

# 2021

## Emergency Management Assistance (EMA) Annual Program Guidance



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## **Purpose**

The purpose of this document is to provide general guidance concerning the Emergency Management Assistance (EMA) Grant for the 2021 cycle of Emergency Management Performance Grant (EMPG) to county emergency managers and also locally elected and appointed officials.

## **Program Overview**

The 2021 EMA Program is funded by the federal Emergency Management Performance Grant (EMPG). The Kentucky Division of Emergency Management passes through approximately 50% of the grant funds to participating county programs. Counties are required to provide a dollar-for-dollar match for federal funds received. Funding levels for this program are at the discretion of the Kentucky Emergency Management (KYEM) Office of the Director. Counties that receive these Federal funds are required to follow the EMPG 2021 Program Guidance from both the Federal Emergency Management Agency (FEMA) and KYEM. Counties must also follow all applicable state and federal laws, regulations, policies, and procedures (including 2 CFR 200), Kentucky Revised Statutes (KRS) Chapter 39, and Kentucky Administrative Regulations (KAR) Title 106 Chapter 1.

The EMPG program provides federal funds to assist state and local governments in preparing for all hazards, as authorized by Section 662 of the Post Katrina Emergency Management Reform Act (6 U.S.C. § 762) and the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. §§ 5121 et seq.). Title VI of the Stafford Act authorizes FEMA to award grants to states for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the federal government and the states and their political subdivisions. The federal government, through the EMPG Program, provides necessary direction, coordination, guidance, and assistance, as authorized in this title, to support a comprehensive all hazards emergency preparedness system.

## **Support of the National Preparedness System**

The National Preparedness System (NPS) is the instrument the United States employs to build, sustain, and deliver core capabilities to achieve the goal of a secure and resilient nation. Complex and far-reaching threats and hazards require a collaborative and whole community approach to national preparedness that engages individuals, families, communities, private and nonprofit sectors, faith-based organizations, and all levels of government.

The guidance, programs, processes, and systems that support each component of NPS allow for the integration of preparedness efforts that build, sustain, and deliver core capabilities and achieve the desired outcomes identified in the National Preparedness Goal of a secure and resilient nation. In support of the Goal, the EMPG 2021 Program supports efforts to build and sustain core capabilities across the 1. Prevention, 2. Protection, 3. Mitigation, 4. Response, and 5. Recovery mission areas.

Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government. The EMPG allowable costs support efforts to build and sustain the core capabilities.

### **Threat Hazard Identification Risk Assessment**

The Commonwealth has integrated the core capabilities into the Threat Hazard Identification Risk Assessment (THIRA) process and is required to identify, through quarterly reports, the status of those core capabilities. Each core capability is listed in the goal with preliminary targets that have been set through the Federal government planning process. KYEM encourages counties to prioritize grant funding toward investments that address capability targets and gaps identified through their annual local THIRA process. Counties should use grant funds to increase capability for high-priority core capabilities with low capability levels, validate capability levels, and maintain and/or sustain current capabilities. Counties are instructed to review the Goal, mission areas, and their supporting core capabilities.

A copy of the National Preparedness Goal can be found at:

<http://www.fema.gov/national-preparedness-goal>

### **Environmental Planning and Historic Preservation (EHP) Compliance**

Sub-recipients proposing projects that have the potential to impact the environment, including but not limited to construction of communication towers, modification or renovation of existing buildings, structures and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process.

Should sub-recipients identify projects that have a potential environmental impact in their annual work plan, KYEM must be notified. KYEM will notify FEMA to conduct the needed EHP procedures.

### **EMA Program Authorization**

KYEM, per KRS 39A.050 2(b), has the power, authority, and duty to “coordinate the development, implementation, and maintenance of comprehensive emergency management programs by local emergency management agencies in the cities, counties,

and urban-county or charter county governments of the Commonwealth to ensure that all such programs, agencies, and organizations are organized, administered, and operated as functional components of the integrated emergency management system of the Commonwealth.”

### **KRS 39C.030 Purpose of Supplementary State Fund**

The supplementary state fund is established in KRS 39C.010 and 39C.020 to:

- (1) Assist local emergency management agencies, established pursuant to KRS Chapters 39A to 39F, to develop adequate comprehensive emergency management programs and disaster and emergency response capabilities;
- (2) Maintain and improve these agencies, programs, and capabilities through enhanced training, planning, staffing, administration, operations, and equipment acquisition; and
- (3) Benefit the Commonwealth as a whole, through creation of an effective and responsive statewide integrated emergency management system

### **EMA Grant Program General Guidance**

During the EMA 2021 performance period (October 1, 2021 – September 30, 2023), counties are required to conduct a general review of their programs in coordination with their elected officials, supporting agencies, citizens, and volunteers and develop a work plan and budget as required by KRS 39B.030 (13) and (14).

Before reimbursement claims can be processed by KYEM, the following documentation must be submitted.

**Submit, by uploading to SharePoint or WebEOC, and also to the KYEM Area Office the following:**

<b>EMA 2021 Documents</b>	<b>Submission Dates (no later than)</b>
County EM Program Work Plan	July 15, 2021
County Requested Budget	July 15, 2021
Forms 152/153	July 15, 2021
EOP Concurrence Letter	October 1, 2021
Financial and Risk Assessment	October 1, 2021

A fiscal court-approved contract document between the county and the Commonwealth (KYEM/Kentucky Finance Cabinet) must be approved, signed, and returned to KYEM. The original contract, signed in blue ink, and a completed Supplanting Form must be mailed to: KYEM EMA Program, Attention: Karen Stockton, 100 Minuteman Parkway, Frankfort, KY 40601 **OR** scanned/mailed to [Karen.s.stockton3.nfg@army.mil](mailto:Karen.s.stockton3.nfg@army.mil) . Contracts scanned and sent by email must be in color and signed in blue ink.



## **FY20 New EMA Contract Requirements**

1. Under the new process, the award period of performance (POP) has changed from one (1) year to two (2) years. The POP will begin on October 1, 2021, and will conclude on September 30, 2023. During this time, regular allocation expenditures for approved budget items will be approved.

2. Each jurisdiction is required to develop a Local Distribution Management Plan (LDMP) to be incorporated into the jurisdiction's Emergency Operations Plan. This plan shall include sections with information on the following seven (7) components: 1. Requirement Defining, 2. Resource Ordering, 3. Distribution Methods, 4. Inventory Management, 5. Transportation, 6. Staging, and 7. Demobilization.

Jurisdictions shall use a LDMP template provided by the Division to complete the plan. Progress on the plan shall be reported on a quarterly basis. The Division will announce and disseminate guidance, a document template, and online training in January 2022. Successful completion and upload of the LDMP to the county WebEOC Distribution Management folder must be accomplished by July 31, 2022, in order to remain in compliance for receipt of new EMPG 21 grant funding.

3. Local jurisdictions are required to use damage assessment applications provided by the Division. Damage assessments must be submitted to the State EOC through WebEOC with the use of the approved DA assessment web tool. The State EOC will no longer accept scanned, faxed, or emailed damage assessment documents in any form.

4. Local jurisdictions are required to report county status to the State EOC through the approved Web Application and the WebEOC portal before, during, and following a significant weather event, emergency, or other unusual occurrence. Reporting must include the event impact to critical facilities, resource needs, and operational status. The State EOC will no longer accept status information in any other form.

This reporting structure is designed to complement the FEMA Community Lifelines guidance to report the current stabilization status of basic services and your immediate resource needs. These categories include: 1. Safety and Security, 2. Food, Water, and Shelter, 3. Health and Medical, 4. Energy, 5. Communications, 6. Transportation, and 7. Hazardous Materials.

Again, the Division will disseminate guidance on the FEMA Community Lifelines reporting requirements and online training opportunities as the state WebEOC portal is updated to accommodate the new guidelines.

## **Work Plan and Budget Submission**

Allocations of funds to each county are determined through a population-based formula and final decisions are solely at the discretion of the Office of the KYEM Director.

KRS requires each county, regardless of the receipt of EMA funds, to submit quarterly reports on the status of the county emergency management program via submission in WebEOC to their respective KYEM Area Manager. Counties failing to complete and submit quarterly reports will be designated as noncompliant which may result in forfeiture of funding.

A prerequisite for receipt of EMA funds is submission of an annual budget using the KYEM budget template. Counties are encouraged to submit a total EM program budget and not only the EMPG-eligible expenditures.

Work plans are submitted in WebEOC. Counties should monitor their progress, complete quarterly work plan reports, and update their work plan if changes occur.

### **Additional Allocation Funding**

Dependent upon funding levels, KYEM may reallocate unmatched or unused EMA funds for additional allocation funding. Counties interested in pursuing reallocation funding to purchase equipment, or supplies greater than \$500, must submit their project application and must be in good standing. Counties must submit their additional allocation funding application with an updated budget and annual work plan. These additional allocation funding applications will be reviewed by the EMA Advisory Committee which will provide the Office of the KYEM Director with recommendations and prioritization. The Director of KYEM or designated representative is authorized to approve additional allocation funding applications under eligibility requirements as established in KRS 39C.050-090, 106 KAR 1, and by other requirements established by the Office of the KYEM Director.

### **Supplanting of Funds**

As a reminder, federal regulations regarding non-supplanting state that grant funds must never replace (supplant) funds that have been budgeted, through non-Federal sources, for the same purpose. Grant funds should increase – not replace - the overall amount of resources available, and sub-grantees must ensure that the current over-all level of funding to support objectives (absent exigent circumstances) is not reduced because of Federal funds.

### **Support of Mutual Aid**

Resources and capabilities developed and maintained using EMA funding should be made available for intrastate (within Kentucky) and interstate (outside Kentucky) mutual aid.

Kentucky is a member state of the Emergency Management Assistance Compact (EMAC) and frequently participates interstate mutual aid, deploying teams and assets from state and local jurisdictions to fill mission requests from impacted states. All assets supported in part or entirely with EMPG 2021 funding must, where applicable, be readily deployable to support emergency or disaster operations.

## **Allowable EMA Grant Costs**

Allowable costs for the EMA grant program must fall under one of the work plan areas as listed below and equipment must be on the FEMA Authorized Equipment List (AEL) specific to EMPG. Staff uniform associated costs are no longer authorized by FEMA.

### **Work Area - Planning**

Planning should include determining potential threats and hazards, required capabilities, required resources, and establish a framework for roles and responsibilities. Plans shall span all five mission areas: 1. Prevention, 2. Protection, 3. Mitigation, 4. Response, and 5. Recovery. Plans must demonstrate the engagement of the whole community in the development of a strategic, operational, and community-based approach to preparedness. Plans should be uploaded to the appropriate location(s) in the KYEM SharePoint.

### **Planning Goals**

Planning goals for EMA 2021

- Review of Basic Plan
- Review of the Emergency Support Functions
- Develop/Review Continuity of Government Plan
- Develop/Review Continuity of Operations Plan
- Develop Incident-Specific Plan to address greatest threat as identified in THIRA (CPG 201)
- Develop Standard Operating Procedure for county's Emergency Operations Center
- Develop Re-Entry Recovery Plan (CSEPP Counties only)
- New Madrid Seismic Zone (NMSZ) Plan Review and update NMSZ Plan (24 Counties only)
- Use of Flood Scenario for Catastrophic Planning (96 Counties only)
- Develop Distribution Plan

### **Work Area - Organization and Administration**

EMA Program funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management and also staffing, training, and providing supplies (see Authorized Equipment List section) for the Community Emergency Response Team (CERT) and Citizen Corps Committee, at the local level, to promote whole community engagement in all phases of emergency management and across the mission areas. This includes cost for the operation and maintenance of the Disaster and Emergency Services Organization (DESO) 39B.050.

### **Personnel Costs**

Personnel costs (to include eligible personnel expenditures for planning, training, exercise, response, organizational, etc.) including salary, overtime, compensatory time

off, and associated fringe benefits. Claimed personnel costs must be linked to achieving objectives outlined in the EMA Work Plan.

### **Public Education and Preparedness**

EMA Program funds may be used for printing or purchasing brochures and other educational items that will be used to promote emergency management concepts and preparedness. Fees to participate in events such as a booth or other educational exhibits are also allowable. Purchases of products with an educational theme including those that list a website or other social media sites for persons to gain additional information are also acceptable. Preparedness information provided through formats such as bus wraps, banners, and other types of advertisements are also allowable.

### **Work Area - Training**

EMA Program funds may be used for a range of emergency management-related training activities to enhance the capabilities of state and local emergency management personnel, including those who work in the EOC and also the establishment, support, conduct, and attendance of training. Training activities should align to a current, Multi-Year Training and Exercise Plan (TEP) and Integrated Preparedness Plan.

### **Required Training for EMA Program-funded Personnel**

All EMA Program-funded personnel must meet the training requirements as defined by KRS 39C.050 (1) and 106 KAR 1:210, as well as NIMS Training Independent Study (IS) 100, IS 200, IS 700, and IS 800, and other IS courses identified in FEMA Professional Development Series or the Emergency Management Institute (EMI) Basic Academy. Previous versions of the IS courses meet the NIMS training requirement.

### **EM Training Requirements for Local Director and Other Local Emergency Management Personnel**

Within 30 days of appointment, pursuant to KRS 39C.050 (1), a local director shall successfully complete the following.

- An orientation, covering Kentucky's emergency management system and programs administered by local directors in Kentucky
- A correspondence or Internet training course or an introductory course conducted by the division, covering incident command and incident management system basic concepts
- A correspondence or Internet training course covering mitigation benefits, methods, resources, and planning
- A training course, of at least four (4) hours, covering emergency operations center basic concepts
- A training course, covering rapid assessment of disaster scenes and proper damage and reporting procedures

- A training course, of a least eight (8) hours, covering hazardous materials “first responder awareness level” emergency response competencies as defined by the U.S. Occupational Safety and Health Administration, to include instruction on employer and community operation procedures.

By the second full federal fiscal year following appointment, a local director shall begin study to successfully complete the following.

- A training course covering principles of the integrated emergency management system, including interagency teams, coordination methods, and emergency or disaster case studies
- A training course covering development of a local emergency operations plan;
- A training course, of at least 24 hours, covering exercise assessment, design, delivery, and evaluation skills, including a practical application component
- A training course, of at least two (2) hours, covering local emergency planning committee member duties and Kentucky’s system for implementation of the federal “Emergency Planning and Community Right-to-Know Act”
- A training course, of at least 12 hours, covering hazardous materials “first responder operations level” emergency response competencies as defined by the U.S. Occupational Safety and Health Administration, to include instruction on Commonwealth of Kentucky hazardous materials response plan
- A training course, of at least eight (8) hours covering the eight (8) component elements of an incident command system and incident management system, to include practical application
- A training module, covering the incident command system and incident management system competencies for the on-scene incident commander level as defined by the U.S. Occupational Safety and Health Administration for hazardous materials emergency response
- A training course of at least four (4) hours covering requirements and procedures for obtaining and implementing state and federal disaster assistance programs

A local director shall successfully complete, as interpreted from 106 KAR 1:210, at least two (2) of the courses specified below in each consecutive federal fiscal year until all courses are successfully completed.

- All courses of the Emergency Management Professional Development Series within the first five (5) full federal fiscal years following appointment pursuant to KRS 39B.20(1),
- The emergency management training conducted annually in each federal fiscal year at a Governor’s Emergency Management Workshop; and
- At least 32 total hours of emergency management training in each federal fiscal year following appointment or reappointment pursuant to KRS 39B.020(1) or 39B.020(3).

## Local Staff Member Training Requirements

(Deputy Director, paid or volunteer, or a person appointed to a local emergency management agency)

In each full federal fiscal year following appointment, a deputy director shall successfully complete at least 16 hours of training selected from the previously listed courses.

- All other local staff members must successfully complete at least 12 hours of emergency management or administrative training in each full federal fiscal year following appointment.
- In meeting the annual emergency management training requirement as specified in the administrative regulations, a local director or local staff member may request credit for training not conducted or sponsored by the division.

To receive credit for training not conducted or sponsored by KYEM, a local director or staff member shall:

- Complete a KYEM Form 300, "Request for Training Credit" for each training course or instructional offering for which credit is requested and submit the completed Form to the respective KYEM Area Manager for transmittal to the Office of the Director.

## Work Area - Exercises, Evaluation, and Corrective Actions

Exercises conducted and paid for with EMPG grant funds should test and evaluate performance towards meeting targets established through identification of core capabilities during the development of the jurisdiction's THIRA. Additionally, exercises need to address the greatest risks. Exercise priorities should also align to a current local Multi-Year Training and Exercise Plan.

EMA program-funded individuals must participate in three (3) exercises during the EMPG 2021 grant cycle. Per KRS Chapter 39, the county emergency management program must **conduct** one (1) annual exercise. Every fourth year, the program must conduct a full-scale exercise.

Exercise requirements can be met by participating in any of the seven (7) Homeland Security Exercise and Evaluation Program (HSEEP) recognized exercise activities, which include seminars, workshops, tabletop exercises, games, drills, functional exercises, or full-scale exercises. Completion and submittal of KYEM 201 through 207 (HSEEP Equivalent) exercise forms are a required to receive credit.

**Note:** A local jurisdiction that has experienced a major disaster may request an exemption for a scheduled exercise. The county EM Director should send a request to their respective KYEM Area Manager.

### **Allowable Exercise-Related Costs**

Funds used to design, develop, conduct, and evaluate an exercise are allowable. This includes costs related to planning, meeting space and other meeting costs, facilitation costs, materials and supplies, travel, and documentation. Grantees are encouraged to use free public space, locations, and facilities whenever available, prior to the rental of space/locations/facilities.

Full or part-time staff or contractors and consultants may be hired to support direct exercise activities. Payment of salaries and fringe benefits must be in accordance with the policies of the State or unit(s) of local government and have the prior approval of the State. The services of contractors and consultants may also be procured to support the design, development, conducting, and evaluation of exercises.

The entire amount of overtime costs, including payments related to backfilling personnel, which are the direct result of time spent on the design, development, and conducting of exercises are allowable expenses. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the State or unit(s) of local government and has the prior approval of the State. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (i.e. 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities.

Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable expenses of employees who are in travel status for official business related to the planning and conducting of the exercise projects.

Supplies are items that are expended or consumed during the planning and conducting of the exercise projects (i.e. copying paper, gloves, tape, non-sterile masks, and disposable protective equipment)

“Other” costs are limited to items consumed in direct support of exercise activities such as the rental of space/locations for planning and conducting an exercise, rental of equipment (i.e. portable toilets, tents), and the procurement of gasoline, exercise signs, badges, and other essential nondurable goods.

### **Work Area - EOC Operations, Maintenance, and Sustainment**

EMPG fund use is allowable for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees. Some examples are: Security systems, equipment and maintenance, audio visual and information technology software'



equipment and maintenance, furniture, emergency backup power and maintenance, etc. (with an approved cost allocation)

Equipment purchased with EMA Program funds must be listed in the EMPG allowable equipment category, within the Authorized Equipment List (AEL). The web-based version of the AEL is available at:

<http://www.fema.gov/preparedness-non-disaster-grants> or <http://www.fema.gov/grants>.

The AEL lists specific programs that are permitted to purchase for each piece of equipment. To be eligible, EMPG must be listed for the specific piece of equipment. Counties should include the AEL number within the work plan or special project.

Unless otherwise stated, equipment must meet all mandatory regulatory, and FEMA-adopted standards to be eligible for purchase using EMPG funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment as well as maintaining inventories stating location and status of equipment purchased under this grant.

### **Property Management Requirements**

Use of EMPG funds for any equipment purchases, with a per-unit fair market value of \$5,000 or greater, requires sub-grantees to maintain an inventory of each item until no longer needed and final disposition occurs.

Any proposed disposal, sale, or trade-in of inventoried equipment must first be reviewed and approved by KYEM. Disposal, sale, or trade-in requests shall contain the following:

- Item(s) for which disposal, sale, or trade-in is requested
- Purchase price
- Current value and basis for valuation
- Funding year and acquisition date of original purchase
- Program which funded equipment purchase
- Reason for disposal, sale, or trade-in
- Statement signed by the item owner certifying that the owner will follow applicable laws and regulations governing disposal, sale, or trade-in of equipment as identified in 2 CFR 200 and 2 CFR 200.313.

KYEM will provide a written determination which approves or denies the disposal request. The determination shall be included in the inventory records.



## **Communication Equipment Requirements**

Per KRS 42.738, “All state agencies in the Commonwealth shall present all project plans for primary wireless public safety voice or data communications systems for review and recommendation by the committee, and the committee shall forward the plans to the chief information officer for final approval. Local government entities shall present project plans for primary wireless public safety voice or data communications systems for review and recommendation by the Kentucky Wireless Interoperability Executive Committee (KWIEC).”

## **Expenditure Claims Guidance**

Reimbursement claims will be submitted in accordance with the KYEM Reimbursement Guidance distributed by KYEM.

As outlined in the 2021 EMA contract, within (15) days of the end of each month, the local emergency management agency shall upload to [www.kyemweb.com](http://www.kyemweb.com) (SharePoint) a completed claim for reimbursement (KYEM form 160-1) signed by the Local Emergency Management Director and the County Treasurer.

## **Defalcations, Fraud, and Repayment of Funds**

KYEM has the duty and authority to require the immediate repayment of any and all EMA funding found to have been:

- disbursed to a subrecipient based on deceptive practices or fraudulent documentation
- misappropriated by the subrecipient,
- improperly diverted, or
- stolen from intended program use.

It is the county’s responsibility to properly safeguard federal awards from theft, fraud, and abuse, and to also ensure the federal funds are used for the intended purposes.

Issued by: Office of the KYEM Director  
Michael E. Dossett, Director

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