

# STATE OF NEBRASKA

## GOVERNOR'S EMERGENCY FUND

## GUIDELINES FOR PUBLIC OFFICIALS



Prepared by the Nebraska Emergency Management Agency  
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## BASIC PLAN

### I. PURPOSE:

- A. The Governor's Emergency Fund was established by Nebraska RRS 81-829.42 to provide appropriations for the Governor to expend for any state of emergency. The Governor may provide assistance to political subdivisions that have suffered from a disaster or emergency to such an extent as to impose a severe financial burden exceeding the ordinary capacity of the subdivision. Such assistance is designed to help political subdivisions of the state maintain or promptly restore essential public facilities or services when threatened by or damaged as the result of a natural or man-made disaster.
- B. Nebraska Emergency Management Agency (NEMA) under the direction of the Adjutant General administers the Governor's Emergency Fund.
- C. For the purposes of the Governor's Emergency Fund a political subdivision is a city, village, county, school district, or other units of government below state level, including entities created by local public agencies pursuant to the Interlocal Cooperative Act.

### II. AUTHORITY:

- A. Reissue Revised Statutes of Nebraska Section 81-829.42 Governor's Emergency Fund

### III. SITUATION

- A. It is recognized that, while appropriations are adequate to meet the normal needs, the necessity exists for anticipating and making advance provision to care for the unusual and extraordinary burdens imposed on the State and its political subdivisions.
- B. The Governor's Emergency Fund was established and shall be expended, upon direction of the Governor, for any state of emergency. The Adjutant General shall administer the fund.
- C. It is the intent that the first recourse shall be to funds regularly appropriated to state and local agencies. If the Governor finds that the demands placed upon these funds are unreasonably great, he or she may make the funds available from the Governor's Emergency Fund. Assistance shall be provided from the Fund to political subdivisions of Nebraska which have suffered from a disaster to such an extent as to impose a severe financial burden exceeding the ordinary capacity of the subdivision affected.

#### IV. CONCEPT OF OPERATIONS

- A. The Governor must have signed a State of Emergency Proclamation as detailed in Nebraska RRS 81-829.40(3) before the Governor's Emergency Fund is available for use.
- B. Because the Governor's Emergency Fund provides financial assistance to political subdivisions only when disaster/emergency costs exceed ordinary capacity, **threshold deductibles** are established as follows:
  - 1. A county shall be eligible for aid when the repair costs for damage to public property and/or disaster relief service costs exceed:
    - a. A sum equal to the amount that would be raised by the Tax Rate of .00035 on the dollar of the valuation of all taxable property in the county including property located within the cities and villages, or
    - b. A Tax Rate of .00052 on the dollar of the valuation of all taxable property in the county, excluding property located within the cities or villages.
    - c. For counties organized under townships, expenditures by the county and all townships therein shall be totaled for the purposes of the threshold deductible.
  - 2. Any city or village shall be eligible for aid when the repair costs to damaged public property and/or disaster relief service costs exceed a sum equal to the amount that would be raised by a Tax Rate of .00035 on the dollar, on the valuation of all taxable property in the city or village.
  - 3. Publicly owned utilities and other political subdivisions requesting assistance will provide the Nebraska Emergency Management Agency (NEMA) with certification that a severe financial burden exists. In all cases, the utility or political subdivision must prove that the financial burden exceeds the ordinary capacity of the political subdivision to recover.
  - 4. All other Governmental entities deemed eligible for disaster assistance will receive assistance as determined by the Governor based upon the severity of the financial burden and their ability to recover.
  - 5. After the threshold deductible has been met, the state may match all eligible expenditures at the rate up to 50% or at a rate determined by the Governor.
- C Site Specific Criteria
  - 1. A disaster damaged site (road, bridge, public facility, etc.) with less than \$1,000 in eligible repair costs is not eligible for assistance from the Governor's Emergency Fund. If there are multiple sites they may be combined to reach the \$1,000 threshold.

2. Damage repairs must not be part of normal maintenance, i.e. graveled sites with minimum grading are not eligible.
3. The disaster-damaged site must be restored to pre-disaster design, subject to codes and standards in place at the time of the disaster.
4. Only eligible damages, incurred during the declared incident period, as a result of the declared disaster, and in a declared area are eligible for assistance.

D. Eligible Categories - Eligible work includes:

1. Opening, repairing, and restoring public roads and highways.
2. Repairing and restoring public bridges.
3. Restoration of municipality owned utilities.
4. Furnishing medical services and supplies to prevent the spread of disease and epidemics;
5. Quelling riots and civil disturbances;
6. Clearing or removing debris and wreckage which threatens public health or safety from publicly owned or privately owned land or water;
7. Other recovery costs as are necessary for restoration of essential government services.
8. Emergency work for wild fires- see Annex A for details

E. Ineligible Categories – Work that is not eligible for assistance includes:

1. Federal-aid highway routes: The Federal Highway Administration (FHWA) administers an assistance program for roads and highways throughout the United States.
2. Repair costs related to disaster damages that are eligible for funding from other state or Federal programs are not eligible for financial assistance from the Governor's Emergency Fund. Other program funds are considered primary sources for financial assistance. Assistance from the Governor's Emergency Fund is supplemental to all other available state and Federal assistance programs and all insurance policies. As such, the Governor's Fund is utilized as the last source for state financial disaster assistance.

F. Documentation

1. All state disaster eligibility and documentation requirements along with basic guidelines follow FEMA's policies and procedures - see Public Assistance Policy

digest FEMA 321 booklet. To obtain a copy please contact the Public Assistance Officer at NEMA.

G. State Exceptions (unless part of a federally declared disaster):

1. No snow emergency funding
2. No donated resource funding
3. No repetitive damaged site coverage unless mitigation measures were taken prior to being impacted by a disaster
4. No improved project funding
5. No alternate project funding (no state non-federal match in a federally declared disaster)
6. Private Non-Profit (PNP's) (no state non-federal match in a federally declared disaster)

H. State Entity Exceptions

1. Other state entities are not eligible for funding from the Governor's Emergency Fund.

I. Other Exceptions

1. Public Power Districts, Electric Cooperative Corporations, and Natural Resource Districts are not eligible for funding under a State Declaration but may be applicants in a federally declared disaster. In a federally declared disaster, these entities are not eligible to receive the applicable state non-federal match.

J. Other requirements for eligibility:

1. Proof of proper insurance coverage is required and insurance payments are subtracted from the amount of the damage costs to determine eligible costs.
2. NEMA is to be notified of incident within 24 hours,
3. Proof of damages, i.e. pictures before clean up, etc.

V. LOCAL ASSESSMENT

A. Incident Status

1. **The local Emergency Manager shall make the initial report of a threat of damage or actual damages to NEMA utilizing the NEMA Incident Status Report (ISR).** (See Attachment 1)
2. Upon receipt of the ISR the Adjutant General may require further investigation to determine the nature and extent of the emergency and type or amount of assistance required.
3. Taking pictures of the damages as soon as possible will help record the damages for State and Federal officials who may visit damage sites after debris is removed or repairs have begun or are completed.
4. The jurisdiction should immediately begin documentation of response expenses and costs. Attachment 2 provides worksheets that may be used to document expenses including:
  - a. Regular and overtime hours of force account labor,
  - b. Equipment use and hours,
  - c. Materials used during the response, and
  - d. Any contracted work.
5. All disaster related damages must be reported to NEMA no later than (30) days following the disaster event to be eligible for the program utilizing the Incident Status Report (ISR).

#### B. Local Declaration of Emergency

1. Based on the information recorded on the ISR, the local jurisdiction should make a determination on the ability of the jurisdiction to continue response activities and to recover from the disaster. If the determination is that the jurisdiction will require response assistance or financial assistance, the Chief Elected Official will declare that a State of Emergency exists and sign a local Declaration of Emergency on official stationery. The declaration must be filed with NEMA to be effective. The information may be phoned into NEMA with a faxed or emailed copy of the ISR to follow as soon as possible. (See Attachment 3)
  - a. The Local Emergency Declaration indicates that normal resources cannot effectively respond to the disaster, or have been expended for response and recovery efforts to the point that remaining resources are inadequate to meet all disaster related needs.
  - b. A local emergency declaration by a village, city or county is not a request for assistance from the State. A separate application for assistance will be part of the documentation package from the NEMA Public Assistance Officer (PAO).

3. Before a city, town or village may request assistance from the state, the county where the city, town or village is located must also submit a copy of the county emergency declaration to NEMA. **If the county chooses not to declare a disaster, they are indicating that state assistance is not necessary and local government (to include the county) will meet all disaster-related costs.** The declared community will not be eligible for financial assistance from the Governor's Emergency Fund.
4. Following receipt of the Local Disaster Declaration, NEMA will contact the local Emergency Manager to begin gathering information on the severity of the situation.
5. Based on the severity of the situation, the NEMA PAO, in coordination with the Response and Recovery Supervisor, will arrange to visit the jurisdiction. The PAO will work with the jurisdiction to explain and complete necessary documentation and paperwork that must be submitted to NEMA to process the request for assistance.
6. When a disaster of such severity and magnitude occurs that a request for Federal assistance is anticipated, NEMA may immediately request a Joint Preliminary Damage Assessment (PDA) with FEMA Region VII in lieu of the initial state inspection, whereby a Federal representative(s) will accompany state and local representatives on a detailed survey of the damaged facilities.
7. If the PDA determines that a Federal Disaster Declaration is possible, the local jurisdiction will be notified of the procedures to follow. In the event a Federal Disaster is declared, elected officials and department heads will be invited to attend an applicant's briefing where they will be given the forms and instructions necessary to participate in the Federal programs.

## VI. STATE/FEDERAL DISASTER DECLARATION & REIMBURSEMENT POLICY

- A. If the Governor declares a State Disaster Declaration the following activities may occur:
  1. NEMA may deploy a field team to the affected jurisdiction to serve as liaison with that jurisdiction.
    - a. The NEMA field team and assignments will be determined by the scope of the disaster, and will ensure an incident management system is implemented.
    - b. Members of the field team may assist the local Incident Commander assess the response needs, and begin tracking resources, expenses and mutual aid entities that are requested and are necessary to complete the response.
  2. Reimbursement for eligible expenses.



- a. Impacted Jurisdictions who have a signed local Declaration of Disaster may be eligible for reimbursement from the beginning of the event when:
    - 1) The Governor declares the jurisdiction a Disaster Area
    - 2) The Jurisdiction completes an Application for State Assistance that will be part of the documentation received from NEMA.
    - 3) The Authorized Representative has submitted to NEMA documentation of expenses paid.
  - b. Entities requested by the impacted jurisdiction under existing Mutual Aid Agreements will respond under the terms of the existing Agreement.
  - c. Where there no pre-existing Mutual Aid Agreement, or there are no dollar amounts for services in existing Mutual Aid Agreements exist, there may be a verbal agreement concerning the type, extent, terms, conditions and costs of the assistance when the assistance is requested by the impacted jurisdiction with no pre-existing Mutual Aid Agreement, or where there are no dollar amounts for services in existing Mutual Aid Agreements. Post-event verbal agreements must be documented in writing as soon as possible. The Agreement must be signed and dated by all parties involved no later than **72 hours following the event.**
  - d. **Entities that self deploy are not eligible for reimbursement.**
3. Following a State Declaration of Disaster the Adjutant General through the NEMA Assistant Director, working directly with the Incident Commander and elected officials of the declared jurisdiction, may name a responding entity as a State Emergency Response Team (SERT) under State Statute 81-829.52 - .55. See Annex B for a detailed description of SERT operations.
  4. In the event the Incident becomes a Presidentially Declared Disaster:
    - a. The declared jurisdiction may become an applicant under the Public Assistance (PA) program.
    - b. Entities requested by the declared jurisdiction, who are responding outside their home jurisdiction, are not eligible applicants to the PA program. However if the pre-existing or post-event Mutual Aid Agreement includes payment requirements, they can bill the declared jurisdiction based on their documented expenses and the declared jurisdiction can then request reimbursement for these expenses under the PA program.
    - c. Entities named as SERTs will be reimbursed by NEMA and are not eligible to be applicants under the PA program.
    - d. **Self deployed entities are not eligible for reimbursement.**

## B. Federal Disaster Declarations.

1. In the event of a Federal Disaster Declaration, the declared jurisdiction(s) are eligible to become an applicant under FEMA procedures and will be requested to attend an applicant's briefing.
2. Assisting jurisdictions designated and appointed as SERTS will be reimbursed by NEMA.
3. Self deployed entities are not eligible for reimbursement.

## VII. REQUEST FOR STATE FINANCIAL ASSISTANCE

### A. Application

1. An application for financial assistance from the Governor's Emergency Fund should be made only when a political subdivision has exceeded their threshold deductible and must be initiated by the Chief Elected Official or an appointed Authorized Representative.

### B. Inspections

1. State inspection of disaster related damages will determine the eligibility of the applicant and work projects, and the amount of financial assistance to be provided from the Governor's Emergency Fund to aid in disaster recovery.

### C. Assistance with Forms

1. Representatives from NEMA will assist local jurisdictions in completing the required forms.

### D. Determination of Assistance

1. Upon receipt of a completed Governor's Emergency Fund application for financial assistance, the Adjutant General may:
  - a. Recommend the Governor provide emergency financial support from the Governor's Emergency Fund.
  - b. Request, on behalf of the Governor, a joint damage assessment with the Federal Emergency Management Agency.

### E. Financial Aid

1. Assistance from the Governor's Emergency Fund will be in the form of reimbursement after the applicant has submitted an approved claim, satisfactory

evidence indicating the disaster relief measures for which assistance is being sought have been accomplished, and all bills for such measures have been paid.

2. Reimbursement of expended funds, prior to completion of a project, may be considered in cases where we have documentation that cash flow is a problem for the local political subdivision. Claims of this nature will be reviewed on a case-by-case basis and approved by the NEMA Assistant Director.
3. Eligible applicants will not receive reimbursement from the Governor's Emergency Fund prior to the state's receipt of all required documentation set forth in these guidelines to support the applicant's claim.
4. NEMA will conduct a final review/desk audit of all documentation to verify that work has been completed and all bills have been paid, prior to final payment.

#### F. Payment Cycle

1. The Nebraska Emergency Management Agency will initiate the payment process upon receipt of all required documentation to support an applicant's claim for reimbursement from the Governor's Emergency Fund. Reimbursement, at a rate of up to 50% (or as directed by the Governor) minus the threshold deductible, will be based on completed and paid projects identified by the State Inspector to be eligible for assistance. Public Assistance and Budget/Fiscal staff of the Nebraska Emergency Management Agency will review all documentation, then prepare and submit a payment voucher to the Nebraska Department of Administrative Services. Reimbursement checks will be issued and forwarded to the applicant for approved, eligible disaster repair costs. If the amount of the payment is \$25,000 or more the reimbursement will be by electronic transfer.

# INCIDENT STATUS REPORT

Incident: \_\_\_\_\_ Incident Date: \_\_\_\_\_ Report date/time \_\_\_\_\_

Jurisdiction: \_\_\_\_\_ Name \_\_\_\_\_

Call back number: \_\_\_\_\_ Incident Commander \_\_\_\_\_

**Instructions:** As soon as possible fill in as much information as you currently know. The information in **bold** is of immediate importance. Other information can be gathered as it becomes available. Please fill all of the information areas, put **unknown** in areas where you have no information and **none** where there is no damage or impact. Please fax or call the information into the State EOC as soon as *any* information is known, then fax or call in updates as new information becomes available or as it is requested by NEMA. Thank you. Fax 402 471-7433 or Call 877 297-2368

1. GENERAL INFORMATION:

**1.1 General Location of Affected Area:**

**1.2 EOC Activated? Y N**

**1.3 Disaster Declaration? Y N**

2. LOCAL ACTIONS:

**2.1 Evacuation Ordered? Y N** Size of Area: \_\_\_\_\_

2.2 Resources Deployed:

2.2.1 Law Enforcement: Y N 2.2.2 Fire: Y N 2.2.3 Rescue: Y N 2.2.4 Public Works: Y N

2.2.5 Mutual Aid Departments on scene: \_\_\_\_\_

2.2.6 Private Utilities: \_\_\_\_\_

3. DISASTER IMPACTS:

**3.1 Number of: Fatalities \_\_\_\_\_ Injuries \_\_\_\_\_ Missing Persons \_\_\_\_\_**

**3.2 Estimated number of families/individuals displaced: Actual \_\_\_\_\_ Anticipated \_\_\_\_\_**

**3.3 Number of Shelters Open: \_\_\_\_\_**

3.4 Number of People Sheltered: \_\_\_\_\_

3.5 Anticipated Total Number of Persons: \_\_\_\_\_

**3.6 Special Needs Citizens Identified and Cared For: Y N**

3.7 Comfort locations for Emergency Workers established? Y N

3.8 Number of structures damaged:

3.8.1 Homes: Minor \_\_\_\_\_ Major \_\_\_\_\_ Destroyed \_\_\_\_\_ % Insured \_\_\_\_\_

3.8.2 Public Buildings: Minor \_\_\_\_\_ Major \_\_\_\_\_ Destroyed \_\_\_\_\_ % Insured \_\_\_\_\_

3.8.3 Business/Industry: Minor \_\_\_\_\_ Major \_\_\_\_\_ Destroyed \_\_\_\_\_ % Insured \_\_\_\_\_

Minor - Building is damaged and may be used under limited conditions with minor repairs.  
Major - Building is damaged to the extent that it is no longer usable and may be returned to service only with extensive repairs.  
Destroyed- Building is a total loss or damaged to the extent that it is no longer usable and is not economically feasible to repair

**3.9 Immediate Needs: (health & safety for individuals & property):**

4. STATUS OF SERVICES:

**4.1 Status of Electric Utility Service:**

**4.2 Status of Telephone Service:**

**4.3 Status of Schools:**

**4.4 Status of Government Offices:**

**4.5 Impacted Critical Facilities**

**4.5.1 Hospitals:** \_\_\_\_\_

**4.5.2 Water Treatment Plants:** \_\_\_\_\_

**4.5.3 WasteWater Plants:** \_\_\_\_\_

**4.5.6 Lift Stations:** \_\_\_\_\_

**4.5.7 Natural Gas:** \_\_\_\_\_

**4.5.8 Correctional:** \_\_\_\_\_

**4.5.9 Other:** \_\_\_\_\_

5. TRANSPORTATION:

**5.1 Streets:**                      Extent of Damage

_____	_____
_____	_____
_____	_____
_____	_____

**5.2 Roads:**

_____	_____
_____	_____
_____	_____
_____	_____

**5.3 Bridges:**

_____	_____
_____	_____
_____	_____
_____	_____

**6. ANTICIPATED FUTURE NEEDS: (Including personnel, equipment, mass care etc)**

Nebraska Emergency Management Agency Force Account Equipment Summary Record								Page ____ of ____				
Applicant:								Date of Incident:				
Description of Work:								Location of Work:				
Labor Summary	Dates and Hours Worked By Week							Costs				
	Date							Total Hours	Equipment Rate	Code Number	Total Costs	
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
Equipment:	Hours											
Operator:												
<b>Total Costs for Equipment</b>												
Form Completed By:				Title				Signature				Date

<b>Nebraska Emergency Management Agency Material Summary Record</b>		Page ____ of ____			
Applicant:		Date of Incident:			
Description of Work:		Location of Work:			
Vendor	Description / Invoice Number	Quantity	Unit Price	Total Price	Date Purchased
<b>Total Materials</b>					
Form Completed By:	Title	Signature		Date	

<b>Nebraska Emergency Management Agency Contract Summary Record</b>		Page ____ of ____			
Applicant:		Date of Incident:			
Description of Work:		Location of Work:			
Contractor	Description / Invoice Number	Quantity	Unit Price	Total Price	Date Purchased
<b>Total Contracts</b>					
Form Completed By:	Title	Signature		Date	



Nebraska Emergency Management Agency Force Account Equipment Summary Record									Page ____ of ____			
Applicant:									Date of Incident:			
Description of Work:									Location of Work:			
Labor Summary	Dates and Hours Worked By Week								Costs			
	Date								Total Hours	Equipment Rate	Code Number	Total Costs
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
Equipment:	Hours											\$ -
Operator:	Hours											\$ -
<b>Total Costs for Equipment</b>											\$ -	
Form Completed By:			Title				Signature				Date	

REMEMBER: This document must be prepared and submitted to the Nebraska Emergency Management Agency on the **OFFICIAL LETTERHEAD** of the jurisdiction requesting state assistance. Fax to (402)-471-7268 Attn: PAO

**SAMPLE COUNTY or MUNICIPALITY DISASTER DECLARATION**

\_\_\_\_\_ has suffered a \_\_\_\_\_ (i.e., a disastrous tornado strike) that occurred on \_\_\_\_\_ causing severe damage to public and private property, disruption of utility service, and endangerment of the health and safety of the citizens of \_\_\_\_\_ within the disaster area. Therefore, the (Authorized Official for the jurisdiction) has declared a state of emergency authorized under Nebraska Statute R.R.S. 81-829.50, on behalf of \_\_\_\_\_ and will execute for, and on behalf of \_\_\_\_\_ Jurisdiction the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the applying to the State of Nebraska for assistance from the Governor's Emergency Fund and any other resources he deems necessary in the fulfillment of his/her duties.

\_\_\_\_\_  
Title \_\_\_\_\_  
\_\_\_\_\_  
(Jurisdiction)

WITNESS my hand and the seal of  
my office this \_\_\_\_\_ day of \_\_\_\_\_,  
in the year .

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

## Wildfire Assistance Program

### I. Purpose:

The purpose of this Guidance is to establish a framework by which State resources will support the needs of Rural Fire Protection Districts in the detection, management and suppression of wildfires.

### II. Authority:

- A. Nebraska Statute RRS 81-829.42 (6) authorizes the Adjutant General to make expenditures of up to ten thousand dollars (\$10,000) per event available for immediate aerial fire suppression without an emergency proclamation by the Governor.
- B. The Governor has authorized NEMA to provide State financial assistance for Aerial Wildfire Detection & Observation assistance and to establish the necessary procedures and controls required to administer any expenditures from the Governor's Emergency Fund. Notifications and operations must be conducted as described below.

### III. Aerial Wildfire Detection and Observation Assistance

- A. Aerial wildfire detection and observation financial assistance under the Governor's Emergency Fund was established to provide local government with a means to detect wildfires in their early stages and/or observe a fire for planning purposes, thus preventing loss of life and property.
- B. Mission Guidance
  - 1. The local Emergency Manager, acting upon a request from the local Rural Fire Protection District Chief, is authorized to coordinate and dispatch an aerial wildfire detection mission at a cost to not exceed \$300 per mission. The local emergency manager/coordinator is responsible for notifying NEMA of the detection or observation mission by calling 1-877-297-2368.
  - 2. On completion of the mission and if a wildfire is discovered, the local Emergency Manager will advise NEMA of the following incident information. Notification information should include:
    - a. Name of Incident Commander,
    - b. Date of Wildfire,
    - c. Time of Wildfire,

- d. Location of Wildfire,
- e. Cause of Wildfire (if known),
- f. What is burning (grass, timber, crops, etc.),
- g. Fire District where the fire is,
- h. RFD's/VFD's Involved,
- i. What the wildfire is threatening,
- j. Wind speed and direction, and
- k. Is aerial suppression needed?

C. Billing Information

1. All bills for services MUST be submitted within 30 calendar days of the mission to: (See Attachment 1)

Nebraska Forest Service  
Fire Control Section  
P.O. Box 830815  
Lincoln, NE 68583-0815

2. The office of the Nebraska State Forester will review, sign and forward all billings to the Nebraska Emergency Management Agency for payment. **If notification of the mission is not received by NEMA at the time the flight is requested, wildfire aerial financial assistance will not be reimbursed.**

IV. Aerial Wildfire Suppression Assistance

A. Governor's Emergency Fund Assistance

1. Aerial wildfire suppression assistance under the Governor's Emergency Fund was established to provide rural fire protection districts with a means of applying wildfire suppression or retardant materials to wildfires, thus preventing loss of life and property.

B. Mission Guidance

1. The Adjutant General has authorized that an Incident Commander of a Wildfire incident may dispatch cooperating aerial applicators to apply wildfire suppression or retardant materials on wildfires occurring in Nebraska at a cost not to exceed ten thousand dollars (\$10,000) per event. The Nebraska Forest Service Fire Control Section lists cooperating aerial applicators in the "Emergency Assistance

for Wildfire Control” (Yellow Book) which is available only on-line at <http://www.nfs.unl.edu/documents/fireprotection/2010%20yellowbook.pdf>.

2. The Incident Commander is responsible for notifying the Nebraska Emergency Management Agency (NEMA) of the aerial suppression mission by calling 1-877-297-2368. Any person authorized by the Incident Commander may accomplish the notification.
3. Notification information should include to the extent possible:
  - a. Name of Incident Commander,
  - b. Date of Wildfire,
  - c. Time of Wildfire,
  - d. Location of Wildfire,
  - e. Cause of Wildfire (if known),
  - f. What is burning (grass, timber, crops, etc.),
  - g. Fire District where the fire is,
  - h. Mutual Aid Departments,
  - i. Number of aircraft,
  - j. Which aerial applicator(s),
  - k. What the wildfire is threatening, and
  - l. Wind speed and direction.

C. \$10,000 Limit per Aerial Event

1. Under Nebraska Statute 81-829.42 (6) the Adjutant General is authorized to expend up to \$10,000 per event for aerial wildfire suppression from the Governor's Emergency Fund without an Emergency Proclamation by the Governor.
2. Expenditures in excess of \$10,000 per event are the responsibility of the requesting agency unless the requesting jurisdiction files a Disaster Declaration with NEMA. The Governor may issue an emergency proclamation to authorize the Nebraska Emergency Management Agency to provide state financial assistance from the Governor's Emergency Fund.
3. These guidelines will be followed by NEMA regarding financial assistance to support the Aerial Wildfire Program. Under no circumstances should financial

assistance be considered automatic or provided without proper authorization. This guidance applies only to the aerial suppression program and not any other disaster.

D. Aerial Applicator Allowable Rates

1. The Nebraska Emergency Management Agency, the Nebraska Department of Aeronautics and the Nebraska Aviation Trade Association acting in coordination with the Nebraska State Forester Fire Control Section, will conduct an annual evaluation of the flying hour rate structure established for this program. Necessary rate modifications will be published prior to the wildfire threat period in the Wildfire Control Emergency Assistance Handbook, printed by the Nebraska Forest Service Fire Control Section.

E. Billing Information

1. All bills for services MUST be submitted within 30 calendar days of the mission to: (See Attachment 1)

Nebraska Forest Service  
Fire Control Section  
P.O. Box 830815  
Lincoln, NE 68583-0815

2. The office of the Nebraska State Forester will review, sign and forward all billings to the Nebraska Emergency Management Agency for payment. **If notification of the mission is not received by NEMA at the time the flight is requested, wildfire aerial financial assistance will not be reimbursed.**

F. Local Emergency Declaration

1. Should an aerial application mission require expenditures exceeding the authorized \$10,000 limit, a formal request for State Wildfire Suppression Financial Assistance and a Governor's Emergency Proclamation will be required. The request to exceed the \$10,000 limit should be made only when the Rural Fire Protection District and County have exceeded their local resources.
2. If the amount of aerial suppression costs approach the \$10,000 allowed amount, **a decision to declare a local emergency and request State assistance must be made**, otherwise any amount over the allowed \$10,000 will be the responsibility of the requesting department.
3. To obtain a local emergency declaration the Fire Chief, working through the county or regional emergency manager/coordinator will obtain a local emergency declaration from the affected county(s) Officials, and submit it to NEMA. The declaration process and any assistance from the Governor's Emergency Fund will be administered as described in the Basic Program.

V. Wildfire Operations Assistance

## A. Governor's Emergency Fund and Wildfire Assistance

1. The Governor's Emergency fund provides financial assistance to political subdivisions only when an emergency/disaster has occurred that imposes a severe financial burden exceeding the ordinary capacity of the local political subdivision concerned. See the Basic Plan for guidance on the use of the fund. Accordingly, prerequisites for wildfire financial aid to Rural Fire Protection Districts are established as follows:
2. A Rural Fire Protection District shall be eligible for financial assistance from the Governor's Emergency Fund when it proves that wildfire suppression costs have created a financial burden that exceeds the ordinary capacity of the Rural Fire Protection District to recover **and the Governor has declared a State Disaster in support of a locally declared disaster.**
3. Eligible expenditures may be reimbursed at a rate directed by the Governor.
4. The following rates will be used to reimburse the Districts based on time en-route and engaged in fighting fire. These rates do not include the operator or fuel. Fuel will be reimbursed as discussed below.
  - a. Grass Rig up to 250hp- \$24 per hour
  - b. Engine up to 400hp- \$34 per hour
  - c. Tender up to 1000 gal - \$38 per hour
  - d. Tender over 1000 gal - \$40 per hour
  - e. Command Vehicle - \$29 per hour
  - f. Panel Truck w/ equipment - \$29 per hour
  - g. Dozers & Graders per hp using FEMA Equipment Rates
  - h. Stand-by time @ staging area 25% of hourly rate
5. **Labor costs for volunteer employees can not be considered for reimbursement.**
6. Fuel will be reimbursed on actual use and cost. The entity that procures and pays for fuel must document the amount and cost of the fuel and have original invoices and proof of payment to be reimbursed.

## B. Request for State Assistance

1. The Fire Chief or incident Commander, working through the county or regional emergency manager/coordinator will obtain a local emergency declaration from

- the affected county officials as described in the Basic Plan and submit it to NEMA. The declaration process and any assistance from the Governor's Emergency Fund will be administered as described in the Basic Plan.
2. All responses must be conducted using an Incident Management System that includes an Incident Command System in the field. When NEMA receives requests for State assistance the requesting jurisdiction will be asked to provide the name of the Incident Commander, location of the Incident Command Post, and if there is an Emergency Operations Center activated.



## STATE EMERGENCY RESPONSE TEAMS

### I. Purpose:

A. The Reissue Revised Statutes of Nebraska 81-829.52 allows the Adjutant General, upon orders of the Governor, to establish State Emergency Response Teams (SERTs) to reinforce emergency management organizations in stricken areas to:

1. Reinforce emergency management organizations in disaster stricken areas or in anticipation of disaster.
2. Provide technical expertise or specialized skills to a disaster area.
3. Ensure the public is served in a timely and efficient manner.

### II. Authorities:

Nebraska RRS 81-829.52-55

### III. Situation:

#### A. Disaster Conditions

1. Specialized skills and equipment may be necessary during the response and recovery phase of any disaster.
2. Few jurisdictions within the State are capable of supporting the entire spectrum of necessary trained personnel or equipment.
3. During the response phase a jurisdiction may require more trained fire, law enforcement, public works, utility or other skilled personnel then they have to quickly and efficiently respond to the event.
4. The Emergency Management Statute allows the Adjutant General, upon orders of the Governor, to appoint State Emergency Response Teams (SERT) to aid jurisdictions to meet these shortfalls.

#### B. Three tiers of Emergency Response Teams.

1. Tier I are teams appointed by the Adjutant General under the above Statute.
2. Tier II teams are the Nebraska Hazardous Incident Team (NHIT) made up of personnel from the Nebraska State Patrol, Nebraska Fire Marshal and the State Department of Environmental Quality. These teams are trained and equipped to respond to a Hazardous Materials Incident at the Technician level. They are deployed by a call to the Nebraska State Patrol dispatch office. For information regarding the Hazardous Materials Assistance Program please see Annex C.

3. Tier III team is the Wildfire Incident Response Advisory Team (WIRAT). This team is made up of personnel from the Nebraska Fire Marshal's Office and is deployed to aid in the administration and operations of active wildfires in Nebraska.

#### IV. Concept of Operations for the Tier I SERTs:

##### A. SERT Establishment

1. Upon order of the Governor the Adjutant General is authorized to establish the number of SERTs as may be necessary to reinforce emergency management organizations in stricken areas.

##### a. Pre-Disaster defined Teams

- 1) There are teams with specialized and necessary training and equipment, who are able to respond to a certain situation. The Adjutant General may name these entities as SERTs in anticipation of the need for their services in areas of the State other than their home or Mutual Aid jurisdictions.
- 2) Memorandums of Understanding will be in place before these teams are deployed.
- 3) These pre-defined teams will be deployed as a SERT only following a Governor's Declaration of Disaster under the direction of the Nebraska Emergency Management Agency (NEMA).

##### b. Post-Disaster defined SERTS.

- 1) NEMA will assign Agency staff to liaison with the local governmental jurisdiction(s) affected by the event. This liaison will work with the Incident Commander and Executives to help determine the unmet needs of the response and make recommendations to the NEMA to appoint SERTs. SERTS could be:
  - a) Volunteers from the impacted jurisdiction.
  - b) Mutual Aid departments already working the disaster who are determined to be needed for an extended period of time.
  - c) Private individuals or personnel of other jurisdictions with specific equipment or skills necessary to efficiently accomplish the response.

## B. SERT Activation

1. Determination of the need for a SERT
  - a. Incident Management according to NIMS standards must be established for the Incident.
  - b. A State assessment coordinated through NEMA must be made of the need to activate a SERT.
  - c. NEMA will coordinate with local officials on the need and terms of SERT activation.
2. SERT Letter of Agreement (Attachment 1) is the document by which the Adjutant General appoints a SERT and ensures that the team is covered by the protections included in that Statue.
  - a. The letter is developed by NEMA and
  - b. Signed by the Assistant Director and responsible person or entity for the SERT.
  - c. Elements of the letter will include:
    - 1) Definition of the SERT's mission.
    - 2) Identification of the Team Leader who is required to maintain a roster of team members.
    - 3) Terms and conditions for the deployment of the Team.
      - a) Payment rate for members, lodging, meals and equipment.
      - b) Mobilization logistics including who the team reports to at the scene.
      - c) At the time of deployment, teams will coordinate with procurement of materials through NEMA and State Supplies.
      - d) Demobilization logistics including the length of the team's deployment.
      - e) Any special considerations.

## C. SERT Operations

1. NEMA will maintain oversight of the SERTs' Operation
  - a. NEMA will require the SERT to use the forms in Attachment 2 or jurisdictional forms that record the same information, to keep daily records of:
    - 1) Team member's hours,
    - 2) Materials used, and
    - 3) Equipment hours.
  - b. A NEMA staff member will be assigned as the point of contact with the SERT Team Leader.
  - c. The NEMA Assistant Director, in coordination with the Incident Manager will determine when the SERT is no longer necessary to the response and able to be released.
2. SERT Coordination with the event's Incident Management System
  - a. The SERT becomes part of the Incident Command System as assigned by the Incident Commander, primarily within the Operations section in support of the Governor's Declaration.
  - b. In the event of a very large complicated response, NEMA, in coordination with the local jurisdiction, may appoint a qualified SERT to become an Incident Management Team to manage the incident allowing the jurisdiction's responders to remain in an operational role.

D. Payment and Fiscal

1. Payments will be made according to Nebraska RRS 81-829.54
  - a. The State shall reimburse the political subdivision for:
    - 1) The compensation paid and actual and necessary travel, subsistence, and maintenance expenses of employees listed as members of the SERT of the political subdivision.
    - 2) All payments for death, disability or injury of employees incurred in the course of duty as provided in the Nebraska Workers' Compensation Act.
    - 3) All losses of or damages to supplies and equipment of such political subdivision resulting from the operations of the SERT,

2. Payments will be made by NEMA based on actual invoices submitted by the SERT or its' political subdivision using the normal payment processes through the Nebraska Information System (NIS).
  - a. The SERT or its political subdivision may need to complete an ACH and a W-9 form to be eligible for payment.
  - b. Payment will be by electronic transfer unless the jurisdiction requests a check. If the payment is over \$25,000 the payment shall be by electronic transfer.

State Emergency Response Team Letter of Agreement Between  
NEMA and \_\_\_\_\_

1. Due to an incident declared by the Governor of Nebraska as a Disaster on (Date)\_\_\_\_\_, The Adjutant General is appointing (Team Name)\_\_\_\_\_ as a State Emergency Response Team under RRS81-829.52-55 for the purpose of (Explain mission of the team)\_\_\_\_\_.
2. (Team Leader's Name) is named as the Team Leader and will maintain a roster of team members and ensure the proper fiscal and programmatic records are kept for the team.
3. The team will report to (Incident Commander or whoever) at (Location) and be assigned to (mission).
4. All purchases of materials for the teams use will be recorded in the forms attached to this letter. Materials for the use of the team will be procured as follows:
  - a. Disposable products not available on scene through the Incident Command System may be purchased up to \$250.00 without prior approval from NEMA. Purchases over this amount require approval for reimbursement. NEMA will require copies of invoices for each purchase.
  - b. Durable goods not available through the Incident Command System must be approved by NEMA
    - 1) NEMA may choose to purchase the goods directly and supply them to the team, or
    - 2) NEMA may choose to authorize the Team Leader to purchase the goods. All purchases must be recorded and back-up documentation kept as part of the Teams record keeping.
    - 3) Durable goods purchased for the team remain the property of NEMA following the response.
5. Records of personnel, materials and equipment used must be kept by the SERT using the forms attached to this letter. The package of forms and back-up documentation will be turned into NEMA's Public Assistance Office following the team's demobilization. Payment will be made based on these records.
6. Documentation for the deployment must be kept by the team for three years after the incident is closed by NEMA for a State Disaster or FEMA for a Federal Disaster. The Team will be notified by NEMA when the documentation can be destroyed.

7. The date and time of demobilization will be determined by the NEMA Assistant Director in coordination with the impacted jurisdiction's officials and the Incident Commander.

8. Payments for the Team will be as follows (Keep the paragraphs that apply):

a. Salary:

NEMA will reimburse the Team's home jurisdiction for salaries, overtime and backfill.

NEMA will reimburse the Team's Agency/Department for team members at a rate of (put rate here for volunteers named to a team)

b. Lodging:

NEMA will make arrangements and direct bill lodging for team members.

NEMA will reimburse team members for lodging from original invoices for the lodging.

c. Meals:

NEMA will reimburse team members at the State's usual rate for meals, team members will need to submit a log of amounts and location of meals for reimbursement.

NEMA will make arrangements with (name of establishment) to provide meals for team members.

9. Special Considerations:

Signed /Date for NEMA

Signed /Date for the SERT

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## Hazardous Materials Assistance Program

I. Purpose:

This Guidance will establish a framework by which a State hazardous materials resource would support the needs of Rural Fire Protection Districts in the detection, surveillance and containment of a hazardous materials event under the Authorities of the Governor at the time of a state disaster declaration.

II. Authority:

- A. Neb. Rev. Stat. §§ 81-829.52 to 81-829.55 authorizes the Adjutant General, upon authorization by the Governor, to establish a State Emergency Response Team (SERT) to; reinforce emergency management organization in disaster stricken areas or in anticipation of a disaster, provide technical expertise or specialized skills to a disaster area, and ensure the public is served in a timely and efficient manner.

III. Hazardous Materials Detection and Surveillance:

## A. State Emergency Response Team (SERT)

- 1. Upon order of the Governor the Adjutant General is authorized to establish a SERT. NEMA has signed local agreements with ten (10) hazmat teams in anticipation of the need for such a response. This shall not take precedence over or deter from any mutual aid agreements already in place at the local level between fire protection districts.

To be deployed, a SERT Letter of Agreement (see attachment 1 Annex B) will be generated by NEMA. The letter outlines the mission of the SERT, identification of a team leader, terms and conditions, payment rate and demobilization logistics.

## B. Nebraska Hazardous Incident Team (NHIT)

- 1. The NHIT is made up of personnel from the Nebraska State Patrol (NSP), Nebraska State Fire Marshal (NSFM) and Nebraska Department of Environmental Quality (NDEQ) and was established in 2001 to assist local fire protection districts with professional expertise in the detection and surveillance of a hazardous material spill.

C. 72<sup>nd</sup> Civil Support Team (CST)

- 2. 72<sup>nd</sup> Civil Support Team is an asset of the Nebraska National Guard. It is a trained hazardous material team that deals in the detection and surveillance of a suspected nuclear, biological, chemical or radiological (NBC/R) event in support of a local incident commander.



#### IV. Activation of a Hazardous Materials Response

##### A. SERT

1. A SERT can only be activated by the Nebraska Emergency Management Agency (NEMA) under the authorities and direction of the Office of the Governor. When activated by NEMA, the SERT will be reimbursed through the Governor's Emergency Fund. Self deployment activation of a SERT without proper authorization through NEMA will result in the requesting jurisdiction funding the response.

##### B. NHIT

1. The NHIT is deployed by contacting the Nebraska State Patrol dispatch office. Members of the NHIT are employees of their respective State agencies and any response by the NHIT is the responsibility of their agency.

##### C. CST

2. The CST is requested and deployed through the State Emergency Operations Center by the Nebraska Emergency Management Agency (NEMA) under authorities and direction of the Office of the Governor. Deployment of the CST must have the approval of the Adjutant General, The National Guard Bureau and the Governor. The CST deployment authorizations are coordinated through NEMA and NGB Domestic Operations.

#### V. Cost Share Rates For a SERT Response

In order to transition to a higher level of hazmat response the following guidelines have been developed.

##### A. Activation of a SERT

1. Should a hazardous materials event exceed the capabilities of the local responding team the affected jurisdiction may request the support of a Hazardous Materials Team included but not limited to a TIER I SERT. Any local jurisdiction requesting a TIER I SERT shall follow up with a Local Emergency Declaration.

##### B. Local Emergency Declaration:

1. To obtain a local emergency declaration the Incident Commander, working through the county or regional emergency manager/coordinator will obtain a local emergency declaration from the affected jurisdictions chief

elected official (county board chair/mayor), and submit it to NEMA. The declaration process and any assistance from the Governor's Emergency Fund will be administered as described in the Basic Program.

C. State Emergency Declaration:

1. NEMA will process the disaster request and obtain the information supporting the local declaration and the need for a state emergency request. Upon receiving the necessary information, NEMA will contact the Governor's Office and determine if the emergency declaration request has been granted. If granted, NEMA will initiate the appropriate TIER I response and if denied, NEMA will inform the jurisdiction and assist where needed under state authorities and limitations.

D. Cost Threshold

1. If a village or a city defined as a population less than 750 people requests a SERT the requesting jurisdiction shall be responsible for the first \$500.00 of the cost of State response. If the response doesn't total \$500.00 it shall be the responsibility of the requesting jurisdiction to ensure payment of the entire response.
2. If a 2<sup>nd</sup> class city defined as a population more than 750 and less than 150,000 people requests a SERT the requesting jurisdiction shall be responsible for the first \$1,000.00 of the cost of State response. If the response doesn't total \$1,000.00 it shall be the responsibility of the requesting jurisdiction to ensure payment of the entire response.
3. If a 1st class city defined as a population more than 150,000 and less than 500,000 people requests a SERT the requesting jurisdiction shall be responsible for the first \$3,000.00 of the cost of response. If the response doesn't total \$3,000.00 it shall be the responsibility of the requesting jurisdiction to ensure payment of the entire response.
4. Rural fire protection districts that do not contain a city or village or 2<sup>nd</sup> class city as defined above will have a cost threshold as defined in number 1, as noted above in cost threshold.
5. Any hazardous material incident in which a local jurisdiction declares a State of Emergency and a corresponding State Declaration of Emergency is declared, the local jurisdiction will coordinate with NEMA any recoupment of costs for the response through the appropriate insurance carrier for the responsible party.

