

***New Hampshire Homeland Security and Emergency Management
(NHHSEM)
Emergency Management Performance Grant (EMPG) Program Guidance
State Fiscal Year (SFY) 2015***

(Period of Performance: October 1, 2013 through September 30, 2015)

The purpose of the **Emergency Management Performance Grant (EMPG) Program** is to assist State and Local Governments and other eligible agencies in preparing for all hazards. New Hampshire's EMPG Program focuses on Planning, Organization/Administrative, Equipment, Training*, Exercises*, Mitigation* and Maintenance/Sustainment to enhance and sustain all-hazards emergency management capabilities.

The Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) has identified an overarching **priority** for the EMPG Program:

Advancing “Whole Community” Security and Emergency Management: *“Whole Community” fosters a national emergency management approach and considers all aspects of a community to effectively prepare for, protect against, respond to, recover from, and mitigate against any terrorist attack or natural disaster. As the country experiences threats of terrorist attacks (foreign and domestic) and natural disasters, communities are challenged to develop collective, local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains or improves the community’s overall well-being. Achieving this collective capacity calls for innovative approaches across the community, including emergency management to build up existing practices, institutions, and organizations that help make local communities successful, and that can leverage this infrastructure if and when an incident occurs.*

NHHSEM is also prioritizing a designated amount of funding from the EMPG Program for each of the next three (3) years to assist with **enhancing school security**. The purpose of this program is to assist public schools and local law enforcement agencies with funding for the purchase and installation of emergency notification software that will improve and enhance school security. Each grant shall not exceed \$1,800.00 per school building and \$120.00 per police device/terminal during this grant program's performance period. Funds will be reimbursed upon completion of the project and submittal of proper documentation. The grant will pay for the initial annual subscription fee. After the first year, grantees are responsible for the subsequent annual subscription fee and any other associated costs/fees they may incur.

Both the school and the local police department **MUST** participate, if both exist; however, a school district can independently apply if their local community does not have a police department and a police department can apply if their local community does not have a school.

The online **EMPG application** is available by going to the following website:

https://apps.nh.gov/blogs/hsem/?page_id=419

The **School Emergency Notification Software EMPG Application** can be accessed at the following link:

https://apps.nh.gov/blogs/hsem/?page_id=347.

Please refer to the 2014/2015 EMPG **Quick Reference Guide** for a checklist of information required for application: https://apps.nh.gov/blogs/hsem/?page_id=671

*** Please refer to Page 7 for information on NH's recommended funding source for exercise, training and mitigation related activities.**

Grant Requirements

Cost Match: The EMPG Program has a 50% Federal and 50% Local cost match (cash or in-kind) requirement. Unless otherwise authorized by law, Federal funds cannot be matched with other Federal funds. To meet matching requirements, the grantee contributions must be *reasonable, allowable, allocable, and necessary* under the grant program and must comply with all Federal requirements and regulations.

Quarterly Progress Reporting: As part of the EMPG Program administration, grantees are ***required*** to provide quarterly progress reports that provide sufficient detail to measure progress of the funded project(s). The EMPG Quarterly Progress Report form is available on NHHSEM's website at: https://apps.nh.gov/blogs/hsem/?page_id=419

Federal Funding Accountability and Transparency Act Reporting Mandate: By law, all grantees receiving Federal awards totaling \$25,000.00 or more are subject to the Federal Funding Accountability and Transparency Act (FFATA) reporting requirements. These grantees ***must*** complete and return a FFATA Sub-Recipient Information Reporting Form within two weeks of grant award. A blank form will be provided in the award packet.

Acceptance of Audit Requirements: If the cumulative total amount of Federal funds received from all granting agencies is \$500,000.00 or greater, grantees are ***required*** to submit an audit report of expenditures on this account to NHHSEM. This procedure is required under the Single Audit Act of 1984 (Rev.7/96) and OMB Circular A-133.

Requests for Payment/Reimbursement: In accordance with your grant agreement, your project is ***required*** to be completed and invoices need to be dated on or before September 30, 2015; all requests for reimbursement/payment need to be made by October 31, 2015. Requests for reimbursement/payment must be submitted on community/agency letterhead and should include copies of invoices/bills, cancelled checks or copies of expense ledgers (if applicable) and sent to NHHSEM to the attention of the EMPG Program Manager.

Final Expenditure and Performance Report: When the project is complete and all expenses in connection with this project are captured, grantees ***must*** complete and submit this report no later than October 31, 2015.

Records Maintenance: With the acceptance of EMPG funds, grantees are ***required*** to maintain financial records, supporting documents and all other pertinent records for a period of seven (7) years from the grant's expiration date. In these records, grantees shall maintain documentation of the 50% cost share required by this grant.

NIMS Compliance: Applicants must certify that they are National Incident Management System (NIMS) compliant or working towards compliance and will furnish documentation upon request. Applicants are also ***required*** to complete the online NIMS Compliance Survey located on NHHSEM's website under the Resource Center at: https://apps.nh.gov/blogs/hsem/?page_id=638

Environmental Planning and Historic Preservation (EHP) Compliance - Applicants proposing projects that have the potential to impact the environment or historic properties, 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.

Excluded Parties List: Applicants are ***required*** to confirm and certify on the application that any and all vendors, contractors, or sub-contractors being used for the proposed project(s) are not listed on the Federal Excluded Parties List. The Excluded Parties List is found at: <https://www.sam.gov/portal/SAM/##11>

Application Review Committees: Non-communication related applications are reviewed by a committee once a month. This committee consists of mainly NHHSEM staff members. Communication-related applications will be reviewed quarterly by a technical review committee consisting of subject matter experts.

Allowable Costs

The following list of possible projects and activities is meant to guide you in selecting projects for an EMPG grant submission. This list of suggested projects is not intended to be all-inclusive. Local communities or agencies may have other specific projects and activities that reflect specific local needs based on local capability assessments and local hazards.

Planning

EMPG Program funds may be used for a range of emergency management planning activities. Planning provides a methodical way to engage the whole community in thinking through the life cycle of potential crises, determining required capabilities, and establishing a framework for roles and responsibilities. Planning must include participation from all stakeholders in the community who are able to contribute critical perspectives and may have a role in executing the plan. Planning should be flexible enough to address incidents of varying types and magnitudes.

Planning activities may include, but are not limited to, the following:

- **Create/update your Local Emergency Operations Plan (LEOP) **** consistent with the Comprehensive Preparedness Guide (CPG) 101 v.2 November 2010 which serves as the foundation for State and local emergency planning. CPG 101 can be found at:
http://www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf.
The EMPG Program will allow up to **\$6,000.00** for communities to update their LEOP using the **NEW** template. If communities wish to update their LEOP using the **OLD** format, the program will allow up to **\$2,500.00** only. *Please contact your assigned NHHSEM Field Rep on the availability of the new 2014 LEOP guidance template.*
- **Develop/Enhance an All-Hazards Mitigation Plan**** for your community, approvable by the Federal Emergency Management Agency (FEMA).
- Community-based planning to advance “whole community” security and emergency management.
- Modify existing incident management and emergency operations plans.
- Develop/enhance comprehensive emergency management plans.
- Develop/enhance large-scale and catastrophic event incident plans.
- Develop/enhance logistics and resource management plans.
- Develop/enhance local evacuation plans, including alerts/warning, crisis communications, sheltering, and re-entry.
- Develop/enhance volunteer and/or donations management plans.
- Prepare a hazard mitigation project proposal for submission to NHHSEM.
- Develop/enhance dam emergency action plans.
- Develop/enhance a Continuity of Operations Plan (COOP)/Continuity of Government Plan (COG).
- Develop a local debris management plan.
- Develop/enhance a local shelter plan.
- Develop/enhance emergency management and operations plans to integrate citizen/volunteer and other non-governmental organization resources and participation.
- Develop/enhance other response and recovery plans, following the DHS program guidance.

**** A COMMUNITY must have the following two (2) plans in place before NHHSEM will consider funding other projects: an updated LEOP (revised less than 5 years ago) and a FEMA approvable All-Hazards Mitigation Plan. Applicants may apply for funding for these plans in conjunction with other projects. SCHOOLS must have a site specific emergency response plan that supports implementation of the National Incident Management System (NIMS) if receiving funds from this grant program.**

Organization/Administrative

EMPG Program funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management, if project driven. Proposed staffing activities should be linked to accomplishing emergency management-related projects and activities. Again, this grant is project-driven.

Organization/Administrative projects & activities may include, but are not limited to, the following:

- Maintain/upgrade an Emergency Operations Center capable of accommodating staff to respond to local emergencies.
- Establish and maintain a call-down list for EOC staff.
- Establish and maintain emergency response/recovery resource lists.
- Develop or update Emergency Management mutual aid agreements with a focus on damage assessment, debris removal, etc.
- Logistics and Resource Management, following the DHS program guidance.
- Develop and maintain written duties and responsibilities for Emergency Operations Center (EOC) staff positions and agency representatives (Checklist/Job Action Sheets).
- Develop and maintain Public-Private sector partnerships.
- Conduct a hazard analysis and risk assessment.
- Supply preparation.
- Develop public education and awareness information (i.e., brochures & pamphlets).
- Develop and maintain a list of private non-profit organizations within your local jurisdiction to ensure that these organizations are included in requests for public assistance funds.
- Develop/enhance financial and administrative procedures for use before, during, and after disaster events in support of a comprehensive emergency management program.
- Develop or update procedures for tracking of disaster-related expenses by local agencies.
- Program evaluations.
- Develop/enhance systems to monitor training programs.

Equipment

Allowable equipment categories for the EMPG Program are listed on the web-based version of the Authorized Equipment List (AEL) on the *Lessons Learned Information Sharing (LLIS)* website at: <https://www.llis.dhs.gov/knowledgebase/authorizedequipmentlist>. Unless otherwise stated, equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

The **select allowable equipment** includes equipment from the following AEL Categories:

- [04] Information Technology
- [05] Cyber Security Enhancement Equipment
- [06] Interoperable Communications Equipment (see note below)
- [07] Detection Equipment
- [10] Power Equipment (i.e., generators) **
- [11] CBRNE Reference Materials
- [12] CBRNE Incident Response Vehicles ***
- [14] Physical Security Enhancement Equipment
- [19] CBRNE Logistical Support Equipment
- [21] Other Authorized Equipment (i.e., equipment to support an EOC)

** **Generators** – Priority will be given for projects that provide emergency power to primary shelters and primary EOCs that are outlined in community’s approved Local Emergency Operations Plan (LEOP). Generators are also considered a priority for sewer & water facilities, critical communication structures (i.e., towers with communication equipment), if communication is used for all-hazards emergency management. Generators for Department of Public Works facilities are considered LOW priority. However, application may still be made with the understanding that it would be considered after all other higher priority projects are processed (typically near the end of the State’s Fiscal Year).

*** **Incident Response Vehicles** – The Department of Safety has a policy in place NOT to fund incident response vehicles.

If you have questions concerning the eligibility of equipment not specifically addressed in the AEL, please contact your assigned NHHSEM Field Representative for clarification. If unsure who your Field Representative is, you may email an inquiry to nhfs@dos.nh.gov.

Equipment (cont.)

NOTE:

(1) **SAFECOM** - Grantees who receive awards under the EMPG that wholly or partially provide funding for emergency communication projects and related activities should comply with the most recent version of the *SAFECOM Guidance on Emergency Communications Grants* <http://www.safecomprogram.gov/grant/Default.aspx>. This Guidance provides recommendations to grantees regarding interoperable emergency communications projects, including allowable costs, eligible activities, grants management best practices for emergency communications grants, and information on technical standards that ensure greater interoperability. The Guidance is intended to ensure that Federally-funded investments are compatible, interoperable, and support the national goals and objectives for improving emergency communications nationwide. Grantees investing in broadband-related investments should review *IB 386: Clarification on Use of DHS/FEMA Public Safety Grant Funds for Broadband-Related Expenditures and Investments*, and consult with their assigned NHHSEM Field Representative on such investments before developing applications. The grantee shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP). Contact the Statewide Interoperability Coordinator at 603-223-8003 with any questions.

(2) **Environmental Planning and Historic Preservation (EHP) Compliance** - FEMA is required to consider the effects of its actions on the environment and/or historic properties to ensure that all activities and programs funded by the agency, including grants-funded projects, comply with Federal EHP regulations, laws and Executive Orders as applicable. Grantees proposing projects that have the potential to impact the environment or historic properties, 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. The EHP review process involves the submission of a detailed project description that explains the goals and objectives of the proposed project along with supporting documentation so that FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. The EHP review process must be completed before funds are released to carry out the proposed project.

When applying for funds to construct communication towers, grantees must submit evidence that the Federal Communications Commission's (FCC) Section 106 review process has been completed and submit all documentation resulting from that review when uploading the project EHP Review into their online EMPG application. Applicants are also encouraged to have completed as many steps as possible for a successful EHP review in support of their proposal for funding (e.g., coordination with their State Historic Preservation Office (SHPO) to identify potential historic preservation issues and to discuss the potential for project effects, compliance with all State and EHP laws and requirements). All required EHP review documentation is to be uploaded when applying online.

(3) **Davis-Bacon Act Compliance** - EMPG Program grantees using funds for construction projects (i.e., construction of a communications tower) must comply with the *Davis-Bacon Act* (40 U.S.C. §§ 3141 *et seq.*). Grant recipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor (DOL) wage determinations, is available from the following website: <http://www.dol.gov/compliance/laws/comp-dbra.htm>.

Training

In some circumstances, training may be funded by the EMPG Program; however, there are other programs within NHHSEM that might be better suited to fund training activities. Please contact your assigned NHHSEM Field Representative to discuss training opportunities.

Exercises

Grantees are encouraged to develop exercises that test their Emergency Management-related plans. NHHSEM routinely refers interested individuals to the Homeland Security Exercise and Evaluation Program (HSEEP) for 100% funding. Please contact your assigned NHHSEM Field Representative on availability and requirements of this program.

Mitigation

Prior to applying for EMPG funds to complete a Mitigation Project, it is recommended to first inquire on hazard mitigation-type grants through your assigned NHHSEM Field Representative.

Maintenance and Sustainment

The use of EMPG Program funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Grantees are reminded that **supplanting is *not* permitted under the EMPG Program**. Maintenance contracts and warranties, repair and replacement costs, upgrades, and/or user fees for equipment that was not originally purchased with preparedness (EMPG) grant funding may not be subsequently paid for with preparedness (EMPG) grant funding.

Maintenance and Sustainment may include:

- Maintenance Contracts and Warranties - To increase the useful life of the equipment, FEMA has determined that maintenance contracts and warranties may be purchased using grant funding from one Fiscal Year to cover equipment purchased with funding from a different Fiscal Year. The use of grant funding for the purchase of maintenance contracts and warranties must meet the following conditions:
 - Maintenance contracts and warranties may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - Maintenance contracts and warranties must be purchased using funds from the same grant program used to purchase the original equipment.
 - The term of the Maintenance Contract shall ***not*** exceed the period of performance of the grant to which the maintenance contract is being charged.
 - Warranties are allowed to be purchased up front and ***can exceed*** the grant's period of performance.
- Repair and Replacement Costs - The cost of repair and replacement parts for equipment purchased using FEMA preparedness grant funding is an allowable expense.
 - Repair and replacement parts may only be purchased for equipment that has been purchased using FEMA preparedness grant funding
 - To avoid supplementing Congressional appropriations for specific programs, repair and replacement parts must be purchased using the same grant program used to purchase the original equipment.

Maintenance and Sustainment (cont.)

Maintenance and Sustainment may also include:

- Upgrades - FEMA preparedness grant funding may be used to upgrade previously purchased allowable equipment. For example, if the grantee purchased risk management software with EMPG Program funds in 2011 and would like to use 2014 grant funding to upgrade the software, this is allowable.
 - Upgrades may only be purchased for equipment that has been purchased using FEMA preparedness grant funding.
 - To avoid supplementing Congressional appropriations for specific programs, upgrades must be purchased using the same grant program used to purchase the original equipment.

- User fees - User fees are viewed as costs for specific services required to maintain and provide continued operation of equipment or systems. An example would be the recurring service fees associated with handheld radios or mobile data computers
 - User fees may only be paid for equipment that has been purchased using FEMA preparedness grant funding
 - To avoid supplementing congressional appropriations for specific programs, user fees must be paid for using the same grant program used to purchase the original equipment.
 - The service time purchased shall ***not*** exceed the period of performance of the grant to which the user fee is being charged.

Low Priority Items/ Allowable Costs

Due to a limited amount of funding and a high volume of quality projects, it is necessary to set funding priorities based on the State Homeland Security Strategy, Threat and Hazard Identification Risk Assessment (THIRA)/State Preparedness Report (SPR) as well as State and Federal guidelines.

- The following items are considered low priority under New Hampshire's EMPG Program. These items may be considered for funding near the end of the State's Fiscal Year, if grant funds remain in the program and all higher priority rated applications have been funded:
 - Generators for public works facilities
 - Pagers for Emergency Management use
 - Radios for Emergency Management use (including mobile and portable radios)
 - Equipment for secondary/backup EOCs
 - Generators for secondary/backup EOCs
 - Equipment for secondary/backup shelters
 - Generators for secondary/backup shelters

Unallowable Costs/Items Not Funded

- General administrative projects. Administrative expenses must be directly connected to a specific Emergency Management-related project.
- The same/similar project will not be funded year after year.
- Radios (everyday/service use).
- Pagers (everyday/service use).
- Projects exceeding \$100,000.00
- Expenditures for weapons systems and ammunition.
- Costs to support the hiring of sworn public safety officers for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities.
- Activities and projects unrelated to the completion and implementation of the EMPG Program.
- Emergency response vehicles (i.e., command vehicles, mobile EOCs).
- Building construction projects (i.e., the physical construction of a new EOC).
- Other items not in accordance with the portions of the Authorized Equipment List (AEL) and allowable costs listed above.

**** Waiver/Appeal Process Review ****

Waivers – *Waivers may be considered on a case-by-case basis and will be brought to the NH Department of Safety's Commissioner by NHHSEM leadership. All ineligible applications can request a waiver from the Commissioner of Safety if there is overwhelming information that the project meets the overall mission of the EMPG Program.*

Appeals – *This process is designed to allow for appeals to be submitted in cases where there is overwhelming information that the project meets the overall mission of the EMPG Program. Appeals will be brought to the NH Department of Safety's Commissioner by NHHSEM leadership. An application/project that is denied or is rated as a low priority can request appeal. This is NOT a routine appeal but an exception that can be exercised in very unusual cases.*