitals, clinics and EMS
Health	Support	Assist the local units of governments in the identification and disposition of human remains
Labor and Industry	Support	Assist MDH with assessing and mitigating health hazards to workers
Labor and Industry	Support	Advise on matters relating to operational safety and health relating to employees operating within hazardous areas
Natural Resources	Support	Identify and sample wildlife in IPZ; advise on usage of recreational areas; provide public information on use of natural resources
Pollution Control	Support	Lead role when incident involves hazardous materials, other than agricultural products or nuclear/chemical/biological WMD, and will recommend protective actions
Homeland Security and Emergency Management	Primary	Overall coordination of state agency activities during the response & recovery phases of a public health emergency, including those incidents/accidents that result from the use and transport of hazardous materials (chemical & radiological), infectious agents (biological) as weapons of mass destruction, and nuclear generating plant incidents

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### **Department of Agriculture (MDA)**

Support recovery field operations by recommending protective/remedial action(s) in response to a hazardous materials incident, in coordination with the Minnesota Department of Health (MDH) and the Pollution Control Agency (PCA).

Assure food product safety in regards to a human, animal or plant disease outbreak.

MDA has the obligation to assure the wholesomeness of all foods at the processing and manufacturing level, in transit, in storage and at retail. Additionally, MDA ensures a safe food supply for livestock and prevents plant diseases and pests from entering Minnesota.

MDA will determine what, if any, protective actions (such as embargoes, disposal of contaminated foodstuffs, animal feed, plants etc.) may be needed.

MDA will take the lead monitoring/enforcement/mitigation role when the incident involves agricultural chemicals. In such situations, it will consult with the MDH and Minnesota Poison Control Center, as needed.

MDA will make its laboratory capabilities available for the analysis and identification of potential biological or chemical agents, during the initial phase of a potential biological or chemical event, involving food and its production and distribution.

### **Board of Animal Health (BAH)**

BAH will work with local veterinarians and meat inspectors on the health condition of animals presented for slaughter.

BAH has the lead animal health protection role, when the incident involves an animal disease outbreak; and will coordinate with the Department of Agriculture and other state and federal agencies having animal health responsibilities.

### **Department of Health (MDH)**

MDH has specific responsibilities for the statewide management of health protection services following a major disaster, including:

- Providing guidance on protective action levels and medical assistance to state and local authorities in areas affected by a natural disaster or significant event involving hazardous materials (chemical and radiological) and/or highly infectious disease agents (biological). In cooperation with other state agencies, MDH will develop procedures to accomplish this and conduct in-service training, including development of fact sheets, to maintain this capability.
- Providing advice and technical assistance on the delivery of health protection services and critical medical services to medical providers in areas affected

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- by a natural disaster or accidents/incidents involving hazardous materials (chemical and radiological), and infectious disease agents (biological).
- Assess long-term health implications of a disaster or significant event involving human exposure to hazardous materials (chemical and radiological) and/or highly infectious agents (biological) and establish protocols for managing consequences into the future.
  - MDH shall develop and maintain procedures for:
    - Safe food preparation and handling;
    - Maintenance of potable water supplies;
    - Handling, identification, and safe disposition of human remains following a mass fatality event.
  - MDH shall provide, as needed, assistance to local officials, in conjunction with the local health agency, to ensure the safety of food and water for human consumption during, and immediately following, a disaster or emergency.
  - In conjunction with local health agencies, MDH is responsible for: determining the safety of water supplies, the identification and management of adulterated and distressed foods in hospitality establishments (e.g., restaurants, bars, boarding houses, resorts, children's camps, institutions, hotels, motels and lodging houses), determination of appropriate actions for measured contamination levels and overall safety conditions prior to re-occupancy.
  - Provide protective action decisions/guidance to local authorities for preventing injury and death during extreme weather conditions.

### **Department of Labor and Industry (DOLI)**

#### **Occupational Safety and Health Division (MN OSHA)**

- Provide support, as requested in the detection of air contaminants caused by chemical or biological agents and in the implementation of appropriate procedures.
- Act as the safety officer, advising on matters relating to operational safety and health relating to employees operating within hazardous areas. Responsible for the set of systems and procedures necessary to ensure ongoing assessment of hazardous environments, coordination of multi-agency safety effects, nongovernmental organizations, and the measurement and promotion of general safety and health incident operations during recovery operations.
- Assist in assessing hazards to workers and personal protective equipment needs, as requested.

### **Department of Natural Resources (DNR)**

DNR will identify wildlife populations within the ingestion pathway/vulnerable zone or recovery areas. DNR sampling teams will take samples of wildlife and game fish, in coordination with the MDA. In addition, DNR will advise on the usage of state

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controlled recreational areas, providing public information on wild fruit and vegetable harvesting, and establishing and enforcing hunting and fishing bans or controls in the recovery area.

### **Pollution Control Agency (PCA)**

- Support field recovery operations by recommending protective action(s) in response to a hazardous materials incident, in coordination with MDA and MDH. PCA will take the lead monitoring/ enforcement/mitigation role when the incident involves hazardous materials other than agricultural products or nuclear/chemical/biological WMD, consulting with the Minnesota Poison Control Center, as needed.
- Assist in assessing hazard and evacuation corridors.

### **Minnesota Department of Public Safety**

#### **Homeland Security and Emergency Management Division (HSEM)**

HSEM coordinates the recovery efforts of state agencies that respond to and assist in a major disaster/emergency or significant event. HSEM will work closely with other state and local officials to ensure a safe environment exists during recovery operations.

### **FEDERAL ASSISTANCE**

#### **US Department of Health and Human Services**

##### **National Institute of Environmental Health Sciences (NIEHS)**

The **NIEHS** Portal is poised to serve as a national resource to track environmental hazards following natural and man-made disasters, focus medical and environmental response and recovery resources in areas of greatest need, and function as a test bed for technologies that will help advance environmental health sciences research into the modern scientific and computing era.

As the environmental health research institute of the National Institutes of Health, the NIEHS is uniquely positioned to provide information on potential sources of environmental contaminants and the human health impacts of exposures to contaminants. Their website is tasked to provide useful and readily accessible environmental health information to public health, environmental health, and public safety workers and volunteers deployed to impacted communities.

The NIEHS Portal aims to provide scientists and decision makers with the data, information, and tools they need to:

- Monitor and evaluate human and environmental health impacts in the Gulf Coast Region;
- Assess and reduce human exposures to contaminants; and

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- Develop science-based remediation, rebuilding, and repopulation strategies.

The NIEHS Portal allows users to access demographic, public health, infrastructure, and environmental data, all of which are geo-referenced. The spatial datasets incorporated into the Portal include basic infrastructure data such as roads and electric power plants, potential contaminant release sources including Superfund and Toxic Release Inventory sites, hurricane flooding data, census data, physiographic data, and remote sensing imagery.

## RECOVERY FUNCTION 7: MASS CARE AND HUMAN SERVICES

### PURPOSE

The purpose of this Recovery Function (RF) is to provide an overview of how the emergency mass care and human service needs of Minnesota residents will be met by state agencies in the event of a major disaster/emergency. In most cases, these resources will be found at the community assistance centers, family assistance centers, or disaster assistance centers. These mass care needs may include, but are not limited to:

- family reunification
- registration of missing persons
- survivor/patient tracking
- registration of displaced citizens
- survivor needs assessment:
  - sheltering
  - feeding
  - behavioral health
  - debris clean-up
- disaster assistance programs
- functional and access needs assistance
- other unmet needs

### SCOPE

This RF discusses the agencies and organizations responsible for human services, special needs and mass care along with their roles, responsibilities, and descriptions of programs developed to provide assistance to individuals and families impacted by a major disaster or significant event.

### ACTIVATING MECHANISM/AUTHORITY

- A Governor's Declaration of an Emergency and/or direct request by the governor, for state of Minnesota resources.
- A Presidential Declaration of Major Disaster or Emergency under the [Stafford Act](#), for federal crisis counseling assistance. This resource is managed by the state.
- Governor's Executive Order 15-13, which identifies the duties and responsibilities of state agencies following a major disaster or emergency.

Many other services listed in this document are provided on an on-going basis and are not specific to a major disaster recovery effort.

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### STATE ASSISTANCE

Except in the event of a nuclear generating plant incident, the primary responsibility for mass care normally rests with county human service departments, other local government agencies, and voluntary organizations. In the event of a major disaster/emergency, state agencies also have mass care responsibilities as follows:

#### Summary

<b>State Agency</b>	<b>Level</b>	<b>Responsibility</b>
Agriculture	Support	Provide food/water/soil sampling equipment/expertise
Agriculture	Support	Provide laboratory capabilities
Agriculture	Support	Provide food safety expertise, and food/water supply-related information
Agriculture	Support	Provide food and environmental assessments in licensed facilities
Health	Support	Inspect mass care sites and kitchens
Health	Support	Provide guidelines, regarding health impacts of mass care sites
Health	Support	Coordinate the provision of short-term behavioral health services
Health	Support	Provide food/water supply, lodging and housing-related information to licensed facilities and the general public
Health	Support	Provide food and environmental assessments in licensed facilities
Health	Support	Provide food/water sampling equipment and expertise
Human Services	Coordinate	Overall responsibility for coordinating mass care, housing and human services
Human Services	Coordinate	Overall responsibility for identifying support for people with special needs during a major disaster/emergency
Human Services	Support	Provide USDA-donated food upon request
Fire Marshal	Support	Assist with fire inspections of mass care facilities

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State Agency	Level	Responsibility
Homeland Security and Emergency Management	Support	Coordinate individual assistance programs and mass care activities with private relief agencies
Homeland Security and Emergency Management	Coordinate	Coordinate the voluntary activities related to human services
Homeland Security and Emergency Management	Support	Assist and/or coordinate the state's involvement with the Community Assistance Center, Family Assistance Center (FAC), Disaster Assistance Center (DAC), or Disaster Loan Outreach Center (DLOC)

### Department of Agriculture (MDA)

- Food, water and soil sampling equipment and expertise; hydrologists, agronomists, soil scientists, horticulturalists, and entomologists.
- MDA laboratory services, including: microbiologists, environmental analysts, chemists, and laboratory testing facilities for food-borne biological and chemical agents.
- Maps/lists showing dairies, food licensed facilities and agricultural chemical facilities.
- Personnel to inspect food licensed facilities to assure food safety.

### Department of Health (MDH)

- Inspect mass care sites and kitchens, take appropriate actions to ensure safe conditions and provide guidance on the health impacts of mass care sites.
- Provide technical assistance, regarding the monitoring and decontamination of personnel, equipment, and facilities.
- Provide technical assistance and coordination of **Psychological First Aid (PFA)** and other short-term behavioral health services for those impacted by the disaster (Both survivors and responders).
- Provide technical assistance, guidance, and support for behavioral health at the Community Assistance Center, Family Assistance Center (FAC), or Disaster Assistance Center (DAC).
- Provide disease prevention and control personnel: epidemiologists, physicians, veterinarians, infection control practitioners, advanced practice registered nurses (APRNs), and experienced disease investigators.
- Provide environmental health personnel: sanitarians, industrial hygienists, toxicologists, radiation safety professionals, engineers, hydrologists and other environmental technicians.

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- Provide public health laboratory personnel: microbiologists, laboratory technicians and other laboratory staff, laboratory testing facilities for infectious agents to provide assessment data.
- Provide health policy, information and compliance monitoring personnel: physicians, APRNs, sanitarians, engineers and dieticians.
- Provide well-testing kits when applicable.
- Coordinate with County Health Departments the Disaster Case Management Program.

### Department of Human Services (DHS)

DHS has overall responsibility for the state coordination of mass care and human services. Specific DHS responsibilities include:

- Coordinate a major mass care, housing and human services effort by assigning personnel, as necessary, to the primary, alternate and/or regional state emergency operations center(s) (EOCs).
- Assist in notifying county human service departments and other human services agencies and organizations that an emergency or disaster has occurred.
- Provide representation at Disaster Assistance Centers (DACs), Community Assistance Center, Family Assistance Center (FAC) and the disaster area itself, as deemed necessary by the Division of **Homeland Security and Emergency Management** (HSEM), to identify and assist disaster survivors.
- Coordinate with county human service departments, the **American Red Cross**, HSEM, and others, as needed, to evaluate the human services needs of disaster survivors including support for persons with disabilities and others with access and functional needs.
- Assist with immediate mental health and chemical health services, apply for and administer special crisis counseling program grants for disaster survivors and provide crisis counseling training for human service providers in the disaster area. The Mental Health/Chemical Health All Hazards plan will be activated as needed.
- Coordinate the **Disaster SNAP/Food Stamp Program** for disaster survivors.
- Provide emergency food assistance with **U.S. Department of Agriculture** (USDA) food donated to disaster relief agencies and emergency feeding programs.
- Coordinate with county human service agencies to meet needs of disaster survivors (food, shelter, clothing, and medical) through state and federal income maintenance programs.
- Coordinate the delivery of emergency human services with the American Red Cross, local government and other human service agencies, following a disaster.

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- Provide assistance in long-term disaster recovery, using existing programs, streamlining or waiving regulatory functions where possible, and providing technical assistance and/or administrative support to stricken communities.

### Department of Public Safety (DPS)

#### State Fire Marshal Division

When requested by local authorities, or deemed necessary by the **State Fire Marshal**, personnel shall be assigned to provide basic fire inspections of emergency shelters and temporary housing used for mass care during an emergency.

#### Homeland Security and Emergency Management (HSEM)

**HSEM** has certain mass care-related responsibilities in the event of a major natural disaster, health threats resulting from terrorist activities or public health threats, or a national security event.

HSEM will:

- Coordinate the Individual Assistance programs with FEMA, including the Individuals and Households Program (IHP) and Other Needs Assistance (ONA) in the event of a major (presidential) disaster declaration when those programs are awarded.
- Coordinate mass care activities with the voluntary agencies and private relief agencies through the Volunteer Resources Coordinator and Individual Assistance Officer.
- Assist with the coordination of state resources, as requested, at the community assistance center, family assistance center (FAC), or disaster assistance center (DAC).
- Provide assistance in planning for people with access and functional needs in sheltering, transportation and ongoing communications during recovery through the use of HSEM's **Functional Planning Needs Toolkit**.

#### Department of Veterans Affairs

Following a declared disaster or other significant event, the **Minnesota Department of Veterans Affairs** may provide limited assistance to eligible veterans. This assistance may be used for

- Repair/replacement of household items
- Rebuilding materials
- Temporary housing costs
- Sand/Sandbags
- Debris removal

Assistance will be coordinated through the declared county's Veteran Services Officer.

## FEDERAL ASSISTANCE

### FEMA

#### National Shelter System (NSS)

The FEMA **National Shelter System** is a coordinated nationwide database of emergency shelter information where thousands of profiles of potential shelter resources, as well as virtually any type of facility associated with the care of disaster survivors, are maintained.

The FEMA NSS has the ability to track virtually any type of facility used in response to disasters. In addition to general population shelters, the FEMA NSS includes:

- Medical Shelters and Shelter In Place locations (SIP)
- Household Pet Shelters and Kitchens
- Points of Distribution (PODs) and Warehouses
- Warming, Cooling, and Respite centers
- Embarkation, Debarkation, and Reception Processing Sites
- Any type of shelter or facility related to the management of the people affected by the operation

FEMA is working to ensure the system is interoperable with the **Red Cross NSS** and several other commercial emergency management programs allowing them to share data, eliminating the need to enter data in multiple applications.

Registration and a secure login and password are required to use the system. Both can be obtained via the FEMA NSS Website.

#### Crisis Counseling Assistance and Training Program (CCP)

The **Crisis Counseling and Training Program** is a FEMA-funded program provided through the **Center for Mental Health Services**, which is an office of the **Substance Abuse and Mental Health Services Administration** (SAMHSA). The program provides grant administration and program oversight, as well as training and technical assistance for State and local mental health personnel.

Program services are community based and often are performed in survivor's homes, shelters, temporary living sites, and churches.

The goal of the Crisis Counseling Program is to alleviate mental health problems caused by or aggravated by a major disaster. Minnesota must specifically request this program in order for it to be implemented. CCP is comprised of an Immediate Services and a Regular Services program. CCP monies are distributed through the Minnesota Department of Human Services to county mental health service providers in the declared disaster area.

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The immediate services program (ISP) is intended to respond to the immediate mental health needs with screening, diagnostic, and counseling techniques, as well as outreach services, and is funded up to 60 days after the disaster.

The regular services program (RSP) provides up to nine months of crisis counseling, community outreach, and consultation and education services to people affected by the disaster.

States, U.S. territories, and federally recognized tribes provide CCP services through contract with local mental health service provider agencies that are familiar with the communities affected by the disaster.

The ISP application is due 14 days after the date of the Presidential disaster declaration. The RSP application and ISP extension request are due 60 days after the declaration date and are followed by a Federal grant application review period, during which the ISP can be extended until a decision is made on approval of the RSP application.

### **National Emergency Family Registry and Locator System**

Following a presidential declaration of a major disaster, FEMA may activate the **National Emergency Family Registry and Locator System** and National Emergency Child Locator Center to help reunite families that have become separated as a result of the event.

By calling the Family Registry and Locator System call center at 1-800-588-9822, people who have been separated from their families and friends can provide information about themselves and where they can be found. At the same time, families looking for lost family members may call the toll-free number as they search for them.

Registration is voluntary, and displaced persons are asked to identify individuals to whom they want to provide information about their location and other personal matters. The call center is capable of handling calls in Spanish and uses a relay system for communicating with people who are hard of hearing. The call center is operational 24-hours a day.

For those who have become separated from children 21 and younger, FEMA will activate the National Emergency Child Locator Center to help local and tribal governments and law enforcement agencies track and locate children who have become separated from their parents or guardians. The toll-free number for the Child Locator Center is 1-866-908-9570; and it is staffed 24-hours a day.

An additional program that may be available is FEMA's **Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters**.

## Department of Health and Human Services

### *Substance Abuse and Mental Health Services Administration*

As hundreds of survivors of natural disasters struggle to begin recovery and rebuild their lives, the immediate priorities are access to water, food, shelter, medical care, and security. For those affected by storms, however, the mental health effects can be deep and linger for weeks and months to come. Almost everyone who lives through such an event experiences some feelings of sadness and depression. Depending on the individual, these feelings can vary in intensity and duration. This is true not only for the residents of the cities and towns devastated by natural disasters, but also for the thousands of rescue workers, emergency medical personnel, and disaster recovery experts engaged in search-and-rescue operations.

### *The Center for Mental Health Services (CMHS)*

The CMHS is focused on providing resources to aid in the recovery process. The resources are designed to assist people in storm-damaged areas and the workers who are taking care of those who have been devastated. These resources include, but are not limited to Public Service Announcements, referrals, and management of the National Mental Health Information Center.

### *Disaster Case Management (DCMP)*

The **Disaster Case Management Program** is a federally funded program administered by FEMA. In the event of a presidentially declared disaster that includes Individual Assistance, the governor of the impacted state may request the implementation of the Disaster Case Management Program.

Disaster Case Management (DCM) is a time-limited process that involves a partnership between a case manager and a disaster survivor to develop and carry out a disaster recovery plan. This partnership provides the survivor with a single point of contact to facilitate access to a broad range of resources. The process involves an assessment of the survivor's verified disaster-caused unmet needs, development of a goal-oriented plan that outlines the steps necessary to achieve recovery, organization and coordination of information on available resources that match the disaster-caused need, and the monitoring of progress toward reaching the recovery plan goals, and when necessary, client advocacy.

The Disaster Case Management Program, in partnership with the affected State, enables a whole community approach through funding support to voluntary, faith-based and nonprofit organizations. The DCMP is a Stafford Act funded program promoting: (a) effective delivery of post-disaster case management services, (b) partner integration, (c) provider capacity building, and (d) State level program development. The program provides funding and technical assistance, to ensure holistic services to disaster survivors.

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A Disaster-Caused Unmet Need is an un-resourced item, support, or assistance that has been assessed and verified by representatives from local, State, Tribal, and Federal governments and/or voluntary and faith-based organizations as necessary for the survivor to recover from the disaster. Unmet needs may include basic immediate emergency needs such as food, clothing, shelter, or first aid, and long-term needs such as financial, physical, emotional or spiritual well-being.

The DCMP augments state and local capacity to provide DCM services in the event of a major disaster declaration which includes Individual Assistance (IA). DCM services, whether provided through Immediate DCM Services or a State DCM Grant, are available to any disaster survivor impacted by the declared disaster. This allows individuals who may have suffered losses not covered by Federal, or State programs, as well as those whose homes are damaged by the disaster, to benefit from DCM services. As a primary requirement, the unmet needs addressed by the DCMP must be caused by the declared disaster.

### **SUPPORTING ORGANIZATIONS**

Depending upon the nature, location, and extent of human service needs, a wide variety of public and voluntary organizations could provide assistance and services to disaster survivors. Those services and providers include, but are not limited to:

#### **Case management**

- American Red Cross
- Salvation Army
- Lutheran Disaster Response

#### **Child care**

- American Baptist Men
- Minnesota-Wisconsin Baptist Convention
- Church of the Brethren

#### **Crisis intervention (children/families)**

- Church of the Brethren

#### **Emotional and spiritual care**

- American Baptist Men
- American Red Cross
- Church World Service
- Lutheran Disaster Response
- MN-WI Baptist Convention
- Nazarene Disaster Response
- Salvation Army

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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- United Methodist Committee on Relief (UMCOR)

### **Mass feeding**

- American Baptist Men
- American Red Cross
- MN-WI Baptist Men
- Salvation Army

### **Mass sheltering**

- American Red Cross
- Salvation Army

### **Food donation management**

- Channel One, Inc.
- Second Harvest Food Banks

### **Housing**

- World Hope International

### **Laundry and shower support**

- American Baptist Men
- MN-WI Baptist Convention

### **Long term recovery**

- Church World Service
- Lutheran Disaster Response
- Salvation Army
- United Church of Christ
- United Way

### **Outreach**

- Church World Service

### **Social services**

- Salvation Army

### **ADDITIONAL VOLUNTARY ORGANIZATION SUPPORT**

#### **ECHO Minnesota**

**ECHO Minnesota** bridges the gap for immigrants and refugees in Minnesota by collaborating with health and safety experts, bilingual community leaders and

talented spokespersons. They prepare communications on health, safety, civic engagement and emergency readiness.

ECHO's communication tools also function as an emergency infrastructure available to public health and safety agencies during a crisis. In the event of an emergency, such as a flood or a disease outbreak, ECHO has a proven system in place to deliver critical messages in the most urgently needed languages rapidly and effectively through television, radio, print, web and partner relays.

### **Safe and Well Program (American Red Cross)**

The American Red Cross **Safe and Well Program** provides a website for disaster survivors to register themselves as "safe and well." From a list of standard messages, survivors can communicate to family members that they are OK.

Concerned family and friends can search the list of those who have registered themselves as "safe and well." The results of a successful search will display a loved one's first name, last name, an "as of" date, and the "safe and well" messages selected.

### **Alternate Language Materials**

The American Red Cross provides disaster preparedness materials that are available in a variety of languages to support the needs of the culturally diverse communities it serves.

**RECOVERY FUNCTION 8: HOUSING ASSISTANCE**

**PURPOSE**

Recovery Function 8 provides an overview of how the emergency housing needs of Minnesota residents will be met in the event of a major disaster/emergency.

**SCOPE**

This Recovery Function (RF) discusses the agencies and organizations responsible for providing housing assistance needs, and the activating mechanisms and descriptions of activities developed to provide for assistance to those individuals and communities with housing and immediate shelter needs.

**ACTIVATING MECHANISM/AUTHORITY**

Many Minnesota housing assistance programs are available on a continuing basis, however, during a presidential disaster declaration, specific assistance to the affected area may become available. All federal housing assistance is triggered by a presidential declaration when the Individual Assistance Program is awarded.

**STATE ASSISTANCE**

The primary responsibility for mass care normally rests with the local county human services department, other local government agencies, and volunteer agencies/organizations. In the event of a major disaster/emergency, state agencies can also provide housing assistance. Those responsibilities are listed below.

When a disaster has occurred, local government initiates a recovery program using its own resources. In most cases, this response is adequate, particularly when it is combined with insurance coverage and private relief efforts. If the disaster is of a large magnitude and the above-referenced types of resources are not adequate to meet the recovery needs, state resources may be called upon. Although state government is not a major provider of disaster recovery assistance, it does offer a few specialized programs for local governments and individuals. This section describes the services and/or programs as offered by state government.

**Summary**

<b>State Agency</b>	<b>Level</b>	<b>Responsibility</b>
Commerce	Primary	Identify resources and assist affected individuals and families, through the energy assistance program
Commerce	Primary	Identify resources and assist affected individuals and families, through the weatherization program

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<b>State Agency</b>	<b>Level</b>	<b>Responsibility</b>
Employment and Economic Development	Primary	Coordinate housing grants through the Small Cities Development Program
Health	Support	Inspect mass care site and kitchen
Health	Support	Provide guidelines regarding health impacts of mass care sites
Health	Support	Well and air quality testing
Housing Finance	Primary	Provide housing assistance through various loan programs
Housing Finance	Primary	Determine short-term and long-term housing availability
Human Services	Support	Assist HSEM in the delivery of individual assistance
Homeland Security and Emergency Management	Coordinate	Coordinate the Individual Assistance Program with FEMA
Homeland Security and Emergency Management	Coordinate	Coordinate the Disaster Housing Plan with FEMA
Homeland Security and Emergency Management	Coordinate	Coordinate the property acquisition program with FEMA and the DNR
Veterans Affairs	Support	Coordinate recovery assistance grants to eligible veterans through local Veteran Services Officers
Water and Soil Resources	Support	Assist in upgrading septic tanks

### **Department of Commerce**

#### **Minnesota Weatherization Assistance**

The **Minnesota Department of Commerce** administers the U.S. Department of Energy-funded **Weatherization Assistance Program** (WAP) for the state. The Minnesota Department of Commerce sets the eligibility requirements and oversees the local agencies that provide weatherization services in the field.

WAP uses energy conservation techniques to reduce the cost of home energy. Correcting health and safety hazards and potentially life-threatening conditions is the first consideration in WAP activities.

## Department of Employment and Economic Development (DEED)

### Small Cities Development Program (SCDP)

**Small Cities Development Program** funds are granted to local units of government, which, in turn, lend funds for the purpose of rehabilitating local housing stock. Loans may be used for owner-occupied, rental, single- family or multiple-family housing rehabilitation. Loan agreements may allow for deferred payments or immediate monthly payments. Interest rates may vary, and loan repayments are retained by grantees for the purpose of making additional rehabilitation loans. SCDP funds may also be used to assist new housing construction projects. Funds may also be used for land acquisition, site improvements and infrastructure and housing construction. In all cases, housing funds must benefit low- and moderate-income persons.

Cities and townships with populations under 50,000 and counties with populations under 200,000 are eligible for SCDP. Indian tribal governments, which can receive funds directly from HUD, are ineligible for this program.

### Minnesota Department of Health (MDH)

The **Minnesota Department of Health** will:

- Inspect mass care sites, shelters, and kitchens, take appropriate actions to ensure safe conditions and provide guidance on the health impacts of mass care sites.
- Provide technical assistance regarding the monitoring and decontamination of personnel, equipment, and facilities.

### Minnesota Housing Finance Agency (MHFA)

The **Minnesota Housing Finance Agency** provides affordable financing for the purchase, construction, and improvement of housing for Minnesota residents with modest incomes. MHFA has several loan programs, all with different eligibility requirements and terms. It is important to note that although assistance to homeowners who have suffered damages due to a disaster is not the primary purpose of these loans, Minnesota Housing supports the use of these loans to help disaster victims towards recovery. With all MHFA loans it is the responsibility of the individual applicant to work with the appropriate local agency or lender to determine eligibility for a loan.

Minnesota Housing, in concert with other members of the Minnesota Disaster Housing Task Force, will conduct housing assessments in and around the disaster area to determine the need and availability of temporary housing, such as vacant apartments and other housing units.

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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Each of the loan programs provided by Minnesota Housing has unique eligibility requirements, terms, and maximum income levels. While specific information is provided, it is important to note that some loan program guidelines may change. For current guidelines and more specific information contact the MHFA Consumer Information Line at (651) 296-8215 or (800) 710-8871 or [Minnesota Housing Finance Agency Website](#).

### **Quick Start Disaster Recovery Program**

The **Quick Start Disaster Recovery Program** provides financial assistance to individuals whose residence or single family rental property sustained damages as a result of a disaster. This program is funded with state appropriations following a major disaster.

State assistance is provided in the form of an interest free, non-amortizing, forgivable loan (after 10 years from the date of the note) and can only be used to repair damage caused by the disaster.

Quick Start is a program for unmet needs of disaster survivors. Applicants must first exhaust all insurance and federal benefits before accessing the Quick Start loan program. Federal programs can include assistance from Federal Emergency Management Agency (FEMA) or the Small Business Administration (SBA).

Generally, applicants must be declined a loan from Small Business Administration due to affordability or credit issues.

The Quick Start program is only available in disasters where special funding has been appropriated.

### **Rehabilitation Loan Program**

The **Rehabilitation Loan Program** assists low -income homeowners in financing home improvements that directly affect the safety, habitability, energy efficiency, and accessibility of their homes.

Applicants eligible for this program must occupy the home to be rehabilitated. Applicants' assets must not exceed a specific limit. The maximum loan amount is set periodically and also carries a maximum term limit. Repayment is deferred until the borrower sells, transfers title, no longer lives in the property, or at the end of the term limit.

Single-family homes, duplexes, a condominium unit, and manufactured housing taxed as real or personal property are eligible for this program.

### **Fix-Up-Fund Loans**

The Minnesota Housing Finance Agency (MHFA), along with local community lenders and housing agencies, can provide applicants with below market fixed rate loans to fix up their homes. Rates are subject to change depending on the market.

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To qualify for a **Fix-Up Fund Loan**, applicants must meet current gross income requirements. The applicant must also be the year-round owner/occupant of the home being fixed.

Maximum loan amount is set periodically with a below-market interest rate. Most improvements to the livability, accessibility, or energy efficiency of a home are eligible. Mobile homes are not eligible unless they are fixed on a permanent foundation and taxed as real property.

### **Rental Property Assistance**

Rental Property Assistance may also be available for owners of affordable rental property through Minnesota Housing. Property owners should contact **Minnesota Housing** for details.

Minnesota Housing Finance Agency also inventories the availability of rental property suitable for temporary or long-term housing for disaster/emergency victims. The vacancies are provided to HSEM who will share the information with FEMA, the American Red Cross, and other first responders.

### **Department of Human Services**

The **Department of Human Services** provides, as requested by the Division of Homeland Security and Emergency Management, personnel to assist the state in delivering individual assistance following a presidential declaration of a major disaster.

### **Department of Public Safety (DPS)**

#### **State Fire Marshal**

When requested by local authorities, or deemed necessary by the **State Fire Marshal**, personnel shall be assigned to provide basic fire inspections of emergency shelters and temporary housing used for mass care during an emergency.

### **Homeland Security and Emergency Management (HSEM)**

**Homeland Security and Emergency Management** has certain housing-related responsibilities in the event of a major disaster. Some of those responsibilities include:

- Coordinate the Individual Assistance (IA) program, including the implementation of the Individuals and Households Program (IHP), following presidential declaration of a major disaster.
- Coordinate with local emergency management officials to determine the need for Transitional Shelter Assistance (TSA) and other Alternative Interim Housing needs following a presidential declaration of a major disaster.

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- HSEM shall coordinate with FEMA to facilitate the use of Direct Housing and other housing options to provide a safe, secure, and sanitary environment for disaster survivors.
- Coordinate mass care activities with private relief agencies.
- Coordinate the housing acquisition grants as a result of a major flooding event.

### **Department of Veterans Affairs (MNVA)**

Following a declared disaster or other significant event, the **Department of Veterans Affairs** may provide limited recovery assistance to eligible veterans. This assistance may be used for

- Repair/replacement of household and personal items
- Rebuilding costs and materials
- Temporary housing costs
- Sand/Sandbags
- VA Loan assistance

Assistance will be coordinated through the affected county's Veteran Services Officer.

### **FEDERAL ASSISTANCE**

Federal assistance loans and grants provide a homeowner or renter with financial assistance to help repair or replace personal property lost in a disaster and for repair or restoration of a primary home to pre-disaster condition.

People and their needs (physical, material, and mental) are the focus of these programs. The programs offer a broad range of assistance including low-interest loans, grants, unemployment assistance, and counseling services, which are administered by a number of different agencies.

The most common programs implemented with a Presidential declaration of a major disaster are the SBA Disaster Assistance Program and FEMA's Individuals and Households Program.

### **Small Business Administration (SBA)**

The **Small Business Administration** offers low-interest loans to both homeowners and businesses affected by a disaster. Eligibility is based on financial criteria and private insurance. While it can be damages suffered by a single community that triggers an SBA declaration, the designation is made for an entire county.

There are four ways in which a community/county can receive SBA assistance:

### **Presidential Declaration of Major Disaster**

A Presidential Declaration of a Major Disaster is received, which includes the FEMA Individual Assistance (IA) Program. The SBA loan program, including all three loan types that are explained below, is automatically implemented in the IA declared counties.

#### *A Secretary of Agriculture Designation is made*

The SBA in response may make an economic injury disaster declaration in support of the natural disaster determination by the Secretary of Agriculture (see Economic Injury Disaster Loans).

#### *A county seeks an independent SBA declaration.*

In this instance, a community or communities in a county has suffered significant damages, yet does not meet the threshold to seek a presidential declaration. For a county to seek an independent SBA declaration it must meet one of the following SBA eligibility requirements:

- A minimum of 25 businesses, homes, apartments, or a combination of all three, in one county, sustain uninsured losses equal to 40 percent or more of the fair-market replacement value. All owned residential property must be the primary residence. In the case of an apartment building, each apartment/renter is considered a separate residence. However, renters are only eligible for personal property loans.
- A minimum of three businesses sustain uninsured losses equal to 40 percent or more of their estimated fair-market value; and as a direct result of such damage, 25 percent of the work force in that community would be unemployed for at least 90 days.

#### *The SBA makes an Economic Injury Declaration*

The governor must certify in writing that at least five small business concerns in a disaster area have suffered substantial economic injury as a result of a disaster and are in need of financial assistance not otherwise available on reasonable terms.

All counties contiguous to the county that receives an SBA disaster designation will also become eligible for SBA loan programs except in the instance of a presidential declaration that includes Individual Assistance (IA). In this case, only the counties designated for IA are eligible for SBA disaster home loans.

Economic Injury Disaster Loans are available for businesses in all primary and contiguous counties due to the inclusion of agricultural assistance in a presidential declaration.

## Types of SBA Disaster Loans

### *Home Disaster Loans*

This includes loans to homeowners or renters to repair or replace disaster damages to real estate and/or personal property owned by the victim. Renters are only eligible for personal property losses.

SBA disaster assistance is in the form of loans. All applicants must demonstrate the ability to repay loans. Interest rates will depend on each applicant's credit status and ability to repay. Actual loan amounts, collateral, and terms vary by loan type. Questions regarding these details should be addressed to the Small Business Administration.

### *Business Physical Disaster Loans*

These include loans to businesses to repair or replace disaster- damaged property owned by the business, including real estate, inventories, supplies, machinery, and equipment. Businesses of any size are eligible. Non-profit organizations such as charities, churches, private universities, etc., are also eligible.

### *Economic Injury Disaster Loans (EIDL)*

This includes loans for working capital to small businesses and small agricultural cooperatives to assist them through the disaster recovery period. EIDL assistance is only available to applicants and their owners who cannot provide for their own recovery from non-government sources. Farmers, ranchers, nurseries, religious, and nonprofit organizations are not eligible for an EIDL.

### *Sequence in Seeking an SBA Designation*

Conducting a damage assessment is always the first step in seeking either state or federal assistance. If the damage assessment demonstrates sufficient damages to warrant seeking an SBA declaration, there are several steps the petitioning community/county must take to initiate this process.

1. The governing body must pass a resolution requesting an SBA declaration(SD 8-1 sample Resolution Requesting a Small Business Administration Disaster Declaration)
2. The original resolution, a cover letter to the governor (signed by the appropriate chairperson), and a copy of the completed damage assessment should be sent to HSEM.
3. All documents will be reviewed and a cover letter prepared for the governor's signature. HSEM will then forward the entire package to the SBA.
4. Upon receipt of the governor's request, the SBA will send an inspector to verify damages indicated in the original damage assessment. The SBA will then either approve or deny the request. If approved, the SBA

will establish a toll-free hotline number for registering for assistance. The SBA will also establish an office in the affected community (ies) within days of the approval and will issue press releases on their programs.

5. This temporary SBA office will remain open as long as needed, and individuals needing assistance can meet face-to-face with an SBA representative.

### **FEMA Individual Assistance Program**

#### **Individuals and Households Program (IHP)**

When the President declares a disaster and authorizes the Individual Assistance Program, FEMA's **Individuals and Households Program** can help homeowners and renters affected by the disaster with housing needs and necessary expenses.

If a resident is not eligible for a Small Business Administration (SBA) disaster home loan, he/she may be referred to the Individuals and Households Program (IHP) for consideration of a grant award.

To be considered for IHP housing assistance, the affected home must be the individual's primary residence and it must be located in the disaster area designated for Individual Assistance. To be considered for IHP assistance for necessary expenses or serious needs, the loss must have occurred in the disaster area designated for Individual Assistance. An individual or a pre-disaster member of the household must be a United States citizen, a non-citizen national, or a qualified alien.

When a disaster is declared and Individual Assistance is authorized, affected individuals are directed to register with FEMA and to make sure that the information they provide is complete and correct.

Registration can be done in the following ways:

- Telephone. Call the toll-free number 1-800-621-FEMA (3362). Speech- or hearing-impaired callers can use the TTY number 1-800-462-7585
- Internet. Go to the **FEMA Disaster Assistance Website**
- At a shelter or Disaster Recovery Center, via telephone. FEMA may use a mobile registration intake unit to travel to areas where telephone service is not available.

When registering, applicants will need to provide the following information:

- Name and Social Security number
- Address of the damaged property
- Current address and telephone number
- Insurance information

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- Total household annual income
- A bank routing and account number for direct deposit
- A description of your losses caused by the disaster

Once the registration is complete, a copy of the registration or application will be sent to the applicant and if a need is identified, an inspector will be assigned to view the damaged property.

The IHP maximum grant for all assistance to any individual or household is set at the beginning of every federal fiscal year. There are two elements of assistance in the IHP: Housing Assistance (HA) and Other Needs Assistance (ONA).

### **Housing Assistance**

#### *Temporary Housing (Rent and Lodging Expense)*

Money to rent a different place to live or a temporary housing unit, when rental properties are not available.

#### *Repair*

Money for homeowners to repair damage from the disaster that is not covered by insurance. The goal is to repair the home to a safe and sanitary living or functioning condition. FEMA may provide up to a predetermined amount, then the homeowner must apply for a U.S. Small Business Administration (SBA) disaster loan for additional repair assistance. FEMA will not pay to return a home to its condition before the disaster. Flood insurance may be required if the home is in a Special Flood Hazard Area. Repair and replacement items include:

- Structural parts of a home (foundation, outside walls, roof)
- Windows, doors, floors, walls, ceilings, cabinetry
- Septic or sewage system
- Well or other water system
- Heating, ventilating, and air conditioning system
- Utilities (electrical, plumbing, and gas systems)
- Entrance and exit ways from the home, including privately owned access roads
- Blocking, leveling and anchoring of a mobile home and reconnecting or resetting its sewer, water, electrical and fuel lines and tanks

#### *Replacement*

Money to replace a disaster-damaged home, under rare conditions, if this can be done with limited funds. If the home is located in a Special Flood Hazard Area, the homeowner must comply with flood insurance purchase requirements and local flood codes and requirements.

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### *Permanent Housing Construction*

Direct assistance or money for the construction of a home. This type of assistance occurs only in very unusual situations, in remote locations specified by FEMA where no other type of housing assistance is possible. Construction shall follow current minimal local building codes and standards where they exist, or minimal acceptable construction industry standards in the area. Construction will aim toward average quality, size, and capacity, taking into consideration the needs of the occupant. If the home is located in a Special Flood Hazard Area, the homeowner must comply with flood insurance purchase requirements and local floodplain management codes and requirements.

### *Transitional Housing Assistance*

This assistance is intended to provide a more appropriate extended sheltering environment to evacuees who cannot return home because their neighborhoods are inaccessible or because their homes are unlivable due to damage or lack of power. Applicants are responsible for their own meals and for any lodging costs above the authorized allowance.

To ensure reimbursement disaster victims first need to apply for federal assistance through FEMA either online at the [FEMA Disaster Assistance Website](#) or by calling the FEMA toll-free call centers at 1-800-621-FEMA (3362), TTY 1-800-462-7585.

Eligible evacuees must fit the following criteria:

- FEMA must be able to verify the identity of the evacuee;
- The primary residence of the evacuee must be in one of the counties that has been designated a disaster area; and
- The primary residence is inaccessible or unlivable due to damage or lack of power.

### *Direct Housing Assistance*

Direct Housing Assistance generally consists of FEMA obtaining and installing temporary housing units (manufactured homes, travel trailers, and other types of prefabricated housing) on private (individual) sites, commercial parks, or other temporary sites developed by FEMA. This assistance is considered a last option.

This non-financial assistance is provided directly to individuals and households when there are not enough housing resources in the impacted area and/or the individual or household was eligible for financial housing assistance, but not able to use available resources.

Eligibility for Direct Housing Assistance is based on several factors, such as available housing, apartment, and other rental resources in the impacted area;

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geographic area; and the specific disaster-related housing needs of the individual and others in the area. In some cases, a trailer or mobile home park within a reasonable commute may serve the individual.

Individuals do not “request” temporary housing initially. Financial Assistance (rental assistance) is provided before Direct Housing Assistance. If applicants are found eligible, they will be contacted for a Pre-Placement Interview (PPI). The time between determining eligibility and a PPI varies based on time/date registered, number of people affected, and assessment of local temporary housing options.

Self-Assessment: Victims of disaster are asked to consider the following when determining their eligibility for direct housing. If they answer “yes” for all three questions, they should go to a nearby Disaster Recovery Center (DRC) to be referred for Direct Housing Assistance. They will be contacted and interviewed in a Pre-Placement Interview (PPI) to re-assess and/or determine disaster-related housing needs.

- Did you live in the impacted area when the disaster occurred?
- Are you displaced from your pre-disaster, primary dwelling as a result of federally declared disaster?
- Is there a shortage of available and/or affordable rental or housing resources in the impacted area or the area you relocated to? Note: This also includes an applicant who has received rental assistance but cannot find a place to rent or they still cannot afford a place to rent.

If Insured: Insured applicants may be eligible for Direct Housing Assistance if they are eligible for or received Additional Living Expenses (ALE) from their insurance company, but cannot find a place to rent or still cannot afford a place to rent. The applicant must contact their insurance company first. If insured applicants are provided a temporary housing unit, the occupant will provide the housing portion of their ALE, not to exceed the fair market rate (FMR), to FEMA.

### **Other Needs Assistance (ONA)**

Money is available for necessary expenses and serious needs caused by the disaster. This includes medical, dental, funeral, personal property, transportation, moving and storage, and other expenses that are authorized by law. Assistance from ONA is cost-shared between FEMA (75 percent) and the state (25 percent).

An applicant does not apply for ONA, but is referred for assistance based on their ability to secure a loan from the U.S. Small Business Administration (SBA). If SBA determines that an applicant cannot afford a loan, SBA will automatically refer the applicant back to ONA for additional help. ONA can be provided for disaster-related serious needs in five categories:

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### *Personal Property*

Money to repair or replace personal property damaged and destroyed as a result of the disaster that is not covered by insurance. The goal is to help with the cost for the necessary expenses and serious needs. All applicants must apply for an SBA disaster loan for personal property before being considered for ONA. FEMA will not pay for all damaged or destroyed personal property. Flood insurance may be required if the home is in a Special Flood Hazard Area. Personal property that is eligible for repair and replacement include:

- Clothing
- Household items (room furnishings, appliances)
- Specialized tools or protective clothing and equipment required for your job
- Necessary educational materials (computers, school books, supplies)
- Cleanup items (wet/dry vacuum, air purifier, dehumidifier)

### *Transportation*

Money for repair or replacement of an individual's primary means of transportation that is no longer usable because of disaster-related damage or for the increased cost of using public transportation.

### *Medical and Dental Expenses*

Money for an individual's medical and/or dental treatment costs or the purchase of medical equipment required because of physical injuries received because of the disaster.

### *Funeral and Burial Costs*

Money for the individual to pay for funeral services, burial, or cremation, and other funeral expenses related to a death caused by the disaster.

### *Other Expenses*

Money approved by FEMA for specific disaster-related costs. These costs may include:

- Fuel (e.g., chainsaw);
- Moving and storage expenses related to the disaster;
- Other necessary expenses or serious needs (e.g., towing, set-up, or connecting essential utilities for a housing unit not provided by FEMA); and

### *The cost of a National Flood Insurance Program policy.*

Note: FEMA's temporary housing assistance and grants for public transportation expenses, medical and dental expenses, and funeral and burial expenses, do not require individuals to apply for an SBA loan. However, an applicant must complete

an SBA loan application to be eligible for assistance that covers personal property, vehicle repair or replacement, and moving and storage expenses.

### **Conditions and Limitations of FEMA IHP Assistance**

#### *Non-discrimination*

All forms of FEMA disaster assistance are available to any affected household that meets the conditions of eligibility. No federal entity or official (or their agent) may discriminate against any individual on the basis of race, color, religion, sex, age, national origin, disability, or economic status.

#### *Residency status in the United States and its territories*

To be considered for disaster assistance, the individual or an adult household member must provide proof of identity and sign a declaration stating that they are a United States citizen, a non-citizen national, or a qualified alien.

#### *Supplemental Assistance*

Disaster assistance is not intended to substitute for private recovery efforts, but to complement those efforts when needed. FEMA expects minor housing damage or the need for short-term shelter to be addressed by homeowners or tenants. Furthermore, IHP is not a loss indemnification program and does not ensure that applicants are returned to their pre-disaster living conditions.

#### *Household Composition*

People living together in one residence before the disaster are expected to continue to live together after the disaster. Generally, assistance is provided to the pre-disaster household as a unit. If, however, the assistance provided to the household is not shared, or if the new residence is too small or causes the individual undue hardship, the individual may request assistance separate from their pre-disaster household.

#### *Type of Assistance*

Generally, more than one type of IHP assistance may be provided to the household. Only FEMA has the authority to determine which type of assistance is most appropriate for the household and the period of assistance to be covered.

#### *Proper Use of Assistance*

All financial assistance provided by FEMA should be used as specified in writing: to rent another place to live, to make the home repairs identified by FEMA, or to prevent eviction or foreclosure. Failure to use the money as specified may make the individual ineligible for additional assistance. All money provided by FEMA is tax-free.

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### *Documentation*

It is the individual's responsibility to provide all documentation necessary for FEMA to evaluate their eligibility. The individual may need to provide proof of occupancy, ownership, income loss, and/or information concerning their housing situation prior to the disaster. The individual should keep all receipts and records for any housing expenses incurred as a result of the disaster. This includes receipts for repair supplies and labor, and rent payments.

### *Insurance*

If the individual has insurance, any assistance provided by FEMA should be considered an advance and must be repaid to FEMA when they receive their insurance settlement payment. If their settlement is less than FEMA's estimated cost to make their home habitable, the individual may qualify for funds to supplement their insurance settlement, but only for repairs relating to the home's habitability. FEMA does not provide replacement value amounts or assistance with non-essential items.

### *Duration of Assistance*

Repair Assistance is provided as a one-time payment. Temporary Housing Assistance (or a mobile home/travel trailer) is provided for an initial period of 1, 2, or 3 months. To be considered for additional assistance, the individual must demonstrate that they have used any previous assistance from FEMA as instructed, and they must demonstrate their efforts to re-establish permanent housing. Additional assistance is generally provided for 1, 2, or 3 months at a time. The maximum period for IHP assistance is 18 months.

### *Appeal Rights*

If the individual disagrees with FEMA's determination of eligibility or the form of assistance provided, they have the right to appeal within 60 days of the date of their notification letter.

### *Registering with FEMA*

Registering for disaster assistance triggers a series of actions leading to an inspection of the property by a FEMA contract inspector. Once registered, homeowners and renters referred to FEMA's Individual Assistance program should hear from an inspector within 7- 10 days. The inspectors will schedule an appointment with the applicant. If an applicant has evacuated from his/her home and is unable to meet an inspector at the property, arrangements can be made for someone else to accompany the inspector.

Inspections are conducted by companies under contract to the government, and all FEMA representatives carry photo identification. Never give information to someone without seeing official identification. If in doubt, call the FEMA Helpline at 1-800-621-

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3362. A FEMA inspector simply verifies and documents damages and does not make decisions about any benefits the victim may receive.

There is no charge for official inspections. Homeowners should show proof of ownership, and homeowners and renters should be able to prove occupancy. If insurance papers are available, residents should show them to the inspector.

The FEMA inspection process will include a search for structural damage of the building. The inspector will look at the foundation, roof, flooring, drywall, and ceilings of the structure. The heating, cooling, plumbing, and electrical systems also will be reviewed. The inspector will create a record of all disaster-related damages. A survey of damaged personal property, clothing, and automobiles also may be conducted.

More than one inspection may be required, depending on the type of aid under consideration. The U.S. Small Business Administration (SBA) may require its own inspection before issuing a low-interest loan.

The toll-free Helpline registration number is 1-800-621-FEMA (3362), or (TTY) 1-800-462-7585 for the hearing- and speech- impaired. Applicants also can file on the [FEMA Disaster Assistance Website](#). It is important for the applicant to provide current contact phone numbers so a FEMA inspector can schedule an appointment. Those already registered should update contact information by calling the Helpline.

It is not necessary to wait for an insurance settlement to apply for assistance.

Property owners who suspect fraud should contact local law enforcement authorities or the Department of Homeland Security Office of the Inspector General at 1-800-323-8603

### **Department of Energy (DOE)**

The [Department of Energy](#) works closely with the State Energy Offices and their partners to provide resources, training, and technical assistance as states work on disaster recovery and building reconstruction. DOE can assist Minnesota communities that are looking for ways to build and rebuild safer, more durable, and energy- efficient buildings and homes.

A key component of Minnesota's recovery efforts is partnering with the [Association of State Universities and Land Grant Colleges](#) (NASULGC) and in-state extension services to provide training workshops on building and rebuilding with energy efficiency and storm resistance.

### **The Price-Anderson Act**

The Price-Anderson Act requires Nuclear Regulatory Commission licensees and Department of Energy contractors to enter into agreements of indemnification to cover personal injury and property damage to those harmed by a nuclear or

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radiological incident, including the costs of incident response or precautionary evacuation and the costs of investigating and defending claims and settling suits for such damages. The scope of the Act includes nuclear incidents in the course of the operation of power reactors; test and research reactors; Department of Energy nuclear and radiological facilities; and transportation of nuclear fuel to and from a covered facility.

The Price-Anderson Act was originally enacted as an amendment to the Atomic Energy Act and requires that nuclear power plant licensees have and maintain financial protection to enable them to respond to public liability claims (personal injury and property damage) that might result from an incident/accident.

The only prerequisite for application of the Price-Anderson Act is the occurrence of an incident at a nuclear power plant (or in connection with the transportation of radioactive materials from the plant) or the evacuation of the public, in the vicinity of the power plant, by an authorized official. Implementation of this act does not require a Presidential Declaration of an Emergency.

Financial assistance is provided by the insurer for current and future additional living expenses for individuals who have evacuated. They may also cover loss of income, bodily injury, property damage, business losses, and environmental cleanup.

The insurer may also reimburse a state or a local government for additional costs incurred in evacuating the public.

### **Department of Housing and Urban Development (HUD)**

**Housing and Urban Development** provides a variety of **disaster resources**. HUD also partners with federal and state agencies to help implement disaster recovery assistance. Under the National Response Framework, FEMA and the Small Business Administration (SBA) offer initial recovery assistance.

Following a presidential disaster declaration, the Federal Housing Administration (FHA) may activate a mortgagee letter which makes a variety of insured loan programs available for disaster victims and puts into play use of special loan servicing and underwriting requirements.

Some of the disaster housing assistance programs provided by HUD are:

### **National Housing Locator System**

Disaster victims needing to rent housing may get assistance from HUD's **National Housing Locator System**. This database provides information on available housing by:

- Location,
- Number of bedrooms needed, and
- Rent levels

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HUD staff and participating public housing agencies will assist disaster victims in obtaining information on available rental units.

### *Public Housing*

People displaced by a disaster may find temporary or permanent housing in vacant properties owned by Public Housing Authorities (PHA). Disaster victims must be income eligible (low income) and PHAs must be willing to give priority to disaster victims. HUD Disaster Volunteers may locate vacant PHA units using the National Housing Locator System.

### *Mortgage Assistance Program*

Section 203 (h) of the National Housing Act provides mortgage assistance to disaster victims. Under this mortgage insurance program, individuals or families whose residence was destroyed or damaged to such an extent that reconstruction or replacement is necessary are eligible for 100 percent financing.

Insured mortgages may be used to finance the purchase or reconstruction of a one-family home that will be the principal residence of the homeowner. Section 203 (h) offers features that make homeownership easier:

- No down payment is required.
- The borrower is eligible for 100 percent financing.
- Closing costs and prepaid expenses must be paid by the borrower in cash or paid through premium pricing or by the seller, subject to a 6 percent limitation on seller concessions.
- Some fees are limited. Loan origination fee may not exceed 1 percent.

Applications for mortgage insurance must be submitted to the lender within one year of the presidential disaster declaration. Applications are made through an FHA approved lending institution.

### *Rehabilitation Mortgage Insurance*

Section 203 (k) of the National Housing Act provides mortgage insurance to potential homebuyers. Under this program, homebuyers may borrow funds from lenders to purchase or refinance a house that also requires repair, rehabilitation, or modernization. A portion of the loan proceeds is used to pay the seller, or, if a refinance, to pay off the existing mortgage. The cost of the rehabilitation must meet the minimum qualifications and the total value of the property must fall within the Federal Housing Administration's (FHA) mortgage limit for the area.

The "Streamline Program" is a limited repair program that permits homebuyers to finance additional amounts in to their existing mortgage to improve or upgrade their homes before moving in.

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### *Community Development Block Grants (CDBG)*

HUD provides flexible Community Development Block Grants (CDBG) to help cities, counties, and states recover from presidential declared disasters, especially in low-income areas, subject to availability of supplemental appropriations.

In response to disasters, Congress may appropriate additional funding for the CDBG and HOME programs as Disaster Recovery grants to rebuild the affected areas and provide crucial seed money to start the recovery process. Since CDBG Disaster Recovery assistance may fund a broad range of recovery activities, HUD can help communities and neighborhoods that otherwise might not recover due to limited resources. Disaster Recovery grants often supplement disaster programs of the Federal Emergency Management Agency, the Small Business Administration, and the U.S. Army Corps of Engineers.

### *Types of Assistance*

HUD generally awards noncompetitive, nonrecurring Disaster Recovery grants by a formula that considers disaster recovery needs unmet by other Federal disaster assistance programs.

### *Eligible Grantees*

CDBG Disaster Recovery funds are made available to states, units of general local governments, Indian tribes, and Insular areas designated by the President of the United States as disaster areas. These communities must have significant unmet recovery needs and the capacity to carry out a disaster recovery program (usually these are governments that already receive HOME or Community Development Block Grant allocations). At times, supplemental appropriations restrict funding solely to States rather than the local cities and/or counties.

### *Eligible Customers*

CDBG Disaster Recovery grants primarily benefit low-income residents in and around communities that have experienced a natural disaster. Generally, grantees must use at least half of Disaster Recovery funds for activities that principally benefit low- and moderate-income persons. These can be either activities in which all or the majority of people who benefit have low or moderate incomes or activities that benefit an area or service group in which at least 51 percent of the population are of low- and moderate-income.

### *Eligible Activities*

Grantees may use CDBG Disaster Recovery funds for recovery efforts involving housing, economic development, infrastructure and prevention of further damage to affected areas, if such use does not duplicate funding available from the Federal Emergency Management Agency, the Small Business Administration, and the US Army Corps of Engineers.

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Examples of these activities include:

- Buying damaged properties in a flood plain and relocating residents to safer areas;
- Relocation payments for people and businesses displaced by the disaster;
- Debris removal not covered by FEMA;
- Rehabilitation of homes and buildings damaged by the disaster;
- Buying, constructing, or rehabilitating public facilities such as streets, neighborhood centers, and water, sewer and drainage systems;
- Code enforcement;
- Homeownership activities such as down payment assistance, interest rate subsidies and loan guarantees for disaster victims;
- Public services (generally limited to no more than 15 percent of the grant);
- Helping businesses retain or create jobs in disaster impacted areas; and
- Planning and administration costs (limited to no more than 20 percent of the grant).

### *National Objectives*

Eligible activities must meet at least one of three program national objectives:

- benefit persons of low and moderate income
- aid in the prevention or elimination of slums or blight
- meet other urgent community development needs because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available.

### *Application*

HUD notifies eligible governments that must then develop and submit an Action Plan for Disaster Recovery before receiving CDBG Disaster Recovery grants. The Action Plan must describe the needs, strategies, and projected uses of the Disaster Recovery funds.

### *Previously Awarded CDBG Funds*

Another alternative for CDBG Grantees is to reprogram previously awarded grants to redirect their focus to disaster recovery activities. In reprogramming funds, grantees must ensure that the proposed activities are not funded by other sources such as FEMA or SBA and that the activities comply with a National Objective.

### **HOME Investment Partnership Program (HOME)**

The **HOME Investment Partnerships Program** provides formula grants to states and localities that communities use — often in partnership with local nonprofit groups — to fund a wide range of activities that build, buy, and/or rehabilitate

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affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

### *Purpose*

HOME is the largest federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. Each year it allocates approximately \$2 billion among the states and hundreds of localities nationwide. The program was designed to reinforce several important values and principles of community development:

- HOME's flexibility empowers people and communities to design and implement strategies tailored to their own needs and priorities.
- HOME's emphasis on consolidated planning expands and strengthens partnerships among all levels of government and the private sector in the development of affordable housing.
- HOME's technical assistance activities and set-aside for qualified community-based nonprofit housing groups builds the capacity of these partners.
- HOME's requirement that participating jurisdictions (PJs) match 25 cents of every dollar in program funds mobilizes community resources in support of affordable housing.

### *Types of Assistance*

HOME funds are awarded annually as formula grants to participating jurisdictions. HUD establishes HOME Investment Trust Funds for each grantee, providing a line of credit that the jurisdiction may draw upon as needed. The program's flexibility allows States and local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancement, or rental assistance or security deposits.

### *Eligible Grantees*

States are automatically eligible for HOME funds and receive either their formula allocation or \$3 million, whichever is greater. Local jurisdictions eligible for at least \$500,000 under the formula (\$335,000 in years when Congress appropriates less than \$1.5 billion for HOME) also can receive an allocation. Communities that do not qualify for an individual allocation under the formula can join with one or more neighboring localities in a legally binding consortium whose members' combined allocation would meet the threshold for direct funding. Other localities may participate in HOME by applying for program funds made available by their State. Congress sets aside a pool of funding, equivalent to the greater of \$750,000 or 0.2 percent of appropriated funds, which HUD distributes among insular areas.

### *Eligible Customers*

The eligibility of households for HOME assistance varies with the nature of the funded activity. For rental housing and rental assistance, at least 90 percent of benefiting families must have incomes that are no more than 60 percent of the HUD-adjusted median family income for the area. In rental projects with five or more assisted units, at least 20 percent of the units must be occupied by families with incomes that do not exceed 50 percent of the HUD-adjusted median. The incomes of households receiving HUD assistance must not exceed 80 percent of the area median.

HOME income limits are published each year by HUD.

### **U.S. Department of Agriculture**

#### **Rural Development Housing**

The Section 502 **Mutual Self-Help Housing Loan program** is used primarily to help very low- and low-income households construct their own homes. The program is targeted to families who are unable to buy clean, safe housing through conventional methods. Families participating in a mutual self-help project perform approximately 65 percent of the construction labor on each other's homes under qualified supervision. The savings from the reduction in labor costs allows otherwise ineligible families to own their homes. If families cannot meet their mortgage payments during the construction phase, the funds for these payments can be included in the loan.

Applicants must have very low or low incomes. Very low income is defined as below 50 percent of the area median income (AMI); low income is between 50 and 80 percent of AMI. Families must be without adequate housing; however, they must be able to afford the mortgage payments including principal, interest, taxes and insurance (PITI). These payments are 22 to 26 percent of an applicant's income. In addition, applicants must be unable to obtain credit elsewhere, yet have reasonable credit histories. Families with very low incomes living in substandard housing are given first priority.

Loans are for up to 33 years (38 for those with incomes below 60 percent of the area median and who cannot afford 33-year terms). The promissory note interest rate is set by HCFP (in July 1997 it was 7.25 percent). However, the interest rate is not usually meaningful since payment assistance can reduce the interest rate to as low as 1 percent. The amount of subsidy is determined by family income as a percentage of AMI, so that the family pays from 22 to 26 percent of their income for principal, interest, taxes, and insurance (PITI) up to an amount not exceeding the promissory note rate. There is no required down payment. HCFP must also determine repayment feasibility using ratios of repayment (gross) income to PITI and to total family debt.

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Under the Section 502 Mutual Self-Help Housing program, housing must be modest in size, design, and cost. Modest housing is defined as housing costing less than the HUD dollar cap, which as of 1997 was \$81,548 with adjustments for high cost areas. Houses constructed must meet the voluntary national model building code adopted by the state and HCFP thermal and site standards.

Rural Development Community Development Managers have the authority to approve most Section 502 Mutual Self-Help Housing loan requests. If no backlog exists, decisions on applications should be made within 30 to 60 days of the Rural Development office's receipt of the application.

### **Bureau of Indian Affairs (BIA)**

#### **Housing Improvement Program**

The Housing Improvement Program (HIP) is a home repair, renovation, and replacement program administered by BIA and federally recognized tribal communities for Native American individuals and families, who have no other immediate, or future, resources for housing assistance.

To be eligible for HIP assistance, applicants must:

- Be a member of a federally recognized tribal community;
- Live in an approved tribal service area;
- Have an annual income that does not exceed 125 percent of the U.S Department of Health and Human Services poverty guidelines;
- Live in housing which is identified as sub-standard, as defined by regulations;
- Have no other resource for housing assistance;
- Have not received assistance for repairs and renovation, replacement or housing, or down payment assistance; and
- Have not acquired the present housing through a federally sponsored housing program that includes such services and assistance.

### **SUPPORTING ORGANIZATIONS**

Depending upon the nature, location and extent of the disaster, numerous private-sector organizations and other governmental agencies may be able to provide assistance with immediate housing assistance. This initial assistance may in the form of vouchers or shelter placement. Several voluntary organizations also provide assistance in rebuilding and repair of private residences and can be reached through [National Voluntary Organizations Active in Disaster](#) (NVOAD). These organizations/agencies may include one or more of the following:

#### **Home Rebuilding & Repair**

- Church of the Brethren
- Christian Reformed World Relief Disaster Response Services

- Local Labor Councils
- Mennonite Disaster Service

### Housing

- World Hope International

### Sheltering

- American Red Cross
- Salvation Army

### HousingLink

**HousingLink** was established as a result of the 1995 Hollman v Cisneros Consent Decree, which sought improved housing conditions and greater locational choice for families participating in the Section 8 voucher and public housing programs. One provision of the decree stipulated that an affordable housing information “clearinghouse” be established to ensure that low- to moderate- income families have access to the affordable housing information they need.

HousingLink was organized in 1997 as a 501(c)3 organization to meet this need, and we began providing vacancy information as well as training and support to housing service agencies. Since that time, HousingLink has become the region’s primary source for affordable housing-related data, information, and resources.

Following a disaster, HousingLink assists local recovery officials to:

- Gather and collect available vacancy information from landlords and property managers from nearby areas.
- Provide up-to-date vacancy information that includes, but is not limited to, the affected region through online housing search tools and resources.
- Coordinate housing information with other community agencies serving those affected by the disaster.

## RECOVERY FUNCTION 9: MINNESOTA DISASTER HOUSING TASK FORCE

### PURPOSE

Recovery Function 9 outlines the actions associated with available housing assessments that will assist the Minnesota Disaster Housing Task Force in identifying housing strategies in response to a major disaster. The Task Force will conduct a needs assessment for housing options based on the magnitude of the disaster to aid in determining available housing options and prioritizing individual and household needs.

### SCOPE

Recovery Function 9 and the Minnesota Disaster Housing Task Force conduct housing availability assessments and surveillance on a statewide basis. This activity may be initiated during an event which enables the emergency management community the luxury of advance warning, such as in spring flooding or after a sudden significant event, such as a tornado.

Working with local, state, federal, and non-government organizations, the Task Force is poised to assist in the local housing needs of those communities impacted by a severe housing disaster.

### ACTIVATING MECHANISM/AUTHORITY

The [Post-Katrina Emergency Management Reform Act](#) (PKEMRA) required the development of a [National Disaster Housing Strategy](#). The Act requires the Federal Emergency Management Agency (FEMA), in coordination with key housing stakeholders, to develop, coordinate and maintain a National Housing Strategy. The Act authorizes the federal government to provide technical and advisory assistance to state and local governments for recovery and planning activity. Furthermore, the Act requires FEMA, in coordination with the National Council of Disability and other federal agencies, to develop, coordinate, and maintain a disaster recovery strategy. This strategy must facilitate collaboration and cooperation among the various local, state, tribal, and federal partners. To meet the requirements of PKEMRA, the state-led Joint Housing Task Force was created. In Minnesota, the “Task Force” was created prior to the spring floods of 2009 and is identified as the Minnesota Disaster Housing Task Force.

### OVERVIEW

When the impact of a disaster makes it necessary to provide a temporary or permanent housing option, the Minnesota Disaster Housing Task Force will convene. The Task Force will facilitate the identification and coordination of housing ideas, innovations, strategies, solutions and resources. Members of the Task Force will coordinate the implementation of housing programs. The Task Force will identify all feasible housing assistance resources to sustain disaster victims from sheltering through to permanent housing.

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The Task Force will conduct a needs assessment for housing options by assessing the magnitude of the disaster, determining available housing options and by prioritizing individual and household needs. The Task Force should utilize scoping tools that compare data from the Census Bureau, Preliminary Damage Assessments, shelters, and eligible victims with available rental resources. Decisions made for interim housing may have substantial implications for long-term recovery.

The Task Force is made up of governmental officials and non-governmental organizations (NGOs) involved in housing programs, business and economic development, public protection, health and human services, advocacy groups, and voluntary organizations. Local governments from affected areas should be kept informed and encouraged to participate. The nature and severity of a major disaster will provide an insight into who the stakeholders should be and the number of members necessary to maximize effectiveness.

The Task Force's contribution to planning at the beginning of the operation can facilitate and expedite disaster housing assistance for those with emergency needs, and assist individuals and households with long-term, permanent housing strategies. The ability of the Task Force to plan for emergency needs and pre-plan for long-term recovery can return communities to their pre-disaster social and economic conditions. Schools are re-populated, businesses return or re-open, and tax bases are restored to provide basic services to the residents.

### **Directly-Provided Interim Housing**

FEMA is authorized under the Stafford Act to provide direct housing assistance in the form of temporary housing to eligible individuals and households who, due to a lack of available resources, would be unable to make use of financial assistance, particularly when rental properties are unavailable.

Temporary Housing Units (THUs) are used to provide safe, secure, and sanitary housing for eligible disaster victims only when all other resources are unavailable or when FEMA has identified a shortfall of rental resources for eligible disaster victims. This assistance is available for up to 18 months from the date of declaration of a major disaster. After the initial 18-month period of assistance, FEMA may charge rent to occupants, up to the Fair Market Rent (FMR) for the unit. Eligible applicants with a physical disability will receive the type of unit appropriate to their disability and household size.

Temporary Housing Units may be used on private, commercial, or community sites. Once a determination has been made to use this type of housing, eligible applicants will be contacted to identify needs and feasibility. Potential private sites are usually assessed first and then, if unavailable or infeasible, commercial sites are considered. Community sites are typically used only when commercial and private sites have been exhausted.

## **Stafford Act Direct Housing Assistance**

The Stafford Act provides for direct housing assistance to individuals and households who have been displaced from their pre-disaster residence or whose pre-disaster residence has been found uninhabitable or inaccessible by a major disaster. Housing Assistance under the Stafford Act includes:

### **Section 403, Essential Assistance (42 U.S.C. 5170b)**

This section outlines FEMA Public Assistance and allows for federal agencies to provide assistance in meeting immediate threats to life and property resulting from a major disaster, including emergency sheltering.

### **Section 404, Hazard Mitigation (42 U.S.C. 5170c)**

This section provides mitigation measures to reduce the risk of future damage or suffering in any area affected by a major disaster. This includes property acquisition and relocation assistance for projects that meet specific mitigation requirements.

### **Section 408, Federal Assistance to Individuals and Households (42 U.S.C. 5174)**

Four types of housing assistance are provided under Section 408 of the Stafford Act:

- **Temporary Housing:** Temporary housing assistance is provided either financially, allowing disaster victims to rent a housing unit, or directly, allowing disaster victims to reside in properties acquired by government purchase or lease.
- **Repair:** FEMA may provide financial assistance for the repair of owner-occupied primary residences that sustained damage by a major disaster. This is intended to return the primary residence to a safe, sanitary, and functional condition, not to its pre-disaster condition.
- **Replacement:** FEMA may provide financial assistance for the replacement of owner-occupied primary residences destroyed by a major disaster.
- **Permanent or semi-permanent housing:** May provide financial or direct assistance to individuals and households to construct permanent or semi-permanent housing.

## **Post-Katrina Emergency Management Reform Act**

The Post-Katrina Emergency Management Reform Act (PKEMRA) of 2006 amends the Stafford Act and expands FEMA's role for disaster response and preparedness as well as providing the authority for coordination with the National Council of Disability and other federal agencies, to develop, coordinate, and maintain a disaster recovery strategy. As authorized by PKEMRA, the federal government may provide technical and advisory assistance to state and local governments for recovery and planning activities.

## STATE ASSISTANCE

Following a major disaster, or when a major disaster is imminent, HSEM will convene the Minnesota Disaster Housing Task Force to coordinate housing strategies, solutions, and resources which may be needed to assist the impacted community(ies).

The Task Force (TF) will monitor the status of the housing market in advance of a disaster and be prepared to make informed recommendations in the event of a disaster requiring a housing mission. When the impact of the disaster requires the development of interim housing options, the TF, as outlined in the [National Disaster Housing Strategy](#) will bring together state, tribal, local, federal, non-governmental, and private sector expertise to evaluate housing requirements, consider potential solutions, and propose recommendations, some of which may require national-level concurrence or engagement. The TF will include disability organizations and advocacy groups to provide advice regarding housing requirements for those with special needs or limited English proficiency. Participants include, but, are not limited to the following:

### Minnesota Disaster Housing Task Force

- [Homeland Security and Emergency Management](#)
- [Housing Finance Agency](#)
- [Department of Labor and Industry](#)
- [Department of Human Services](#)
- [Department of Health](#)
- [State Council on Disability](#)
- [Department of Employment and Economic Development](#)
- [Department of Commerce](#)
- [U.S. Housing and Urban Development](#)
- [USDA - Rural Development](#)
- [American Red Cross](#)
- [Salvation Army](#)
- [HousingLink](#)
- [United Way 211](#)

## FEDERAL ASSISTANCE

### FEMA

The National Disaster Housing Task Force will support state efforts as outlined in the National Disaster Housing Strategy. The interagency National Disaster Housing Task Force will, during the response to a major incident that requires a significant housing effort, provide technical expertise and advice to the Joint Field Office and the Minnesota Disaster Housing Task Force. This assistance may include deploying liaisons or teams to affected states to help develop and tailor federal disaster

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housing plans to meet the needs of the particular event. In this role, federal representatives on the National Disaster Housing Task Force will work with and support established FEMA field operations and structures, as well as directly with the Minnesota Disaster Housing Task Force.

**RECOVERY FUNCTION 10: ECONOMIC AND BUSINESS RECOVERY**

**PURPOSE**

Recovery Function 10 addresses the assistance available to local businesses and communities who have sustained a serious economic impact as a result of a major disaster or significant event. RF 9 identifies resources available for immediate and long-term unemployment and job placement needs of individuals displaced or otherwise impacted by disaster.

**SCOPE**

When a disaster occurs, local government initiates a recovery program using its own resources. In most cases, this response is adequate, particularly when it is combined with insurance coverage and private relief efforts. When the magnitude and severity of a disaster overwhelms a community, state resources may be called upon. Although state government is not a major provider of disaster recovery assistance, it does offer a few specialized programs for local governments and individuals. This section describes the services and/or programs as offered or managed by state government.

**ACTIVATING MECHANISM/AUTHORITY**

Many Minnesota employment assistance programs are available on an on-going basis, however, during a declared disaster, specific assistance to the impacted community area may become available. Federal disaster assistance is triggered by a presidential declaration of a major disaster.

Governor’s Executive Order 15-13 identifies state agency duties and responsibilities following a major disaster or emergency.

**STATE ASSISTANCE**

Although many employment and economic assistance programs are originated with the federal government, most are managed by the impacted state.

**Summary**

<b>State Agency</b>	<b>Level</b>	<b>Responsibility</b>
Employment and Economic Development	Primary	Manage the federal Disaster Unemployment Assistance program
Employment and Economic Development	Coordinate	Coordinate Minnesota Investment Fund loans (Businesses)
Employment and Economic Development	Coordinate	Coordinate National Emergency Grant (NEG) program

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State Agency	Level	Responsibility
Employment and Economic Development	Coordinate	Coordinate Small Cities Development program
Employment and Economic Development	Support	Temporary Workforce Center
Employment and Economic Development	Support	Develop/provide unemployment assistance, and dislocated worker and job training programs to eligible individuals and arrange for payment of benefits
Employment and Economic Development	Support	Furnish unemployment assistance information/representation at the Disaster Assistance Centers
Employment and Economic Development	Support	Estimate the immediate and long-range economic impacts of a disaster
Employment and Economic Development	Coordinate	Coordinate other employment assistance
Homeland Security and Emergency Management	Support	Support the Disaster Unemployment Assistance program with DEED and FEMA
Homeland Security and Emergency Management	Coordinate	Coordinate with DEED business and economic disaster assessments
Homeland Security and Emergency Management	Coordinate	Assist local communities with the Tax Relief for Destroyed Property Program (Tax Credit)
Revenue	Primary	Assist local communities with the Tax Relief for Destroyed Property Program (Tax Credit)

### **Department of Employment and Economic Development (DEED)**

- Develop/provide unemployment assistance, and dislocated worker and job training programs to eligible individuals whose unemployment results from a disaster declared under Public Law 93-288; and arrange for payment of benefits under regular unemployment compensation laws to eligible individuals, in cases where a disaster has not been declared.
- Provide an estimate of the immediate economic impact of a disaster, when requested by the Division of Homeland Security and Emergency Management. Where possible and applicable, the department shall provide estimated projections of long-range effects of a major disaster, using relevant

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data from a variety of sources including, residents, businesses, and local, state and federal agencies, if needed.

### **Minnesota Investment Fund**

The **Minnesota Investment Fund** provides grants to help add new workers and retain high-quality jobs on a statewide basis. The focus is on industrial, manufacturing, and technology-related industries to increase the local and state tax base and improve the economic vitality for all Minnesota citizens.

Grants are awarded to local units of government who provide loans to assist expanding businesses. Cities, counties, townships, and recognized Indian tribal governments are eligible for this fund. All projects must meet minimum criteria for private investment, number of jobs created or retained, and wages paid. There is a maximum of \$500,000 per grant. Only one grant per state fiscal year can be awarded to a government unit. At least 50 percent of total project costs must be privately financed through owner equity and other lending sources (most applications selected for funding have at least 70 percent private financing). Grant terms are for a maximum of 20 years for real estate and 10 years for machinery and equipment. Interest rates are negotiated.

Following a disaster, specific state funds may be appropriated to address businesses and non-profit organizations that have been directly and adversely affected by the event. Appropriations may not be limited to businesses and may include assistance for property damage and clean-up or as designated in the appropriations bill.

### **Small Business Development Centers**

The **Small Business Development Centers** (SBDC) provide no-cost, professional business consulting to small businesses on a variety of business needs. In the wake of a disaster, SBDCs work with small businesses to help them assess business and capital needs, including helping small business owner's access federal disaster and other loans by assisting them with the required applications and supporting financial documents.

### **Temporary Workforce Centers**

Following a disaster, Temporary Work Force Centers may be activated in the impacted area. Services provided are for Disaster Unemployment Insurance, Dislocated Worker Services, and the National Emergency Grant for temporary employment.

### **Small Cities Development Program (SCDP)**

The **Small Cities Development Program** (SCDP) is a federally funded program that can be used to alleviate urgent community development needs caused by natural disasters. In conjunction with the Emergency Task Force, the SCDP

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Program will assist communities with necessary financial resources, dependent on the availability of funding.

### **Homeland Security and Emergency Management (HSEM)**

When a disaster is imminent or pending, it is important to measure the impact or potential impacts an event may have on the business and economic community and to plan for the recovery of any losses. Keeping jobs and businesses within the community may be a paramount concern.

In partnership with DEED, HSEM and other participating agencies assess the local business community for physical damages and employment and economic impacts. The Recovery Team will work with local officials in determining:

- The impact on the local business and economic community,
- What the recovery needs will be,
- What state and federal programs will be available to address those needs,
- Work with the local community to identify the economic recovery priorities, and
- Identify any unmet needs and determine the assistance that may be available.

### **Department of Revenue**

#### **Tax Relief for Destroyed Property**

As provided for in [Minnesota Statutes, section 273.1231](#), the purpose of the **Tax Relief for Destroyed Property Program** is to permit a reduction in the property tax of homeowners whose homesteaded property have been damaged as the result of a disaster, and reimbursement of local government for lost property tax revenue. Property tax reduction is accomplished by providing affected homeowners with a tax credit. The credit reflects the fact that, during the portion of the year remaining after the disaster damage occurred, the market value of the home was reduced as a result of the damages.

To obtain approval for the tax relief a city or county must petition the State Executive Council for approval. The Minnesota Department of Revenue will make this request on behalf of the petitioner. There are specific requirements which must be met in order for a jurisdiction to request relief. If considering forwarding a request for relief, please contact the Minnesota Department of Revenue.

#### *Local Government Eligibility Requirements*

For local governments (cities and counties) to be eligible to apply for permission to grant the disaster (homestead tax) credit, as a result of a tornado, storm, flood, explosion, fire, or other catastrophic event, one of four emergency/ disaster designations must have occurred:

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- Presidential Declaration of a Major Disaster.
- Secretary of Agriculture Disaster designation.
- Small Business Administration disaster declaration.
- City or county declaration of a state of emergency.

### *Types of Damage*

The types of damages which potentially qualify for tax relief are very specific and must be documented accurately. In order for a local government to petition the State Executive Council, it must demonstrate the following minimum homestead property damages have occurred:

- The average dollar amount of the damage for the homes which are damaged in the city/county making the application must be at least \$5,000; and
- At a minimum, at least 25 homes in the jurisdiction must have been damaged or the total amount of damage to all the homes must be equal to at least one percent of the total market value of all the homesteads in the jurisdiction.

### *Additional Criteria*

For a specific property to be eligible, the homeowner must also meet the following criteria:

- The home (whether it be a farm house, town home, condominium, mobile home, or single-family home) must be the owner's homestead.
- The property must have been damaged in the event that resulted in the disaster declaration/designation.
- The property must be located in a jurisdiction that has received approval from the State Executive Council to grant the disaster credit.

### *Forms of Property Tax Relief*

There are three specific forms of tax relief for disasters and destroyed property:

- Local option disaster abatements ([§273.1233](#)) for taxes payable on homestead and non-homestead property in the year of the disaster or destruction;
- Homestead disaster credits ([§273.1234](#)) for taxes payable on homestead property in the year following the disaster (relating to the assessment year in which the disaster occurred); and
- Local option disaster credits ([§273.1235](#)) for taxes payable on homestead property that does not qualify for a homestead disaster credit and on non-homestead property in the year following the disaster or destruction (relating to the assessment year in which the disaster or destruction occurred).

It is important to note that tax relief is not necessary for the assessment year following the year of the disaster (for taxes payable in the second following year), or

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any years thereafter, because the normal course of assessment and taxation will reflect the value as damaged or rebuilt.

### *Application Process*

A city or county that wants to obtain State Executive Council approval to reduce property taxes on damaged homestead property, and to be reimbursed for its loss of tax revenue, must prepare a request that includes the following documents, some which can be found in SD 11.2-Tax Relief for Destroyed Property Packet.

- A resolution specifically requesting tax relief for destroyed property for the purpose of a special tax credit as provided for in Minnesota Statutes, section 273.123.
- A damage assessment report which lists the damaged homestead property's address (or property identification number), pre-disaster value, type of damage, and estimated dollar value of the damage.
- A Damage Assessment Recap form.
- A copy of the appropriate disaster declaration or resolution.
- Although not required, a short narrative describing the nature of the disaster and its impact on the community and homeowners and maps or other descriptive items that show the extent of the damages is also helpful.

The above-referenced documents are to be forwarded to the Minnesota Department of Revenue, which will review them to ensure that the minimum program requirements have been met. If they have been, multiple copies will be provided to the Recording Secretary for the State Executive Council. This action will result in the request for tax relief being placed on the agenda of the next scheduled meeting of the Council, which meets quarterly. Lastly, a representative from the Minnesota Department of Revenue will appear before the Council and present the request.

### **Flood Loss Replacement Aid to Cities**

Following a disaster, Minnesota may appropriate funds to assist cities that have lost their tax base due to major flooding.

Cities in counties with a flood net tax capacity (NTC) loss equal to or greater than five percent are eligible to receive flood loss replacement aid. The county assessor must determine the "flood net tax capacity loss" for each city in the county and certify the assessment. The flood NTC loss will be determined by calculating the difference between the city's taxable NTC and a hypothetical NTC arrived at by applying class rates in effect for current market values.

The flood loss replacement aid will equal the cities flood NTC loss multiplied by the city's average tax rate for taxes payable during the identified calendar year. The Department of Revenue will determine each city's flood loss replacement aid amount and notify each eligible city.

## FEDERAL ASSISTANCE

Federal assistance loans and grants provide businesses with financial assistance to help recover from economic losses incurred as a result of a disaster. Most programs are managed by the state.

### Small Business Administration (SBA)

The Small Business Administration (SBA) offers low-interest loans to businesses affected by a disaster. Eligibility is based on financial criteria and private insurance. While it can be damages suffered by a single community that triggers an SBA declaration, the designation is made for an entire county.

There are three ways in which a business can receive SBA assistance (additional assistance is available to farmers, which will be addressed in the Agricultural Annex). They are:

- A Presidential Declaration of a Major Disaster is received, which includes the Individual Assistance (IA) Program. The SBA loan program, including all three loan types that are explained below, is automatically implemented in the IA declared counties.
- A county seeks an independent SBA declaration. In this instance, a community or communities in a county has suffered significant damages yet does not meet the threshold to seek a Presidential declaration. For a county to seek an independent SBA declaration it must meet one of the following SBA eligibility requirements:
  - A minimum of 25 businesses, homes, apartments, or a combination of all three, in one county, sustaining uninsured losses equal to 40 percent or more of the fair- market replacement value. All owned residential property must be the primary residence. In the case of an apartment building, each apartment/renter is considered a separate residence. However, renters are only eligible for personal property loans.
  - A minimum of three businesses sustaining uninsured losses equal to 40 percent or more of their estimated fair- market value; and as a direct result of such damage, 25 percent of the work force in that community would be unemployed for at least 90 days.
- The SBA makes an Economic Injury Declaration. The Governor must certify in writing that at least five small business concerns in a disaster area have suffered substantial economic injury as a result of a disaster and are in need of financial assistance not otherwise available on reasonable terms.

All counties contiguous to the county that receives an SBA disaster designation will also become eligible for SBA loan programs except in the instance of a Presidential declaration that includes Individual Assistance (IA). In this case, only the counties designated for IA are eligible for SBA disaster home loans. Economic Injury Disaster

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Loans are available for businesses in all primary and contiguous counties due to the inclusion of agricultural assistance in a Presidential declaration.

### **Types of SBA Business and Economic Disaster Loans**

#### *Business Physical Disaster Loans*

Loans to businesses to repair or replace disaster damages to property owned by the business, including real estate, machinery and equipment, inventory and supplies. Businesses of any size are eligible. Non-profit organizations such as charities, churches, private universities, are also eligible.

#### *Economic Injury Disaster Loans (EIDL)*

Loans for working capital to small businesses and small agricultural cooperatives to assist them through the disaster recovery period. EIDL assistance is available only to applicants with no credit available elsewhere. (i.e., if the business and its owners cannot provide for their own recovery from non-government sources)

SBA disaster assistance is in the form of loans. All applicants must demonstrate the ability to repay loans. Interest rates will depend on each applicant's credit status and ability to repay. Actual loan amounts, collateral, and terms vary by loan type. Questions regarding these details should be addressed to the Small Business Administration.

### **Department of Labor**

#### **National Dislocated Worker Grant (DWG)**

**National Dislocated Worker Grants** are discretionary awards by the Secretary of Labor that temporarily expand service capacity at the state and local levels through time-limited funding assistance in response to significant dislocation events. Significant events are those that create a sudden need for assistance that cannot reasonably be expected to be accommodated within the ongoing operations of the formula-funded Dislocated Worker program, including the discretionary resources reserved at the State level.

For disaster projects, DWG funds may also be used for temporary disaster employment not to exceed 6 months (or 1,040 hours) for any single event; to help provide food, clothing, shelter, and related humanitarian services; and to perform demolition, cleaning, repair, renovation and reconstruction of damaged and destroyed public structures, facilities, and lands, located within the designated disaster area, as defined in the grant award document. A component may also be designed for employment-related assistance for participants who require help in returning to the workforce after completion of temporary employment.

The initial purpose of disaster projects is temporary job creation to provide clean up, restoration, and humanitarian assistance to communities that have been affected by

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a disaster event. Temporary disaster jobs are limited to public and private non-profit agencies.

Applications require verification that FEMA has declared a disaster area eligible for public assistance. The initial award will restrict the clean-up period to six months from the date of grant award, until there is a subsequent modification (e.g., fully documented plan or other request) that justifies a longer clean-up period.

A state may include in its fully documented plan, or modification request, a component for employment-related services. This component is for workers involved in the clean-up work and who will not return to their prior employment. The application must demonstrate that the participants need employment-related assistance to return to the workforce and that non-DWG resources are not available to provide such services. The employment-related component must provide information on the number of participants that require assistance, the type of assistance and the duration and planned performance goals. The application must also include the outcomes of those who will not require employment-related assistance through the DWG project.

DWG grants are administered through the Department of Employment and Economic Development (DEED).

### **Disaster Unemployment Assistance (DUA)**

**Disaster Unemployment Assistance** provides financial assistance to individuals whose employment or self-employment has been lost or interrupted as a direct result of a major disaster declared by the President of the United States. Before an individual can be determined eligible for Disaster Unemployment Assistance, it must be established that the individual is not eligible for regular unemployment insurance benefits (under any state or federal law). The program is administered by states as agents of the federal government.

Disaster Unemployment Assistance is available to unemployed nationals and qualified aliens who worked or were self-employed if they:

- Worked or were self-employed in or were scheduled to begin work or self-employment in an area declared as a federal disaster area.
- Can no longer work or perform services because of physical damage or destruction to the place of employment as a direct result of a disaster.
- Establish that the work or self-employment they can no longer perform was their primary source of income.
- Do not qualify for regular unemployment insurance benefits from any state.
- Cannot perform work or self-employment because of an injury as a direct result of the disaster.
- Became the breadwinner or major support of a household because of the death of the head of the household.

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Suffering a monetary loss due to damage of property or crops does not automatically entitle an individual to Disaster Unemployment Assistance.

Disaster Unemployment Assistance (DUA) is available to individuals for weeks of unemployment beginning with the first week following the date the major disaster began and for up to 26 weeks after the major disaster was declared by the president, as long as their unemployment continues to be a result of the major disaster.

The maximum weekly benefit amount is determined under the provisions of the state law for unemployment insurance in the state where the disaster occurred.

DUA assistance is managed through the Department of Employment and Economic Development (DEED).

### **SUPPORTING ORGANIZATIONS**

Depending upon the nature, location, and extent of the unemployment and economic needs, a wide variety of public and voluntary agencies could provide assistance and services to disaster victims. Those services include, but, are not limited to:

- Budget Guidance
- Credit Management
- Grant Provider
- Recovery Support

Some voluntary organizations provide limited financial support. They are:

- Hope Coalition
- Lutheran Disaster Response
- Nazarene Disaster Response
- Salvation Army
- United Methodist Committee on Relief (UMCOR)
- United Way
- World Hope International

## RECOVERY FUNCTION 11: PUBLIC INFRASTRUCTURE

### PURPOSE

Any disaster may adversely impact the community's public infrastructure. Repair of this critical component is essential to a community's short and long-term recovery. Restoration of utilities and critical public works will fall on the responsibility of local government officials with assistance being provided from state and federal agencies. In terms of this recovery function, the utilities of concern are: gas, electricity, propane, telephone, water, sanitation treatment, and wastewater collection/treatment/disposal. Critical public works include freeways, roads, bridges, water and waste treatment plants, sewers, etc. Public Infrastructure includes government buildings and facilities which are necessary to sustain life.

### SCOPE

This Recovery Function discusses the agencies, organizations, and programs responsible for assistance in the repair or replacement of damaged or destroyed public infrastructure. It identifies their roles and responsibilities. It will provide descriptions of programs developed to address the recovery needs of the public infrastructure following a major disaster or significant event.

### ACTIVATING MECHANISM/AUTHORITY

Following a governor's declaration of an emergency or a presidential declaration of a major disaster or emergency under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, assistance may be made available to help local communities recover from a significant event.

Governor's Executive Order 15-13 identifies additional responsibilities for state agencies involved in disaster recovery efforts.

### STATE ASSISTANCE

Minnesota state agencies may provide supplemental assistance to local and county governments to alleviate suffering and hardship resulting from disasters or emergencies proclaimed by the governor. The state agencies may also assist local governments by providing programs to repair damaged or destroyed infrastructure.

For the most part, the restoration of utilities damaged as a result of a disaster is not a state government responsibility. This responsibility normally belongs to one or more of the following:

- Investor-owned utility companies: electric, natural gas, and telephone.
- Municipally owned and/or operated utilities: electric, natural gas, telephone, and water/wastewater.
- Rural electric cooperatives: electric.

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State agencies might become involved in restoration efforts solely or primarily because of the consequences associated with a loss/disruption of utility service(s); including one or more of the following:

- A loss/disruption of a critical utility service to a key state facility.
- A loss/disruption of utility service(s) to a large geographic area, as a result of any type of major disaster/emergency.
- An immediate threat to public safety, health or the environment, due to a lack of utility service or the potentially dangerous condition/status of a utility.
- State agencies might become involved in restoration efforts solely or primarily because of a state or federal statutory requirement.

### Summary

State Agency	Level	Responsibility
Agriculture	Support	Assist in locating an alternative water supply, if needed, during an agricultural chemical emergency
Commerce	Coordinate	Coordinate with Minnesota utilities to restore service and state agency efforts in support of utility restoration
Commerce	Primary	Maintain the state energy plan, in compliance with the U.S. Department of Energy Grant Program
Commerce	Primary	Assist vulnerable individuals/families through energy assistance and weatherization programs, during and after a disaster
Education	Support	Assist with school district support funding
MN.IT Services	Primary	Ensure restoration of telecommunications capabilities for state agencies
MN.IT Services	Support	Assist with reconstruction of computing infrastructure in public buildings
Health	Support	Assess safety of public water supply and the need for alternate supply; provide technical assistance during restoration
Health	Support	Make kits for private well testing available after a disaster impacting private wells
Natural Resources	Support	Assist in locating alternate water supplies, if needed; regulate recreational uses of

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State Agency	Level	Responsibility
		water; assist with restoration of public works
Natural Resources	Primary	Coordinate the State Flood Damage Reduction Program
Natural Resources	Support	Assist with stream debris removal
Natural Resources	Coordinate	Coordinate buy-outs
Pollution Control	Support	Assist in assessing the need for an alternate water supply, as a result of an environmental emergency
Pollution Control	Support	Assist in determining and providing an alternate water supply, as a result of an environmental emergency
Pollution Control	Primary	Assist in adequate function of community wastewater treatment system
Pollution Control	Primary	Assist in petroleum tank clean-ups
Public Facilities Authority	Primary	Coordinate wastewater, drinking water, and storm sewer loans and grants
Fire Marshal and Office of Pipeline Safety	Support	Ensure proper restoration of damaged pipelines
Fire Marshal and Office of Pipeline Safety	Primary	Coordinate with FEMA the Public Assistance Program
Fire Marshal and Office of Pipeline Safety	Coordinate	Assist with debris removal grants
Homeland Security and Emergency Management	Primary	Assist local authorities with seeking assistance under the Calamity Act and Tax Relief for Destroyed Property Programs
Homeland Security and Emergency Management	Primary	Administer the FEMA and State Public Assistance Program
Transportation	Support	Participate in state agency efforts to restore utilities and public works
Transportation	Support	Assist local governments by providing support for the restoration of public works, when requested and capable; assist state agency efforts in the restoration of utilities

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State Agency	Level	Responsibility
		on interstates and state trunk highways, when requested
Transportation	Primary	Coordinate the repair of state owned roads and bridges
Water and Soil Resources	Support	Assist with damage assessments
Water and Soil Resources	Support	Assist with erosion repair
Water and Soil Resources	Support	Assist with upgrading septic tanks
Water and Soil Resources	Coordinate	Coordinate the Minnesota Conservation Corps
Water and Soil Resources	Coordinate	Coordinate the Native Buffer Program

### **Minnesota Department of Agriculture (MDA)**

In the event that a community's water supply is determined to be unsafe as the result of an agricultural chemical emergency to which MDA responds, MDA will work with that community and other involved state agencies to assess the need for an alternate water supply.

### **Minnesota Department of Commerce (DOC)**

In the event of a major disaster/emergency resulting in the loss of public telecommunication capabilities, public electricity, and natural gas distribution, DOC will act as a liaison with the existing Minnesota telephone companies, investor-owned utilities, and rural electric cooperatives to restore service. DOC will coordinate with state agency efforts in support of utility restoration. During and after a disaster, DOC will assist vulnerable individuals and families through the energy assistance and weatherization programs, in accordance with the guidelines of the Emergency Assistance Program and Minnesota Weatherization Assistance Program Disaster Relief Plan. Also, the Division of Weights and Measures will assure that scales, fuel pumps, and tanks are returned to their prescribed standards.

To assist in accomplishing its emergency responsibilities, DOC will:

- Develop and maintain an inventory of energy and utility resources, which is updated annually.
- In consideration of the potential impact of the state's energy generation and transmission distribution infrastructure, monitors the transmission grids for functionality and can assist, in an advisory role, if a problem is perceived.
- Coordinate with utilities to assure the development of a restoration plan for essential services.

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- Maintain the state energy emergency plan in compliance with the [U.S. Department of Energy Grant Program](#).

### **Minnesota Department of Education (MDE)**

The Department of Education shall assist local school districts in preparing and submitting a request for federal financial assistance if public school facilities are damaged or destroyed as a result of a federally declared major disaster.

Following a disaster, Minnesota may appropriate funds under [Minnesota Statutes, section 12A.06](#), for the following programs:

#### **Disaster Enrollment Impact Aid**

Appropriations may be made to assist school districts for enrollment impact aid to a school district in an amount set in law, times the number of pupils lost as a result of the disaster.

An eligible district must provide documentation of the number of pupils in average daily membership lost as a result of the disaster.

#### **Disaster Relief Facilities Grant**

Assistance grants may be made available to an eligible district for the costs of facilities cleanup, repair, and replacement that are related to the disaster and are not covered by the district's insurance settlement or through federal agency payments. Before a grant is awarded, the eligible school district must provide the Department of Education with information as requested.

#### **Disaster Relief Operations Grant**

Assistance grants may be made available to an eligible district for additional school operating costs related to the disaster that are not covered by the district's insurance settlement or through Federal Emergency Management Agency payments. Before a grant is awarded, the eligible school district must provide the Department of Education with information as requested.

#### **Pupil Transportation Aid**

Assistance grants may be made available to eligible districts for the increased costs associated with transporting students as a result of the disaster

#### **Office of MN.IT Services**

In the event of a major disaster/emergency resulting in the loss of state telecommunications capabilities, OET will act as a liaison with the existing Minnesota telephone companies that support the state of Minnesota Integrated Statewide Network. OET owns and manages the state of Minnesota Integrated Statewide Network, a collaborative wide area network for education, local

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governments, and state agencies. In the event that a state agency experiences a business interruption, the Network Response Team will provide the required technical assistance and consulting services per its standing operating procedures, including:

- Coordinating the restoration of all such state telephone systems and telecommunications networks.
- Arranging for temporary communications services to state agencies.
- OET will also support state agencies and buildings by:
- Providing support in the identification of alternative recovery sites for time sensitive services and systems.
- Coordinating planning and recovery of all enterprise technology systems.
- Managing recovery strategies and funding for state agencies impacted by a major disaster or emergency.

### **Minnesota Department of Health (MDH)**

- Assists local government officials as needed in determining the safety of public water supplies. When a public water supply is determined to be unsafe, MDH will work with the system owner and other involved state agencies to assess the need for an alternate water supply. If structural changes to the system are required, MDH will provide technical assistance.
- Makes kits for private well testing available during floods/any disaster impacting private wells.
- The Public Health Laboratory (PHLD) will make its laboratory capabilities available 24/7 for the analysis and identification of potentially hazardous biological, chemical, or radiological agents during a potential or actual weapons of mass destruction (WMD) event, natural disaster, or other public health emergency.

### **Minnesota Department of Natural Resources (DNR)**

- Provides assistance in locating alternate water supplies.
- Regulates the use of water for recreational purposes and must be notified early in the process, so it can expedite permitting procedures.
- Provides equipment and/or assist in the restoration of critical public works, if necessary and if requested.
- Coordinates the [Flood Damage Reduction Program](#)

### **Minnesota Pollution Control Agency (PCA)**

In the event that a public water supply is determined to be unsafe as the result of an environmental emergency to which PCA responds, PCA will work with that system owner and other involved state agencies to assess the need for an alternate water supply. If a community's wastewater treatment system is determined to be functioning inadequately or is unsafe, PCA will work with that community and other

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involved state agencies to restore the wastewater treatment system to adequate performance. In the event of biological or chemical WMD agent contamination, PCA will follow the technical advice of the lead agency.

### **Public Facilities Authority (PFA)**

The **Public Facilities Authority** is responsible for the administration and financial management of several revolving loan funds and other programs to assist local governments and others with the construction of public infrastructure. Those funds include:

- Clean Water Revolving Fund
- Wastewater Infrastructure Fund
- Drinking Water Revolving Fund

### **Minnesota Department of Public Safety (DPS)**

#### **Fire Marshal Division, Office of Pipeline Safety (MNOPS)**

- Inspects for the safe and appropriate service restoration of damaged pipelines and facilities. All new construction/alterations/repairs must conform to the applicable minimum safety standards of Title 49 CFR Parts 192, 193, 195, 199 and Subpart 40, as adopted, and associated Minnesota statutes and rules.
- Investigates all jurisdictional pipeline accidents/incidents involving death, serious injury, property damage in excess of \$50,000 or other significant events.
- Acts as a liaison with the Pipeline and Hazardous Materials Safety Administrations (U.S. DOT/PHMSA) or the National Transportation Safety Board (NTSB), when designated. MNOPS will work with jurisdictional pipelines and facilities, and other involved state agencies to restore utilities.

#### **Minnesota Division of Homeland Security and Emergency Management (HSEM)**

- Coordinates and administers the FEMA Public Assistance Program and assist eligible communities in accessing federal assistance. (See the Public Assistance Program under Federal Assistance for more detail and SD 11 Public Assistance Packet)
- Coordinates and administers the State Public Assistance Program and assist eligible communities in accessing assistance. (FEMA guidelines are followed. See the Public Assistance Program under Federal Assistance for more detail and SD 11 Public Assistance Packet)
- Provides guidance and information sufficient to allow local governments to request assistance via the provisions of the Calamity Act (Minnesota Statutes, section 9.061) and Tax Relief for Destroyed Property (section 273.1231). A

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local agency of government may request assistance under the provisions of this statute when, as a direct result of natural disasters, disease, fire, or extreme economic distress, damage to public facilities (such as streets, roads, buildings, sewer systems, schools, other public buildings, and publicly-owned utility systems) has occurred that is beyond the financial capability of that local agency of government and has resulted in a continuing threat to life and property.

### *Request Procedure and Documentation Required*

Requests for assistance under the provisions of **Minnesota Statutes, section 9.061**, must be in writing, and must be submitted to both the Governor's Office and HSEM. The individual documents that must be included as part of the request are a transmittal/cover letter and narrative

This portion of the request is very important, and it should be complete. The narrative should contain information regarding the background of the problem, contributing factors, actions taken by local officials to combat the emergency, normal expenditures for similar problems, previous emergency situations and expenditures for that emergency during the current fiscal year, and average expenditures for similar services over the past three years. The narrative should include the relevant information necessary to assist the State Executive Council in determining what assistance, if any, will be provided. Detailed items referenced in the narrative should be substantiated by supporting documentation in the form of attachments. The documentation should include photographs to support the written narrative.

In the case of flooding or blizzard disasters, the narrative should be documented by a plot map that identifies locations and types of damages.

### *A resolution (SD 11-1 Local Resolution Requesting Assistance under the Calamity Act)*

A resolution must be passed by the local unit of government making the request whether that is a city council, a town board, or a county board of commissioners. The resolution must describe the problem, request assistance under the provisions of Minnesota Statutes, section 9.061, and indicate briefly the reason(s) for the request.

### *Project Explanation*

An explanation must be included which specifically describes each project for which financial aid is being requested. The explanation (by project) of the work to be done is to include the cost to date and the estimated cost to alleviate the problem. A statement will be included, if applicable, concerning the normal budget expenditure for this type of project in past years. In cases where funds are not normally budgeted for the projects, the budget portion may be omitted. If the application includes

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maintenance of roadways, projects will be listed in accordance with the normal designation of work projects as described for committal of budget funds.

### *Explanation of Attempts to Cover Expenses*

In a separate document, explain in detail what attempts were made by the political subdivision to cover the expenses incurred during and following the disaster.

### *Explanation of Attempts to Obtain Financial Assistance*

In a separate document, explain the attempts that were made to obtain financial assistance from other sources. If attempts were made, indicate the action taken and the results achieved. If no attempt was made, indicate by "NONE."

### *Financial Statement*

A financial statement must be included that shows the financial condition of the government making the request. This statement should enable the State Executive Council to determine an overall financial condition of the government and will not be limited to the specific financial area for which the emergency funds are being requested. The financial statement concerning the maximum authorized tax levy for that specific government should be included. Anticipated available revenue from the levy should also be included.

The statement should reflect the actual receipts and disbursements for the past five years, as well as the current year's expenditures to date. In addition, the estimated receipts and disbursements for the balance of the year should be included in the last column. This statement should be accompanied by a list of cash and investment balances at the close of the last fiscal year for each fund. Any short-term borrowing or extraordinary financial commitment should be explained in a note attached to the statement.

### *Township Emergency Tax Levy*

Townships are required to submit a resolution passed by the town board. The resolution must state that the 1.6-2/3 mill emergency tax authorized by [Minnesota Statutes, section 164.04, subdivision 3](#), has been levied or that the emergency tax will be levied.

### *Review and Disposition of Requests*

As indicated previously, a request for assistance under the provisions of Minnesota Statutes, section 9.061, must be submitted to both the Governor's Office and to HSEM. Upon HSEM's receipt of a request, the following will occur:

HSEM will review the request, and make a preliminary determination as to the completeness of the accompanying documentation and the validity of the request. In order to make this determination, HSEM will provide the Departments of Finance and Revenue with copies of the documentation for their review and comments. In

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addition, HSEM may request assistance from other applicable state agencies including, but not limited to, Department of Transportation, Department of Natural Resources, Department of Health, and the Office of State Auditor.

The director of HSEM will present all requests received by the Division, along with a recommendation regarding those requests, to the State Executive Council.

The State Executive Council normally meets quarterly but may arrange special meetings when, in their opinion, the situation warrants such meetings. The State Executive Council has not established a time limit for the submission of an application.

The state auditor will audit the financial statement of the applicant; the cost of the audit is the responsibility of the applicant. If the State Executive Council grants an award, the audit cost may be included in the award.

If the State Executive Council determines that financial relief is warranted, it will make the necessary appropriation of funds.

These funds will be distributed to the applicant by HSEM. As of this writing, the State Executive Council has no funds at its disposal for granting an award. If a jurisdiction provides all of the necessary documentation and appears to meet criteria for assistance through the Calamity Act, however, HSEM will present the request to the State Executive Council. If a request is approved, funds may be made available from another source.

### **Department of Transportation (Mn/DOT)**

#### **State-Aid Roads and Streets**

As provided by [Minnesota Statutes, sections 162.06](#) and [Minnesota Statutes, sections 162.12](#), disaster assistance is available through a program managed by Mn/DOT. The program is designed to provide assistance to counties and urban municipalities (cities with a population of 5,000 or more) for repairs to state-aid roads and streets. The assistance would come in the form of additional funding for these disaster-damaged roadways.

#### *Procedures and Eligibility Criteria*

A county or urban municipality that has sustained damage to its state-aid roadways and wants to obtain assistance under the provisions of this program must conduct a damage assessment. This damage assessment must result in a written summary of the total dollar amount and type of damage that has occurred. An example of a damage assessment summary that could be used for this purpose is shown in Appendix B. Once completed, the damage assessment summary, along with a cover letter, must be submitted to the commissioner of Mn/DOT.

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Damage estimates submitted by a county or urban municipality must exceed ten percent of the current annual state-aid allotment to that county or urban municipality before the commissioner will appoint a "disaster board" to inspect the disaster area. The disaster board will consist of three county engineers and three county commissioners from counties other than the requesting county, or three city engineers and three members of the governing bodies of cities other than the requesting urban municipality.

The board will report (in writing) to the commissioner. The commissioner will make the final determination as to the amount of assistance, if any, that will be made available.

Mn/DOT will also:

- Participate in state agency efforts in support of utility restoration.
- Issue permits required to repair/restore utility lines or pipes that are within state highway right-of-way.
- Assist local government by providing equipment and/or technical support for the restoration of public works, when requested and feasible.

### **Board of Water and Soil Resources (BWSR)**

The Minnesota Board of Water and Soil Resources (BWSR):

- Assists in technical support of the damage assessments
- Assists in erosion repair and assistance through the native buffer programs
- Assists with upgrading septic systems

### **FEDERAL ASSISTANCE**

The federal government may provide supplemental assistance to states, local governments and political subdivisions of the state, tribal communities, and certain private non-profit organizations in alleviating suffering and hardship resulting from major disasters or emergencies declared by the president.

This assistance for local infrastructure may include Public Assistance, and Federal-Aid Highway Emergency Relief Grants. The Public Assistance Program will have its origin from FEMA; however, for the most part it will be managed by the HSEM Public Assistance staff. The Federal-Aid Highway Emergency Relief Grants will be managed in partnership with Mn/DOT and the Federal-Aid Highway staff.

### **Federal Emergency Management Agency (FEMA)**

#### **Public Assistance (PA) Program**

The objective of the FEMA's Public Assistance (PA) Program is to provide assistance to state, tribal, and local governments, and certain types of private non-

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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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 (PNP) organizations. The PA Program also encourages protection of these damaged facilities from future events by providing assistance for hazard mitigation (406) measures during the recovery process.

FEMA and HSEM determine the staffing requirements for the delivery of the PA Program based on the size of the disaster and the number of counties involved. FEMA and HSEM assign a Public Assistance Crew Leader (PACL) to each county or group of counties. The PACL is responsible for working with each of the applicants from the initial “Kick-Off” meeting through the completion of Project Worksheet (PW).

A Project Worksheet (PW) is the form that describes the work to be completed and the estimated cost to restore each damaged site(s) to its pre-disaster condition or to current codes and standards.

To be eligible for this program, communities (applicants) must meet the FEMA criteria, which are divided into four components:

- Eligible Applicant,
- Eligible Facility,
- Eligible Work, and
- Reasonable Cost
- Eligible Applicants
- County emergency management directors work with their HSEM regional program coordinator to identify potential applicants, based on the Preliminary Damage Assessment (PDA).

Potential applicants include:

- State agencies
- Local governments
- School districts
- Tribal communities
- Certain private non-profit organizations (PNP) that provide essential government services, such as:
  - Educational
  - Medical
  - Custodial Care
  - Emergency

- Utility, etc.

### *Eligible Facility*

The damaged facility must meet the following criteria:

- It must be the legal responsibility of the applicant
- Damaged as a result of the declared event
- Located within the declared disaster area
- In use at the time of the event
- Not eligible for funding under another federal program

### *Eligible Work*

Eligible work includes:

- Work performed to remove debris
- Work performed during protective measures
- Work performed to replace/repair/rebuild damaged infrastructure (buildings, roads, bridges, utilities, etc.)

Eligible work is documented on a Project Worksheet (PW). The PW is used to record a detailed description, the scope of eligible work, estimated or actual cost, and special considerations associated with the project. FEMA then reviews, approves, and obligates the entire federal share of that project. Once FEMA obligates a PW, the funds become available to the state for disbursement to applicants.

To facilitate the processing of the PA grants, FEMA distinguishes between emergency work and permanent work that requires repairs or replaces such things as roads, buildings, and schools. FEMA further divides disaster-related work into seven categories. They are:

### *Category A Debris Removal*

Clearance of trees and woody debris; building wreckage, sand, mud, silt, and gravel; vehicles; and other material deposited on public and, in very limited cases, private property.

Examples of eligible debris removal activities:

- Debris removal from a street or highway to allow the safe passage of emergency vehicles
- Debris removal from public property to eliminate health and safety hazards
- Examples of ineligible debris removal activities:
- Removal of debris, such as tree limbs and trunks from natural (unimproved) wilderness areas
- Removal of debris from a natural channel unless the debris poses an immediate threat of flooding to improved property

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### *Category B Emergency Protective Measures*

Measures taken before, during and immediately after a disaster to save lives, protect public health and safety, and protect improved public and private property

An example of an approved Category B project would be a grant awarded to a county to re-establish temporary emergency radio communications for the county's public safety agencies

Other examples of eligible emergency protective measures:

- Search and rescue
- Security forces (police and guards)
- Construction of temporary levees
- Provision of shelters or emergency care
- Sandbagging
- Bracing/shoring up of damaged structures
- Provision of food, water, ice and other essential needs
- Emergency repairs
- Emergency demolition
- Removal of health and safety hazards

### *Category C Roads and Bridges*

Repair of roads, bridges, shoulders, ditches, lighting, and signs.

### *Category D Water Control Facilities*

Repair of irrigation systems, drainage channels, and pumping facilities. Repair of levees, dams, and flood control channels is eligible, but limited.

### *Category E Buildings and Equipment*

Repair or replacement of public buildings, including contents and systems; heavy equipment; and vehicles.

An example of an approved Permanent Work project (Category E) would be a grant awarded to a public school used to restore one of nine buildings demolished as a result of a tornado. The scope of the work included removing the rubble of the damaged building, design and engineering of a new building, and replacing the building and its contents.

### *Category F Utilities*

Repair of water treatment and delivery systems; power generation facilities and distribution lines; and sewage collection and treatment facilities.

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### *Category G Parks, Recreational Facilities, Other*

Repair and restoration of parks, playgrounds, pools, cemeteries and beaches; work otherwise not covered in categories A-F.

### *Eligible Cost*

All costs must be reasonable, within local, state, federal procurement and contracting rules, and reduced by insurance or salvage value.

### *Funding Formula*

The federal share of assistance is not less than 75 percent of the eligible cost for emergency measures and permanent restoration, which is discussed more thoroughly later in this section. The grantee (usually the state) determines how the non-federal share (up to 25 percent) is split with the sub-grantees (eligible applicants).

### *Applicants' Briefing*

Once the potential applicants are identified, applicants' briefings are held to provide the applicants with an overview of the assistance available to them through the Public Assistance Program. Some of the subjects that will be covered are:

- Work and cost eligibility,
- Program time limitations,
- Delivery of the PA program,
- Project formulation,
- Contracting procedures, and
- Administrative requirements.
- At this meeting every applicant:
  - Completes the Request for Public Assistance form in which they provide the name of the contact person, telephone numbers, and mailing address for the jurisdiction.
  - Receives a copy of the Sub-grantee's Guidebook on Major Disaster Assistance and Procedures for the Public Assistance (Infrastructure Support) Program and handouts on various aspects of the program, such as environmental considerations.

### *Delivery of the Public Assistance Program*

FEMA and HSEM determine the staffing requirements for the delivery of the PA Program based on the size of the disaster and the number of counties involved. FEMA and HSEM assign a Public Assistance Crew Leader (PACL) to each county or group of counties. The PACL is responsible for working with each of the applicants from the initial kick-off meeting through the completion of the Project Worksheets.

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### *Kick-Off Meetings*

A kick-off meeting is held with each applicant or group of applicants to assess the applicant's individual needs, discuss disaster-related damage, and set forth a plan of action for repair of the damaged facilities. Based on the applicant's damages, a decision will be made between the PA crew leader and applicant whether or not the applicant will be preparing its own small Project Worksheets or if a Public Assistance Project Specialist (PAPS) or Public Assistance Technical Specialist (PATS) will be required. On large projects, a Project Officer will need to work with the applicant in the preparation of the Project Worksheets.

The county emergency management director's role is to serve as a coordination point as necessary for the PACL and the applicants. The PACLs are provided with the name and telephone number of the county director in which they will be working and are directed to contact the director to advise him/her when they begin the kick-off meeting.

### *Project Worksheets*

A Project Worksheet (PW) is the form that describes the work to be completed and the estimated cost to restore each damaged site(s) to its pre-disaster condition or to current codes and standards.

Each PW is entered into the Emergency Management Mission Integrated Environment (EMMIE) records management system and reviewed by FEMA and state PAOs. Certain PWs may need to be reviewed for environmental impacts, or insurance and hazard mitigation review.

Project Worksheets must have damages or repair costs which total at least \$3,140.

### *Types of Projects and Funding Options*

#### Small Projects

Payment for small projects is made on the basis of the estimate prepared at the time of project approval. HSEM is required to make payment of the federal share to the applicant as soon as practicable after FEMA has obligated the funds. Once all small projects are complete, HSEM must certify that work has been completed in accordance with the approved scope of work on the PW, in compliance with FEMA standards and policies, and that all payments due have been made. This certification does not specify the amount spent on the projects, only that the projects were completed.

If the applicant spends less than the amount approved by FEMA, the federal share will not be reduced to match actual costs.

However, if the applicant incurs costs significantly greater than the total amount approved for all small projects, the applicant may apply for additional funding.

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### Large Projects

Large projects are funded on documented actual costs. Because of the nature of most large projects, work typically is not complete at the time of project approval; therefore, FEMA will obligate grants based on an estimated cost.

Such monies may not be immediately drawn down by the state. Instead, progress payments are made to the applicant as actual costs are documented. Upon completion of a large project, an applicant must submit documentation to account for all incurred costs to the state. The state is responsible for ensuring that all incurred costs are associated with the approved scope of work and for certifying that work has been completed in accordance with FEMA standards and policies. The state then submits documentation of project costs to FEMA for review. FEMA may conduct a final inspection as part of this review. Once the review is complete, FEMA determines whether funds should be obligated or deobligated for the project.

### Alternate Project

In some cases, an applicant may determine that it is not in its best interest to restore a damaged public facility or the function of that facility. In such cases, the applicant may request approval for an alternate project. If the request is approved, the applicant will receive 90 percent of the federal and state share(s) of the approved estimate of eligible costs.

### Improved project

In some cases, an applicant may desire to repair or rebuild a damaged facility beyond the scope of the PW but still restore the pre-disaster function of that facility. In such cases, the applicant may request approval for an improved project.

In both funding options, special considerations, such as environmental issues, historic sites, or insurance, have to be reviewed prior to approval.

### *Time Frame*

Emergency work (Categories A and B) is to be completed within six months from the date of the declaration, and all permanent work (all other categories) is to be completed within 18 months.

Time Extensions -- If an applicant is unable to complete the work within the allowed time frame, it will be necessary to complete the Time Extension Request Form. The form identifies the PW number, category of damage, indicates the estimated new completion date, describes the present status of the work, and gives the reason for the delay.

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### *Funding*

For small projects, 100 percent of the FEMA share and 90 percent of the state share (if state dollars are available) is disbursed once the Project worksheets are obligated by FEMA.

For large projects, reimbursement is based on the applicant's expenditures at the time of inspection. Additional reimbursements will be provided as the work is completed. Again, release of the federal and state dollars (if applicable) is based on the amount of completed work documented on the obligated project worksheets.

### *Applicant Management Costs*

The applicant needs to document their management costs to be considered for reimbursement.

### *Final reimbursement*

Once all the work is done, the Project Completion and Certification Form (P.4) is completed and signed by the applicant's authorized representative (the individual identified in the Sub-grant Agreement). It is sent to the HSEM Public Assistance staff along with the documentation, not previously provided, in support of the expenditures (copies of invoices, labor, material, or equipment cost figures).

The HSEM Public Assistance staff will review the submitted documentation and contact the applicant if any additional information is required. When all documentation is complete, the HSEM staff will submit the package to FEMA Region V to close the application.

For additional information of the FEMA Public Assistance Program, contact the HSEM Public Assistance staff.

### **Direct Federal Assistance (Mission Assignments)**

When the impact of a disaster is so severe that neither the State nor local government can adequately respond, either by direct performance or by contract, the State may request that certain emergency work be performed directly by a Federal Agency. This is called Direct Federal Assistance. Under the provisions of 44 CFR §206.208, FEMA, through "Mission Assignments," may use appropriate Federal agencies to perform work or to contract for it to be performed.

The work to be performed must be eligible under the Stafford Act and Federal regulations, and is limited to:

- Debris removal
- Emergency protective measures
- Emergency communications
- Emergency public transportation

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There may be a limited period of 100 percent Federal funding when conditions warrant. Otherwise, the assistance is subject to the cost-sharing provisions applicable to the disaster. The State must reimburse FEMA for the appropriate non-Federal share of the cost of the work, including any administrative costs of the performing Federal agency.

### **Fire Management Assistance Grant Program**

FEMA can provide fire management assistance to state agencies, local governments, and tribal governments if the determination is made that a fire or fire complex, currently burning out of control threatens such destruction as would constitute a major disaster. The following criteria are used in making the decision to make a fire management assistance declaration:

- Threat to lives and improved property, including threats to critical facilities/infrastructure and critical watershed areas;
- Availability of state and local firefighting resources;
- High fire danger conditions, as indicated by nationally accepted indices such as the National Fire Danger Rating System; and
- Potential major economic impact.

In general for costs to be eligible, they must have occurred within the incident period. Eligible costs include equipment and supplies, labor, travel and per diem, pre-positioning (subject to approval of the Regional Administrator), emergency work (police barricading, traffic control, extraordinary EOC expenses, arson investigation etc.), temporary repair of damage caused by firefighting activities, mobilization and demobilization, and fires on co-mingled federal/state lands.

In January of each year, FEMA provides HSEM with the new thresholds and the state and FEMA enter into an agreement for the Fire Management Assistance Grant. This agreement is completed each calendar year, with the exception of the exhibits, and retained on file in FEMA Region V and in the state. In the event of a request for a Fire Management Assistance Grant, exhibits to the FEMA-State Agreement are completed and provided to FEMA.

Note: The Fire Management Assistance Grant Program, formerly Fire Suppression Assistance, has been revised and changes were made to eligible applicants, eligible costs, and program administration.

For more information on the Fire Management Assistance Grant Program, please contact the HSEM Public Assistance Program at 651-201-7400.

## Federal Highway Administration

### Federal-Aid Highway Emergency Relief Program

The **Federal-Aid Highway Emergency Relief Program** is designed to assist states whose federal highways have been seriously damaged by a natural disaster or by catastrophic failures from external causes. Federal-aid highways are all the public roads not functionally classified as either local or rural minor collectors.

This program is based on federal-state/local cost sharing and is administered through the Minnesota Department of Transportation (Mn/DOT) by the Federal Highway Administration Office in St. Paul, MN.

Upon the declaration of an emergency, the Office of Investment Management, (OIM) in the Mn/DOT Central Office should be notified immediately.

The OIM has the responsibility for the overall coordination of the Emergency Relief Program in Mn/DOT. Promptly upon notification of an emergency situation the OIM will contact both the Federal Highway Administration (FHWA) to arrange for a windshield survey of the damage, and the Mn/DOT District Offices involved to arrange for a time to visit the emergency sites.

Also contacted at this time is the Mn/DOT State Aid For Local Transportation Division (SALT). It is the responsibility of SALT to coordinate the recovery process of the Trunk Highways with the local road authorities. All request to the FHWA must be handled by OIM.

This program requires a minimum of \$500,000 in damages on the federal aid system prior to the approval of Emergency Relief Funding. The maximum per event is \$100,000,000, however there is also a cap on the program nationally and this can impact the available funding.

Emergency repairs may begin immediately with good record keeping a must. No reimbursement may be made until the following steps and approvals are complete:

- The governor must proclaim an emergency or a presidential declaration of a major disaster must be made.
- Mn/DOT officials prepare a "letter of intent" that the state intends to seek Emergency Repair Program funding for federal highway authorities.
- Federal and state highway officials will conduct a damage assessment, usually, with local highway depts. Please note, this damage assessment is not part of any damage assessments conducted for a presidential, SBA or other programs.
- Based upon the damage assessments, Mn/DOT Office of Investment Management will make a formal request for the Emergency Repair Program. The Minnesota Division Office of the FHWA will recommend either approval or denial of the program based upon the damage assessment.

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The two classifications for repair work supported by this program are the same as the Public Assistance Program; Emergency Repairs and Permanent Repairs.

Emergency Repairs are repairs during and immediately following a disaster necessary to restore essential traffic, minimize damage, or to protect remaining facilities. These repairs can be made immediately, and properly documented costs can be reimbursed later if the Emergency Repair Program is approved.

Some examples of emergency repairs are:

- Establishing emergency detours
- Removing slides and debris
- Providing temporary bridges or ferry service
- Re-grading
- Placing rip-rap to prevent further scour

Permanent Repairs are those necessary to restore a roadway to its pre-disaster condition. These repairs must follow "normal" federal aid procedures and require the approval of the FHWA administrator.

These procedures would include:

- Inclusion in a State Transportation Improvement Program
- Environmental documentation
- Project plan
- Federal authorization; and
- Contract letting.

Failure to follow these procedures would result in a loss of federal reimbursement.

Some examples of permanent repairs are:

- Restoring pavement surfaces
- Reconstructing damaged bridges and culverts
- Replacing signs, guardrails, and other highway appurtenances

The Emergency Relief program is a cost sharing program between federal and state/local authorities. The actual amount of cost sharing varies depending on the timing and nature of the repairs. General guidelines are as follows:

For the costs associated with restoring essential highway traffic, minimizing the extent of damage, or protecting the remaining facility, which are incurred in the first 180 days after the occurrence of the disaster, the federal share is 100 percent.

For the costs of permanent restoration work, and the cost of all repairs incurred after the first 180 days, the federal share is based on the pro-rata share of the highway that is being repaired.

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HSEM has a very limited role in this program. Most coordination and damage assessments are done by the FHWA, Mn/DOT, and local highway departments. A presidential declaration of a major disaster is needed in order for any other type of roads to receive federal financial assistance. County engineers and district DOT offices have maps that identify on-system roads.

### **United States Army Corps of Engineers (USACE)**

The Homeland Security Office of the Civil Works Directorate was established in December 2002. Civil Emergency Management is now a division of Homeland Security.

The primary goal of CW-HS is to support the Homeland Security needs of the Army, Department of Defense, and the Nation by providing guidance, coordination, and integration to USACE-wide activities.

USACE has three core areas of technical capabilities:

- Civil Works
- Military Public Works
- Environmental Cleanup

Because of the breadth of its expertise, USACE has the unique capability to facilitate and leverage the Nation's public and private engineering and technical activities to address national infrastructure problems like the security and restoration of public works infrastructure.

Throughout the Nation's history, citizens have relied on the Army to respond to their needs in disasters. In a typical year, the Corps of Engineers responds to more than 30 presidential disaster declarations, plus numerous state and local emergencies.

Emergency responses usually involve cooperation with other military elements and federal agencies in support of state and local efforts.

The Corps of Engineers conducts its emergency response activities under two basic authorities:

- The **Flood Control and Coastal Emergency Act** (P.L. 84-99, as amended); and
- The **Stafford Disaster and Emergency Assistance Act** (P.L. 93-288, as amended).

Under the Flood Control and Coastal Emergency Act, the Corps provides disaster preparedness services and advanced planning measures designed to reduce the amount of damage caused by an impending disaster.

Under the Stafford Act, the Corps supports the Department of Homeland Security and Federal Emergency Management Agency in carrying out the National Response

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Framework, which calls on 30 federal departments and agencies to provide coordinated disaster relief and recovery operations. Under this plan, the Army has the lead responsibility for public works and engineering missions.

It provides the structure and mechanisms to coordinate federal support to state, local, and tribal incident managers and for exercising direct federal authorities and responsibilities.

It assists in the important homeland security mission of preventing terrorist attacks within the United States; reducing the vulnerability to all natural and man-made hazards; and minimizing the damage and assisting in the recovery from any type of incident that occurs.

Within the Plan, the Department of Defense has designated USACE as the primary agency for planning, preparedness, and response under the Emergency Support Function #3, Public Works and Engineering. The purpose of this Emergency Support Function is to provide lifesaving or life protecting assistance to augment efforts of the affected state(s) and local response efforts following a major or catastrophic disaster.

Public Works and Engineering support includes technical advice and evaluations, engineering services, construction management and inspection, emergency contracting, provision of emergency power, emergency repair of wastewater and solid waste facilities and real estate support. Some of the activities within the scope of ESF #3 include:

- Emergency clearance of debris for reconnaissance of the damage areas and passage of emergency personnel and equipment.
- Temporary construction of emergency access routes which include damaged streets, roads, bridges, ports, waterways, airfields, and any other facilities necessary for passage of rescue personnel.
- Emergency restoration of critical public services and facilities including supply of adequate amounts of potable water, temporary restoration of water supply systems, and the provision of water for fire fighting.
- Emergency demolition or stabilization of damaged structures and facilities designated by state or local governments.
- Technical assistance and damaged assessment, including structural inspection of structures.

While the Corps is coordinating public works and engineering activities under the National Response Framework, it may also simultaneously be providing direct assistance under its own Flood Control and Coastal Emergency authorities.

## RECOVERY FUNCTION 12: DONATIONS AND VOLUNTEER MANAGEMENT

### PURPOSE

Following a major disaster or emergency, whether declared or not, many needs may not be met by local, state or federal government assistance. Emergency responders in the areas affected by the disaster or emergency may identify needs for relief supplies, equipment, volunteers and funds. In response to those identified needs, funds, emergency supplies, equipment, and offers of voluntary labor may be made by individuals, groups, volunteer organizations, government entities and the business community. Experience in past disasters has shown that donated goods and volunteer services can help to meet critical needs when properly utilized. They can become a tremendous burden, however, if offers are not properly coordinated and managed.

### SCOPE

This Recovery Function provides guidance for the coordination of government, voluntary organization, and private sector efforts to manage:

- Unaffiliated disaster volunteers.
- Undesignated offers of financial assistance
- Unsolicited donated goods.

Basic management of solicited goods, designated funds and support for affiliated volunteers is the responsibility of the organization to which the resource was offered, according to their donations and volunteer management guidelines.

### ACTIVATING MECHANISM/AUTHORITY

Volunteer and donations management is performed in accordance with the [National Response Framework](#) and [Minnesota Statutes, chapter 12](#).

### OVERVIEW

Following a major disaster or emergency, communities may receive an influx of unaffiliated volunteers, unsolicited donations of goods and undesignated monetary donations. There are many issues to consider when addressing these very critical components of disaster recovery.

Two primary concerns when working with volunteers are liability issues and whether their services can be counted toward a community “match” that may be required to receive Public Assistance funds from federal disaster assistance programs.

[Minnesota Statutes, section 12.22](#), subdivision 2a, states a volunteer assisting a local political subdivision in a disaster or emergency is considered an employee of that subdivision if the volunteer:

- Is registered with the subdivision; and

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- Is working under the direction and control of that subdivision.

A registered volunteer who is injured while assisting in a disaster would therefore be entitled to workers' compensation benefits. Like any volunteer of a political subdivision, disaster volunteers are automatically "covered parties" under the liability coverage of the political subdivision in which they are registered. Thus the subdivision would cover liability claims against a registered emergency volunteer working under the direction and control of the political subdivision.

The statute specifies that emergency volunteers must be "registered," so the political subdivision should maintain a record of the individuals that provide volunteer help to the subdivision in an emergency or at any time volunteers are used. SD 12 Volunteer Tracking Log can provide a way for volunteer managers to document their volunteers for liability and any potential FEMA reimbursement, which will be discussed later. If an injury occurs, the local political subdivision will need that record to determine whether or not the individual is covered.

A community may receive monetary donations following a significant event which may impact their community and its citizens. The donations may be solicited or unsolicited. A decision will need to be made on how to equitably distribute those funds to the people who would benefit the most and not to duplicate the benefits provided by other disaster assistance. This is typically managed by a local Long Term Recovery Committee, which is addressed in more detail in Recovery Function 14 (Long Term Community Recovery).

## STATE ASSISTANCE

### Summary

State Agency	Level	Responsibility
Homeland Security and Emergency Management	Coordinate	Provide volunteer and donations management coordination to local communities
Homeland Security and Emergency Management	Support	Assist local jurisdictions with questions about managing incoming unsolicited donations, unaffiliated volunteers, and undesignated donations
Homeland Security and Emergency Management	Coordinate	Coordinate with FEMA Donations and Volunteer Management staff for federal support in federally declared disasters

## Minnesota Department of Public Safety

### Division of Homeland Security and Emergency Management

Specific guidance on coordination of donations and volunteers can be requested from the HSEM Volunteer Resource Coordinator. The Volunteer Resource Coordinator will work with [Minnesota Voluntary Organizations Active in Disaster \(MNVOAD\)](#) representatives in support of their missions following a major disaster or emergency.

The HSEM Volunteer Resource Coordinator will serve as a liaison to FEMA for volunteer and donations management issues.

## FEDERAL ASSISTANCE

### FEMA and Volunteers/Donations

(Also refer to the Disaster Management Handbook)

In many disasters, individuals and organizations donate volunteer labor, equipment, and material. The federal government is not required to credit the value of "in-kind" contributions toward cost share arrangements. However, FEMA has determined that the value of "in-kind" contributions by third parties may be credited toward the calculation of the non-federal share for eligible emergency work following declared disasters.

Donated resources used on eligible work that is essential to meeting immediate threats to life and property resulting from a major disaster may be credited toward the non-federal share of grant costs under the Public Assistance (PA) Program. Donated resources may include volunteer labor, donated equipment, and donated materials.

Donated resources are eligible to offset the non-federal share of eligible Category A (Debris Removal) and B (Protective Measures) costs if they meet the following criteria:

- The donated resources must be documented by a local public official or a person designated by a local public official. The documentation must include a record of hours worked, the work site, and a description of work for each volunteer, and equivalent information for equipment and materials. Regional Administrators may establish alternate documentation requirements when required by an extraordinarily demanding situation.
- The donated resources must apply to emergency work that has been organized by an eligible applicant and is eligible under the PA program.
- Examples include, but are not limited to:
  - Removing eligible debris.
  - Filling and placing sandbags.

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- Donating equipment to raise or reinforce a levee.
- Donating materials, such as rocks or sand.
- Search and rescue when part of an organized search and rescue operation.
- Professional safety inspections.
- Mass food and shelter for victims, when not the mission of the organization.
- The donated resources must be documented on one or more Project Worksheets (PWs).

Code of Federal Regulations, [44 CFR 13.24](#) addresses how donated resources are to be valued. The following information is based on that part of the CFR:

### **Volunteer Labor**

The value of volunteer labor is discussed in 44 CFR 13.24 (c) (1). The rate placed on volunteer labor should be the same rate (plus reasonable fringe benefits) ordinarily paid for similar work within the applicant's organization. Premium rates will not be used. If the applicant does not have employees performing similar work, the rate should be consistent with those ordinarily performing the work in the same labor market.

To determine the value of volunteer labor, the labor rate should be multiplied by the total number of volunteer labor hours. Credit may be given for volunteer labor in any field reasonably required for emergency work, including the work of volunteer equipment operators.

### **Donated Equipment**

To determine the value of donated equipment, determine the number of hours that each piece of donated equipment was used and multiply it by the applicable applicant's or FEMA's Equipment Rate, whichever is lower. The out-of-pocket cost to operate the equipment may be claimed as a donation for credit under this policy unless it is included in a reimbursed equipment rate.

### **Donated Materials**

Only materials donated by third party entities are eligible for credit. Typical donated materials include sand, dirt, and rocks, and other materials associated with flood-fighting activities. To determine the value of donated materials, use the current commercial rate for such material based on previous purchases or information available from vendors. Materials donated from other federal agencies may not be included.

### **FEMA Voluntary Agency Liaison (VAL)**

Through its Voluntary Agency Liaison (VAL) program, FEMA works with state and local counterparts to bring a team of people who specialize in organizing, coordinating and supporting local long-term recovery committees (LTRC). They work

with voluntary groups and the impacted communities in support of all phases of disaster recovery.

### **SUPPORTING ORGANIZATIONS**

Local voluntary organizations can play a significant role in volunteer and resource management. Working in conjunction with the HSEM State Volunteer Coordinator and Minnesota Voluntary Organizations Active in Disaster, these organizations play a key role by assisting those affected and helping to coordinate volunteers during the response and early recovery phases and by addressing a community's unmet needs through their involvement in case management and the Long Term Recovery Committees (LTRCs).

MNVOAD also fosters a cooperative planning and preparedness environment for the voluntary organizations active in disaster response and recovery throughout all phases of a disaster or emergency.

MNVOAD's leadership can be contacted through the:

- Minnesota Duty Officer
- HSEM Volunteer Resource Coordinator
- [MNVOAD Website](#) or
- Directly through a MNVOAD member organization.

## RECOVERY FUNCTION 13: AGRICULTURAL ASSISTANCE

### PURPOSE

To identify and provide assistance to families, farmers, ranchers, and other related agriculture businesses involved in losses resulting from natural disasters such as drought, flooding, and disease or from intentional acts such as fire, explosion, and poisoning.

### SCOPE

This Recovery Function discusses the agencies and organizations responsible for agricultural assistance along with their roles and responsibilities, and descriptions of programs developed to provide agricultural assistance to individual farmers and related businesses in a time of disaster.

### ACTIVATING MECHANISM/AUTHORITY

Resources from the state may be deployed in the following manner:

- When requested by the local government,
- At the direction of the Governor or the Governor's Authorized Representative (GAR),
- At the direction of the Director of Homeland Security and Emergency Management, or
- In accordance with internal policies and procedures.

Governor's Executive Order 15-13 gives direction to state agencies in their response to natural disasters and other significant events.

### OVERVIEW

Agricultural-related disasters are quite common. One-half to two-thirds of the counties in the United States have been designated as disaster areas in each of the past several years. Producers may apply for low- interest emergency loans in counties named as primary or contiguous under a disaster designation.

Four types of disaster designations are made:

- Presidential major disaster declaration;
- USDA secretarial disaster designation;
- Farm Service Agency (FSA) Administrator's Physical Loss Notification and,
- Quarantine designation.

The first three types of disaster declarations are authorized under Code of Federal Regulations, Title 7, Part 1945-A. The fourth is the result of a statutory requirement, Section 5201 of the Agricultural Assistance Act of 2003, P.L. 108-07, which authorizes emergency loans for losses resulting from quarantines imposed by the

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Secretary under the Plant Protection Act or animal quarantine laws as defined in section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990.

Presidential major disaster declarations, which must be requested by a governor to the president, are administered through the Federal Emergency Management Agency (FEMA).

- A presidential major disaster declaration can be made within days or hours of the initial request. FEMA immediately notifies FSA of the primary counties named in a presidential declaration.
- USDA secretarial disaster designations must be requested of the secretary of agriculture by a governor or the governor's authorized representative, or by an Indian tribal council leader. The secretarial disaster designation is the most widely used and its process is the most complicated of the four. It is described in further detail below.
- An FSA Administrator's Physical Loss Notification (APLN) is for physical losses only, such as a building destroyed by a tornado. Livestock related losses are considered physical losses. An APLN is requested of FSA's administrator by an FSA state executive director (SED).
- A quarantine designation is requested of the FSA deputy administrator for farm programs by an FSA SED. A quarantine designation authorizes emergency loans for production and physical losses resulting from a quarantine.

### **USDA Secretarial Disaster Declaration Process**

Damages and losses prompting disaster designations must be due to a natural disaster; and a minimum 30 percent production loss of at least one crop in the county must have occurred.

- The governor or Indian tribal council leader makes a request in writing to the Secretary of Agriculture within three months of the ending date of the disaster.
- FSA county offices assemble required agricultural loss information for the Damage Assessment Report (DAR).
- FSA's national headquarters (NHQ) notifies the state executive director of the request. The SED instructs county offices named in the request to complete the damage assessment report, conduct county emergency board (CEB) meetings, and approve or disapprove the DAR.
- The DAR is submitted to the State Emergency Board (SEB) for review and processing. A resolution requesting an Agricultural Disaster (SD-13) can accompany the DAR.
- The SED prepares comments and recommendations. The SEB reviews the DAR. Upon approval, the DAR is submitted to FSA's national headquarters.

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- FSA's Disaster Assistance Branch, Emergencies Section (DAB/ES) reviews the loss information on the DAR, determines eligibility, and prepares a package, including the letter of approval or disapproval, to be signed by the USDA secretary.

The information required to process a secretarial disaster request includes:

- Previous five-year average production history for the crops and farms listed in the DAR;
- Average farm price for previous three years for the crops listed in the DAR;
- Dates that crops suffered damage, and conditions causing production losses;
- DAR signed by the county emergency board and state emergency board chairpersons;
- CEB and SEB meeting minutes;
- SED comments and recommendations.

### **Eligible Natural Disasters**

Natural disaster conditions include:

- Blizzard
- Tornado
- Earthquake
- Severe hail
- Heavy snow
- Ice
- Winds
- Electrical storms
- Several weather patterns sustained over a period of time, including low or high temperatures, and related pests, epidemics, or fires.

### **Circumstances Affecting USDA Secretarial Disaster Designations**

Disaster designations offer flexibility and can accommodate circumstances such as:

- Continuing adverse weather. When a natural disaster continues beyond the date on which a USDA secretarial determination is made, and continuing losses or damages are occurring, the incidence period and termination date may be extended up to 60 days.
- Insufficient data. When the data is determined insufficient to make a designation, the request remains active, but is deferred until sufficient information is received to make a determination.

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## STATE ASSISTANCE

### Summary

State Agency	Level	Responsibility
Agriculture	Coordinate	Partner with the Rural Finance Authority in implementing the Disaster Recovery Loan Program
Agriculture	Coordinate	Coordinate with USDA for drought assistance
Agriculture	Primary	Provide guidance to local authorities following a disaster regarding agricultural production and protection
University of Minnesota (Extension Services)	Primary	Manage "Hay List," which is a hay and forage resource database

### Department of Agriculture (MDA)

Minnesota, like many other areas, has factors that affect our lives that we do not have control over. Whether it is flooding, a drought, or a natural or man-made disaster, many Minnesotans are left with costly damage to their farms and livelihood.

MDA, through its continued dedication to its constituents, has set-up many programs to assist in recovering from the unforeseen that can occur.

In addition to the state programs and activities it provides to farmers, MDA works closely with the U.S Department of Agriculture and in the Farm Service Agency to determine the needs of farmers affected by disaster.

MDA provides farmers and small-business owners with technical information they can use when cleaning up and starting over after the flood waters recede. MDA's **Dairy & Food Inspection Division** also inspects grocery stores and other food facilities to assess damage and help determine when they may reopen.

Disaster Assistance may also be available through the USDA's Natural Resources Conservation Service (NRCS) or the Small Business Administration (SBA).

Under the directions of Governor's Executive Order 15-13, MDA provides the following assistance to local agriculture producers:

- Guidance to state and local authorities for protection of milk, food products, and crops affected by disaster.
- Prepare plans and procedures for monitoring/sampling of agricultural land, milk, food products, and crops affected by disaster.

Programs available through the MDA include:

## Disaster Recovery Loan Program

The Disaster Recovery Loan Program is designed to help farmers pay for the cost of clean-up and removal of debris, lost seed or other crop inputs (including machinery repair), feed and livestock when damaged by high winds, hail, tornado or flood and not covered by insurance. The program offers affordable financing to repair existing agricultural buildings to pre-disaster conditions. To replace means to construct a structure of the same functional purpose and capacity as the structure(s) that was destroyed. Current technologies may be utilized in the replacement structure. Loan proceeds may also be used to repair or replace septic and water systems, and replace destroyed agricultural buildings with similar capacity and function.

This program may also be utilized to purchase water systems for livestock and other drought mitigation systems and practices when drought is the cause of the purchase. Cost of drilling a replacement well and other parts of an existing irrigation system is also eligible when drought causes the expense.

This is a loan participation program available through the Rural Finance Authority (RFA). Farmers will work through their local lender. Upon completion of an application, the lender will apply for RFA participation. The RFA must have a completed Master Participation Agreement with the lender on file.

### *Eligibility Requirements*

The farmer candidate must meet the following criteria:

- Be an individual who is a resident of Minnesota or a domestic family farm corporation or family farm partnership as defined in [Minnesota Statutes, section 500.24](#), subd. 2;
- Certify that the damage or loss was sustained within a county that was the subject of a state or federal disaster declaration;
- Demonstrate an ability to repay the loan;
- Have a total net worth, including assets and liabilities of the borrower's spouse and dependents, of less than \$853,000; and
- Have received at least 50 percent of average annual gross income from farming for the past three years.

### *Participating Lenders*

While all lending institutions are eligible to be part of the program, they are not required to do so. Their decision to join the program is voluntary.

Each lender must enter into an agreement with the RFA and offer farm loans based upon certain pre-established rules in order to qualify for RFA participation.

### *Loan Terms*

The RFA participation in a qualifying loan is limited to 45 percent of the principal amount up to a maximum of \$50,000. Interest rate on the RFA portion of the loan must not exceed 4.0 percent. Down payment and collateral requirements will be determined by the agricultural lender and the authority. Loan amortization will be scheduled on flexible terms not to exceed 10 years. Loan payments of interest only are permitted for the first two years. There is no maximum on the size of loan that a participating lender may make under the program.

The originating lender will retain the balance of each loan. The borrower must satisfy the local lender's guidelines. The local lender will control the day-to-day operation of the loan. Participating lenders are allowed to charge a fixed or adjustable interest rate consistent with their normal lending practices and their agreement with the RFA.

### **Restructure II Loan Program**

The **Restructure II Loan Program** is designed to help farmers who remain in good credit standing with their local agricultural lender, but are having trouble with cash flow due to adverse events. Only debt of an agricultural nature is eligible for refinancing.

The farmer will work through their local lender. If the lender agrees to make a mortgage loan to the applicant, the lender and the applicant will jointly complete an application for an RFA participation. Participation is restricted to loans that do not exceed 80 percent of the appraised value of real estate comprising the collateral. Borrower net worth must not exceed \$835,000 (indexed for inflation, please call RFA for current limitation) including the assets and liabilities of their spouse and dependents.

The RFA will participate on 45 percent of a qualifying loan up to a maximum of \$400,000. The agricultural lender will retain the balance of the loan. Participating lenders are allowed to charge either a fixed or adjustable rate. The interest rate on the RFA portion of the loan is fixed. Call the RFA for the current rate.

The participation term may be up to a maximum of 10 years. Collateral for the loan must include a first mortgage on farm real estate. Terms of the loan will be determined by the type of debt being restructured. The loan may have a balloon.

There will be a \$50.00 non-refundable application fee on all loans. The lender may collect normal closing costs.

An applicant must meet the following requirements:

- Be a resident of Minnesota, a Minnesota domestic family farm corporation, or family farm partnership.
- Be the principal operator of the farm.

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- Not be a current or previous participant in an RFA farm debt reorganization program.
- Have a total net worth that does not exceed \$835,000 (indexed for inflation).
- Have received 50 percent of their gross income farm farming over the past three years.
- Have expenses that do not exceed 95 percent of income.
- Meet with local SWCD official.

### Minnesota Farm Advocates

**Minnesota Farm Advocates** provide one-on-one assistance for Minnesota farmers who face crisis caused by either a natural disaster or financial problems. Farm Advocates understand the needs of our agricultural families and communities. They are trained and experienced in agricultural lending practices, mediation, lender negotiation, farm programs, crisis counseling, disaster programs and to recognize the need for legal and/or social services.

The Farm Advocate Program has been supported by the Minnesota Department of Agriculture since 1984. There is no charge or fee for Farm Advocate assistance.

Farm Advocates receive continuing education in the changing and complex issues of lender policies, bankruptcy laws, mediation, tax laws, USDA's Farm Service Agency's loan programs, Farm Credit Services and all other government programs affecting agriculture.

The Farm Advocates have developed a network of attorneys, accountants, human service professionals, educators and other sources of information and services.

Equipped with all these resources, the Farm Advocates share their expertise with others, enabling them to make informed decisions.

#### *When should you see a Farm Advocate?*

- When you are going into mediation.
- When you negotiate with lenders.
- When you are liquidating assets of the farm operation.
- When you need financial information.
- When you suffer a devastating loss, i.e., fire, disease or natural disaster.
- When you receive an adverse decision from a state or federal agency.
- When your open accounts have substantially increased over 12 months.
- When there is a major drop in your equity over a period of 12 months.
- When you are entering into or dissolving a partnership.
- When you want to begin farming.

#### *Farm Advocate Services:*

- Identify financial goals

- Retirement planning
- Lender Negotiations
- Mediation planning/sessions
- Farm Service Agency
- Farm Credit Services
- Banks
- Implement dealers
- Other creditors
- Farm Programs
- Planning
- Application
- Appeals
- Legal Services
- Referrals
- Assist in case preparation
- Social and Human Services
- Applications
- Appeals
- Referrals

### **Agricultural Improvement Loan Program**

The **Agricultural Improvement Loan Program** assists eligible farmers finance capital improvements to their farming operation. The program may help to improve production, efficiency and increase farm income.

Agricultural improvements mean improvements to a farm, including the purchase and construction or installation of improvements to land, buildings, and other permanent structures. This includes equipment incorporated in or permanently affixed to the land, buildings, or structures useful for and intended to be used for the purpose of farming. For this program, agricultural improvements also include wind energy conversion facilities with an output capacity of one megawatt or less.

The farmer will work through their local lender. If the lender agrees to make a mortgage loan to the applicant, the lender and applicant will jointly complete an application for an RFA participation. The RFA must have a completed Master Participation Agreement with the lender on file. The RFA may participate on a loan up to 45 percent of the loan principal to a maximum of \$300,000. Loan proceeds may be used to refinance a limited amount of existing debt.

The participation term may be up to a maximum of 10 years. The loan may have a balloon. Collateral for the loan must include a first mortgage on farm real estate, but this does not have to include the farmstead.

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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The incentive to use the RFA program will be an affordable fixed interest rate for a fixed period of time. Call the RFA for a quote. There is a \$50 non-refundable application fee on all loans. The lender may collect normal closing costs.

The borrower must be a Minnesota resident, a Minnesota domestic family farm corporation or a family farm partnership. The borrower or one of the borrowers must be the principal operator of the farm. The borrower may not have a total net worth, which exceeds \$444,000 (indexed for inflation).

### **Agricultural Chemical Response and Reimbursement Account**

The **Agricultural Chemical Response and Reimbursement Account** (ACRRA) provides financial assistance to cleanup agricultural chemical (pesticide and fertilizer) contamination.

Contamination may occur due to sudden incidents, such as fire or transportation accidents, or sites contaminated by agricultural chemicals over a long period of time. The program is funded through annual surcharges on Minnesota sales of pesticides and fertilizers and on applicator and dealer licenses.

The Agricultural Chemical Response & Reimbursement Account Board administers the ACRRA Fund, determining reimbursements or payments from the fund to eligible persons. The five-member board consists of representatives from the agricultural chemical registrants, manufacturers and dealers, farmers, the Department of Agriculture Commissioner, and the Department of Commerce Commissioner. Board meetings are usually scheduled every other month.

Agricultural Chemical Compensation Board (ACRRA Board) members are appointed by the governor and serve a four-year term. Appointments are coordinated through the Minnesota Secretary of State's Office. Current vacancies and information about Governor Appointments are posted on the [Secretary of State's Website](#).

The Agricultural Chemical Response and Reimbursement Account (ACRRA) was created by the 1989 Minnesota Ground Water Protection Act. The ACRRA fund was established primarily to reimburse persons for costs incurred after July 1, 1989, in cleaning up agricultural chemical (pesticide and fertilizer) and fertilizer incidents.

The account is funded by annual surcharges on pesticide and fertilizer manufacturers, distributors, applicators, and dealers. The surcharge rate is determined by the commissioner of agriculture.

#### *ACRRA Board:*

ACRRA is administered by the Agricultural Chemical Compensation Board. The Board determines the amount of reimbursements or payments from the fund to eligible persons. An eligible person is defined as a responsible person or an owner of real property, but does not include the state, a state agency, political subdivisions

## MINNESOTA DISASTER RECOVERY ASSISTANCE FRAMEWORK

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(excepting municipal airports) of the state, the federal government, or an agency of the federal government.

### Reimbursement of Corrective Action Costs

Before any reimbursement can be made the board must determine the following:

- The Minnesota Department of Agriculture (MDA) was given proper notice of the incident as required ([Minnesota Statutes, chapter 18D](#));
- The cost of investigation and cleanup were reasonable and necessary; and
- The eligible person complied with corrective action requests or orders issued by MDA, or the eligible person took all reasonable action necessary to minimize and abate the incident, and the corrective action was subsequently approved by MDA.

If the conditions listed above are met, the board may reimburse corrective action costs to an eligible person for 80 percent of costs greater than \$1,000 and less than or equal to \$350,000 for a maximum reimbursement amount of \$279,200.

The board will not provide reimbursement until it has determined that costs on the reimbursement request were actually incurred and were reasonable. The board is limited to a maximum reimbursement of 60 percent if recontamination from a subsequent incident exists. In addition, they have the authority to reduce reimbursement or payment if a portion of the incident was caused by a violation of Minnesota Statutes, chapters [18B](#), [18C](#), or [18D](#).

### Payment of Corrective Action Costs

By request from an eligible person, the board may pay the reasonable and necessary corrective action costs as they are incurred. Before any payments can be made, the board must determine that the eligible person has complied with the following conditions:

- The MDA was given proper notice of the incident as required in Minnesota Statutes, chapter 18D;
- The eligible person must pay the first \$1,000 or corrective action costs;
- The eligible person provides the board with a sworn affidavit and other convincing evidence that substantiates that they are unable to pay additional corrective actions costs; and
- The eligible person continues to assume responsibility for carrying out the requirements of corrective action requests or orders.
- An eligible person must return any funds already received from ACRRA and is not eligible for subsequent payment or reimbursement if false statements or misrepresentations are made regarding the eligible person's financial status.

Ineligible costs include, but are not limited to:

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- Associated with actions that do not minimize, eliminate, or clean up an incident, such as subcontractor mark-up and attorney fees
- Related to the repair, replacement, or upgrading of facility structures or equipment
- Loss of income
- Relocation of residents
- Decreased property values
- Eligible person's personal time spent on planning and administering corrective action design activities
- MDA oversight costs (Agricultural Voluntary Investigation and Cleanup (AgVIC))
- Third-party review of proposed investigative and corrective action or work plans
- Aesthetic improvements (facility improvements)
- Any work, except emergency corrective actions for compliance with safety codes including, but not limited to, OSHA requirements, well, and fire codes
- Providing alternative sources for drinking water.
- Corrective action costs covered or payable under insurance or other contract.
- Costs incurred in response to requests or orders issued to a person under authorities contained in Minnesota Statutes, Chapter 115B, or federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA Superfund).

### How to Participate in Agricultural Chemical Response and Reimbursement Account

- Either call (651) 201-6138 and request an application be mailed to you, OR download an application from the [MDA Website](#).
- Fill out the application completely, attach supporting documents, and submit them to the ACRRA Program. The complete application must be received at least 30 days prior to the next board meeting to be considered for reimbursement at that meeting.
- Applications must be submitted within three years of incurring eligible costs or approval of corrective action design for that work, whichever is later.
- The board reviews the application, decides whether to order payment, and determines the amount.
- Requests for reimbursement may be considered by the board once every 12 months if costs incurred are \$5,000 or less.
- Requests for direct payment may be made at every other board meeting.
- If the balance of the ACRRA fund drops below \$2 million, no single eligible person may receive a reimbursement exceeding \$100,000 within a single year.

## University of Minnesota (Extension Services)

### Upper Midwest Haylist

The Upper Midwest Haylist is a cooperative effort of the Extension Services of Minnesota, Illinois, Wisconsin, and South Dakota. Haylist is a self-service tool that enables buyers and sellers of hay (straw and corn silage too!) in the U.S. and Canada to announce and search available or needed hay lots and to view haylot summary data.

There is no charge to list hay or to search hay listings, and lots are not required to be located within the sponsoring states. You do not need to register with the system for searches but are required to register to enter buyer or seller lots. Registration provides a haylist ID that allows you to easily revise, add or remove your lots. Buyer and seller lots can be searched by a number of parameters including forage type, form, geographic proximity and state or province. Lots remain in the system for 60 days.

If you have hay you would like to donate to livestock producers in flood or drought areas, note that in the Comments section of a normally-priced Seller listing.

Sellers assume all responsibility for accurately listing their haylots. Haylot information is not verified by the sponsoring organizations.

For additional information or assistance, please contact the Farm Information Line at 1-800-232-9077 or [fil@umn.edu](mailto:fil@umn.edu).

### Phone Referrals

Extension provides a coordinated system of online and phone answer resources available for those with disaster-related questions, both during an emergency and while recovery efforts are underway. Two of the phone services, the Farm Information Line and the AnswerLine, can also refer callers to appropriate state and federal agencies if additional information is needed.

## FEDERAL ASSISTANCE

### U.S. Department of Agriculture

In the event of a natural disaster (e.g., drought, flood, tornado), the U.S. Department of Agriculture (USDA) can provide many types of assistance to farmers and other rural residents. The following will deal with only the most commonly implemented programs and procedures.

Changes under the Federal Crop Insurance Reform Act of 1994 have affected eligibility requirements for many of the disaster assistance programs administered by the USDA. Most significantly, applicants for many programs must now carry at least "catastrophic" Federal Crop Insurance multi-crop insurance, if available. If Federal Crop Insurance multi-crop insurance is available but not used, an applicant may not

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be eligible for further disaster assistance. For more information on Federal Crop Insurance program requirements and how they may affect disaster assistance, contact your County Farm Service Agency (FSA) Office. Federal Crop Insurance program changes have not affected the Emergency Loan Program.

The type of assistance USDA can offer depends on the magnitude of the disaster. In many cases, the USDA can offer assistance that does not require a presidential or USDA secretarial declaration.

Commonly implemented programs of this nature are provided or sponsored by the USDA, FSA, and Natural Resources Conservation Service. These agencies often work together to provide assistance to farmers and ranchers who are recovering from a disaster. Some of those programs are listed as follows:

### **Emergency Watershed Protection (EWP)**

**Emergency Watershed Protection** is coordinated by the U.S. Department of Agriculture **Natural Resources Conservation Service**. This program helps protect people and property threatened by natural disasters such as floods, windstorms, tornadoes, and wildfires. It provides funding for such work as clearing debris from clogged waterways, restoring vegetation, and stabilizing river banks. Projects must be environmentally and economically sound and generally benefit more than one property owner. Owners, managers, and users of public, private, or tribal lands are eligible for EWP assistance if their watershed has been damaged by a natural disaster. A sponsor must apply for the assistance. A sponsor can be any legal subdivision of state or local government. Cost-sharing pays up to 75 percent of the funds needed to restore a watershed's natural function. The community or local sponsor pays the remaining 25 percent by cash or in-kind services.

### **Farm Service Agency**

#### *FSA Programs Initiated by Designations and/or Declarations*

All four types of designations (USDA secretarial disaster designations, presidential disaster declarations, FSA Administrators Physical Loss Notifications, and quarantine designations), immediately trigger the availability of low-interest FSA emergency loans to eligible producers in all primary and contiguous counties.

Other programs that have used USDA secretarial designations and presidential declarations as an eligibility requirement trigger, for primary counties only, include:

- Livestock Compensation Program;
- Livestock Assistance Program;
- Livestock Indemnity program;
- Flood Compensation Program.

### **Disaster Debt Set-Aside Program (DSA)**

The **Disaster Debt Set-Aside Program** is available to FSA borrowers located in designated disaster areas or contiguous counties, who are unable to make their scheduled payments on any debt, may be authorized to have certain set asides. Under Section 331A of the Consolidated Farm and Rural Development Act, FSA is authorized to consider setting aside certain payments owed by FSA borrowers to allow the operation to continue.

After a disaster designation is made, FSA will notify borrowers of the availability of the DSA. Borrowers who are notified have eight months from the date of designation to apply. Also, to meet current operating and family living expenses, FSA borrowers may request a release of income proceeds to meet these essential needs or request special servicing provisions from their local FSA county offices to explore other options. **Disaster Protection and Recovery fact sheets** can be found at <https://www.fsa.usda.gov/news-room/fact-sheets/index>.

#### *Loan Limit*

Farm operators in the primary designated counties, and in the contiguous counties, can apply and may be approved for low-interest FSA emergency loans, provided eligibility requirements are met.

Eligible producers may borrow up to 100 percent of actual production or physical losses, not to exceed a total amount of \$500,000. Emergency loans are further limited to a maximum, cumulative principal of \$500,000 at any time.

Applicants must meet all standard loan eligibility requirements; and:

- Have eight months from the date of the designation approval to apply for the loans to help cover their actual losses;
- Must meet the agency definition of an established farmer, be citizens or permanent residents of the United States, and have suffered at least a 30-percent loss in crop production; and/or sustained a physical loss to livestock, livestock products, real estate, or chattel property;
- - Must have an acceptable credit history, yet be unable to receive credit from commercial sources;
  - Must have collateral to secure the loan and ability to repay the loan.

The Emergency loan program is subject to an annual appropriation of discretionary funding.

### **Emergency Conservation Program (ECP)**

USDA Farm Service Agency's **Emergency Conservation Program** provides emergency funding and technical assistance for farmers and ranchers to rehabilitate farmland damaged by natural disasters and for carrying out emergency water

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conservation measures in periods of severe drought. Congress appropriates funding for ECP.

### *Program Administration*

FSA state and county committees administer ECP. FSA's national office authorizes ECP payments for drought. ECP payments are subject to funding availability.

### *Land Eligibility*

FSA county committees determine land eligibility based on on-site inspections of damage, taking into account the type and extent of damage. For land to be eligible, the natural disaster must create new conservation problems that, if untreated, would:

- Impair or endanger the land;
- Materially affect the land's productive capacity;
- Represent unusual damage which, except for wind erosion, is not the type likely to recur frequently in the same area; or be so costly to repair that federal assistance is or will be required to return the land to productive agricultural use.

Conservation problems existing prior to the applicable disaster are ineligible for ECP assistance.

### *Payments*

ECP program participants receive cost-share assistance of up to 75 percent of the cost to implement approved emergency conservation practices, as determined by FSA county committees.

County committees approve individual or cumulative requests for cost-sharing of \$50,000 or less per person, per disaster. State committees approve cost-sharing from \$50,001 to \$100,000. FSA's national office approves cost sharing over \$100,000. Payment limits are \$200,000 per "person" per disaster.

USDA's Natural Resources Conservation Service may provide technical assistance under ECP.

### *Adjusted Gross Income (AGI)*

Regulations at 7 CFR Part 1400, Subpart G, provides for a \$2.5 million AGI limitation where an individual or entity shall not be eligible for certain program benefits during a crop, program or fiscal year if the three-year average of the AGI for the individual or entity exceeds \$2.5 million and less than 75 percent of the average AGI is derived from farming, ranching or forestry operations.

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### *Emergency Conservation Practices*

To rehabilitate farmland, ECP program participants may implement emergency conservation practices, such as:

- Remove debris;
- Restore fences and conservation structures; and
- Provide water for livestock in drought situations.

With approval from FSA state committees and FSA's national office, FSA county committees may authorize other conservation measures.

### **Environmental Quality Incentives Program (EQIP)**

The **Environmental Quality Incentives Program** is coordinated through the Natural Resources Conservation Service or the Farm Service Agency. This program aims to protect soil, water, and related resources on farm and ranch lands (including tribal lands). A producer must agree to implement practices through a 5- to 10-year agreement.

Cost-sharing pays up to 75 percent of the costs for such conservation practices as: facility to compost agricultural waste, diversion dam, floodwater retarding dam, diversion tile for terrace system, fencing, perennial vegetation for field border, filter strip, forest harvest trails and landings, forest improvement (thinning, release, pest control), forest site preparation, grade stabilization structure, windbreak, herbaceous wind barrier, riparian forest buffer planted with trees, spring development, tree planting, and livestock tank. One-time incentive payments apply to such practices as establishing contour buffer strips, strip cropping, perennial vegetation for field border, filter strip, herbaceous wind barrier, riparian forest buffer, and use exclusion (no grazing, haying, or harvesting).

Applications are rated on their potential to address water erosion control, wind erosion control, water resource protection, fish and wildlife habitat, forest resource management, grazing lands, and other factors. Priority is given to agreements in Conservation Priority Areas which are selected geographic regions in Minnesota. Cost-sharing and incentive payments may not exceed \$50,000 over the contract's life.

### **Flood Risk Reduction Program**

Managed through the Farm Service Agency, this voluntary program provides a financial incentive to stop farming on frequently flooded land. It offers contracts that provide one lump sum payment to producers who farm land with high flood potential. The payment equals 95 percent of the seven-year market transition payments, and other payments to offset estimated federal outlays on frequently flooded land. In return, the producer agrees to comply with applicable wetlands and highly erodible

land requirements and to forego commodity loans, crop insurance, conservation program payments, and disaster payments.

### **Noninsured Crop Disaster Assistance Program (NAP)**

The **Noninsured Crop Disaster Assistance Program** provides financial assistance to eligible producers affected by drought, flood, hurricane, or other natural disasters. NAP covers non-insurable crop losses and planting prevented by disasters. Landowners, tenants, or sharecroppers who share in the risk of producing an eligible crop may qualify for this program. Before payments can be issued applications must first be received and approved, generally before the crop is planted, and the crop must have suffered a minimum of 50 percent loss in yield. Eligible crops include commercial crops and other agricultural commodities produced for food, including livestock feed or fiber for which the catastrophic level of crop insurance is unavailable. Also eligible for NAP coverage are controlled-environment crops (mushroom and floriculture), specialty crops (honey and maple sap), and value loss crops (aquaculture, Christmas trees, ginseng, ornamental nursery, and turf grass sod).

### **Emergency Loan Program (EM)**

FSA's **Emergency Loan Program** provides emergency loans to help producers recover from production and physical losses due to drought, flooding, other natural disasters, or quarantine. Emergency loans may be made to farmers and ranchers who own or operate land located in a county declared by the president as a disaster area or designated by the secretary of agriculture as a disaster area or quarantine area (for physical losses only, the FSA administrator may authorize emergency loan assistance). EM funds may be used to:

- Restore or replace essential property;
- Pay all or part of production costs associated with the disaster year;
- Pay essential family living expenses;
- Reorganize the farming operation; and
- Refinance certain debts.

## **SUPPORTING ORGANIZATIONS**

### **Farmers' Legal Action Group (FLAG)**

**Farmers' Legal Action Group, Inc.** is a nonprofit law center dedicated to providing legal services to family farmers and their rural communities in order to help keep family farmers on the land.

FLAG provides assistance that supports healthy rural communities, protects the environment, and promotes a safe, diverse, and stable food supply. FLAG also provides legal information and advocacy to farmers.

### **Minnesota Voluntary Organizations Active in Disaster (MNVOAD)**

Certain **Minnesota Voluntary Organizations Active in Disaster** members can provide animal feeding and containment support. MNVOAD may also provide veterinary assistance. Some of those organizations and the services they provide are:

#### **Minnesota Animal Disaster Coalition (MNADC)**

- Animal Evaluation Support
- Animal Needs Assessments
- Animal Sheltering (Temporary)
- Veterinary Evaluations

#### **Humane Society of the United States (HSUS)**

- Animal Evaluation Support
- Animal Needs Assessments
- Animal Sheltering (Temporary)
- Veterinary Evaluations

#### **Minnesota Horse Council**

- Animal Feed Support
- Animal Containment Support

## RECOVERY FUNCTION 14: LONG TERM COMMUNITY RECOVERY

### PURPOSE

Disaster recovery typically occurs in phases, with initial efforts dedicated to helping those affected meet immediate needs for housing, food, and water. As homes and businesses are repaired, people return to work and communities continue with cleanup and rebuilding efforts. Many government agencies, voluntary organizations, and the private sector cooperate to provide assistance and support.

Some individuals, families, and communities that are especially hard hit by a disaster may need more time and specialized assistance to recover, and a more formalized structure to support them. Specialized assistance may be needed to address unique needs that are not satisfied by routine disaster assistance programs. It may also be required for very complex restoration or rebuilding challenges. Long-term community recovery addresses these ongoing needs by taking a holistic, long-term view of critical recovery needs, and coordinating the mobilization of resources at the federal, state, and community levels.

Oftentimes, committees, task forces, or other means of collaboration are formed with the goals of developing specific plans for long-term community recovery, identifying and addressing unmet or specialized needs of individuals and families, locating funding sources, and providing coordination of the many sources of help that may be available to assist. Some collaboration focuses on the community level and relies on the expertise of community planning and economic development professionals. Other collaborations focus on individual and family recovery and are coordinated by social service and volunteer groups. All such efforts hope to lay the groundwork for wise decisions about the appropriate use of resources and rebuilding efforts.

### SCOPE

This recovery function discusses the agencies and organizations providing support to long-term community recovery efforts. It identifies their roles and responsibilities, and activating mechanisms and descriptions of activities developed to provide for the assistance needed to support a local community's effort to establish their long-term recovery goals.

### ACTIVATING MECHANISM/AUTHORITY

A governor's declaration of an emergency and/or direct request by the governor is required for use of state of Minnesota resources. For federal assistance, a presidential declaration of major disaster or emergency under the Stafford Act would be required if legal assistance programs are requested. Most long-term recovery missions are supported by voluntary organizations that provide these services on an ongoing basis and are not dependent on a presidential disaster declaration.

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Activation of the National Disaster Recovery Framework Recovery Support Functions are accomplished through the state coordinating officer (SCO) or the federal coordinating officer (FCO) when routine federal, state, local, and tribal disaster assistance mechanisms are insufficient to meet the extraordinary challenges of impacted jurisdictions.

### OVERVIEW

The structures or forms of the long-term recovery group have been as varied as the number of communities and their disasters. In general, almost any way that a community would chose to structure its recovery efforts is acceptable.

The role of the impacted communities in their long-term recovery may include:

- Identification of leadership who can focus on community-wide recovery efforts,
- Initiation, leading and owning community-wide recovery planning (ex. Recovery Committees, and leadership)
- Taking responsibility for implementation of recovery plans,
- Working with the state lead for long-term recovery.

Two Long-Term Recovery Committee models have been successful in many communities, and are recommended:

#### **Long-term Recovery Organization (LTRO)**

- Supports the recovery process through multiple contributors but works as a single entity to bring resources to bear on the disaster-related needs.
- Operates from a common pool of funds administered by the organization and its leadership.
- Organizes with a formal, identified leadership (board) and staff (volunteer or paid).
- Establishes itself as a nonprofit organization by obtaining IRS Code 501(c) (3) status, or may operate under the umbrella of a supporting organization's or agency's 501(c) (3).
- Identifies its mission toward a client base, with each of the members providing appropriate resources.
- Is composed of representatives of disaster response and/or recovery organizations.
- Directs its work toward assistance to those affected by the disaster, having formed especially for that purpose in the wake of a disaster.

#### **Long-term Recovery Committee (LTRC)**

- Is composed of representatives from disaster response and/or recovery agencies who individually address survivor needs as cases. The cases are

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presented in the context of a meeting when the case needs are beyond the capability of the particular agency.

- Cases are presented to the committee by Case Managers who work closely with their clients to address their unmet needs. Case Managers are commonly from a Voluntary Organization Active in Disaster (VOAD).
- Shares decision-making authority equally with partner organizations
- Probably does not have resources granted by member organizations; there are examples of the LTRC being guardian and distributor of funds received by the community.
- Has no formal 501(c)(3) held by the organization.
- Funds are managed through an existing agency or organization who acts as the Fiscal Agent for the committee.
- May or may not have staff and administrative (executive committee) oversight.

A more in-depth look at establishing Long Term Recovery Committees can be found in National VOAD's [Long Term Recovery Manual](#) and MNVOAD's [Long Term Recovery Guidance](#).

### STATE ASSISTANCE

The role of HSEM and other state agencies in long-term disaster recovery varies from disaster to disaster. There is a tremendous amount of importance in conducting thorough damage and impact assessment and to have the vision in identifying what the long-term recovery outlook may be for a community.

#### Summary

State Agency	Level	Responsibility
Administration	Primary	Provide supplies and real estate services
Administration	Primary	Assist agencies with emergency purchasing and resource acquisition
MN.IT Services	Support	Assist planners and emergency responders by providing geographic information systems tools and geographic data
MN.IT Services	Primary	Assist with Continuity of Operation Plans (COOP), including planning recovery strategy development and alternate locations
MN.IT Services	Primary	Assist agencies and local units of government with telecommunications and network connectivity

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State Agency	Level	Responsibility
MN.IT Services	Primary	Assist agencies and local units of government with computer support
MN.IT Services	Support	Ensure proper disposal of electronic confidential data
Homeland Security and Emergency Management	Primary	Coordinate the Minnesota Recovers Task Force
Homeland Security and Emergency Management	Support	Assist and provide technical guidance to the local long term recovery committees
Revenue	Support	Assist with economic stabilization

### Department of Administration (Admin)

The Department of Administration’s response to a request for assistance due to a business interruption may include:

- Procurement of goods and services through Materials Management Division (MMD). Procurement could be by state contract, emergency purchasing, through Surplus Services and supplies through Office Supply Connection.
- Mail services, defined as the delivery, pickup, folding, addressing and inserting through Central Mail.
- Copies of statutes, rules or any other Reviser of Statute products, maps, directories, manuals, and forms sold by the Minnesota Bookstore.
- Provide clerical support to the SEOC to staff the Information Hotline, when requested and available.
- Provide travel assistance, including vehicles, air transportation, or lodging.
- Ensure proper disposal of confidential data at identified command and recovery centers.
- Process insurance claims through the states self-insurance program if the government entity impacted is participating in the program. If the government entity is not participating in the program, Risk Management will provide insurance advice.
- Coordinate and manage architectural/engineering services and associated construction for the reconstruction of state- owned buildings.

### Minnesota Information Technology (MN.IT)

MN IT’s response to a request for assistance due to a business interruption may include:

- Any video, voice, data or computer product or service provided by the Office of Enterprise Technology. OET distributes technology products and services to business partners throughout the state. OET’s business partners may use

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OET's shared services to access their data or distribute their service to their business partners.

- Assist in evaluating environmental resources (emergency generators, uninterruptible power supply [UPS], power distribution units [PDU], air-conditioning, etc.) of chosen alternate facilities for computer services.
- Assist in connecting to critical state systems from an alternate location.
- Recommend a command or recovery center location that will allow for quick recovery of connectivity to the State's network.
- Assist in locating available file servers, workstations and printers within surplus supplies or available for purchase and provide government entities with assistance in connecting workstations to printers and file servers.
- Assist with management/acquisition of technology resources, using State contracts whenever possible.
- Utilize current relationships to support the recovery efforts of government entities.
- Ensure proper disposal of confidential electronic data at identified command and recovery centers.
- Provide geographic information system (GIS) services and resources, as required, to assist planners and emergency responders. During an emergency, MN.IT, through MnGEO, will also assist with coordination of GIS services from other organizations within Minnesota that maintain GIS capabilities.
- Coordinate and manage recovery/installation of shared technology services at reconstructed state-owned buildings.
- Provide a statewide software tool to assist state agencies in developing their continuity of operations plan. Ensure the tool is updated as business needs or technology and industry trends evolve.

### **Minnesota Department of Public Safety**

#### **Division of Homeland Security and Emergency Management (HSEM)**

- HSEM will support the state and local communities in their long-term recovery efforts by:
- Leading recovery for the state,
- Facilitating long-term disaster recovery by activating the Minnesota Recovers Task Force when appropriate,
- Working to identify extraordinarily impacted communities,
- Providing technical assistance to local governments,
- Supporting the development of long-term recovery plans.

The Volunteer Resource Coordinator will coordinate, provide assistance and guidance to the local community long-term recovery committees as needed or requested.

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## Department of Revenue

The Department of Revenue shall assign personnel to assist with the compliance activities associated with the economic stabilization function.

## FEDERAL ASSISTANCE

Following a disaster of extraordinary proportions, the federal government may activate National Recovery Framework Recovery Support Functions (RSF). RSFs address long-term recovery by providing a mechanism for coordinating federal support to state and local communities. This support includes:

- Identifying and facilitating availability and use of sources of recovery funding, and
- Providing technical assistance for community recovery and recovery planning support.

Additional long-term federal recovery assistance and resources include:

## Federal Emergency Management Agency (FEMA)

### FEMA Voluntary Agency Liaison (VAL)

Through its Voluntary Agency Liaison (VAL) program, FEMA works with state and local counterparts to bring a team of people who specialize in organizing, coordinating, and supporting local long term recovery committees (LTRC). The VALs work with voluntary groups in support of all phases of a disaster or emergency.

The whole process of assistance delivery begins when applicants with disaster damage register with FEMA. When they have exhausted all available FEMA/state assistance and still have serious unmet needs, they are referred by FEMA and the state to an LTRC. The local LTRC will identify the agency with the appropriate resources to help and will provide the applicant with contact information.

Organizations such as: Lutheran Disaster Response, Catholic United Disaster Response, United Way, Clay County Social Services, First Link, The Salvation Army, United Methodist Disaster Relief and Humane Society, among others, provide resources from their organizations to assist with a community's recovery effort and case management, aided by the FEMA VAL.

Long-term assistance continues until the needs of eligible applicants are met including: transportation, family counseling, housing and rental aid, food vouchers, building and repair, debris removal, elderly services, children's services, donated goods and clothing, financial support, food pantry, skilled labor, utility bill assistance, language translators and deaf interpreters among others.

The FEMA VAL also:

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- Coordinates disaster relief activities of established and ad-hoc voluntary organizations in providing goods or services to disaster survivors.
- Identifies and refers unique individual and family situations, for which assistance cannot be provided through existing programs, to other organizations involved in the disaster recovery.
- Assists the community in the formation of the long-term recovery group in collaboration with other organizational representatives.
- Initiates and maintains a close working relationship between FEMA and voluntary organizations.

### **Community Disaster Loan Program**

**Purpose:** To provide funds to any eligible jurisdiction in a designated disaster area that has suffered a substantial loss of tax and other revenue. The jurisdiction must demonstrate a need for financial assistance to perform its governmental functions.

**Assistance Provided:** Loans not to exceed 25 percent of the local government's annual operating budget for the fiscal year in which the major disaster occurs, up to a maximum of \$5 million.

**Cost-Sharing Requirements:** None.

**Eligibility:** Any local government or other eligible jurisdiction in a designated disaster area that has demonstrated a substantial tax loss and a need for financial assistance to perform its governmental functions.

**Application:** The governor requests a presidential declaration of an emergency or major disaster through the FEMA regional administrator. An applicant should consult the office or official designated as the single point of contact in the state for more information on the process the state requires to be followed in applying for assistance. Upon declaration of a major disaster, one may apply for assistance through the governor's authorized representative (GAR).

### **Department of Housing and Urban Development**

#### **Community Development Block Grants (CDBG)**

HUD provides flexible grants to help cities, counties, and states recover from presidentially declared disasters, especially in low-income areas, subject to availability of supplemental appropriations.

In response to disasters, Congress may appropriate additional funding for the **CDBG** and HOME programs as Disaster Recovery grants to rebuild the affected areas and provide crucial seed money to start the recovery process. Since CDBG Disaster Recovery assistance may fund a broad range of recovery activities, HUD can help communities and neighborhoods that otherwise might not recover due to limited resources. Disaster Recovery grants often supplement disaster programs of the

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Federal Emergency Management Agency, the Small Business Administration, and the U.S. Army Corps of Engineers. In addition, HOME Disaster Recovery grants can provide an important resource for providing affordable housing to disaster victims.

Type of Assistance: HUD generally awards noncompetitive, nonrecurring Disaster Recovery grants by a formula that considers disaster recovery needs unmet by other Federal disaster assistance programs.

Eligible Grantees: CDBG Disaster Recovery funds are made available to States, units of general local governments, Indian tribes, and insular areas designated by the president as disaster areas. These communities must have significant unmet recovery needs and the capacity to carry out a disaster recovery program (usually these are governments that already receive HOME or Community Development Block Grant allocations). At times, supplemental appropriations restrict funding solely to states rather than the local cities and/or counties.

Eligible Customers: CDBG Disaster Recovery grants primarily benefit low-income residents in and around communities that have experienced a natural disaster. Generally, grantees must use at least half of Disaster Recovery funds for activities that principally benefit low- and moderate-income persons. These can be either activities in which all or the majority of people who benefit have low or moderate incomes or activities that benefit an area or service group in which at least 51 percent of the populous are of low- and moderate-income.

Eligible Activities: Grantees may use CDBG Disaster Recovery funds for recovery efforts involving housing, economic development, infrastructure and prevention of further damage to affected areas, if such use does not duplicate funding available from the Federal Emergency Management Agency, the Small Business Administration, and the US Army Corps of Engineers.

Examples of these activities include:

- Buying damaged properties in a flood plain and relocating residents to safer areas;
- Relocation payments for people and businesses displaced by the disaster;
- Debris removal not covered by FEMA;
- Rehabilitation of homes and buildings damaged by the disaster;
- Buying, constructing, or rehabilitating public facilities such as streets, neighborhood centers, and water, sewer and drainage systems;
- Code enforcement;
- Homeownership activities such as down payment assistance, interest rate subsidies and loan guarantees for disaster victims;
- Public services (generally limited to no more than 15 percent of the grant);
- Helping businesses retain or create jobs in disaster impacted areas; and

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- Planning and administration costs (limited to no more than 20 percent of the grant).

National Objectives: Eligible activities must meet at least one of three program national objectives: benefit persons of low and moderate income, aid in the prevention or elimination of slums or blight, or meet other urgent community development needs because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available.

Application: HUD notifies eligible governments that must then develop and submit an Action Plan for Disaster Recovery before receiving CDBG Disaster Recovery grants. The Action Plan must describe the needs, strategies, and projected uses of the Disaster Recovery funds.

### **SUPPORTING ORGANIZATIONS**

Voluntary organizations are the primary resource used for establishing training and guidance for community long term recovery committees.

These organizations support the local community's efforts to organize and utilize all available resources in the disaster relief phase and initiates and coordinates a meeting of disaster organizations and agencies in the community to consider long-term recovery strategies.

Voluntary organizations assist the community in the formation of the long-term recovery groups in collaboration with other organizational representatives. They provide case management to their clients who they help navigate through the oftentimes complex world of recovery. Case managers find resources for the victims impacted by disaster and help them with their unmet needs.

Some of these organizations are:

- Church World Service
- Lutheran Social Service/Lutheran Disaster Response
- Salvation Army
- United Church of Christ (MN Conference)
- United Way

**RECOVERY FUNCTION 15: LEGAL ASSISTANCE**

**PURPOSE**

The purpose of this recovery function (RF) is to provide for the immediate and long-term legal needs of victims of a presidential disaster declaration.

**SCOPE**

This RF discusses the agencies and organizations providing legal assistance and technical guidance following a disaster. It identifies their roles, responsibilities, activating mechanisms and descriptions of activities developed to provide for the legal needs of individuals of an affected area.

**ACTIVATING MECHANISM/AUTHORITY**

The Governor’s Declaration of an Emergency and/or direct request by the Governor, for state of Minnesota resources. Following a Presidential Declaration of Major Disaster or Emergency under the Stafford Act, legal assistance programs may be requested. Some legal services listed in this RF are provided on a continuing basis and are not specific to a major disaster recovery effort.

**STATE ASSISTANCE**

**Summary**

<b>State Agency</b>	<b>Level</b>	<b>Responsibility</b>
Attorney General	Primary	Provide education and technical support regarding home repair and loan fraud (scams)
Attorney General	Primary	Provide education and technical support regarding charitable giving and fundraising for recovery efforts
Attorney General	Primary	Identify legal responsibilities for landlords and rights of tenants following a disaster
Attorney General	Primary	Provide education and guidance regarding insurance issues
Attorney General	Primary	Provide legal advice and opinions in support of state emergency operations
Attorney General	Primary	Provide guidance on contracting requirements to state agencies following a major disaster or emergency
Minnesota Gambling Control Board	Primary	Provide technical guidance regarding issues involving lawful gambling fundraising

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State Agency	Level	Responsibility
Alcohol and Gambling Enforcement	Primary	Provide technical guidance regarding interpretation of Minnesota gambling statutes
Homeland Security and Emergency Management	Support	Assist or coordinate state and federal legal assistance

### Attorney General

The Minnesota Attorney General's Office provides legal guidance in several areas related to disaster recovery. Areas include, but, are not limited to:

- Contractor/labor fraud (scams)
- Financial assistance fraud
- Landlord responsibilities
- Tenant rights
- Charities fraud
- Insurance guidance

### Minnesota Gambling Control Board

The Minnesota Gambling Control Board will provide guidance when communities or organizations wish to utilize lawful gambling as a fundraising source to generate monies for local disaster relief funds or for financial support of unmet community needs.

### Department of Public Safety

#### Alcohol and Gambling Enforcement Division (AGE)

AGE will provide technical guidance when local communities have questions regarding Minnesota gambling statutes.

#### Homeland Security and Emergency Management Division (HSEM)

HSEM will coordinate and manage the state and federal legal resources available during a presidential major disaster declaration.

### FEDERAL ASSISTANCE

#### FEMA

#### Disaster Legal Services

The [Disaster Legal Services](#) program springs from an agreement between FEMA and the Young Lawyers Division of the American Bar Association. The program is funded by FEMA and administered by the state of Minnesota. Typically, a disaster legal service hotline is established and operated by attorneys who volunteer to

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provide disaster legal services for low-income individuals unable to secure legal assistance to meet their disaster-related legal needs.

Disaster Legal Services are limited. Participating attorneys typically provide:

- Assistance with insurance claims (life, medical, property, etc.);
- Counseling on landlord/tenant problems;
- Assistance in consumer matters, remedies and procedures;
- Replacement of wills and other important legal documents destroyed in the disaster;
- Guidance on drafting Powers of Attorney;
- Help with home repair contracts and contractors.

Disaster Legal Services is available only in counties designated for federal disaster assistance to individuals.

### **SUPPORTING ORGANIZATIONS**

#### **Farmers' Legal Action Group (FLAG)**

**Farmers' Legal Action Group, Inc.** is a nonprofit law center dedicated to providing legal services to family farmers and their rural communities in order to help keep family farmers on the land.

FLAG provides assistance that supports healthy rural communities, protects the environment, and promotes a safe, diverse, and stable food supply. FLAG also provides legal information and advocacy to farmers.

#### **Minnesota State Bar Association (MSBA)**

The **Minnesota State Bar Association** can provide guidance to local communities following a disaster. SD 16 Contract for Repair was prepared by MSBA for communities that have been impacted by a disaster and desire to protect themselves and their citizens from contractor fraud.

## RECOVERY FUNCTION 16: DISASTER RECOVERY CENTERS

### PURPOSE

The coordination and dissemination of disaster assistance and services to the communities affected by a major disaster is a paramount responsibility for state agencies.

The Minnesota Department of Public Safety Division of Homeland Security and Emergency Management (HSEM), along with other state agencies, will work with FEMA and local authorities to locate a Disaster Assistance Center (DAC) site, and provide assistance and program support to impacted communities and citizens.

### SCOPE

This Recovery Function discusses the agencies and organizations providing support to Disaster Assistance Centers. It identifies their roles, responsibilities, activating mechanisms and descriptions of activities.

### ACTIVATING MECHANISM/AUTHORITY

The director of HSEM is responsible for coordinating local, state and federal disaster recovery efforts in accordance with Minnesota Statutes, chapter 12, and Governor's Executive Order 15-13.

Disaster Assistance Centers are established once an event has been determined to have had a significant impact to individuals in a community. Governor's Executive Order 15-13 provides guidance on state agency duties and responsibilities in support of DAC operations and requires that, when requested by HSEM, state agencies shall provide necessary personnel to staff those DACs that are established following a presidential declaration of a major disaster.

### OVERVIEW

When damage is widespread and involves numerous people and facility damages, one or more Disaster Recovery Centers (DACs) will be required to provide a central point that will allow the disaster impacted community the ability to establish contact with local, state, and volunteer agencies that can provide them with advice and assistance.

When the damage suffered from a disaster does not warrant federal assistance as provided for by a presidential declaration of a major disaster, a combined local/state DAC may be established.

### STATE ASSISTANCE

The following state agencies shall provide materials or representation at Disaster Assistance Centers (DAC), as requested by HSEM, to provide agency specific assistance to persons affected by a disaster or emergency:

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### Summary

State Agency	Level	Responsibility
Agriculture	Support	Provide technical support and guidance to farmers on disaster assistance program
Attorney General	Support	Provide technical support and guidance on a variety of legal, insurance, and landlord-tenant dispute issues
Animal Health	Support	Provide technical support and guidance to farmers with carcass disposal
Commerce	Support	Provide technical support and guidance with insurance and weatherization assistance
Employment and Economic Development	Support	Provide technical support and guidance on business, economic, and employment assistance
Health	Primary	Provide Minnesota Department of Health (MDH) resources in a health emergency
Housing Finance	Support	Assist with alternative housing solutions
Human Services	Support	Provide support services to the DAC
Natural Resources	Primary	Provide technical support and guidance with septic systems and DNR assistance programs
Pollution Control	Primary	Provide technical support and guidance with protective measures and debris removal
Homeland Security and Emergency Management	Primary	Coordinate DAC site acquisition and operations with local community and FEMA
Revenue	Primary	Provide information regarding tax preparation

### Department of Agriculture (MDA)

MDA personnel assigned to the DAC will support the local recovery efforts by:

- Assisting farmers with chemical contamination issues.
- Partnering with the Rural Finance Authority in implementing the Disaster Recovery Loan Program to victims.
- Assisting farmers with drought assistance.

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## **Attorney General (AG)**

Attorney General personnel assigned to the DAC will support the local recovery efforts by:

- Providing education and technical support regarding home repair and loan fraud (scams).
- Providing education and technical support regarding charitable giving and fundraising for recovery efforts.
- Assisting victims with landlord tenant issues.
- Providing education and guidance regarding insurance issues.

## **Board of Animal Health (BAH)**

BAH personnel assigned to the DAC will support the local recovery efforts by assisting farmers and ranchers with carcass disposal.

## **Department of Commerce (COMM)**

DOC personnel assigned to the DAC will support the local recovery efforts by:

- Assisting affected citizens with insurance claims counseling.
- Activating Insurance Disaster Recovery Teams.
- Helping vulnerable individuals/families through energy assistance and weatherization programs, during and after a disaster.

## **Department of Employment and Economic Development (DEED)**

DEED personnel assigned to the DAC will support the local recovery efforts by:

- Attempting to find employment for disaster victims who lost jobs as a result of the disaster.
- Accepting applications for Unemployment Insurance to alleviate financial hardship due to disaster-related job losses.
- Coordinating the federal Disaster Unemployment Assistance program.
- Assisting applicants with federal disaster assistance funds if made available for housing and economic recovery efforts.

DEED may also support the DAC by providing Workforce Center and Small Business Development Center staff and resources in disasters that create a severe impact on the business and economic community.

## **Minnesota Department of Health (MDH)**

MDH personnel assigned to the DAC may support the local recovery efforts by:

- Staffing the DAC in certain circumstances.
- Coordinating short-term behavioral health services including crisis counseling and referral to healthcare providers.

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- Providing citizens with health protection information, such as food safety, sanitation, indoor air quality, clean-up, and immunization recommendations.
- Providing guidance for mass feeding and sheltering facilities.
- Educating on and coordinating mass prophylaxis in the event of a disease outbreak.
- Providing well test kits and information on well testing and disinfection for owners of flooded wells depending on the situation.

### **Minnesota Housing Finance Agency (MHFA)**

MHFA personnel assigned to the DAC will support the local recovery efforts by:

- Assessing the available temporary housing in the area.
- Assisting impacted families with low interest housing loans.

### **Department of Human Services (DHS)**

DHS personnel assigned to the DAC will support the local recovery efforts by:

- Identifying support for communities with special needs.
- Assisting with mass care, housing and human services.
- Processing applications for emergency food stamps.
- Assisting with crisis counseling referrals for citizens suffering behavioral health issues.

### **Department of Natural Resources (DNR)**

DNR personnel assigned to the DAC will support the local recovery efforts by:

- Assisting local citizens with Native Buffer Program, State Cost Share Program, and Re-Invest in MN (RIM) program.
- Assist local citizens with septic system issues.

### **Pollution Control Agency (PCA)**

PCA personnel assigned to the DAC will support the local recovery efforts by:

- Educating the public with protective measures during a hazardous materials event.
- Providing technical assistance with debris sorting.

### **Department of Public Safety**

#### **Homeland Security and Emergency Management (HSEM)**

HSEM will provide a state DAC liaison officer who will be responsible for the following:

- Representing the state coordinating officer.

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- Coordinating participation and scheduling of state agencies in DAC operations.
- Coordinating Individual Assistance and Housing programs with FEMA, private relief agencies, and voluntary organizations.
- Assisting local and state agencies for DAC facilities and supplies.
- Attending public briefings and acting as the conduit between the impacted communities and the state resources being provided.
- Assisting FEMA in providing the affected communities with hazard mitigation educational materials.
- Reporting to the SCO/director as needed.

### **Department of Revenue**

Minnesota Department of Revenue personnel assigned to the DAC may support the local recovery efforts by providing information resources to provide guidance to clients on how their tax burden will be affected by their disaster losses.

### **FEDERAL ASSISTANCE**

FEMA Region V is responsible for evaluating and advising the president concerning a state's request for a presidential declaration of major disaster. If the declaration is issued, the president appoints a federal coordinating officer (FCO), who contacts the state coordinating officer (SCO), and determines the assistance required. The FCO contacts the federal agencies and, along with the SCO, contacts the voluntary organizations involved in disaster recovery to request their assistance in managing the effects of a disaster or significant event.

The FCO, in coordination with the SCO and local authorities, selects a suitable location (or locations) to establish a DAC. To operate the DAC, the FCO appoints a staff consisting of the following:

#### **Individual Assistance Officer (IAO)**

The IAO is directly responsible to the FCO for all DACs in the area. He/she works with local authorities, state staff and voluntary organizations to determine staffing, hours of operation, and to communicate to the public the hours of operation, assistance available, and length of time the center will be open.

#### **DAC Manager**

The DAC Manager is responsible for physically managing an individual center, arranging for equipment and furniture, briefing center workers, security, and closing the center when directed by the IAO.

### **SUPPORTING ORGANIZATIONS**

Upon establishment of a Disaster Assistance Center (DAC), Minnesota Voluntary Organizations Active in Disaster (MNVOAD) will provide volunteers knowledgeable in the services and resources provided by MNVOAD member organizations.

When it is outside the capability of MNVOAD to provide direct representation to the DAC, they will provide resource program contact information that residents can pursue to address unmet needs. This could be United Way-211, other MNVOAD organizations, or the local disaster recovery hotline.

The Community Recovery Coordinator from HSEM can offer additional support regarding options that may be needed in recovery.

## RECOVERY FUNCTION 17: MINNESOTA RECOVERS TASK FORCE

### PURPOSE

The Minnesota Recovers Task Force (MRTF) coordinates the distribution of legislated appropriations that may become available following a major disaster or other significant event. MRTF is a single source for eligible local governments to request assistance from those state programs that have been provided funding for the disaster recovery efforts and hazard mitigation activities.

The Minnesota Recovers Task Force brings together state and federal agencies to work with local governments to ensure a coordinated recovery.

### SCOPE

This Recovery Function discusses the agencies, organizations, and processes involved in the Minnesota Recovers Task Force. It identifies state agency roles and responsibilities, and the application process to request assistance when funds are appropriated following a major disaster or significant event.

### ACTIVATING MECHANISM/AUTHORITY

Governor's Executive Order 15-13 directs state agencies, when requested by the Department of Public Safety Division of Homeland Security and Emergency Management (HSEM), to provide appropriate personnel to serve on the Minnesota Recovers Task Force and be prepared to commit and combine resources toward the long-term recovery and mitigation effort of the state and impacted communities.

### OVERVIEW

The Minnesota Recovers Task Force was formed in response to the Great Flood of 1993, when the Mississippi and Missouri Rivers and their tributaries overflowed, causing one of the most costly and devastating floods in the history of the United States. The purpose of the Task Force is to coordinate government resources toward long-term recovery efforts, address certain un-met needs and assist with identifying hazard mitigation opportunities and resources. It may serve as an advisory committee to local government officials responsible for recovery activities.

When state funds become available following a disaster, the Task Force will work together to assist the impacted communities in their recovery when their needs are not met by insurance or other assistance programs. Appropriated funds may be obligated independently by state agencies or collectively through projects identified by the Task Force.

Agencies represented on the Task Force will vary, depending on the complexity of any given disaster and the community that it has impacted.

For example, the Historical Society would only become involved if historical buildings were damaged or destroyed. This does not occur in all disasters.

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The Task Force may create subcommittees to address a community's unmet needs. They may include:

- Housing
- Health and Human Services
- Public Infrastructure
- Natural Resources
- Agriculture
- Business and Community Recovery

Each agency representative must have the knowledge and authority to:

- Make decisions and commitments for regulatory and financial purposes, and
- Work collaboratively with other state and federal agencies to create solutions to the financial requests presented to the Task Force.

The MRTF, which is chaired by HSEM, helps get funds and assistance directly to those areas most affected by a recent disaster. This approach is an example of how funds, ideas, and resources can cross agency and political boundaries to accomplish mitigation and recovery efforts.

Based on type, severity, and extent of disaster, subcommittees may be formed, and will meet on an as needed basis. The meetings facilitate a coordinated and timely distribution of state/federal post-disaster recovery/mitigation funds by establishing mutually agreed upon (project) priorities and identifying eligible projects.

Issues that may be discussed by the TF include, but are not limited to:

- Meeting schedule and location
- Situation Report from each agency
- Discuss the application process
- Schedule community briefings, if necessary
- Application reviews
- Record summaries for Recovery Situation Reports

### **Eligibility (Applicants)**

Following a major disaster, state disaster relief funds may be allocated to assist local units of government in their disaster recovery. These funds are appropriated to address those needs which are not met by other disaster assistance programs. In a presidentially declared disaster, this is typically grant assistance from the FEMA Public Assistance and Individual Assistance Programs, and loan assistance from the Small Business Administration.

Funds are typically allocated to state agencies and their programs, to acquire and to better publicly owned land and buildings and for other public improvements of a capital nature.

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In some instances, funds may become available to assist local homeowners, businesses, and non-profit organizations. In these cases, the impact on the community will be weighed when funding decisions are made. The local unit of government should apply on behalf of these groups when a significant impact exists.

Applicants must be local units of governments or local units of governments applying on behalf of individuals, businesses, or certain non-profits. In order for these applicants to be eligible for state assistance, they must meet the following criteria:

- The damages or costs must be a result of the disaster,
- Applicant is located in the declared disaster area,
- Applicants must have filed a claim with their insurance provider,
- Registered with FEMA (presidentially declared disasters only),
- Registered with SBA, if their assistance is available,
- Applied to FSA (agriculture only), and
- Exhausted all other disaster assistance opportunities.

### Application Process

Eligible applicants who wish to obtain assistance through the Minnesota Recovers Task Force must complete the Request for Assistance form and Preliminary Questionnaire which can be found in SD 17-Minnesota Recovers Task Force Request for Assistance. These forms will identify the applicant, applicant's primary contact information, a brief description of the assistance requested and a more in-depth form on how you plan to manage your recovery. All supporting documents (photos, receipts, invoices, etc.) should be attached to the request. Denial letters from FEMA and SBA may also be needed and should be included with the submitted documents. Below is the application process:

- Request an application form from the Minnesota Recovers Task Force chair or online at the Minnesota Department of Public Safety Division of [Homeland Security and Emergency Management Website](#).
- Complete the Request for Assistance form and Preliminary Questionnaire (SD-17 Minnesota Recovers Task Force Request for Assistance), and attach all supporting documents to create the request packet.
- Submit all original documents to:

Minnesota Recovers Task Force  
Attn: Chair  
Homeland Security and Emergency Management  
445 Minnesota Street, Suite 223  
St. Paul, MN 55101

- The MRTF will acknowledge receipt of the request to the primary contact listed on the form.

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- Eligible requests will be assigned to the appropriate task force sub-committee for review and recommendation to the full Task Force.
- Applications will be ranked according to their community impact and priority of need.
- Available funds will be committed to the request.
- Applicants will be notified by the Task Force of the disposition of the application.
- Applications must be submitted within 30 days of the FEMA Individual Assistance registration deadline, unless otherwise noted.

### Things to Keep in Mind

The Task Force will make preliminary funding commitments to eligible applicants for recovery costs, and make funding awards for planning and technical assistance when funds are available for these activities. It is important that applicants have in place, or develop, detailed recovery plans, programs, budgets, and an implementation work program and submit them with their application. This information will be used to identify opportunities to coordinate with appropriate state and federal agencies to best address particular community and regional needs. This will also assist the Task Force in prioritizing requests based on need and the applicant's ownership in their recovery. Agencies will determine funding commitments based on completed recovery plans.

By working in a collaborative manner, funds are made available to address the greatest need for an impacted community. The Task Force will be informed of the priority of HSEM to fund and mitigate severe and repetitive loss structures. Depending on the scope of a disaster, the MRTF may hold a consolidated, multi-agency applicant briefing. Such briefing(s) would include:

- General program overview
- Eligibility
- Application process
- Technical assistance

### Statutory Requirements

State assistance for disaster-related costs must be in accord with the provisions of [Minnesota Statutes, chapter 12A](#), including section 12A.03, State Assistance:

Subd. 2. State assistance for disaster costs not eligible for federal assistance. State assistance under this chapter may be made available for relief in a disaster area for costs that are not eligible for assistance through the FEMA Public Assistance Program or the FEMA Individual Assistance Program, and may not duplicate or replace assistance available from other federal government agencies, including the Small Business Administration, private insurance, or flood insurance.

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Subd. 3. Nonduplication of federal assistance. State assistance may not duplicate or supplement eligible FEMA Public Assistance Program assistance. For eligible Public Assistance Program costs, any state matching money made available for that assistance must be disbursed by the Department of Public Safety to a state agency, local political subdivision, Indian tribe, or other applicant.

State assistance distributed by a state agency, other than the Department of Public Safety, to a political subdivision or other applicant for disaster costs that are eligible for FEMA Public Assistance Program assistance constitutes an advance of funds. Such advances must be repaid to the applicable state agency when the applicant has received the FEMA Public Assistance Program assistance, and whatever state matching money may be made available for that assistance, from the Department of Public Safety.

## RECOVERY FUNCTION 18: TRIBAL COMMUNITIES DISASTER ASSISTANCE

### PURPOSE

This Recovery Function addresses the roles, responsibilities, and concepts for the effective coordination and interaction of state and federal disaster recovery activities with those of tribal governments and communities. The processes described in this Recovery Function help facilitate the delivery of disaster recovery assistance programs, resources, and support to tribal governments and individuals.

### SCOPE

This RF discusses the declaration and application process similarities and differences following a major disaster or emergency declaration as they pertain to the 11 tribal communities in Minnesota.

### ACTIVATING MECHANISM/AUTHORITY

Following a governor's declaration of an emergency and/or a presidential declaration of a major disaster or emergency under the provisions of the Stafford Act, assistance may be made available to help tribal communities recover from a significant event.

A major disaster declaration may include the Individual Assistance and Public Assistance Programs, which provide funding to support public infrastructure and human resource recovery efforts. Code of Federal Regulations (CFR) Title 44 and FEMA Policy 9521.4 address tribal government funding following a major disaster or emergency.

Governor's Executive Order 15-13 identifies additional responsibilities for state agencies involved in disaster recovery efforts.

### OVERVIEW

There are many misconceptions regarding disaster declarations and the management of recovery assistance programs for tribal communities.

Many of the procedures will be the same; however, this RF addresses the differences in how tribal communities choose to receive federal assistance when awarded following a major disaster or emergency declaration.

The United States government and the state of Minnesota recognize the 11 tribal communities in Minnesota as domestic independent nations under its protection, recognize the right of tribal communities to self-government, and support tribal sovereignty and self-determination.

Minnesota and its state agencies shall respect tribal self-government and sovereignty, honor tribal treaty and other rights, and strive to meet the responsibilities that arise from the unique legal relationship between Minnesota, the

federal government, and the tribal communities following a major disaster or emergency.

### **Request for a Major Declaration or Emergency**

The governor can request a presidential disaster declaration on behalf of a tribe or the Chief Executive of a federally recognized tribal government may request a presidential disaster declaration under the Stafford Act; federal departments and agencies can work directly with tribes within existing agency authorities and resources in the absence of such a declaration.

Federal departments and agencies comply with existing laws and executive orders mandating that the federal government deal with tribal communities on a government-to-government basis, reflecting the federally recognized tribes' right of self-government as sovereign domestic dependent nations. A tribe may, however, opt to deal directly with state and local officials.

### **Disaster Declarations and the Public Assistance (PA) Program**

Under the PA Program, which is authorized by the Stafford Act, FEMA awards grants to assist the state, tribal communities, local governments, and certain private nonprofit (PNP) entities with the response to and recovery from disasters. Specifically, the program provides assistance for debris removal, implementation of emergency protective measures, and permanent restoration of infrastructure.

The PA Program is based on a partnership between FEMA, the state, tribal communities, and other local officials. FEMA is responsible for managing the program, approving grants, and providing technical assistance to Minnesota and its applicants. HSEM educates potential applicants, works with FEMA to manage the program, and is responsible for implementing and monitoring the grants awarded under the program. Local officials are responsible for identifying damage, providing information necessary for FEMA to approve grants, and managing the projects funded under the PA Program.

HSEM usually serves as the “grantee” for all Public Assistance funding, and is responsible for administering all funds provided for “sub-grantees” under this program. However, 44 CFR §206.222(f)(1) provides an exception for tribal communities or authorized tribal organizations when HSEM cannot legally act as the grantee. Under this exception, a tribal community will be permitted to deal directly with FEMA on Public Assistance funding and act as its own grantee.

Once the governor has requested a major disaster or emergency declaration and the disaster has been declared by the president, a tribal community may choose to act as its own grantee. If the Chief Executive requested a presidential declaration, the tribal community will be the grantee. When that occurs, the following responsibilities must be met by the tribal communities:

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- The tribal community must submit an SF 424, Application for Federal Assistance, directly to FEMA.
- A tribal community that assumes grantee status becomes responsible for the entire non-federal share of the public assistance grant.
- The tribal government and the state of Minnesota will operate under the same disaster declaration number issued as a result of the governor's request.

The tribal community will be required to comply with the following conditions in order to receive Public Assistance funding:

- Must meet all requirements placed on a grantee in accordance with 44 CFR Part 13.
- A formal FEMA-Tribal Agreement must be executed between FEMA and the tribal community. The agreement is similar to the FEMA-State Agreement in that it reflects the understandings, commitments, and conditions under which assistance will be provided to the tribal community. FEMA Headquarters Disaster Assistance Directorate, Public Assistance Division will draft the basic provisions for the agreement. FEMA regional administrators will add specific provisions related to the disaster and the tribal community. All proposed changes to the basic agreement must be reviewed by FEMA Headquarters and the affected tribe(s) prior to inclusion or approval.
- The tribal community must develop and submit a Public Assistance Administrative Plan as outlined in 44 CFR §206.207. The plan must be approved by FEMA.

The tribal community, acting as grantee, will receive project funding, grantee management costs, and administrative allowances under the Public Assistance Program (see Disaster Assistance Policy DAP9525.14, Public Assistance Grantee Administrative Costs).

Sub grantee administrative allowances will be provided to sub grantees if they are subdivisions of the tribal community. The grantee management cost and administrative allowance will no longer be applicable upon publication of the final management cost rule pursuant to Section 324 of the Stafford Act.

When the tribal government does not have access to SMARTLINK, it must submit Form 270, Request for Advance or Reimbursement, to request payment or reimbursement of federal funding. SMARTLINK is the system used to process grants payments to Minnesota through the U.S. Department of Health & Human Services computer link with the Department of the Treasury.

The tribal community, as the grantee, will be subject to a financial closeout.

## FEDERAL ASSISTANCE

State and federal disaster assistance programs are available to tribal communities who meet those programs eligibility requirements, which include that:

- The Tribal community is in a declared area,
- The damages were a result of the declared disaster, and
- The damages are not the responsibility of another federal assistance program.

Additional resources may be made available to a tribal community that is recovering from a disaster. Those programs are listed below.

### **Bureau of Indian Affairs (BIA)**

#### **Housing Improvement Program (HIP)**

The **Housing Improvement Program** is a home repair, renovation, and replacement program administered by BIA and federally recognized tribal communities for Native American individuals and families who have no other immediate or future resources for housing assistance.

To be eligible for HIP assistance, applicants must:

- Be a member of a federally recognized tribal community;
- Live in an approved tribal service area;
- Have an annual income that does not exceed 125 percent of the U.S. Department of Health and Human Services poverty guidelines;
- Live in housing that is identified as sub-standard, as defined by regulations;
- Have no other resource for housing assistance;
- Have not received assistance for repairs and renovation, replacement or housing, or down payment assistance; and
- Have not acquired the present housing through a federally sponsored housing program that includes such services and assistance.

### **Administration for Native Americans (ANA)**

The **Administration for Native Americans** is a division of the Administration for Children and Families. The mission of ANA is to promote economic and social self-sufficiency for American Indians, Alaska Natives, Native Hawaiians, and other Native Pacific Islanders. ANA provides community-based project funding to improve the lives of Native Children and Families thereby reducing long-term dependency on public assistance. Funding for community-based projects is provided through three competitive discretionary grant programs to eligible tribes and non-profit Native American organizations.

### **Administration on Aging (AOA)**

One common problem experienced by FEMA in processing assistance to tribal communities is the lack of documentation proving ownership and occupancy of residences. For want of title, property tax collections, bill of sale, etc., processing is sometimes delayed waiting for affidavits, HUD documentation, or other proof.

It was recommended that when tribal organizations are impacted by disaster, a tribal desk (preferably staffed by tribal members) be established at the Disaster Recovery Center so that there is someone with the same language and cultural value system to personally assist tribal members. This resource person could also serve as a liaison to HSEM and FEMA.

The majority of Native American elders receive health care through the Indian Health Service. If emergency health care is provided to a Native American, the Indian Health Service on that reservation should be notified within 72 hours for possible reimbursement.

#### *Application to AOA*

Tribal communities may now make applications for Disaster Relief Reimbursements to the Administration on Aging following their guidelines. The Title VI Director should contact their AOA regional office for specialized assistance in submitting the grant application forms.