



Government of Newfoundland and Labrador  
Department of Justice and Public Safety  
Emergency Services Division

**Department of Justice and Public Safety**

**Emergency Services Division**

**Newfoundland and Labrador Disaster Financial Assistance Program**

**Program Guidelines and Criteria**

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## Introduction

The mandate of the Department of Justice and Public Safety's Emergency Services Division is to develop and maintain an emergency management system in the Province to mitigate against, prepare for, respond to, and recover from emergencies. Under the Fire, Emergency, and Corporate Services lines of business, the Emergency Services Division fulfills a number of planning, response, recovery, and support functions. The Emergency Services Division is responsible for administering the federal government's Disaster Financial Assistance Arrangements (DFAA) program. The purpose of the DFAA is to assist provinces/territories with the costs of dealing with a disaster where those costs would otherwise place a significant burden on the provincial economy and would exceed what they might reasonably be expected to bear on their own. To maximize revenue from the federal DFAA program, the Emergency Services Division developed the Newfoundland and Labrador Disaster Financial Assistance Program (NL-DFAP). The Emergency Services Division requires the cooperation and support of other provincial government entities when NL-DFAP is activated.

NL-DFAP is designed, developed, and delivered to provide financial assistance to individuals, small businesses (including farming operations), not-for-profit organizations (including not-for-profit cooperatives), local governments (municipalities, local service districts, and Inuit Community Governments), and provincial government entities for **uninsurable** loss and damage caused by adverse events deemed eligible under the federal DFAA program. Eligible items include those considered to be essential to everyday life.

The program is intended to assist in:

- Providing or reinstating the basic essentials of life to individuals, including financial assistance to help repair and restore damaged homes;
- Re-establishing or maintaining the viability of small businesses and working farms; and
- Repairing, rebuilding, and restoring public works and essential community services to pre-disaster condition.

This document identifies program guidelines and the criteria for the different types of claims. This document must be read in combination with the NL-DFAP Policy Statement and the federal government's Guidelines for the Disaster Financial Assistance Arrangements for events deemed eligible under DFAA and all Interpretation Bulletins and/or updates. The NL-DFAP Policy Statement can be located at <http://www.gov.nl.ca/fes/emo/programs.html>, and the federal DFAA guidelines and Interpretation Bulletins/updates can be located at <http://www.publicsafety.gc.ca/cnt/mrgnc-mngmnt/rcvr-dsstrs/gdlns-dsstr-ssstnc/index-eng.aspx>

Fundraising proceeds must be applied towards costs not eligible under the NL-DFAP/DFAA program. The Emergency Services Division will meet with organizations involved with fundraising events such as the Canadian Red Cross and the Salvation Army, once the program has been activated.

The costs of repairing or replacing structures are not eligible if they are in a location that is designated, recognized, or zoned as a flood risk area before their construction. For more

information on flood risk areas, see Section 3.6 of the DFAA guidelines.

If the NL-DFAP is activated, the Province will make a public announcement providing information to assist those affected, including where to find applications and identifying the geographic area impacted.

Applications for assistance under the NL-DFAP will be accepted for three months after the date of the adverse event. Applications must be complete and include photos and copies of invoices and verification of payment for all costs incurred. Other required documentation is identified throughout this document.

Insurance adjusters will be contracted by the Emergency Services Division to assess private sector damage. Municipal damage will be overseen by the Department Transportation and Infrastructure (TI). At the same time, provincial claims will be overseen by individual departments, with assessments being carried out by either internal engineers and/or external consulting engineers.

## **Guidelines for Separate Categories**

### **a. Guidelines for Homeowners (primary residence only) and Tenants Claims**

1. The damaged property must be a principal residence. A principal residence is considered a home in which one resides the majority of the year. The principal residence is established based on information received from the claimant, confirmed by the adjuster assigned to the claim, and verified by the claims examiner working on behalf of the Emergency Services Division.
2. Applicants must be the legal owner of the property; proof of property ownership is required and can be achieved by submitting documentation such as a property Deed, Mortgage document, or municipal assessment.
3. Only homeowners are eligible to apply for structural damage. Tenants may make an application for personal property only.
4. For structural damage to rental properties, please see Small Business Guidelines. Tenants may claim for furniture, appliances, and clothing if the rental property is their primary residence, and the tenant owns the items. Tenants must provide a letter from the landlord verifying that the tenant is the owner of the claimed damaged furniture and appliances.
5. The damage incurred must not have been reasonably insurable. The Confirmation of Insurance Form must be completed by your insurance company where applicable.
6. Essential damaged chattels (property other than land or building, for example, furniture or appliances) are eligible and will be based on essential items only. They include but are not limited to the Financial Assistance Schedule of Loss (Appendix D). There are maximum limits of compensation associated with these items. The amounts approved are based on the adjuster's recommendations. The Schedule of Loss will apply to all private-sector claims that have sustained damage to furniture and/or appliances necessary for the operation of the business or not for profit entity, for example, a furnished rental apartment.
7. Payment for structural damage is based on the cost to repair the structure to pre-disaster condition or the assessed property value, whichever is less. Mitigative enhancements, if recommended by the insurance adjuster, may be eligible. All mitigative enhancements must be approved by the Emergency Services Division and Public Safety Canada (PSC). Some buildings or properties may be deemed unrepairable and have to be replaced. In some cases, the most economical way to proceed may be for the Province to purchase the damaged building or property from the claimant. The Province may decide to establish maximum amounts to be paid out.
8. Structural damage must be verified by an independent third party, such as an Insurance Adjuster.
9. Estimates to repair structural damage must be obtained from a contractor unless the damage is minor and in which case the insurance adjuster may provide an estimate.
10. Claimants may decide to have structural damage repaired by a contractor and receive

up to 100% of the eligible cost identified on the repair estimate. The estimate must be approved by the insurance adjuster and verified by the Emergency Services Division.

The claimant is responsible for paying the contractor. The insurance adjuster must verify all repairs, including mitigative enhancements.

11. The claimant may take a 70% cash settlement based on the repair estimate, which has been approved by the Insurance Adjuster and verified by the Emergency Services Division. A cash settlement will not include the 10% miscellaneous amount included in the repair estimate.
12. Costs associated with septic tanks and artisan wells may be eligible.
13. Payment will only be made to cover the costs associated with replacing or repairing the primary source of heat.
14. Maximum amounts may be set for replacement of furnaces, plumbing, septic tanks, artisan wells, etc., and said damage must be verified by the insurance adjuster and assessed by a qualified technician. The insurance adjuster will advise the claimant if a qualified technician is required and will make a note of the same on the claimant's file; otherwise, the Emergency Services Division will not cover the cost of the assessment.
15. Claimants may be reimbursed for cleanup costs to a maximum of \$500.00. The amount must be recommended by the insurance adjuster assigned to the claim.
16. If other sources of funding such as insurance, fundraising events, other financial programs, etc., are available to assist with the loss, the claim will not be eligible under the NL-DFAP. All claimants must identify other sources of funding received by completing Section 4 of the Final Release and Indemnity (FRI) Form when payment is received.
17. Claimants must provide all other documentation that may be required as per the general guidelines. Please note, number 6 – 17 will apply to all private-sector claims.

#### **b. Guidelines for Small Business Claims**

1. For the NL-DFAP, a small business is an enterprise with yearly gross revenues as reported for income tax purposes of at least \$10,000 but not more than \$2 million and employing not more than the equivalent of 20 full-time employees. It also must be other than a hobby business and be an owner-operated enterprise where the individual owner-operator is acting as a day-to-day manager and owns at least 50% of the business.
2. The damage incurred must not have been reasonably insurable. The Confirmation of Insurance Form must be completed by your insurance company where applicable.
3. Structural damage to essential business premises is an eligible expense if it is necessary for the operation of the business.
4. The applicant must be the legal owner of the property.

5. Damaged equipment or business inventory items is an eligible expense if it is required for the operation of the business. Proof that the damaged equipment or inventory existed before the adverse event will be required.
6. If a small business is housed in a residence and both sustain damage, then the claimant must submit two claims, one for the business and one for personal loss.

### **c. Guidelines for Not-for-Profit Organizations, Charities, and Service Clubs**

Repairs, restoration, rebuilding, and/or replacement of damaged equipment and/or facilities owned by an organization such as a church, charity, community service club, or volunteer agency are eligible if:

1. The Province considers that the organization contributes significantly to the fabric and sustainability of the community and basic or essential service in the interest of the community as a whole is provided in the facility of the organization;
2. Unrestricted, public access is allowed for all members of the community;
3. Articles of Incorporation are required (if applicable);
4. Property ownership is required; and
5. The damage incurred must not have been reasonably insurable. The Confirmation of Insurance Form must be completed by your insurance company where applicable.

### **d. Guidelines for Not-for-Profit Business Cooperatives**

Repairs, restoration, rebuilding, and/or replacement of damaged equipment and facilities owned by a not-for-profit business cooperative are eligible if:

1. The Province considers that the business cooperative contributes significantly to the fabric and sustainability of the community and a basic or essential service was provided in the facility of the business cooperative;
2. The business cooperative is not-for-profit;
3. The business cooperative is generally in accord with the definition in the *Cooperative Credit Associations Act* by meeting four of five criteria:
  - One vote per member;
  - No proxy voting;
  - Limited interest or dividends on share or loan capital;
  - Operation of the enterprise as nearly as possible to cost; and
  - Distribution of excess funds to members based on the volume of business.
4. If the Not-for-Profit is registered as a Not-for-Profit Cooperative, the organization's previous three audited financial statements, annual reports, and prepared rationales and data are required;

5. Property ownership is required; and
6. The damage incurred must not have been reasonably insurable. The Confirmation of Insurance Form must be completed by your insurance company where applicable.

**e. Guidelines for Farms, Managed Woodlots, and Aquaculture Operations**

1. Farmers, managed woodlots, and aquaculture operators are a specific category of small business owners. As such, assistance to farmers is eligible under the same definition as small business; specifically, it is an enterprise with yearly gross revenues as reported for income tax purposes of at least \$10,000 but not more than \$2 million and employing not more than the equivalent of 20 full-time employees.

It also must be other than a “hobby business” and be an owner-operated enterprise where the individual owner-operator is acting as a day-to-day manager and owns at least 50% of the business. One claim must be made per business.

2. Please see Section (b) above and Section 5.4 (5.4.1 – 5.4.10) of the federal DFAA guidelines for more information/criteria relating to Farms, Managed Woodlots, and Aquaculture Operations.

**f. Application for First Nation (FN) Reserves**

There are three First Nation reserves in Newfoundland and Labrador: the Miawpukek First Nation at Conne River, the Mushuau Innu First Nation Reserve at Natuashish, and the Sheshatshiu Innu First Nation Reserve at Sheshatshiu.

First Nations reserve lands are the responsibility of Indigenous & Northern Affairs Canada (INAC). INAC will assume all provincial and territorial emergency response and recovery costs incurred on First Nations reserve lands for all natural disasters on or after April 1, 2014.

**g. Guidelines for Local Government Claims (Municipalities, Local Service Districts, Inuit Community Governments)**

1. Damage in Local Government areas may involve two phases (Phase 1 - Emergency Response and Phase 2 - Recovery).
2. The owner of the local government infrastructure must follow the steps identified in Appendix A for all response and recovery work.
3. Response and recovery work will be the responsibility of the infrastructure owner (local government) unless otherwise instructed by the Municipal Infrastructure division within the Department of Transportation and Infrastructure (TI). TI officials will administer all recovery work, including reviewing and recommending tender documents and verifying that the repairs are completed. TI's role in the recovery phase under the NL-DFAP will be similar to its role in administering the Municipal Capital Works program.



4. Applications will be made available to all local governments that sustain damage. The package will provide the necessary information on how to apply for funding and the documentation required for the NL-DFAP.
5. Local governments must complete the required application and forward the same to Emergency Services. The application must include a report prepared by local government officials and/or their consulting engineers. The report must identify the cause of damage, the date the damage occurred, the type of damage, identify the location of the damage, and provide an estimated cost to repair the area back to pre-disaster condition. Pictures of the damage must be included in the original application as well as pictures of the area before the adverse event, if available. Pictures of the area after the repairs have been completed are also required. If the local government has both Phase 1 and Phase 2 types of damage, only one application is required.

The application must identify both types of damage and describe the area before the adverse event. TI officials must confirm the damage identified by the local government.

6. See Appendix B for the process to be followed once an application is received at Emergency Services.
7. Staff from TI Regional Offices or the Emergency Services Division will endeavor to assist local governments as needed on matters of interpretation and application of these requirements.
8. If another source of funding, such as the Canada Community Building Fund (CCBF) (Formerly, Gas Tax Program), is available to assist with the loss, the loss is not eligible under the NL-DFAP.
9. Costs of restoring or replacing damaged infrastructure or items that were insured or reasonably insurable are not eligible under the NL-DFAP. A letter will be required from your insurance company and/or the completion of the Confirmation of Insurance Form.
10. The costs of repairing or replacing structures are not eligible if they are in a location that was designated, recognized, or zoned as a flood risk area before their initial construction.
11. Tender processes must be followed and documented.
12. If repairs within a local government involve a body of water, proper procedures must be followed to ensure adherence to the rules under federal legislation, provincial legislation and/or municipal bylaws pertaining to projects in or near water.
13. The local government must provide proof that they are the owners of, and/or responsible for the infrastructure and/or equipment that are included in the claim.
14. A segregated account must be set up by the local government to record all expenditures or revenue associated with the emergency response and recovery phase to the adverse event. This segregated account must reconcile to the Audited Financial Statement of the local government entity. General revenue and expenditures for regular maintenance for the local government must not be included in this account (See Appendix A, #3 for more information).

15. Local governments may claim incremental costs such as equipment costs, travel costs, hiring of temporary staff, etc., to respond to an adverse event. Supporting documentation is required (see Appendix A).
16. Only costs associated with repairing or restoring the area to the pre-disaster condition are eligible under the NL-DFAP. Mitigative enhancements, such as installing larger culverts, etc., must be discussed with TI and/or the Emergency Services Division where appropriate before work commences. Mitigative enhancements will require approval from TI or the Emergency Services Division. Final approval on all mitigative enhancements will be required from PSC; this will be obtained through the Emergency Services Division.

**h. Guidelines for Provincial Government Infrastructure Costs (For individual government entities that have sustained an infrastructure loss/damage)**

1. Damage Assessment Reports of public sector damage must be prepared or verified by a professional engineer for each project site and must include the following:
  - Location of the damaged area, highway location, etc.;
  - Cause and date of the damage;
  - A description of the area before the adverse event;
  - A description of the damages;
  - An estimated and/or actual cost to repair the damage;
  - Identify that the repair returns the area to **pre-disaster condition only**. If mitigative enhancements were made, the rationale for the enhancement is required. The cost and the location of the enhancement must also be identified. Mitigative enhancement projects must, wherever possible, have **prior approval** from the Emergency Services Division and PSC to qualify under the NL-DFAP;
  - Pictures of the damages must be included as should pictures of the area after repairs have taken place. If there are pictures of the area before the adverse event, they should also be included; and
  - Compliance with the Procurement Act must be followed, and the related documentation is required (if applicable).
2. Individual government entities must set up a segregated account for provincial expenditures to be claimed under the NL-DFAP. The Emergency Services Division may request financial information such as accumulated transactions and/or estimates with regard to total costs associated with an event on an annual basis. An electronic copy of an accumulated transaction expenditure report is required with your final submission.
3. The individual government entities must provide documentation to show that the claimed expenditures have been incurred, paid, recorded separately, adequately

supported, and that the claimed expenditures reconcile to the public accounts for the Province.

4. The submission to the Emergency Services Division must not include HST.
5. Each project or site must be given a unique project or site number and identified as either a response or a recovery cost. The public tendering process must be followed. All relevant information for each project or site such as damage assessment report, tender documents, construction contracts, hired or internally owned equipment documents, invoices, verification of payment where applicable, pictures, documentation for internal staff costs such as attendance records, vehicle logs, payroll registers, overtime performance sheets, records of employment (if a new hire), travel claims (must identify the reason for travel), etc., is required.
6. If provincial inventory or stockpile material is utilized during an emergency response to an adverse event, it must be identified and explained, including the type of material, the reason required, the amount used, location, etc. Copies of invoices or standing offer agreements, etc., to verify the cost for the original purchase of the inventory or stockpiled material must be on file.
7. All federal, provincial, and municipal legislation must be adhered to when repairs involve a body of water. Costs associated with the same must be identified.
8. Mitigative enhancements are generally only eligible expenditures under DFAA in specific circumstances. Damages are to be repaired back to the pre-disaster condition only. If enhancements are required due to Codes, Standards, etc., it is an eligible cost. An explanation of the enhancement, why it is required, the location, and the cost for the same must be identified. A copy of the code or standard must be included.
9. If mitigative enhancements (for example, larger culverts installed, bridge heightened, etc.) are made because it is believed that the enhancement may decrease the possibility of similar damage occurring in the future, then the enhancement must, wherever possible, have prior approval from the Emergency Services Division and PSC to qualify under the NL-DFAP and should be identified and explained. It is also essential to include the location of the enhancement and the cost for the same. These costs should be noted separately.
10. The costs of repairing or replacing structures are not eligible if they are in a location that was designated, recognized, or zoned as a flood risk area before their construction.
11. Costs of restoring or replacing damaged infrastructure or items that were insured or reasonably insurable (for example, the loss sustained due to wind and/or sewer backup) are not eligible under the NL-DFAP. A letter is required from your insurance company and/or the completion of the Confirmation of Insurance Form.
12. Written verification that there are no other sources of funding available to the department to assist with the loss, including insurance payments and/or other provincial or federal funding programs such as Building Canada Fund, is required.
13. Documentation verifying that the damaged infrastructure and/or equipment is

provincially owned and/or maintained is required.

14. If on-going maintenance repairs and emergency response or recovery infrastructure repairs are taking place simultaneously, records identifying costs for infrastructure damage must be kept separate from on-going maintenance.
15. Provincial government entities are expected to use their equipment and resources to the extent practical before contracting outside resources. The decision regarding contracting is expected to be taken by the appropriate government entity. Primary reliance is on detailed record-keeping for incremental costs. Overtime costs for operators who are public employees are eligible; regular wages or overtime costs for private-sector operators are eligible. Incremental equipment costs are eligible, including consumed fuel, oil, lubricants, and related maintenance and repair costs. All relevant backup documentation is required when claiming incremental costs. To reduce the need for record-keeping, an allowance method is established under which public equipment costs may be claimed at 40% of the current heavy equipment rental rate in the Province for heavy equipment (excluding operator wages and depreciation) for all hours of emergency operation. Timesheets for machinery used must be carefully recorded to substantiate total hours of use. An up-to-date copy of the Newfoundland Equipment Rental Schedule (Form 1000) is required. Intra-governmental costs such as those charged when the equipment of one government entity is used or “rented” by another are not eligible. The cost of equipment that is purchased and retained is not eligible (for example, a portable power generator, cell phones, etc.).
16. Costs associated with responding to the adverse event during regular working hours by existing provincial government employees are not eligible. Overtime costs for existing provincial government employees are eligible; overtime must be paid out instead of taking time off in lieu to be eligible under the guidelines. Documentation to support provincial overtime such as overtime performance records, attendance records, and payroll registers are required. Additional temporary staff may be hired specifically for the adverse event; however, a Request for Staffing Action (RSA) is required for new hires, as are copies of extension letters, if applicable. In most circumstances, “temporary” means up to six months; extensions may be granted in exceptional circumstances, but approval is required from Emergency Services and PSC.

The following information must be included on the RSA or the appointment letter:

- Hire date;
- Completion date;
- Salary rate;
- Classification;
- Reason for employment (identify the name associated with the adverse event, for example, Hurricane Igor, September 2010); and
- Hours of work.

#### **i. Guidelines for Provincial Government Administrative Costs**

1. Administrative costs such as those incurred to coordinate and respond to the initial response to the adverse event are eligible. The response could include opening the provincial Emergency Operations Centre (EOC), hiring temporary staff (up to six months, an extension may be granted, but approval is required from the Emergency Services Division and PSC) to assess claims or determine infrastructure damage, engagement of insurance adjusters or engineers, etc., assist with temporary housing, transportation of medical supplies, additional travel costs, overtime for staff, etc.
2. All government entities are responsible for managing their expenditures and administration processes, including overtime (overtime must be paid out to be eligible under the guidelines), travel claims, internal or external hiring, etc. Government entities involved in an eligible adverse event must provide backup documentation such as travel claims, overtime performance sheets, attendance records, and payroll journals. All documentation such as Requests for Staffing Action, travel claims, overtime performance sheets, etc., must identify the name of the adverse event and clearly state the reason for overtime, the reason for travel, etc.
3. A segregated account or departmental tracking code must be set up specifically to identify all costs associated with the adverse event. Emergency Services will require that all government entities provide actual and estimated costs associated with the adverse event. This information will be required annually.
4. Provincial government employees involved in concurrent adverse events eligible under NL-DFAP must maintain separate timesheets. The timesheets must identify the name of the adverse event, and the dates and hours worked for each adverse event.  
  
The timesheets must be signed off by a Supervisor or Manager and must be forwarded to Emergency Services.
5. The incremental costs to the Province for the rental of equipment required to deal with the adverse event, such as cellular telephones, computer equipment, generators, etc., are eligible. Where an item had to be purchased because it was essential and renting was either not possible or practical, only the difference between the original purchase price and the items residual market value immediately after its use during the adverse event (as determined from an acceptable source or by a competent authority) is eligible.
6. Costs associated with the adverse event such as media monitoring, accommodations for displaced residents, use of any motor vehicle, boat, ferry, or aircraft required for evacuation purposes or incident monitoring, etc., may be covered; however, backup correspondence such as a copy of a detailed invoice, verification of payment and a detailed report as to why the service was needed is required.
7. If helicopters, boats, and ferries are utilized during the adverse event, a manifest of passengers for each trip is required and the rationale for its use.

- j. **Provincial Government Entity's Roles and Responsibilities:** (Provincial government entities that may be called upon to assist in response to an approved NL-DFAP adverse event include, but are not limited to, the following):

**Department of Children, Seniors and Social Development (CSSD)**

**(Delivery of Emergency Social Services and administer payments to individuals or families on behalf of Emergency Services)**

- The Children, Seniors, and Social Development's (CSSD) Director of Policy and Strategic Planning or Designate will be contacted if the Emergency Services Division requires assistance with payments for persons affected by an adverse event;
- Emergency Services Division will provide CSSD with the name of the contact person who has the authority to approve payments;
- Essential services could include, but are not limited to, accommodations, rent, board and lodging, furniture, moving expenses, storage expenses, utility expenses, damage deposit, etc.;
- Payment requests by the Emergency Services Division will be in writing (e-mail is acceptable) including name, address, contact number, the kind of service needed, the coverage period, and the amount of funding approved for a claimant;
- **CSSD will not make payments on behalf of the Emergency Services Division without written approval from Emergency Services;**
- CSSD is responsible for releasing the payment approved by the Emergency Services Division to the claimant;
- Invoices and/or receipts are required for costs associated with the storage of damaged items, moving expenses, light bills, etc. They are not required for furniture and appliance items identified on the Financial Assistance Schedule of Loss. Invoices and/or receipts are to be provided to CSSD when payment is issued;
- Payments for the items listed above may be required monthly except for furniture costs and the damage deposit. The Emergency Services Division representative will provide written approval via e-mail to the CSSD designate/Client Services Officer (CSO);
- Utility costs will only be paid for a homeowner if the homeowner incurs two utility costs - one at the damaged residence and one at the rental unit. Utility costs for the **rental unit only** are to be considered as an on-going expense and paid. The utility cost for the damaged home must be more than the basic customer charge (a cost charged by the utility company) to be considered for payment. The Emergency Services Division will advise in writing if this expense is to be paid;

- CSSD will issue rental property damage deposits as directed by the Emergency Services Division but is not required to set up accounts receivable for this payment;
- Minimum rental and board and lodging rates are generally established by CSSD's Income Support rate structure and community standards. However, there are instances where top-up costs will be approved for a specific period. For example, a tenant has to relocate to another rental property and is forced to pay a higher rate due to limited availability. A thorough assessment will be conducted on a case by case basis, and **CSSD should not pay any additional (top-up) costs without the written approval of the Emergency Services Division;**
- In cases where the claimant cannot find alternate living arrangements, CSSD may be required to assist in arranging emergency accommodations;
- The Emergency Services Division requires a periodic report from CSSD which identifies the name and home address (damaged property) of claimants being assisted through the NL-DFAP, what they have received, and the amounts paid;
- Emergency Services Division requires a record (spreadsheet or report) of every payment that CSSD has paid out concerning a specific NL-DFAP claim. The record is to be submitted to the Emergency Services Division once the adverse event response or recovery operations have concluded and/or at the end of the fiscal year. If the federal/provincial auditors require verification of payment of an expenditure, the Emergency Services Division will provide CSSD with a list of the expenditures that will require verification of payment; and
- A final document outlining all expenses incurred by CSSD, including the number of cases and related expenditures, is to be submitted to CSSD Provincial Office for review and presentation to the Emergency Services Division. CSSD must utilize its unique account identifier within its database system for costs associated with the adverse event, and these costs must reconcile with the public accounts for the Province.

### **Department of Environment and Climate Change (ECC)**

- Any claims that have been recommended for rejection because development occurred within an area designated or zoned as flood risk are to be reviewed by the Department of Environment, Climate Change, and Municipalities' Land Use Planning and Water Resource sections to determine if the development was compliant to the department's Land Use Policy on Flood Risk areas;

Other Divisions within ECC may be required to assist with issues that include but are not limited to:

- Local Governance – local governments will have to be notified of properties that have been purchased by the Province and informed of how it affects them overall.
- **Water Resources Management**

- The protection, enhancement, and conservation of the quality of the natural environment, including water, air, and soil quality;
- The conservation, development, control, improvement, and proper utilization of the water resources of the Province;
- Flood Risk Mapping; and
- Flood Forecasting and Flood Alerts.
- Other roles may be identified as the emergency evolves.

### **Department of Transportation and Infrastructure (TI)**

When an adverse event happens, this department is responsible for identifying and repairing damages to provincial infrastructure under its mandate. Other roles may be identified as the adverse event evolves.

Another essential function of the TI's Municipal Engineering Division when NL-DFAP is activated is to work with and support local governments in response and recovery activities related to the adverse event as outlined below:

- As per established processes, TI must confirm local government damages sustained as a result of the adverse event which may be eligible under the NL-DFAP. TI must prepare detailed assessment reports which must be either prepared or verified by a departmental engineer;
- Oversee recovery work as it relates to local government infrastructure damage;
- Other roles may be identified as the adverse event evolves.

Other Divisions within TI may be required to assist with issues that include but are not limited to:

- **Government Air Services** – may assist other government entities in providing air support during the emergency response and/or recovery phase. Government entities requesting air support are responsible for the cost associated with the same and must identify the reason for using the service, for example, Hurricane Igor 2010; and
- **Government Marine Services** – may assist other government entities in providing marine support during the emergency response and/or recovery phase. Government entities requesting marine support are responsible for the cost associated with the same and must identify the reason for using the service, such as Hurricane Igor 2010.

### **Digital Government and Service NL**

Digital Government and Service NL enforce legislated requirements in public health and safety, occupational health and safety, and environmental protection. Specifically for NL-DFAP, the following activities may be required during emergency response and recovery operations to an adverse event:



- **Environmental health activities** - provide licenses, permits, inspections, and registration services for the following: food establishments, septic, and other wastewater disposal systems, municipal water supplies, abattoirs, public pools, recreational facilities, child care centers, dairy farms (milk and water sampling), and housing sanitation (for example - wells used for drinking water may be impacted and require inspection and regular testing);
- **Environmental protection activities** - provide licenses, permits, inspections, and registration services related to the following: waste disposal sites, spill responses, petroleum storage tank systems, dry cleaners, sawmills, quarries, asphalt plants, scrap yards, used tire facilities, used oil storage facilities, PCB storage sites, farm waste management facilities, soil treatment facilities, and investigate illegal dumping. (for example - Hydrocarbon spills related to impacts on petroleum tanks);
- **Occupational health and safety activities** – provide resources to assess areas regarding potential health and safety risks to those affected by the adverse event and/or to those who are responding;
- **Registry of Deeds and Companies** – provides information to assist with verifying property ownership and information about companies; and
- Other roles may be identified as the adverse event evolves.

### **Department of Industry, Energy, and Technology**

Department of Industry, Energy, and Technology has responsibility for the following activities that may be required during an adverse event:

- Geological Survey Branch as it relates to geological hazards and potential relationship to the adverse event, either causal effects or subsequent consequences resulting from the adverse event; and
- Other roles may be identified as the adverse event evolves.

### **Department of Fisheries, Forestry, and Agriculture**

- Forestry Services Branch as it relates to Resource Access Roads;
- Agrifoods Development Branch as it relates to crop insurance;
- Animal Health Division as it relates to livestock and poultry operations, animal disease surveillance and food safety (dairy and meat production sectors); and
- The Aquatic Animal Health Division as it relates to aquaculture operations, animal disease surveillance, biosecurity audits, mass mortality events, diagnostic laboratory surge capacity, animal welfare, and food safety;
- Access to aquaculture exclusive wharves in Coast of Bays region;
- The management and control of measures for the protection, preservation, and propagation of wildlife, including inland fish;

- Crown Lands – If a Crown Lands lease, grant, or other forms of tenure has been issued, this can be used to verify property ownership and can be provided if required;
- Crown Lands - when a property is purchased during an adverse event, it will have to go through proper Provincial processes including being identified on the Provincial Land Use Atlas; and
- Other roles may be identified as the adverse event evolves.

### **Department of Finance**

Staff from this department will be required to assist with issues that include, but are not limited to:

- The setup and maintenance of vendors within the Government's Financial Management System (FMS) to facilitate payments to individuals and organizations under the NL-DFAP;
- The creation of a segregated account or departmental tracking code in FMS at the request of Emergency Services for departments to record all applicable costs associated with an adverse event;
- The processing of invoices associated with expenses and claims under the NL-DFAP;
- The issuance of payments to individuals and organization; and
- Other roles may be identified as the adverse event evolves.

### **Department of Tourism, Culture, Arts, and Recreation**

Staff from this department may be required to assist with issues that include, but are not limited to:

- Natural Areas Division – Parks

### **Department of Justice and Public Safety**

Staff from this department may be required to provide legal services that include, but are not limited to:

- The purchase of property condemned during an emergency;
- Title searches;
- The legality of documentation received from claimants;
- Assistance to draft or update documentation related to the NL-DFAP; and
- Other roles may be identified as the adverse event evolves.

## **Department of Health and Community Services**

In the event of an emergency, the Department provides coordination and support for the provincial health response, including:

- The provision of provincial health direction and support to the Regional Health Authorities (RHA) and other stakeholders as required;
- Support the RHA in their response to an adverse event, including the provision of public health advice and guidance, support for the road and air ambulance programs, and support for the facility-based medical services as required;
- The coordination of an inter-regional, provincial response by the health sector as required; and
- Coordination with Federal/Provincial/Territorial Ministers of Health.

## **Executive Council**

- Office of the Chief Information Officer as it relates to the Disaster Financial Assistance Claims database maintenance;
- Human Resources Secretariat as it relates to hiring staff; and
- Other roles may be identified as the adverse event evolves.

**As each adverse event is different, other provincial government entities may be required to assist; therefore, the roles and responsibilities of Provincial Government entities may be updated regularly to reflect the same. Representatives from the government entities may be required to participate in town hall meetings.**

## **Appendices**

## Appendix A – Local Government Response & Recovery Phase

### Documentation required on a local government claim for the Response Phase of the work is as follows:

1. A completed application, including pictures of all areas where damage has occurred, is required. If there are pictures of the area before the adverse event, they should also be included in the application. Local governments are encouraged to have pictures taken of their infrastructure to support a potential claim. Pictures of the area after the repairs have been completed are also required. They must be forwarded to the Emergency Services Division once they become available;
2. A segregated account must be set up by the local government to record all expenditures or revenue associated with the emergency response and recovery phase to the adverse event. This segregated account must reconcile to the Audited Financial Statement of the local government. General revenue and expenditures for **regular maintenance** for the local government must not be included in this account. Revenue received from any other source to assist with the loss, including donations, must be recorded. A copy of the general ledger associated with the segregated account must be submitted to the Emergency Services Division;
3. An Audited Financial Statement is required. The statement must identify the amount the local government has expended for the event, plus it must identify the amount received through the Emergency Services Division or other sources. The required financial statement information can be accomplished by advising the company that performs the audit to identify the specific amounts expended or received separately from other expenditures or revenues;
4. If the local government's inventory or stockpiled material is utilized during an emergency response, it must be identified and explained, including amounts used and the location. Copies of invoices or standing offer agreements, etc., to verify the cost of the original purchase of the inventory or stockpiled material should be on file. Also include supporting documentation for replenishing the same;
5. All invoices submitted for payments must include verification of payments, such as a copy of the front and back of the cancelled cheque. If costs are associated with emergency response repairs, it should be identified on the invoice. Review all invoices to avoid duplication;
6. Invoices should identify the item, quantity, location, reason required, etc., and should have a subtotal amount, HST amount, and a total amount. TI or Emergency Services Division officials will adjust the HST portion before issuing payment to the local government;
7. The local government must verify in writing that they were not eligible to receive funding for the damages sustained from the adverse event from other federal or provincial funding programs such as the CCBF, Municipal Capital Grants, etc.;

8. If the infrastructure was insurable and the local government did not purchase an insurance policy, the loss is not covered under the NL-DFAP. A letter is required from the insurance company stating that it does not offer insurance coverage for the type of loss.

If the letter is not provided, the Emergency Services Division will conclude that insurance was available, but the local government chose not to purchase it; therefore, all or a portion of the claim may not qualify for assistance;

9. The cost of repairing or replacing structures is not eligible if they are in a location that was designated, recognized, or zoned as a flood risk area before their construction;
10. Mitigative enhancement projects, including installing larger culverts, are not eligible for funding unless prior approval is received from TI or the Emergency Services Division. If the local government decides to make mitigative enhancements during the response and/or the recovery phase, such as installing larger culverts, the need for this enhancement, the additional cost, and benefits of the enhancement must be explained. All mitigative enhancement projects will be considered on a case by case basis, and local government entities will be notified in writing by TI Municipal Engineers or Emergency Services Division staff as to the eligibility of the project. Costs associated with mitigative enhancement projects are **not covered under the NL-DFAP without written approval from TI or the Emergency Services Division stating that the enhancement was approved;**
11. Tender processes must be followed where applicable, and copies of tender documents or Form B's must be forwarded to TI or the Emergency Services Division. A Form "B" is required under the *Procurement Act* when public works are required, but the urgency of the work does not allow the opportunity for the local government to issue a formal tender call;
12. If repairs within a local government involve a body of water, proper procedures must be followed to ensure adherence to the rules under federal legislation, provincial legislation, and/or municipal bylaws pertaining to projects in or near water. It is anticipated that proper procedures may not always be followed during **emergency response activities**, but if such is the case, an explanation as to why proper procedures were not followed is required;
13. Documentation is required to verify that the local government is the owner of the damaged infrastructure (for example, roads, boardwalks, trailways, etc.) and is responsible for maintaining the infrastructure for which payment is being requested. Ownership can be accomplished by providing Limits of Service Agreement, Municipal Boundary Maps, Tangible Capital Assets Inventory list, Crown Land Agreements, etc.;
14. Verification of costs incurred by a local government responding to an adverse event (for example, flooding) is required. The local government must ensure that all invoices submitted (from contractors and suppliers) for payment identify the following items:
  - a. Project title, identify the specific emergency (for example, Hurricane Igor, September 21, 2010 – Rainstorm Damage Repairs);

- b. The location or job where materials and equipment are used (for example, 8 hrs – 320 Cat Excavator, 15 tonnes Class A, Main Street, and community name);
  - c. The documentation used to support the amounts charged for equipment rental rates;
  - d. Invoices and work summaries submitted by the local government for disaster-related work performed must not include other regular local government operating expenses (for example, contractor's invoice showing charges for regular road maintenance and flood damage repairs). If such is the case, then costs for regular maintenance must be identified and removed from the overall costs; and
  - e. The date of the invoice should be precise and should identify the costs associated with the service (subtotal amount, HST amount, and total cost).
15. The local government may claim incremental costs, such as additional costs associated with hiring temporary staff (up to six months), travel claims, equipment usage, etc., provided the following conditions and backup documentation are provided:
- a. Proper time records (which must include the reason payment was made), Attendance Records, and Payroll Journals;
  - b. Records of Employment for new hires (which must include the reason for the new hire, for example, Hurricane Igor, September 2010);
  - c. Overtime pay rates are per the local government's regular overtime policies;
  - d. Employees must be paid for incurred overtime (proven through pay stubs, etc.) rather than accumulating time for time off in lieu of overtime, provided the employees time is eligible under the NL-DFAP. Other expenses such as employers payroll burden expenses are also eligible (for example, employers CPP, E.I., etc.);
  - e. Travel claims must identify the reason for travel and must include all required backup documents such as invoices and verification of payment; and
  - f. Timesheets for equipment usage must indicate why it was required and the number of hours used.

**Note that:**

- Employee costs for regular working hours are not eligible; overtime costs are an eligible expense.
- Payroll expenses for employees hired specifically to conduct emergency-related duties (administration and construction) may be eligible, provided appropriate backup information can be provided (Records of Employment, etc.).
- Overtime payroll expenses for all employees (regular, temporary, those hired specifically for emergency-related duties, etc.) are eligible.

## **Appendix B – Local Government Claims Process**

**The following process will take place once an application is received at the Emergency Services Division:**

1. Municipal Engineering staff from the Department of Transportation and Infrastructure (TI) and/or representatives from the Emergency Services Division will visit the local government to assess the damage, determine the cause, and recommend repairs required to return the area to pre-disaster condition;
2. Assessment Reports will be generated from those visits, which will verify the damage outlined in the local government's application. It is important to note that funding under the Newfoundland and Labrador-Disaster Financial Assistance Program (NL-DFAP) only provides financial assistance to repair damaged infrastructure back to pre-disaster conditions. Mitigative enhancements **must** be discussed with TI and/or the Emergency Services Division. Prior approval is required before any mitigative enhancements are undertaken by the Municipality, LSD, or Inuit Community Government. Mitigative enhancement projects undertaken without prior written approval from the Emergency Services Division and/or TI will not be covered under the NL-DFAP; and
3. Local governments will be contacted in writing by the Emergency Services Division or TI to the eligibility of their claim. The direction will be provided on how to proceed, as well as a list of documentation to be submitted before financial assistance is approved for the loss (see Appendix A for the list of required documentation). Although this list is comprehensive, other documentation may be required depending on the adverse event.



## Appendix C– Financial Assistance Schedule of Loss – NL

<b>Description</b>	<b>Comments/Qualifiers</b>
Appliances – Small	This is the maximum for all appliances – must list/specify appliances
Baby Crib	Must be in use
Baby Playpen	Must be in use
Baby Stroller	Must be in use
Bedding – Double Bed	
Bedding – Twin Bed	
Bedroom Sets	Includes Head/Foot Board, Dressers, Night Stands, Mirror
Books – School/Job related	Current school year or required as reference material for current job
Booster Seat	Must be in use
Boots and Shoes	One pair of shoes and one pair of boots per person (\$150.00 total)
Briefcase – Business usage	Must be for business or school
CDs, Videos, Flash Drives	Must be for business or school
Car Seat	Must be in use
Chesterfield Set	The main living area only – no coverage for family or recreation room if the furniture in the main living area not damaged
Cleanup	The minimum wage for hours of cleanup undertaken by the claimant, maximum payment of \$500.00
Clothing	The maximum amount allotted per person (\$750.00)
Computer & Accessories (Business)	Business only
A personal home computing device	One per household
Cookware	Pots, pans, etc., (utensils and dishes are separate items)
De-humidifier	
Desk	Business only
Dining Set	Table, Chairs, Hutch, China Cabinet
Dishes	Plates, bowls, glasses, mugs, etc.
Dishwasher	One per household
Dressers	One per bedroom
Dryer	One per household
Food	Longer-term storage such as in a freezer
Freezer	One per household
Fridge	The main fridge only
Head Bd/Foot Bd – Double Bed	
Head Bd/Foot Bd – Single Bed	
Highchair	Must be in use
Humidifier	
Kitchen Utensils	

## Financial Assistance Schedule of Loss – Newfoundland & Labrador

Description	Comments/Qualifiers
Lamps	
Laundry Supplies	Detergent, fabric softener, etc.
Lawnmower	One per household. It must be repaired if possible.
Luggage	
Mattress & Box Spring – Double Bed	
Mattress & Box Spring – Single Bed	
Microwave	One per household
Misc. Bedroom Furniture	Night table, etc.
Misc. Furniture/Furnishings	Item must be considered essential
Musical	Business/education only
Occasional Chairs	
Occasional Tables	
Portable Phone	One per household
Radio	One per household
Rug Shampooer	One per household
Sewing Machine	One per household
Snow Blower	One per household. It must be repaired if possible.
Storage	Claimants are responsible for finding a suitable storage space if one is required. A maximum amount per month will be paid for a maximum number of months. A reasonable amount will be paid to move damaged items into storage.
Stove	One per household
Television	One per household
Therapeutic/Medical Devices	An essential item that is medically required but not already identified on this list. A medical note will be required from the applicant's physician, and the adjuster must recommend the item.
Vacuum Cleaner	One per household
Washer	One per household
Window Curtains	Will only be replaced to the value of the previous curtains up to a maximum per window.
Other	An essential item that is not covered on this list. An adjuster must provide reasoning as to why it is required and the amount to be paid.